ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

MINUTE BOOK

1864-1867

H of Virginia

At a Court held for Rockingham County at the Court House thereof, on Monday the 20th day of June 1864

Present

Wm Newman P.J. Isaac Wright } Gentleman
Peter Paul and Alg. S Gray } Justices

The Last will and testament of Henry Brock dec'd. was presented in Court and proved by the oath of Frederick Kline one of the subscribing witnesses thereto, and it appearing to the Court that John Kline the other subscribing witness thereto has departed this life, and Littleton W Gamble being sworn and examined and the Court being satisfied from such examination that the signature of the said John Kline as a witness thereto is genuine and thereupon the said will is ordered to be recorded as the true last will and testament of the said Henry Brock dec'd. and on the Motion of John F. Kline the executor therein named who made oath thereto according to law, and together with Frederick Kline his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned as the law requires, a certificate is granted him for obtaining a probate of said will in due form

Ordered that Thomas Lamphkins, George Brunk, John Masar and Daniel Miller or any three of them being first duly sworn for that purpose do appraise the estate of Henry Brock dec'd and report thereon to the Court according to law

The Last will and testament of James Newton dec'd. was presented in Court, and on the motion of Strother & Grady who contests the probate thereof, the proof is continued until the next term

The Last will and testament of Isaac G Coffman dec'd was presented in Court and proved by the oath of S A Coffman one of the subscribing witnesses thereto, who also proved that George W Miller & John Beer the other subscribing witnesses thereto signed the same in his presence and in presence of the testator and of each other, and thereupon the said instrument of writing is ordered to be recorded as the true last will and testament of the said Isaac G Coffman dec'd

Littleton W Gamble who was on the 26th day of May 1864 duly elected by the qualified voters of Rockingham County, Clerk of this Court to serve as such for the term of six years commencing on the 1st day of July 1864 and after the said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office appeared in Court and together with Gelverton C. Ammon Joseph F. Logan, Samuel R. Heckenlaugh and Robert G Coakley his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires which bond is ordered to be recorded and thereupon the said Littleton W Gamble took the several oaths required by law

On the Motion of Littleton W Gamble Clerk of this Court William D Frost is admitted as deputy Clerk of this Court and thereupon the said William D Frost took the several oaths required by law

John C Woodson who was on the 26th day of May 1864 duly elected Attorney for the Commonwealth for Rockingham County for to serve as such for the term of four years commencing on the 1st day of July 1864 and after said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office — appeared in Court and took the several oaths required by law

Ordered that the Overseers of the Poor for this County bind according to law Mary Ann Eaton, aged 13 years on the 26th day of May 1864, to David Scott, who shall pay to his said apprentice when she arrives at the age of 18 years the sum of twenty dollars in specie or its equivalent

Present O C Sterling, Madison Moore, Jonathan S Speck, H A Kite, Wm S Miller, Asher Argabright, J M Sellers, A H Buck, Wm D Carpenter, Wm H Huxlow, Archibald Hopkins Jr, Joseph Miller, John H Hopkins, P J Carman & Sheeton H Carrier — Gentlemen Justices

Ordered that the Sheriff of this County make a list of all indigent soldiers and sailors enlisted from this County in the Confederate or State service who have been or may be disabled or honorably discharged and of their families and the families of those who may be now in the service and of the widows and Minor children of such as may have died or may hereafter die in the service and such list when so completed shall return and deposite in the Clerk's office of this Court on or before the July Term next of this Court

Ordered that the laying of the County Levy for the present year be continued until the next Term

Lewis F Gaither who was on the 26th day of May 1864 duly elected Constable for the 1st Magesterial district for Rockingham County to serve as such for the term of two years commencing on the 1st day of July 1864 appeared in Court and together with Philip A Easthom Wm Sigler and Henry Miller his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires which bond is ordered to be recorded and thereupon the said Lewis F Gaither took the several oaths required by law

Wm S Showalter who was on the 26th day of May 1864 duly elected Constable for the Second Magesterial district for this County to serve as such for the term of two years commencing on the 1st day of July 1864 appeared in Court and together with Wm H Huxlow, Robt M Mowey & Joseph Miller his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires which bond is ordered to be recorded and thereupon the said William S Showalter took the several oaths required by law

Ordered that Allan C Bryan and Sammee Shacklett be appointed commissioners to contract for and cause to be made all necessary repairs to the jail of this Court and to report the costs thereof to this Court

Ordered that the Sheriff of this County summon all the acting justices of this Court to appear here on the 1st day of the July Term next to [illegible] the County Levy

to take proceedings under the act of the General Assembly of Virginia for the relief of Indigent Soldiers & Sailors of Virginia and their families passed Oct 31. 1863 and for other purposes

On Motion it is ordered that Joseph Funkhouser Solomon Burtner & Robert Coy be appointed commissioners to lay off and assign the dower of Mary Nicholas widow of Charles Nicholas dec'd. in the real estate of her late husband, and if said property is not susceptible of division to report what is a fair and just yearly rent of one third of said estate

On the Motion of Moses Lee who made oath thereto according to law and together with James C Heltzel 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 him for obtaining letters of administration in due form upon the estate of Jacob Fultz dec'd

Ordered that Henry Kephart John Meese, Enoch Gilmer and Nimrod Showalter or any three of them being first duly sworn for that purpose do appraise the estate of Jacob Fultz dec'd and report thereon to the Court according to law

Ordered that the Overseers of the Poor for this County bind according to law John Magaone aged about 13 years to Jesse Carrier to learn the trade of a tanner who shall pay to the said John Magaone at the end of his apprenticeship the sum of one hundred dollars in Specie or its equivalent

Ordered that the Court be adjourned until the next term

A M Newman

At a Court held for Rockingham County at the Court House thereof on Monday the 18th day of July 1864

Present

Alg. S Gray, O C Sterling, John H Hopkins and Benjamin Hoover } Gent Justices

An Instrument of writing purporting to be the last will and testament of E V H Warren dec'd was presented in Court and there being no subscribing witnesses and thereupon Allan C Bryan and James Kenney were sworn and examined in Court 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 testator and thereupon it is ordered that the same be recorded as the true last will and testament of said E V H Warren dec'd and on the Motion of Virginia M Warren the executrix therein named who made oath thereto according to law and together with James Magruder her 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 her for obtaining a probate of the said will in due form

Ordered that Algernon S Gray, Joseph Burkholder, C C Strayer, A B Peck & James Kenney or any three of them being first duly sworn for that purpose do appraise the estate of E V H Warren dec'd and report thereon to the Court according to law

The last will and testament of Jane Henton dec^{d} was presented in Court and proved by the oaths of Samuel A Long and John G Mason two subscribing witnesses thereto and ordered to be recorded

The last will and testament of Lucinda Henton dec^{d} was presented in Court & proved by the oaths of Samuel A Long and Joseph Burkholder two of the subscribing witnesses thereto and ordered to be recorded

The last will and testament of Abraham Deihl deceased was presented in Court and proved by the oath of William VanDear one of the subscribing witnesses thereto and continued for further proof

The last will and testament of John Kline dec^{d} was presented in Court and proved by the oaths of Eli Spitzer and Philip Zimmerman the subscribing witnesses thereto and ordered to be recorded, and on the motion of John Zigler the executor therein named who made oath thereto according to law, and together with Samuel Kline, D B Rhodes, John J Bowman and David Zigler his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of forty thousand dollars conditioned as the law requires a certificate is granted him for obtaining a probate of said will in due form.

Ordered that Eli Spitzer, Daniel Yount, D B Rhodes & John J Bowman or any three of them, being first duly sworn for that purpose, do appraise the estate of John Kline dec^{d} and report thereon to the Court according to law

On the Motion of Thomas H B Braun who made oath thereto according to law and together with George Kiser, John J Roller, Emanuel Roller and John Dinkle his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned as the law requires, a certificate is granted him for obtaining letters of administration in due form upon the estate of William Carpenter dec^{d}

Ordered that John A Deming, William S Perry, Peter S Roller and Peter Roller or any three of them being first duly sworn do appraise the estate of William Carpenter dec and report thereon to this Court according to law

Joseph T Logan who was on the 26th day of May 1864 duly elected Sheriff of the County of Rockingham to serve as such for the term of two years commencing on on the 1st day of January 1865 and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, this day appeared in Court and together with Yelverton L Ammon, Henry Neff, L W Garnett, Algernon S Gray, John H McGill, John H Wartmann, Nelson Shrunkel, Joseph T Rohr, Samuel R Allebaugh, Jonas Loucheach, James M Weaver and James Steele his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two hundred and fifty thousand dollars conditioned for the faithful execution of the duties of his office which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the auditor of public accounts & thereupon the said Joseph T Logan took the several oaths required by law

Robert M Mooney who was on the 26th day of May 1864. duly elected Commissioner for the first revenue collection district for Rockingham County. to serve as such for the term of two years commencing on the 1st day of February 1865. and afterwards until his successor is qualified to enter upon the discharge of the duties of his office. this day appeared in Court and together with Josiah S Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful execution of the duties of his office which bond is ordered to be recorded. and a copy thereof certified to the auditor of Public accounts. and thereupon the said Robert M Mooney took the several oaths required by law

William H Harnick who was on the 26th day of May 1864. duly elected Commissioner for the second revenue collection district of Rockingham County. to serve as such for the term of two years commencing on the 1st day of February 1865. and afterwards until his successor is qualified to enter upon the discharge of the duties thereof. this day appeared in Court. and together with Lewis Gamelee his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful execution of his office. which bond is ordered to be recorded and a copy thereof certified to the Auditor of Public accounts and thereupon the said William H Harnick took the several oaths required by law

Henry A Chrisman who was on the 26th day of May 1864. duly elected Commissioner for the third revenue collection for Rockingham County. to serve as such for the term of two years. commencing on the 1st day of February 1865. and afterwards until his successor is qualified to enter upon the discharge of the duties thereof. this day appeared in Court and together with Madison Moore and Samuel R Allebaugh his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars. conditioned for the faithful discharge of his office which bond is ordered to be recorded. and a copy thereof certified to the Auditor of Public accounts. and thereupon the said Henry A Chrisman took the several oaths required by law.

Philip H Dice. who was on the 26th day of May 1864 duly elected constable for the fourth Magesterial District of Rockingham County. to serve as such for the term of three years commencing on the 1st day of July 1864. this day appeared in Court and together with J M Irvine. Thomas K Fulton. Peter Powell & John Dinkle his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful discharge of the duties of his office which bond is ordered to be recorded. and thereupon the said Philip H Dice took the several oath required by law.

Ordered that the Clerk of this Court. register Margaret Berry a bright Mulatto woman aged 18 years on the 10th day of June 1864. five feet 4½ inches high. has a slight scar on the left cheek and was born free in the County of Rockingham

Peter Bick jailor of this Court. presented in Court an account against the Commonwealth amounting to $41.50 which being sworn to in Court. was examined allowed and ordered to be certified to the Auditor of Public accounts.

Joseph J Logan Deputy for Ly C Ammon Sheriff of Rockingham County presented in Court a list of delinquents in the County levies rail road tax & Military tax. which being sworn to. was examined and allowed by the Court & ordered to be filed

B M Rice deputy for Lt Ammon Sheriff of Rockingham County presented in Court lists of delinquents in the State taxes ~~was~~ being sworn to in Court. was examined and allowed and ordered to be certified to the Auditor of Public accounts

Present

Algernon S Gray . Isaac Wright . Madison Moore . A C Sterling
Wm Sanfley . Dorilas Marty . Robert Black . Shelton H Garrier
Peter Paul . Adam H Huck . Jacob Fawley . C R Myers . Wm H
Carpenter . Josiah S Roller . Jno H Hopkins . P F Earman
Asher Argabright . Benj Hoover . Peter S Roller . Wm S Miller
Arch Hopkins Jr . Lewis Weice . Hiram A Kite . Wm H Kendall

} Gent Justices

John H Ralston Jr who was on the 26th day of May in the year 1865 duly elected Surveyor of Rockingham County to serve as such for the term of six years commencing on the 1st day of July 1864 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof appeared in Court and together with David Bare his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful discharge of his said office which bond is ordered to be recorded and thereupon the said John H Ralston Jr took the several oaths required by law

William H Rodeffer who was on the 26th day of May 1864 duly elected constable for the sixth Magesterial district for Rockingham County to serve as such for the term of two years commencing on the 1st day of July 1864 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof appeared in Court and together with William Golladay his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful discharge of the duties his said office which bond is ordered to be recorded and thereupon the said William H Rodiffer took the several oaths required by law

William L Granade who was on the 26th day of May 1864 duly elected constable for the seventh magesterial district of Rockingham County to serve as such for the term of two years commencing on the first day of July 1864 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof appeared in Court and together with Samuel R Allebaugh and Benjamin F Lincoln his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful discharge of the duties of his said office which bond is ordered to be recorded and thereupon the said William L Granade took the several oaths required by law

Jackson Knopp who was on the 26th day of May 1864 duly elected constable for the eighth Magesterial district for the County of Rockingham to serve as such for the term of two years commencing on the 1st day of July 1864 and afterwards until his successor is qualified to enter upon the discharge of the duties of his said office appeared in Court and together with Alexander Koolsinger and Philip Krichen his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned for the faithful discharge of the duties of his said office which bond is ordered to be recorded and thereupon the said Jackson Knopp took the several oaths required by law

John L Sprinkel who was on the 26th day of May 1864, duly elected Constable for the Ninth Magesterial district for the County of Rockingham, to serve as such for the term of two years commencing on the first day of July 1864 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, appeared in Court and together with Adam H Yeakle and Abraham Brenaman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars, conditioned for the faithful discharge of the duties of his said office, which bond is ordered to be recorded and thereupon the said John L Sprinkel took the several oaths required by law

Whereas the office of Surveyor of this County is one of importance at all times, and the importance thereof greatly enhanced by the loss of the records by the Public enemy and the demand for his services greatly increased at present to ascertain and establish the boundaries of lands, and whereas John H Ralston Jr said officer is liable to military duty as one of the Reserve forces, unless exempted by a certificate of the Governor of the State. It is therefore ordered by the Court that Governor Smith be respectfully requested to furnish a certificate which will exempt him from Military duty as one of the Reserve forces

Ordered that L M Gamble, Clerk of this Court & A L Sprinkel Clerk of the Circuit Court of this County and D. A Mc Kenman any one of whom may act, be appointed a Committee to proceed to Richmond and select such paper as may be necessary to supply the offices of the Circuit & County Courts and have said paper properly ruled and bound into books and report their proceedings, and the costs of the paper and binding to this Court

Whereas our country is engaged in a great revolutionary struggle for independance and civil liberty, and while some of the citizens of our country have proved faithful and have sacrificed their lives in the cause others have failed to aid in the cause, and have proved themselves traitors and deserted their Country and her cause in the day of her trials, and whereas it is desirable that a permanat and accurate record shall be preserved of the conduct of those who have been true to the cause, as well as those who have acted traiterously and proved recreant and deserted and gone to the public enemy. Therefore it is ordered that the Clerk of the County Court be requested to procure a blank book of proper size and dimensions in which he shall keep an alphabetical record of the names of all persons citizens of the County of Rockingham who have performed Military service in this great struggle whether as volunteer Conscript or Militia or otherwise, the time when they entered the service the length of time served, also whether killed, wounded or died in the service, and if killed or wounded in what battle and if possible the day of the battle, also the Company and regiment in which the service was rendered, also a list of all those who deserted from the ranks whether in the regular service or Militia, also a list of all those of Military age who fled the country or secreted themselves to avoid Military service, also a list of those who paid their fines under the law exempting persons from Military duty on account of religious opinions, and that the Clerk ask the aid of Commanders and Company officers to render him such assistance as may be necessary to enable him to comply with this order which book shall be kept in the Clerks office in a conspicuous place, open to the inspection of all who desire to examine it. It is further ordered that the Clerk be allowed for his services such compensation for this service as shall be equivalent to the legal allowance for simular services in keeping a record and reasonable compensation for any extra service and trouble that he may incure, and that the Clerk be authorized to procure a suitable book for this purpose

Ordered that Allan L Bryan and Samuel Shacklett. Commissioners heretofore appointed to have repairs made to the Jail be authorized to expend a sum in said repairs not exceeding Nine hundred dollars

On the Motion of Thomas Harrison who made oath thereto according to law and together with John W C Houston and Revel Rogers his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration with the will annexed in due form upon the estate of Jason Harrison dec^{d}

Ordered that Shelton H Carrier. John W C Houston Samuel A Coffman and Benjamin F Lincoln or any three of them being duly sworn for that purpose do appraise the estate of Jason Harrison dec^{d} and report thereon to the Court according to law

Ordered that Samuel R Sterling. Wm M^{c}K Wartmann and George S Christie being first sworn for that purpose do appraise the estate of Samuel Walker and report thereon to the Court according to law

The last will and testament of John Huffman dec^{d} was presented in Court and proved by the oaths of Gideon Rosenbarger and A S Rosenbarger two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of John W C Houston and Jacob K Mauzy the executors therein named who oath thereto according to law and together with Shelton H Carrier and Benjamin F Lincoln their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand six hundred dollars conditioned as the law requires a certificate is granted the said John W C Houston and Jacob K Mauzy for obtaining a probate of the said will in due form

Ordered that Peter Jetty. Gideon Rosenbarger. Joshua Jennings and Jacob N Cowen or any three of them being first duly sworn for that purpose do appraise the estate of John Huffman dec^{d} and report thereon to the Court according to law

Robert G Coakley and Henry Neff Deputies for Kyle Ammon Sheriff of this County presented in Court lists of delinquents in the State tax for the year 1857 which being sworn to. was examined and allowed by the Court. and ordered to be certified to the auditor of Public accounts

Kyle Ammon Sheriff of this County and Henry Neff. Christopher Miller. Robert G Coakley and Samuel K Allebaugh his deputies presented in Court list of delinquents in the County Levies. Rail Road and Military tax for the year 1863. which being sworn to was examined and allowed by the Court. and ordered to be filed

Ordered that Wm M^{c}K Wartmann be appointed a Commissioner to examine and state the accounts of M Harvey Effinger Secretary & Treasury of the Soldiers aid Committee for Rockingham County. and report thereon to the Court

A Wm Newman this day presented in Court a report of investments &c of funds in

his hands belonging to the County of Rockingham. which report was examined and allowed by the Court, and ordered to be filed

Wm M^K Weartmann who was this day appointed a Commissioner to examine & the accounts of M Harvey Effinger Treas'y & Sec'y of the Soldiers aid Committee of Rockingham County made his report which was examined by the Court, and approved and ordered to be filed.

William H Harnlan. Joseph Miller. Samuel H Lewis Jr. George W Kemper Jr. Josiah S Roller. Peter S Roller. Peter F Bauman. Isaac Wright. John Burkholder. Charles S Thompson. Christian R Myers. Archibald Hopkins Jr. Elway C Sterling. Sam'l C Coffman. George S Christie. Wm M^K Weartmann. John J Bauman. Lewis Will. Benjamin Hoover. Jackson Hoover. Noah H Buck. George W Fawley. Josiah Sowders and Isaac Funk who have been duly elected and commissioned as Justices of the peace for Rockingham County, to serve as such for the term of four years commencing on the 1st day of August 1864. presented in Court their Commissions, and appeared and took the several oaths required by law.

Ordered that the sum of one thousand dollars be levied for and appropriated for the relief of Peter Bick jailor of this Court. for damages sustained by distruction of his property by the public enemy

Ordered that the Overseers of the poor for this County be authorized to make sale of forty acres of Timberland belonging to the Poor House farm. lying on the south side of Chesnut Ridge and on the Southwestern part of the poor house farm. adjoining the lands of Weeds. Billheimer &c. at the price of twelve dollars per acre. in part as soon after the close of the present war, with interest thereon from the time said Overseers shall make a deed for the same, in accordance with the report of the President of the Board of Overseers which report is assented to by the Court

Ordered that the sum of one hundred thousand dollars be levied and appropriated for the support of Soldiers families &c. and that the said sum be distributed between the several Justices at the rate of $66.66 2/3 per Capita. and that the justices distribute these several sums as may seem most likely to meet the necessities of the several families in their districts

Ordered that an Election for four justices of the peace. and an overseer of the Poor for the 4th Magesterial district of Rockingham County. be held on the last Saturday in the present Month. and that the Commissioners and officers appointed to conduct the election held on the 24th day of May last. be appointed to conduct the said election. to be held as aforesaid.

Ordered that the Attorney for the Commonwealth be allowed the sum of $800 00, and the Clerk of this Court the sum of $600 00 for public services performed during the present year

Ordered that a levy of ten cents on each hundred dollars of the assessed value of the taxable property of the County for the year 1863. and a capitation tax of thirty cents on each tithable of the County, be imposed for the purpose of meeting the interest on the loan as issued by the County under the order of the Court adopted at the June term 1863 which shall be collected by the Sheriff who shall receive a compensation of six per cent for

the collection thereof. and pay the same into the Bank of Rockingham subject to the order Samuel Shacklett. the agent of this Court for disbursing the same

Samuel R Allebaugh and Henry Neff. Deputies for Kyle Ammon Sheriff of this County presented in Court lists of delinquents in the property and Capitation Tax for the year 1863 which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Samuel R Allebaugh. Deputy for Kyle Ammon Sheriff of Rockingham County presented in Court a list of delinquents in the real estate tax for part of this County for the year 1863. which being sworn to, was examined and allowed by the Court. and ordered to be certified to the Auditor of Public accounts

Ordered that the Sheriff. Summon all the Justices of this County whose term of office commences on the 1st day of August next. to appear here on the first day of the next term. to organize. elect a presiding justice &c

The Court proceeded to lay the County levy (all 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 & amount to meet contingent expenses of Poor &c	$	16800	00	
Estimated allowance for delinquents		2115	00	
Claims allowed and appropriations made by the Court		6717	78	
Sheriff's Commissions &c		1000	00	
Balance to meet contingent expenses		1826	62	
			$	31459 40

Credit

By 5600 Levies at $5.50		30800	00	
" amount in Agents hands		459	40	
" " Supposed to be due from Sheriff		200	00	
			$	31459 40

Ordered that the Sheriff of this County, collect from each tithable in this County not exempted by law. $5.50 three dollars of which shall appropriated to the parish and $2.50 to the County. and out of the money arising from such collections pay the Claims allowed by the County and Parish to the persons entitled to the same. and the balance after making allowances for delinquents and commissions. pay to agents of the County & Parish.

Ordered that for the purpose of meeting in part the appropriation made this day for the support of Soldiers families. that the Commissioners of the Revenue be instructed to carry out 20 per cent on the taxes paid for the year 1863. on the subjects mentioned in the 3 Section of Chapter 53 of the Code of 1860. and the Sheriff is to collect and apply the same to the credit of the Military fund of the County

Ordered that A M Newman and M Harvey Effinger be appointed a committee to prepare and sell at public auction Lots of the County one half payable June 1st 1866. the other half payable June 1st 1867. with interest to be paid annually on the 1st day of June. the said A M Newman to sign said Lots. and the said M Harvey Effinger to countersign them

provided that said agents shall only sell the same as ex agencies may require. and provided fur ther that in their sales said agents shall not sell bonds the proceeds of which sale exceed $70000 00

Samuel Shacklett. agent for this County. to disburse the Rail Road tax. this day presented in Court a report of his actings &c. which was examined and allowed and ordered to be filed

Ordered that the Court be adjourned until the next term

All

At a Court held for Rockingham County. at the Court-house thereof. on Monday the 15th day of August 1864

Present.

Benjamin Hoover. Isaac Wright. Josiah S Roller. Ob Sterling
P J Bowman. Lewis Mill. Charles S Thompson. Shelton H Carrier
Hiram A Kite. Wm S Miller. Wm H Conalow. Joseph Miller
Sam'l H Lewis Jr. Geo W Kemper Jr. Peter S Roller. George S Christie
Wm M K Wartmann. Madison Moore. Wm W Carpenter. Thos Morre
Jno J Bowman. Benjamin Hoover. Adam H Fuck. Geo W Fawley
Josiah Sowders and Isaac Fink

} Gent Justices

A Settlement of the estate of Reuben Altaffer. 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 Same estate — The Same order

Same of the estate of Mary Acken. dec'd — The Same order

Same of the Same estate — The Same order

Same of the Guardian for Dorcas C. Cath'r A & Sally W Bear — The Same order

Same of the same accounts — The Same order

Same of the estate of Isaac Bowman dec'd — The Same order

Same of the Same estate — The Same order

Same of the estate of Samuel Bowman Sr. dec'd — The Same order

Same of the Same estate — The Same order

Same of the estate of Susan Conrad dec'd — The Same order

Same of the a/c of the Guard'n of Jacob W & Edora Deputy — The Same order

A Settlement of the accounts of the Guardian of Mary Cook 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 Same account	The Same order
Same of the Guardian of Mary E Coffman.	The Same order
Same of the Guardian of Sarah F & J H Coffman	The Same order
Same of the Guardian of Sarah J. Mary E & J H Coffman	The Same order
Same of the estate of John H Campbell dec'd	The Same order
Same of the estate of Jacob Flook dec'd	The Same order
Same of the Same estate	The Same order
Same of the a/c of the Guardian of Mary Howard	The Same order
Same of the Same	The Same order
Same of the a/c of the Guardian of Susan Howard	The Same order
Same of the Same	The Same order
Same of the estate of Anthony Huffman dec'd	The Same order
Same of the Same estate	The Same order
Same of the Guard'p of Ellen J. Maria C. Mary E & Brown H Jackson	The Same order
Same of the Guardian of Ellen J Jackson	The Same order
Same of the Guard'p of Maria C. Mary E & Brown H Jackson	The Same order
Same of the Guard'p of Chas Thances Jas Jno Hiem Killer	The Same order
Same of the estate of Joseph J Miller dec'd	The Same order
Same of the ~~estate~~ Same estate	The Same order
Same of the estate of Joseph Miller	The Same order
Same of the Same estate	The Same order
Same of the a/c of Guard'p of Eliz't Susanna Mary J Adaline Miller.	The Same order

A Settlement of the accounts of the Guardian of Elizabeth Susanna & Mary Mileen 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 Guardian of Henry S & Sarah E Matheny	The Same order
Same of the Guardian of Same	The Same order
Same of the Guardian of Annie & Henry Moffett	The Same order
Same of the Same Guardian	The Same order
Same of the Guardian of Mary[t]. Jno & Sarah A J Miswander	The Same order
Same of the Same Guardian	The Same order
Same of the estate of Barbara Neff. dec[d]	The Same order
Same of the Same estate	The Same order
Same of the estate of John Sites dec[d]	The Same order
Same of the Same estate	The Same order
Same of the estate of Peter A Whitmore dec[d]	The Same order
Same of the Same estate	The Same order

Hiram A Kite and John B Amiss, who were on the 26th day of May 1864 duly elected Justices of the peace for the 1st Magesterial district of Rockingham County, produced in Court a commission and took the several oaths required by law

The last will and testament of John Allebaugh dec[d] was presented in Court and was proved by the oaths of S Blair Kyle Jordan Williamson and David Link the subscribing witnesses thereto and ordered to be recorded

James M Burgess who was on the 26th day of May 1864 duly elected constable for the third Magesterial district in Rockingham County to serve as such for the term of two years commencing on the 1st day of July 1864 and thereafter until his successor is qualified & from the discharge of the duties of said office, appeared in Court and together with Elijah S Hauffman & Daniel May his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires which bond is ordered to be recorded and thereupon the said James M Burgess took the several oaths required by law

Absent Thomas Moore Present John B Amiss Gent Justices

The Court proceeded to organize by electing one of their own body as

presiding justice which resulted as follows. for Wm M K Beartmann — viz John B Amis. Wm H Henderson. Joseph Miller. Samuel H Lewis Jr. George W Kempher Jr. Josiah S Roller. Peter S Roller. O C Sterling. George S Christie. John J Bowman Lewis Weill. Adam H Funk. George W Hawley. Josiah Sowders and Isaac Fink making 15 votes. and for O.C. Sterling viz Hiram A Kite Wm S Miller. P J Bowman Isaac Wright. Charles S Thompson. Wm M K Beartmann. Madison Moore. Wm W Carpenter. Shelton H Carrier and Benjamin Hoover making 10 votes. and thereupon the said Wm M K Beartmann was declared duly elected presiding justice of the Court

Mary Ann Allen orphan of Thomas Allen dec'd being upwards of 14 years of age appeared in Court. and together with the approbation of the Court made choice of John Kephart as her guardian and thereupon the said John Kephart appeared in Court and together with Algernon S Gray his security entered into and acknowledged a bond in the penalty of Ten dollars conditioned as the law requires which bond is ordered to be recorded

Ordered that William Fitzwater be appointed Surveyor of Precinct No in the place of

The last will and testament of Sarah Peters dec'd was presented in Court and proved by the oaths of John D Yerkes and Benjamin J Rosenberger the subscribing witnesses thereto and ordered to be recorded

On the Motion of Lt H Gamble Clerk of this Court and with the consent of the Court Arthur McSpurrier is admitted as deputy Clerk. and thereupon the said Arthur McSpurrier took the several oaths required by law

Ordered that the order of the last term of this Court. making an appropriation for the support of Soldiers families &c. be so amended as to make the interest on the bonds authorized to be issued under said order. payable on the 1st day of January in each year. and the bond not to be made payable earlier than the year 1875. unless the purchaser desire it and his election as to time of payment must be made known at the time of purchase. and that the old issue of Confederate States Treasury notes (less the discount) shall be received in payment of said Bonds

On the Motion of Mary Kagy who made oath thereto according to law and together with Samuel Miller and Abraham Miller her 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 her for obtaining letters of administration in due form upon the estate of David McKagy dec'd

Ordered that Samuel Miller. Abraham Miller Benjamin F Kerlin and Joseph Click or any three of them being first duly sworn for that purpose do appraise the estate of David McKagy dec'd. and report thereon to the Court according to law

The last will and testament of Abraham Deihl dec'd was this day again presented in Court and fully proved by the oath of Edward S Kempher a subscribing

witness thereto and ordered to be recorded. and on the motion of Isaac Long and Christian Hartman the executors therein named who made oath thereto according to law. and together with Daniel Miller their security (who qualified as to his 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 Isaac Long & Christian Hartman for obtaining a probate of the said will in due form

Ordered that William Sanfley. Peter Shawalter. Philip Baker and George Null or any three of them being first sworn for that purpose do appraise the estate of Abraham Beihl dec'd and report thereon to the Court according to law

Ordered that the Overseers of the Poor for this County. bind according to law Franklin Pierce aged ten years to John Koontz to learn the business of a farmer and at the end of his apprenticeship to pay to said Franklin Pierce Twenty dollars in money and a gray horse saddle bridle and a freedom suit

On the Motion of Yelverton & Ammon who made oath thereto according to law and together with George W Mauzy and Edward S Yancey his securities (who qualified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars. conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Christian Argenbright. deceased

Ordered that George W Mauzy. Albert P Nicholas. James M Weaver & Frederick Armentrout or any three of them. being first duely sworn for that purpose do appraise the estate of Christian Argenbright dec'd and report thereon to the Court according to law

Charles Lewis who has been heretofore commissioned and qualified as a Notary Public for Rockingham County. appeared in Court and together with Wm H Harnsberger his security. entered into and acknowledged a new bond in the penalty of three hundred dollars. conditioned as the law requires which bond is ordered to be recorded

Absent. all the Justices except
Wm M & Hartman P.J. . Isaac Wright } Gent
Madison Moore and Peter S Roller } Justices

On the Motion of William C Price who made oath thereto according to law. and together with John H Hartmann his security (who qualified 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 the said William C Price for obtaining letters of administration in due form as from the estate of G. F. H. Crockett. dec'd

Ordered that Samuel M Dale. Franklin Pence. Arthur S C Sprinkel and Peachy Rice who after being first duely sworn for that purpose. do appraise the estate of G F H Crockett deceased. and report thereon to the Court according to law

Ordered that Philip Holler be appointed surveyor of precinct No in the place of Abraham Ralston deceased

Ordered that Joseph Keine be appointed surveyor of precinct No — in the place of George W Effinger

Jacob P Effinger foreman Danniel Meamphen Samuel Sutwiler, William Penhurst Shem Bowman, John P Lord, Samuel S Hazel, George W Mauzy, Zebulon D Gilmer R M Burke, Henry Beery, John Williamson Samuel Sheets, Isaac Bleline, Davis S Manspin, Peter Shive, Adam Turner, Jacob B Hile and James Baker, were sworn a Grand Jury of and for the body of the County of Rockingham, and having received their charge, retired from the bar to consider of their presentments, and after sometime returned into Court, and not having any business before them, were discharged

Joel Argenbright & others Pltffs
against
Henry Argenbright & others Defts } In Chancery

This cause came on by consent to be heard this day upon the Bill of complainants the answer of the defendants Henry Argenbright and G C Simmon admr of C Christian Argenbright dec'd with replication thereto, and was argued by counsel upon consideration thereof the Court being of opinion that the real and personal estate in the bill mentioned and owned jointly by C Christian & Henry Argenbright ought to be divided among the parties entitled thereto. It is adjudged ordered and decreed that J M Weaver, G W Mauzy, A P Nicholas & J Simmentrout any three of whom may act, who are hereby appointed commissioners for that purpose, do proceed to partition the said property among the parties entitled, assigning to Henry Argenbright one half of the whole property real and personal in his own right, and one sixth of the remaining half as one of the heirs of said C Christian Argenbright laying it off in a body if it can be done without injury to the other heirs, the remainder to be allotted to the other heirs of said C Christian Argenbright either the whole to be laid off to them without subdivision or if the parties desire it the real estate may be subdivided among the parties if it can be done said Commissioners will report to this Court at its next term

Jerry Dorman moved the Court to commit the estate of C Christian Dorman dec'd to the Sheriff for administration for reasons appearing to the Court it is ordered that the said motion be overruled

Frederick Schaffer, Moved the Court to correct an alleged erroneous assessment of a License to sell ardent Spirits, the attorney for the Commonwealth being present as also the said Schaffer by his attorney, and the Commissioner of the revenue being examined on oath and the Court having fully heard the evidence and argument of counsel upon consideration whereof the Court is of opinion that there is no error in the assessment aforesaid, and doth overrule said motion

Ordered that the Overseers of the Poor for this County bind according to law Sylvester Nichol to Eli Keeran to learn the trade of a blacksmith which boy is nine years and six months old and said Eli Keeran is to keep the said Sylvester Nichol at the end of his apprenticeship one hundred dollars in Specie

Samuel Cootes Pltff
vs
John W. Barglebaugh & George May Defts } In Chancery

The complainant this day files his bill and exhibits with affidavit thereto according to law, and on his motion an Injunction is awarded to restrain the defendants or either of them from the use of the distillery and distillery implements and property in the Bill mentioned in any other manner than is set forth in the contract filed with the Bill, and it is ordered that unless the defendants or any of them or some one for them do within twenty days after service of process give to the Sheriff Bond with approved security in the penalty of $5000. conditioned to carry on said Distillery in a judicious vigilent and business like manner, and to render a faithful account of the proceeds thereof, and pay over the same as may be hereafter decreed in this cause, then the Sheriff will take possession of said Distillery and implements, and retain out the same until the further order of this Court. If no such bond is given by the defendants within the time specified, the complainant may give such bond and security, But this Injunction is not to take effect until complainant or some one for him shall execute and acknowledge a bond with approved security before the Clerk of this Court in his office in the penalty of $5000. conditioned according to law.

On the motion of Ls. Harrison Sheriff of this County, and with the approbation of the Court Solomon D. Reamer is admitted as his deputy Sheriff, and therefrom the said Reamer took the several oaths required by law.

Whereas the County Court of Rockingham through Commissioners appointed for the purpose, has contracted for the repairs of the jail of the County, to be made by Emanuel Royer, which repairs are of great importance to the County, and the proper administration of justice. It is therefore ordered that the proper Military authorities be respectfully requested to grant a furlough to said Emanuel Royer as a member of the Reserve Forces for such period as will enable him to complete the job aforesaid, so far as the same can be done consistently with the necessities of the same.

The Court doth Classify and assign the Justices of this Court to the several terms as follows.
First Class. August Term. Hiram Akite, Wm H. Herndon, Peter S. Roller and Charles S. Thompson. September & October Terms. Benjamin Hoover, George S. Christie, Madison Moore, John J. Bowman and Josiah Sowders.
Second Class. November Term. Wm S. Miller, Samuel H. Lewis Jr., Josiah S. Roller and John Burkholder. December & January Terms. Archibald Hopkins Jr., Thomas Moore, Jackson Hoover, Philander Herring and Adam H. Fuck.
Third Class. February Term. Ole Sterling, Maurice S. McGahey, Joseph Miller & Peter F. Eastman. March & April Terms. Lewis Will, George W. Fawley, Wm. Wharfenter, Jonathan S. Speck and Isaac Fink.
Fourth Class. May Term. John B. Amiss, George W. Kemper Jr., Isaac Wright & Christian P. Myers. June & July Terms. Samuel A. Coffman, William Beard, Sheldon H. Carrier and Enoch B. Seely.

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.

Absent Isaac Wright — Gent Justice

On the Motion of Frederick Schaffer to reconsider the action of the Court this day had upon his application to correct an erroneous assessment, and thereupon the Commissioners

of the revenue being examined touching the facts and the Motion being argued as well by the Attorney for the Commonwealth as by the Attorney for said Schaffer. the Court doth reverse and annul the order entered this day, and doth certify that the said Frederick Schaffer was erroneously assessed with a license tax as a wholesale dealer in ardent Spirits from the 30th day of June 1863 to the 30th of April 1864, amounting to eight hundred and thirty three dollars and thirty four cents, on the ground that no assessment should have been made. that said Schaffer had no place of business or residence in this County and having purchased the brandy for the use of his Hotel in the County of Shenandoah, and was prevented from removing the same to Shenandoah County, by reason of the invasion or threatened invasion of the Valley by the public enemy, the Commissioner of the revenue ascertaining that the said Schaffer had made sale of the brandy, proceeded at once to assess him with a quadruple tax, to which opinion and action of the Court the Attorney for the Commonwealth excepted in these words "Frederick Schaffer" &c which was signed sealed and enrolled by the Court and ordered to be made a part of the record.

Ordered that the Court be adjourned until the next Term

Wm McK. Wartmann, P. J.

At a Court held for Rockingham County at the Court-House thereof on Monday the 19th day of September 1864

Present

Wm McK Wartmann P.J. Madison Moore, Josiah Sowers, Josiah S Roller & Shelton K Conrad } Esqrs Justices

A Settlement of the estate of Deborah Bowman 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 accounts of the Guardian of John Baker & others — The same order

Same of the estate of Lewis Coplinger dec'd — The same order

Same of the estate of Caleb Chanceis dec'd — The same order

Same of the estate of Michael Shaeffer dec'd — The same order

Same of the accounts of the Guard'n of Isaac Thomas — The same order

Joseph T Logan as Deputy for Ayle & Ammon, S.R.C. presented in Court a list of delinquents in the license tax for the year 1864, 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 Ayle Ammon Sheriff as an Ex Administrator of Samuel Strayer dec'd. It is ordered that William McK Wartmann be appointed a special Commissioner to examine, state and settle the accounts of the said administrator and report thereon to the Court according to law

Ordered that the agent of this Court, purchase for the use of the jail one Stove, 20 Window glasses and one bucket

The last will and testament of Nancy Evans dec'd was presented in Court and proved by the oaths of Wm M. Beartmann and Isaac Aiken the subscribing witnesses thereto and ordered to be recorded

Upon the application of Messers Smith & Little for a license to retail ardent Spirits not to be drank at the place where sold, on consideration whereof the Court doth refuse to grant their application

John Carver Pltff
vs
Absalom Dovel 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

The last will and testament of Jacob Hoenick dec'd was presented in Court and proved by the oaths of Henry Shacklett and Allan C. Bryan two of the subscribing witnesses thereto and ordered to be recorded, and Samuel Hoenick the executor therein named having removed beyond the Commonwealth of Virginia and on the motion of John Hoenick who made oath thereto according to law and together with John Diller and William N. Jordan 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 him for obtaining letters of administration with the will annexed of the said Jacob Hoenick dec'd in due form

Ordered that George Bowman, Henry Heinegardner, Samuel Chandler and Wm Bowman, or any three of them being first duly sworn for that purpose, do appraise the estate of Jacob Hoenick dec'd and report thereon to the Court according to law

The last will and testament of B F Lincoln dec'd was presented in Court and proved by the oaths of Jesse Carrier and Simon P Summers the subscribing witnesses thereto and ordered to be recorded

The last will and testament of John Weller dec'd was presented in Court and proved by the oaths of Madison Moore and H N Christman the subscribing witnesses thereto and ordered to be recorded, and on the motion of Samuel R Allebaugh the executor therein named who made oath thereto according to law, and together with Henry Neff, Madison Moore and Peter Neff 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 him for obtaining a probate of the said will in due form

Ordered that Peter Neff, Michael Sellers and Christian Simmers after being first duly sworn for that purpose do appraise the estate of John Weller dec'd and report thereon to the Court according to law

By consent of the parties interested, It is ordered that Wm M. Beartmann dec'd pro-

a special commissioner to examine state and settle the accounts of Wm Crawford admr of James Crawford dec'd and report thereon to the Court according to law

On the motion of A Brenaman an Overseer of the Poor for this County, it is ordered that he bind to Brannucee M Rice a free negro girl named Jane Cooley daughter of Nathan Cooley, said girl is aged 12 years to be bound until she arrives at the age of 18 years and at the end of her apprenticeship said Rice shall pay to her $50. in specie or its equivalent and a freedom suit of clothes

Absent Josiah S Keller & S H Cannier. Present George S Christie Gent Justices

D S Rench Pltff
vs
Margaret Crawford Deft } Unlawful Detainer

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

The last will and testament of John Longman dec'd 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 and 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 Cannier were sworn and examined and who proved that the signatures of the 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 Keesley dec'd was presented in Court and proved by the oaths of William Smith and John B Smith the subscribing witnesses thereto and ordered to be recorded, and there being no executor named in the said will on the motion of John B Smith who made oath thereto according to law and together with William Smith his security (who justifies 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 with the said will annexed, in due form upon the estate of said James Keesley dec'd

The Court doth appoint Jesse Moyers Guardian for Virginia Frances Scothron & Michael J Scothron orphans of Michael Scothron dec'd who are under the age of 14 years, and thereupon the said Jesse Moyers appeared in Court and together with Samuel McClaugh 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

The last will and testament of Fannie M Yancey dec'd was presented in Court and proved by the oaths of George Conrad and Mary Yancey the subscribing witnesses thereto, and ordered to be recorded, and on the motion of Charles A Yancey the executor therein named who made oath thereto according to law and together with Edward A Yancey 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 a certificate is granted the said Charles A Yancey for obtaining probate of said will in due form

On the Motion of John Niswander guardian for Lucy J Williams it is ordered that he be authorized to expend the accumulated unexpended interest on the funds of his ward, in his hands for her support and education and receive a credit for the same.

Samuel Coates Pltff
against
John & Bangle baugh & others Defts } In Chancery

This cause came on to be further heard this 17th day of September 1864 upon the bill of the plaintiff and the exhibits therewith filed whereupon the argument of counsel being heard, and it appearing to the Court that the real defendant Bangle baugh is a conscript soldier in the Army of the Confederate States, on the Motion of the defendant Bangle baugh's counsel the bill of the plaintiff is dismissed with the costs of the defendants that they have expended in defending

On the Motion of Jerry Dorman, it is ordered that the estate of Christian Dorman dec'd be committed to the Sheriff of Rockingham County for administration according to law. it appearing that more than three months have elapsed since the death of the said Christian Dorman

Ordered that the Sheriff of Rockingham County, be authorized to receive Confederate States Treasury notes of the old issue with the discount off. in payment of the County levies and other taxes for County purposes until the 20th day of December 1864. the said Sheriff is required to deposite the same in the Bank of Rockingham as fast as collected and receiving of the proper officer of the Bank a certificate of the same entitling the holder to an exchange in new issue

Present Charles S Thompson Gent Justice

William A Wade who stands charged with a felony by him committed in this that he did on the 29th day of August 1864 in the County of Hampshire one bay mare of the value of one thousand dollars of the goods and chattels of A B Harpen steal take and carry away, was led to the bar in custody of the Sheriff, and the Court having heard the evidence 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

Be it remembered that A B Harpen, George W Smiley and Isaac Beery 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 each to be levied of their respective goods and chattels, lands and tenement and for the use of the said Commonwealth. Yet upon this condition that the shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof, then and there to give evidence on behalf of the Commonwealth vs William A Wade, 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

Ordered that Peter W Armentrout Andrew Bauserman, Philip S Miller, Solomon Bauserman and William H Bauserman or any three of them being first duly sworn for that purpose do appraise the estate of Christian Dorman dec'd and report thereon to the Court according to law

James A Grubb who stands charged with a felony by him committed in this that he did on the 10th day of August 1864 in the County of Rockingham feloniously take and carry away one Bay horse the property of Christian Myers was led to the bar in custody of the Sheriff and the Attorney for the Commonwealth with the consent of the Court said that he will not further prosecute the prisoner for the felony aforesaid and thereupon it is ordered that the prisoner be discharged from custody

H C Williams who stands charge with a felony him committed in this that he on the 24th day of August 1864 in the County of Rockingham, steal and carry away a gray horse the property of Mary C Kyle was led to the bar in custody of the Sheriff and on the motion of the prisoner the further examination is continued until the next term and thereupon the prisoner was remanded to jail

D S Rench Pltff
vs
Margaret Crawford Deft } Upon a Writ of Unlawful Detainer

This day came the parties by their attornies and by consent it is ordered that the plaintiff recover against the defendant the house in the writ mentioned and the costs by the pltff in this behalf expended and the pltff prays that a writ may be issued to the Sheriff directing him to deliver the plaintiff the possession of his said house

Abagey Shifflett who stands charged with a felony him committed in this that he on the ___ day of September 1864 in the County of Rockingham did feloniously shoot at William H Morris with intent to maim disable disfigure and kill him the said Wm H Morris was led to the bar in custody of the Sheriff and upon deliberation the Court is of opinion that no felony has been committed but that a misdemeanor has been committed and that there is probable cause to charge the prisoner therewith and that he enter into a recognizance in the sum of $1000 - for himself and the like sum of $1000 for his security conditioned for his personal appearance before this Court on the 1st day of February term next to answer an indictment then and there to be preferred against him for the misdemeanor aforesaid, which recognizance may be taken before any justice of the peace for Rockingham County and thereupon the prisoner was remanded to jail

Ordered that the Court be adjourned until the next term

Wm M K Wartmann P J

At a Court held for Rockingham County at the Court-House there for on Monday the 17th day of October 1864

Present

Wm M K Wartmann Pt Madison Moore
P Yeakman, Geo S Christie & Isaac Wright } Gent Justices

B Co Long Pltff
vs } In Chancery
D B Shavalier & others Defts

The order of Attachment issued in this cause being returned executed It is ordered that the

Sheriff of this County, sell and dispose of the attached effects upon the terms prescribed by Law and hold the proceeds subject to the future order of this Court, and as to other questions arising in this cause it is continued until the next Term

John L Woodson Pltff
vs
S J Shavalter Deft
} Upon an Attachment

This day came the Pltff by his Attorney, and the Attachment in this cause being returned executed and the Deft being called and not appearing, it is ordered that the officer the Sheriff of this County make sale of the attached effects, and hold the same subject to the order of this Court and the cause is continued until the next Term

William Beard and Enoch B Dolly, who have been duly elected and commissioned as Justices of the peace for the fourth Magesterial district of Rockingham County appeared in Court and took the several oaths required by Law

Wm Sawfley Pltff
vs
A J Baugher Deft
} Upon an Attachment

This day came the Pltff by his Attorney, and the Deft not appearing, upon evidence it is considered that the Pltff recover against the Deft Six hundred and ninety dollars with Legal interest on $200. part thereof from the 1st day of March 1862. on $240. another part thereof from the 1st day of March 1863. and on $250. the residue thereof from the 1st day of March 1864 till paid and the costs by the Pltff in this behalf expended. and it is ordered that the officer who levied this Attachment make sale of the Attached effects, and out of the proceeds pay and satisfy this judgment and the surplus (if any) pay to the Deft or such person as may be duly authorized to receive the same

James Templeman Pltff
vs
Jesse Carrier Deft
} Upon an Attachment

This day came the Pltff by his Attorney, and the Attachment in this cause being returned executed and the Deft not appearing it is considered that the Pltff recover against the Deft the sum of fifty dollars with legal interest thereon from the 23rd day of October 1858 till paid, and the costs in this behalf expended, and it is ordered that the officer who levied said Attachment make sale of the personal estate for cash in constitutional money, and the real estate for the same currency payable in one, two and three years from the day of sale, taking from the purchaser bonds with approved security, and the title to be retained as ultimate security, and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the Deft or such person as may be duly authorized to receive the same, and report thereon to the Court according to Law

Milton J Carrier Pltff
vs
Jesse Carrier Deft
} Upon an Attachment

This day came the Pltff by his Attorney and the Attachment issued in this cause being returned executed and the Deft not appearing, it is ordered that the officer who levied said attachment make sale of the attached effects as follows the personal estate for cash in constitutional money, and the real estate for the same currency payable in 1 2 & 3 years

from the day of sale. Making from the purchaser bond with approved security and the title to be retained as ultimate security and he to the proceeds subject to the future order of this Court. and the further hearing of this cause is continued over until the next term

Adam Layman Pltff
vs
Jesse Loanier Deft } Upon an Attachment

The Attachment awarded in this cause being returned executed and the deft not appearing. It is considered that the pltff recover against the deft $184.32 with legal interest on $215.97 part thereof from the 15th day of July 1861. on $158.00 another part thereof from the 27th day of January 1863 & on $13.00 another part thereof from the 25th day of October 1861 and on $26.25 the residue thereof from the the 30th day of July 1854 till paid and the costs by the pltff in this behalf expended. and it is ordered that the officer who levied the said attachment make sale of the attached effects upon the terms set forth in the case of Layman vs Loanier and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same. and report his proceedings to this Court (this judgment is subject to a credit of $117.68 of date Sept 8th 1862)

Bushrod Rust Pltff
vs
Same Deft } Upon an Attachment

This day came the pltff by his attorney and the attachment in this cause being returned executed and the deft not appearing. it is considered that the pltff recover against the deft $470.00 with legal interest thereon from the 1st day of January 1864 till paid and the costs in this behalf expended and it is ordered that the officer who levied the said Attachment make sale of the attached effects for the currency receivable in payment for state taxes the personal estate for cash and the real estate payable in 1 2 & 3 years from the day of sale. requiring of the purchaser bond with approved security and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same

Elizabeth Hagy Pltff
vs
Same Deft } Upon an Attachment

This day came the pltff by her attorney and the Attachment issued in this cause being returned executed and the deft not appearing. it is considered that the plaintiff recover against the deft $231.50 with interest thereon from the 7th day of July 1864 till paid and the costs in this behalf expended. and it is ordered that the officer who levied the said Attachment make sale of the Attached effects upon the terms set forth in the order in the case of Rush against Carrier. and out of the proceeds pay and satisfy this judgment and report his proceedings to this Court

John P Minor Pltff
vs
Wm Hughes Deft } Upon an attachment

This day came the plaintiff by his attorney and the attachment issued in this cause being returned executed and the defendant not appearing. It is ordered that this cause be placed upon the docket & continued until the next term

Catharine Hume Pltff
vs
Jesse Carrier Deft } Upon an Attachment

This day came the pltff by her attorney, and the Attachment issued in this cause being returned executed, and the deft not appearing, it is ordered that this cause be placed upon the docket and continued until the next term

David Sink Pltff
vs
Wm Hughes Deft } Upon an Attachment

The Same Order

On the Motion of William Martin who made oath thereto according to law and together with Stuart Gitt 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 J C B Dolan dec'd

Absent	Meridon Morre P J Bowman & Isaac Wright	Gent
Present	Wm Bean and Warren S McGahey	Justices

On the Motion of Daniel S Jones it is ordered that he have leave to close for 12 months the road commencing at North Street at the Northern end of Germantown Street in Harrisonburg, passing in front of his house to the intersection of the Keezletown road on the hill beyond his buildings. The parties hereto of one part agreed to said Motion not waiving their objections for the time aforesaid

Ordered that the Court be adjourned until the next term

Wm McK. Wartmann, P. J.

At a Court held for Rockingham County at the Court-House thereof on Monday the 21st day of November 1864

Present

John Burkholder, William S Miller, Samuel H Lewis Jr and Josiah S Roller		Gent Justices

Richard P Fletcher one of the Commissioners to settle accounts in this Court having departed this life, on Motion it is ordered that Wm McK Wartmann be appointed Commissioner in place of said Richard P Fletcher dec'd and thereupon the said Wm McK Wartmann took the several oaths required by law

Present Wm McK Wartmann PJ Absent Samuel H Lewis Jr Gent Justices

H & S M Ott Pltffs
vs
Jesse Carrier Deft } Upon an Attachment
This day came the pltffs by their attorney and the Attachment issued in this cause being returned executed and the deft not appearing, it is ordered that this cause be placed upon the docket

H & S In 911 — Pltff
vs
Benjamin Bloomger — Deft
} Upon an Attachment

This day came the pltffs by their attorney, and the Attachment issued in this cause being returned executed, and the deft not appearing, it is ordered that this cause be placed upon the docket

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Ott Coates & Co — Pltff
vs
Same — Deft
} Upon an Attachment

The Same order

Ott & Coates — Pltff
vs
David McLaughlin — Deft
} In Case upon an Attachment

The Same order

Samuel Barley — Pltff
vs
Samuel Shaver — Deft
} Upon an Attachment

This day came the pltff by his attorney, and the Attachment being returned executed, and the deft not appearing, it is considered that the pltff recover against the deft $124.24 with interest on $77.13 part thereof from the 7th day of June 1861 and on $47.29 the residue thereof from the 7th day of June 1861 till paid, and the costs by the pltff in this behalf expended. This judgment is subject to a credit of $20. paid March 8th 1862. and it is ordered that the officer who levied said Attachment make sale of the Attached personal effects, and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report his action to the Court, and the Cause is continued as to the real estate levied on

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Samuel Barley — Pltff
vs
Abram McFrisbeback — Deft
} Upon an Attachment

This day came the pltff by his attorney, and the Attachment in this cause being returned executed, and the deft not appearing, it is considered that the plaintiff recover against the deft $30.94 with interest thereon from the 22d day of June 1861 till paid, and the costs by the pltff in this behalf expended, and it is ordered that the officer who levied the said Attachment make sale of the Attached effects, and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same, and report his proceedings to this Court

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Samuel Barley — Pltff
vs
John M Kyger — Deft
} Upon an Attachment

The Attachment awarded in this cause being returned executed & the deft not appearing, it is ordered that this cause be placed upon the docket & continued until the next term

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Geo. W. Stanley use &c — Pltff
To
Jesse Lemon — Deft
} Upon an Attachment

The Same order

David Shinesping Pltff
vs
Lyndon Shirkey Deft } Upon an Attachment

This day came the pltff by his attorney, and the Attachment issued in this cause being returned executed, and the deft not appearing, and the from evidence being satisfied of the justice of the pltffs demand, it is considered that the pltff recover against the deft $30.00 with legal interest thereon from the 1st day of April 1864 till paid, and the costs by the pltff in this behalf expended, and it is ordered that the officer who levied the said Attachment make sale of the attached effects for Constitutional money upon the terms prescribed by law, and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or to such person as may be legally authorized to receive the same, and report his proceedings therein to the Court

P Ho Hammonds admrs Pltff
vs } Upon an Attachment
Jesse Carrier Deft

This day came the pltff by his attorney, and the Attachment issued in this cause being returned executed, and the deft not appearing, it is considered that the pltff recover against the deft $148.75 with legal interest thereon from the 11th day of January 1861 till paid and $2.66 costs of protest, and the costs by the pltff in this behalf expended

John J Roller Pltff
vs } Upon an Attachment
John Carver Deft

This day came the pltff by his attorney and the Attachment issued in this cause being returned executed, and the defendant not appearing, it is ordered that this cause be placed upon the docket and continued until the next term

Richard H Yancey Pltff
vs } Upon an Attachment
Jesse Carrier Deft

The Same Order

Peter S Roller Pltff
vs } Upon an Attachment
Eli Thurwiler Deft

The Same Order

The last will and testament of Andrew Drebaugh dec'd was presented in Court and proven by the oath of Noah Hinds one of the Subscribing witnesses thereto, and ordered to be recorded

On the Motion of Joseph Williams a free man of color who presented in Court a copy of his register from the County Court of Bath it is ordered that the Clerk of this Court register the same according to law

David Sink Pltff
vs } Upon an Attachment
Wm Hughes Deft

This day came the pltff by his attorney and the Attachment issued in this cause being returned

executed and the deft not appearing and the Court being satisfied of the justness of the pleffs demand. It is considered that he recover against the deft $1150.00 with legal interest thereon from the 1st day of May 1864 till paid and the Costs by the pleff in this behalf expended and it is ordered that the officer who levied the said Attachment make sale of the attached effects and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report thereon to the Court according to law

David Sink Pleff
vs
Wm Houghes Deft
} Upon an Attachment

This day came the pleff by his Attorney and the Attachment in this cause being returned executed and the deft not appearing it is considered (upon inquiry) that the pleff recover against the deft $990.35 with legal interest thereon from the 1st day of October 1864 till paid and the Costs by the pleff in this behalf expended and it is ordered that the officer who levied the said Attachment make sale of the attached effects and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or to such person as may be duly authorized to receive the same and report thereon to the Court

On the motion of John McEveny who made oath thereto according to law and together with Josiah S Keller and Shelton McGarvey his securities (who justified as to their sufficiency) entered into and acknowledged a Recognizance in the penalty of Ten thousand dollars conditioned as the law requires a certificate is granted the said John McEveny for obtaining Letters of administration de bonis non with the will annexed of Jacob Zirkle dec'd

The Court doth appoint Reuben Hoffman guardian for Mary Anna Frances & Garber orphans of Solomon Garber dec'd who are under the age of 14 years and thereupon the said Reuben Hoffman appeared in Court and together with Daniel Hoffman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires

Fred'k Speck who has been heretofore appointed a Commissioner and qualified as a Notary Public for this County appeared in Court and together with James Kenney his security entered into and acknowledged a new bond in the penalty of five hundred dollars conditioned as the law requires

S P Reamer Jailer of this County presented in Court an account against the County amounting to Two hundred and seventy four dollars and fifty cents which being sworn to in Court was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Present Shelton McGarvey Agent Justices

On the Petition of Mary Williams (formerly Mary Wolfe now the wife of Joseph S Williams) a light mulatto woman about 5 feet high aged 46 years on the 16th day of September 1864 there was on the little finger of the left hand and was born free in the County of Rockingham

upon the petition of John Scanlon who has paid the tax imposed by law the Court being satisfied that the applicant is a man of good character and addicted to drinking or gaming, a certificate is granted him to retail ardent spirits not to be drunk at the place where sold. the Court being satisfied that the applicants house is a proper place to retail ardent Spirits

John H Moore who was on the 4th day of March 1864 appointed and commissioned by the Governor of Virginia a Notary Public for this County appeared in Court and together with Wm Beard his security entered into and acknowledged a bond in the penalty of $300.00 conditioned as the law requires, and thereupon the said John H Moore took the several oaths required by law

Wm P Sites & others Plffs
against
Hough Dever's heirs Defts } In Chancery

This cause came on by consent to be heard this 21st day of November 1864, upon the Bill the answer of M A Dever an infant by L W Gambrill her guardian ad litem thereto assigned by the Court with replication thereto and was argued by counsel upon consideration whereof the Court is of opinion that the widow of Hough Dever is entitled to an assignment of her dower in the land and slaves of her deceased husband Hough Dever and that partition of the residue thereof be made among the heirs of said Hough Dever with a view upon the respective interests of said heirs and also upon the widows interest to equalize them upon the score of advancements and to secure the payments of the debts of said Hough Dever It is therefore adjudged ordered and decreed that John A Herring, J M Erwin William E Dulaney and Daniel Thomas any three of whom may act who are hereby appointed commissioners for that purpose do assign to Maria Dever widow of Hough Dever as her dower one third in value of all the real estate and slaves of said Hough Dever for and during her natural life and that they divide the residue among the heirs of said Hough Dever fairly and equally laying off in one body the shares of those who may desire it, and in the event that partition of the land or slaves cannot be made equally in kind, said Commissioners may equalize the heirs by requiring the payment of money from one to the other such money to be gold and silver coin or its equivalent. said Commissioners will report in writing to this Court at its next term and this cause is referred to a commissioner of this Court to settle the accounts of the administrators of said Hough Dever and to report an account of the whole estate and the advancements made to each heir and what is required to make them equal together with any outstanding debts or assets and notice of the time and place of taking such accounts may be given by publication which shall be equivalent to personal service of notice

Samuel Barley Pltff
vs
Jacob Shaver Deft } Upon an Attachment

This day came the pltff by his attorney as also John Sanger by his attorney who filed his petition claiming one looking glass stove lately in the possession of the defendant and on the motion of the said John Sanger so much of the order this day entered in this cause directing the sale of said stove be set aside and the question of title thereto is continued until the next term

B F Lincoln & Bro Pltff
vs
Jesse Carrier Deft } Upon an Attachment

This day came the pltff by their attorney and the Attachment issued in this cause being returned executed and the deft not appearing it is considered that the pltff recover against the deft $78.00 with legal interest thereon from the 25th day of July 1860 till paid and the costs in this behalf expended and it is ordered that the officer who levied said Attachment make sale of the attached effects for Constitutional money and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and the officer who levied said attachment report his proceedings to this Court

Ordered that J H Liggett Guardian for Louisa L Mayfield be allowed to apply such portion of her personal estate as will be sufficient when invested with interest and for her benefit for maintenance and education. This applies to past as well as future settlements to be made in conformance with order of Court heretofore by the Court

Preston Rhoades Pltff
vs
Jesse Carrier Deft } Upon an Attachment

This day came the pltff by his attorney and the attachment being returned executed and the deft not appearing it is considered that the plaintiff recover against the deft $70.00 with legal interest thereon from the 5th day of October 1861 till paid and the costs in this behalf expended and it is ordered that the officer who levied the said attachment make the sale of the attached effects for constitutional money and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and the officer who levied report his proceedings to this Court

H Heller & Co Pltff
vs
Jesse Carrier Deft } Upon an Attachment

This day came the pltff by her attorney and the Attachment issued in this cause being returned executed and the deft not appearing and the Court being satisfied from the testimony of the justice of the pltff's demand it is considered that the pltff recover against the deft $60.00 with interest thereon from the 15th day of September 1861 till paid and the costs by the plaintiff in this behalf expended and it is ordered that the officer who levied said Attachment, make sale of the attached effects for Confederate States Treasury notes and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report thereon to the Court

Absent S H Carrier Present Hon Board Gent Justices

B F Armentrout Pltff
vs
Jesse Carrier Deft } Upon an attachment

This day came the pltff by his attorney and the Attachment issued in this cause

being returned executed and the defdt not appearing it is considered that the pltff recover against the defdt $30.00 with legal interest thereon from the 1st day of March 1862 till paid and the costs in this behalf expended. And it appearing that the effects levied upon under this attachment has been sold. It is ordered that the officer who sold the same out of the proceeds first sale pay and satisfy this judgment in Constitutional money if so much remaining after paying prior attachments and report thereon to the Court

John E Dovel Pltff
vs
Judy Anders Defdt
} Upon an Attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed and the defdt not appearing it is considered that the pltff recover against the defdt $190.00 with legal interest on $30 part thereof from the 28th day of February 1863 and on $160.00 the residue thereof from the 27th day of December 1863 till paid and the costs in this behalf expended. It is ordered that the Officer who levied said attachment make sale of the attached effects and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the defdt or such person as may be authorized to receive the same and report thereon to the Court

Rebecca J Humbert Pltff
vs
Judy Anders Defdt
} Upon an Attachment

This day came the pltff by her attorney and the attachment issued in this cause being returned executed and the defdt not appearing and the Court being satisfied of the justice of the pltffs demand. It is considered that the pltff recover against the defdt $157.00 with interest thereon from the 1st day of October 1864 till paid and the costs in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the defdt or such person as may be duly authorized to receive the same and report thereon to the Court

Wm S Shoemaker an agent of this Court to impress supplies for Soldiers Families reported that he had impressed the surplus crop of wheat belonging to Christian Kyger and that said Kyger since said impressment has sold his surplus after hearing the parties the Court doth order the said Kyger be released from said impressment

Catharine Hamme Pltff
vs
Jesse Carrier Defdt
} Upon an Attachment

This day came again the pltff by her attorney and the defdt still failing to appear and the Court being satisfied of the justice of the pltffs demand. It is considered that the pltff recover against the defdt $166.75 with legal interest thereon from the 18th day of October 1864 till paid and the costs by the pltff in this behalf expended and it appearing that the property levied upon under this attachment has been sold upon other attachments it is ordered that the officer in whose hands the proceeds of such sale is pay and satisfy this judgment if so much remains after satisfying former judgments and report his proceedings to this Court

Henry Thomas who ~~stands~~ charged with a felony by him committed in this that he did on the night of the 16th of October 1864 enter Mrs Ann Sitler's stable and feloniously take therefrom

one Sorrel Horse of the price of $500.00 one one Bay horse of the price of $200.00 of the goods and chattels of said Stuart Settle. was Lead to the bar in custody of the Sheriff. and on motion and for reasons appearing to the Court it is ordered. that the further examination of the Prisoner being continued. until the next Term. and on motion of the Prisoner it is ordered that he be admitted to give bail for his appearance here at the next Court and the Court doth fix the amount of his bail at $500.00 for himself and the like sum of $500. for his security which recognizance is may be taken before any Justice of the Peace for this County

Be it remembered that Eleanor A Seymore personally appeared in Court and acknowledged himself to owe and be indebted to the Commonwealth of Virginia, in the sum of one thousand dollars to be levied of his goods and chattels, lands and tenements and for the use of the said Commonwealth. Yet upon this condition that if he shall make his personal appearance before this Court on the first day of the next term, then and there to give evidence on behalf of Hezekiah Thomas who stands charged with a felony and not to depart thence without the leave of the said Court then this recognizance to be void. otherwise to remain in full force and virtue

It appearing that there is a vacancy in the office of Constable in the 5th Magisterial district of this County, it is ordered. that an election to fill said vacancy be held on the 2nd day of Dec. 1864 and it is ordered that the Commissioners and officers of Elections at the last general election. do superintend and conduct the election for said Constable

Samuel H Bracey who stands charged with a felony by him committed in this County on the day of August 1864, in Shenandoah County Virginia one Black mare of the price of two thousand dollars of the goods and chattels of J J Hitchcock feloniously did steal take and carry away, was Led to the bar in custody of the Sheriff. and the Court having heard the evidence and not having time to hear all the argument of Counsel the further examination of the Prisoner is continued until the next Morning and thereupon the Prisoner was remanded to Jail

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

Tuesday November 22d 1864

Present

Wm M'K Keerstmann P J Wm Beard. Jr Wm Burkholder, Wm S Miller & Josiah S Roller } Gent Justices

On the Motion of Ly D Ammon Sheriff of this County. It is ordered to be certified that the Court have examined his petition and affidavit to the Hon J A Brown Sec'y of war that the statements therein made are substantially true and that from their own knowledge they believe that a person not liable to military duty and competent to discharge the duties, can not be procured to serve as Jailer

Silas Keerton Pltff
vs
Daniel McLaughlin Deft } In Debt upon an attachment

This day came the pltff by his attorney and the Attachment issued for this

in this cause being returned executed and the deft not appearing it is ordered that this cause be plac'd upon the docket

Samuel H Brady who stands charged with a felony by him committed in this that he did on the day of August 1864 in the County of Rockingham one Blackman of the price of five thousand dollars of the goods and chattels of S T Holloway did steal take and carry away and this day again lies to the bar in custody of the Sheriff and the Court having fully heard the evidence and argument of counsel 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 Rockingham County on the first day of the next term thereof (the 28th day of the present term) and thereupon the prisoner moved the Court to be admitted to bail for his appearance before said Court which motion the Court doth overrule and thereupon the prisoner was remanded to jail

Be it remembered that S T Holloway & Balaam George Huston McSpangler & L Haynes and S R Sawyer personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one thousand dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the said Commonwealth. Yet upon this condition that they shall make their personal appearance before the Circuit Court of Rockingham County on the 28th day of the present month (Nov) then and there to give evidence on behalf of the Commonwealth against Samuel H Brady and not to depart thence without the leave of said Court. then this recognizance to be void otherwise to remain in full force

Be it remembered that Thomas Kiser & W Wash. McFletcher Philip A Bias and Henry Graff personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one thousand dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the said Commonwealth. Yet upon this condition that they shall make their personal appearance before the Circuit Court of this County to be held on the 28th day of the present month (Nov) to give evidence on behalf of Samuel H Brady who stands charged with felony and not to depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force

Peter Geyer who stands charged with a felony by him committed in this that he did on the 10th day of November 1864 in the County of Rockingham feloniously take steal and carry away one pair of boots of the value of $6.00 belonging to James T Gentry one pair of boots of the value of $6.00 belonging to R T Minor a pair of gauntlets of the value of $4.00 the property of G L Crank a Spencer Rifle Gun of the value of $12.00 the property of Hamer Bruce and a Bottle of Brandy of the value of $2.00 the property of G L Crank appeared in Court in pursuance to his recognizance and the Court having fully heard the evidence 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 Rockingham County at its next term commencing on the 28th day of the present month and on the motion of the prisoner he is admitted to give bail for his appearance before said Court and the Court doth fix the bail at $1000. for the prisoner and $1000 for his security and thereupon the said Peter Geyer together with Joseph Kelly his security appeared in Court and severally ~~appeared~~ acknowledged themselves to owe and be indebted

to the Commonwealth of Virginia the said Peter Gayger in the sum of One thousand dollars and the said Joseph Kelly in the like sum of One thousand dollars each 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 Peter Gayger shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next term commencing on the 29th day of the present Month (Nov) to answer an indictment then and there to be preferred against him for a felony of which he stands charged and not to depart thence without the leave of the said Court, then this recognizance to be void otherwise to remain in full force and virtue

Be it remembered that Gd Herring, J R Nunn & B F Hannon personally appeared in in Court and severally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia, in the sum of One thousand dollars each to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. Upon this condition that they shall make their personal appearance before the Circuit Court of this County on the 29th day of the present Month (Nov) then and there to give evidence on behalf of the Commonwealth against Peter Gayger and not to depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force

Evaline Dinkle Pltff
vs
Wm Hughes Deft
} Upon an Attachment

This day came the Pltff by her attorney and the Attachment issued in this cause being returned executed and the deft not appearing it is ordered that this cause be placed upon the docket and continued until the next term

Upon the application of John M Hall for leave to take an ordinary license the Court doth refuse to grant the leave

M J Mayerhoffer Pltff
vs
Wm Woolfrey Deft
} Upon an Attachment

This day came the Pltff by his attorney and the attachment issued in this cause being returned executed and the deft not appearing it is considered that the Pltff recover against the deft $205.81 with interest on $9.56 part thereof from the 22d day of May 1858 on $71.74 on other part thereof from the 25th day of February 1857 on $20.73 on other part thereof from 4th day of October 1854 on $103 on other part thereof from the 6th day of September 1858 and on seventy eight cents the residue thereof from the 15th day of Sept 1857 till paid and the costs by the Pltff in this behalf expended and it is ordered that the Officer who levied said attachment make sale of the attached effects and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report his proceedings to this Court

Ordered that the Court be adjourned until the next term

Wm. M'K. Wartmann, P. J.

At a Court held for Rockingham County at the Court-house there for Monday the 19th day of December 1864

Present

Wm McK Mauzy Philander Herring } Gent
Adam H Fulk and Thomas Moore } Justices

Samuel B Good who was on the 2nd day of December 1864. duly elected Constable for the 3rd Magesterial District for Rockingham County, to serve as such for the term ending on the 1st day of July 1866. and thereafter until his successor is qualified to enter upon the discharge of the duties of said office. appeared in Court and together with Martin Brenneman Joseph Weaver & John Rhodes his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars. conditioned as the law requires which bond is ordered to be recorded. and thereupon the said Samuel B Good took the several oaths required by law

The last will and testament of Andrew Brebaugh dec'd was this day again presented in Court and fully proved by the oath of Levi H Bryman a subscribing witness thereto and ordered to be recorded

Ordered. that the agent of this County allow and pay to Joseph Burkholder the usual amount as officer and clerk for attending this election held in Rockingham County, on the 1st the year 1863. and on the 1st the year 1864. out of any funds in his hands not otherwise appropriated.

George Kiser who has obtained an attachment against the estate of Melanchon Miller who so conceals himself as he absconds that the ordinary process of law cannot be served upon him and said attachment being returned executed. and the defendant not appearing on Motion of the Pltff it is considered that he recover against the deft $182.39 with legal interest thereon from the 2d day of January 1862 till paid. and the costs in this behalf expended. and it is ordered that the officer who levied said attachment make sale of the attached effects for Constitutional Money. and out of the proceeds pay and satisfy this judgment. and the surplus if any pay to the deft or such person as may be duly authorized to receive the same. and report his proceedings to this Court

J G Minor Pltff
vs
Wm Hughes Deft } Upon an attachment

This day came again the Pltff by his attorney. and sundry witnesses being sworn and examined. and the Court being satisfied of the justness of the plaintiffs demand it is therefore considered that the Pltff recover against the deft $141.83 with legal interest thereon from the 29th day of January 1863 till paid. and the costs in this behalf expended. and it is ordered that the officer who levied the said attachment make sale of the attached effects and out of the proceeds of the sale pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same. and report his proceedings to this Court

An Instrument of writing purporting to be the last will and testament of Thomas Lyttle dec'd was presented in Court and proved by the oaths of Jacob Heatwole and

Peter O'Hearn & the sd subscribing witness thereto, and ordered to be recorded

Eveline Dinkle Pltff
vs
Wm Hughes Deft
} Upon an Attachment

This day came again the pltff by her attorney and the deft tho' called failing to appear, and the Court being satisfied of the justness of the pltffs demand, it is considered that the pltff recover against the deft $30.00 with legal interest thereon from the 1st day of April 1864 till paid, and the costs in this behalf expended, and it is ordered that the officer who levied the said attachment make sale of the attached effects and out of the proceeds of the same pay and satisfy this judgment, and the surplus if any pay to the deft or such person as may be duly authorized to receive the same, and report his proceedings to this Court

Samuel Barley Pltff
vs
Daniel Switzer Deft
} Upon an Attachment

The Pltff having obtained an attachment against the estate of the deft, who so absconds or so conceals himself that the usual process of law cannot be served upon him, and the said attachment being returned "Levied" &c, and the deft not appearing, and the Court being satisfied of the justness of the pltffs demand, it is considered that the pltff recover against the deft $25.19 with legal interest on $17.66 part thereof from the 1st day of January 1861, and on $7.53 the residue thereof from the 11th day of October 1861 till paid, and the costs by the pltff in this behalf expended, and it is ordered that the officer who levied said attachment make sale of the attached effects for constitutional money, and out of the proceeds pay and satisfy this judgment, and the surplus if any pay to the deft or such person as may be duly authorized to receive the same, and report his proceedings to this Court

On the Motion of William L. Price who made oath thereto according to law, and together with Joseph T. Logan 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 a certificate is granted him for obtaining letters of administration in due form upon the estate of William H. Eveline the widow of said decedent having in writing relinquished her right to administer

Ordered that George L. Deneale, Robert Chancellor & John M. Bolton after being first duly sworn for that purpose do appraise the estate of Wm H. Eveline dec'd and report thereon to the Court according to law

On the Motion of William L. Price who made oath thereto according to law and together with Joseph T. Logan & McGamble 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 him for obtaining a certificate is granted him for obtaining letters of administration de bonis non in due form upon the estate of Jacob Armentrout dec'd

Ordered that George L. Deneale, Robert Chancellor and John M. Bolton, after being duly sworn for that purpose do appraise the estate of Jacob Armentrout dec'd

and report thereon to the Court according to law

The last will and Testament of Peter Whitsel dec'd was presented in Court & proved by the oaths of Jonathan B Shaver and D F Earman two of the subscribing witnesses thereto and ordered to be recorded and there being no executor appointed by said will, on the motion of Simon Whitsel who made oath thereto according to law and together with Jacob Byerly and Samuel R Allebaugh his securities (who qualified 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 with the will annexed of said Peter Whitsel dec'd in due form

Absent Philander Herring. Present Peter F Earman & Enoch B Dilly. Gent Justices

Henry H Maynard late of the County of Rockingham who stands charged with a felony by him committed in this that he did on the 16th day of December 1864 feloniously kill George a slave of Jacob Flecker appeared in Court in pursuance to his recognizance and sundry witnesses being sworn and examined the Court upon mature deliberation are of opinion that no felony has been committed by the prisoner, it is therefore ordered that he be acquitted and discharged of the offence aforesaid

Ordered that all the Justices of this County be summoned to appear here on the first day of the next term to do and take such action as may be necessary under the act of the Legislature of Virginia authorizing County Courts to impress supplies for the families of Soldiers &c.

On the Motion of Samuel Paul who made oath thereto according to law and together with Joseph Click, David A Flecker, William Beard and Jonas Lorman his securities (who qualified 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 him for obtaining Letters of administration in due form upon the estate of Samuel Funkhouser dec'd

Ordered that John Carpenter, Peter S Roller, Elijah Huffman and John J Myers or any three of them being first duly sworn for that purpose do appraise the estate of Samuel Funkhouser dec'd and report thereon to the Court according to law

Absent P F Earman and Present Wm Beard Gent Justices

On the Motion of Joseph T Logan Sheriff elected for Rockingham County for the term of two years commencing on the first day of January 1865 and thereafter until his successor is qualified to enter upon the discharge of the duties of said office and with the approbation of the Court & Lewis Harrison, Robert G Coakley, Ephraim H Neff, Christopher Miller, Samuel R Allebaugh, Bramwell M Rice and Solomon P Reamer are admitted as his deputy Sheriffs and thereupon they appeared in Court and took the several oaths required by law

Hamilton Eare who stands charged with a felony by him committed in this that he did in the County of Rockingham one hog ten or fifteen bushels of corn and three or four bushels of wheat of the goods and chattels of John W F Allemong feloniously take steal and carry away, was led to the bar in custody of the Sheriff and sundry witnesses being

Sworn, and the Court upon deliberation and of opinion that no felony has been committed but that a misdemeanor has been committed, and that there is probable cause to charge the prisoner therewith it is therefore ordered that the prisoner be required to enter into a recognizance for himself in the sum of $500 and one like sum of $500 for his security for his personal appearance before this Court on the 1st day of February term next then and there to answer an indictment for the misdemeanor aforesaid, and thereupon the said Hamilton Love together with William Briches in open Court acknowledged themselves to owe and be indebted to the Commonwealth in the sum of five 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 Hamilton Love shall make his personal appearance before this Court on the 1st day of the February term next then and there to answer an indictment for the misdemeanor aforesaid and not to depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force and virtue

Be it remembered that John W. Allemong and Richard Shiflett appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of ten hundred dollars each to be levied of their respective goods and chattles, lands and tenements and for the use of the said Commonwealth. Yet upon this condition that they shall make their personal appearance before this Court on the first day of the February term next then and there to give evidence on behalf of the Commonwealth against Hamilton Love and not to depart thence without the leave of the said Court, then this recognizance to be void otherwise to remain in full force and virtue

John E. Dove, Pltff
vs
Judy Ames, Deft
} Upon an Attachment

Ordered that the Sheriff sell the real estate levied upon for constitutional money in two equal annual payment from the day of sale taking from the purchaser bonds with good security first giving two weeks notice of time terms and place of sale, and report his proceedings to the Court

Henry Thomas who stands charged with a felony by him committed was this day again led to the bar in custody of the Sheriff, and on his motion and for reasons appearing to the Court it is ordered that his trial be deferred until the next term, and on his motion is admitted to give bail for his appearance at the next term in the sum of $500 for himself and one like sum of $500 for his security, which recognizance may be taken before any justice of the peace for Rockingham County

Jonas Lowenbach, Pltff
vs
John McKiser, Deft
} Upon an Attachment

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

Samuel Barley, Pltff
vs
Same, Deft
} Upon an Attachment

George Kiser this day appeared in Court and filed his petition claiming

the property levied upon which petition is ordered to be placed upon the docket

S P Reamer jailor of this Court presented in Court an account against the Commonwealth amounting to $432.50 which being sworn to was examined allowed and ordered to be certified to the Auditor of Public accounts

Ordered that S P Reamer be allowed the sum of $12.50 for furnishing fuel &c for the Court House and that the County agent pay the same out of any funds in his hands not otherwise appropriated

Ordered that the Clerk of this Court be authorized to purchase for the use of his office one locker of furniture and that the Agent of this Court pay for the same out of any money in his hands not otherwise appropriated

Be it remembered that Isaac Hammer and Wm Hensley 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 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 shall make their personal appearance before this Court at the next Term as witnesses on behalf of the Commonwealth against Geo W Monger and not to depart thence without the leave of the Court, then this recognizance to be void otherwise to remain in full force and Virtue

Rly Coakley Deputy for Gl S Ammon Sheriff of Rockingham County presented in Court a list of delinquents for the non-payment of license tax for the year 1864, which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Ordered that the Court be adjourned until the next Term

Wm M K. Wartmann, P.J.

At a Court held for Rockingham County, at the Court House thereof, on Monday the 16th day of January 1865

Present

Wm M K Wartmann P.J. Philander Herring, Jackson Horn Thomas Moore & Josiah Sowders } Gent Justices

A Settlement of the accounts of John J Bowman Guardian for Joseph M Bowman 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 same guardian for Wm D Bowman — The same order

Same of the same guardian for Louisa D Bowman — The same order

Same of the same guardian for Virginia E Bowman — The same order

Same of the same guardian for D P Bowman — The same order

A Settlement of the estate of James R Lovan[illegible] 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 John A Rice dec'd — The Same Order

Same of the estate of Michael Harman dec'd — The Same Order

Same of the estate of John R Harman dec'd — The Same order

Same of the estate of Jacob Lentz dec'd — The Same order

Same of the estate of George Moore dec'd — The Same order

Same of the same estate — The Same order

Same of the estate of Isaac Wetzel dec'd — The Same order

Same of the estate of Jacob Strayer dec'd — The Same order

Same of the a/c of Cole Strayer Guard for G G Strayer &c — The Same order

Same of the Agent for D H Coffman late Commissioner for the sale &c. of Lands belonging to the estate of Abraham Smith dec'd — The Same order

Same of the estate of Thomas L Yancey dec'd — The Same order

Same of the same estate — The Same order

Same of the a/c of the Guardian of Geo Zigler &c — The Same order

Same of the estate of Jacob McZirkle dec'd — The Same order

Same of the same estate — The Same order

On the Motion of Daniel Murry and it appearing that John Bailey has departed this life more than three months ago and no one has applied for administration upon his estate. It is ordered that the estate of the said John Bailey be committed to the Sheriff of Rockingham County for administration according to law

Timothy Funk this day produced credentials of his ordination and also of his being in regular communion with the Baptist Church took oath of allegiance to the Commonwealth of Virginia and entered into Bond with S W Garnilies his security in the sum of $500.00 as required by law regulating the solemnization of Marriages and he was thereupon authorized to celebrate the rites of Matrimony according to the forms and custom of said Church between any persons to him regularly applying therefor within this state

On the Motion of Cole Strayer adm'r of Jacob Strayer dec'd it is ordered that

James M Weaver. Samuel H Lewis Jr James O Brien and John F Lewis. or any three of them be appointed Commissioners to divide the Slaves of the estate of Jacob Strayer dec'd among his heirs

Henry Thomas who stands charged with a felony by him committed in this that he did on the night of the 16th day of October 1864 in this County enter Stewart Sitles Stable and feloniously take therefrom one Sorrel horse of the price of five hundred dollars and one Bay horse of the price of four hundred dollars of the goods and chattels of said Stuart Sitle. appeared in Court in pursuance to his recognizance. and upon consideration whereof the Court is 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 Rockingham County, on the first day of the next Term thereof. and on the Motion of the prisoner by his attorney. it is ordered that he be admitted to give bail for his appearance before the Circuit aforesaid and the Court doth fix the amount of bail at $500. for himself. and the like sum of $500 for his security, and thereupon the said Henry Thomas together with Marshall Smith his security personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Henry Thomas shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next Term thereof then and there to answer an indictment for the felony aforesaid and not to depart thence without the leave of the said Court. then this recognizance to be void. otherwise to remain in full force and virtue

An Instrument of writing purporting to be the last will and testament of Jacob Rush dec'd was presented in Court and there being no subscribing witnesses thereto. it was proven to the satisfaction of the Court by the oaths of W Gambill & A. Bryan that the said instrument of writing and the signature thereto is wholly in the hand writing of the said Jacob Rush. It is therefore ordered that the same be recorded as the true last will and testament of the said Jacob Rush and on the Motion of Samuel A Coffman the executor therein named who made oath thereto according to law. and together with John H Hopkins. D W Coffman & G E Strayer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Sixty thousand dollars. conditioned as the law requires. a certificate is granted him for obtaining a probate of said will in due form.

Ordered that G T Hopkins. Albert Nicholas. E R Rush and James O Brien or any three of whom being first duly sworn for that purpose. do appraise the estate of Jacob Rush. dec'd and report thereon to the Court according to law.

The last will and testament of George Armentrout dec'd was presented in Court and proved by the oaths of J M Mossimborough & W T McGahey two of the subscribing witnesses thereto and ordered to be recorded.

On the Motion of Elizabeth A Moore who made oath thereto according to law and together with Madison Moore and Thomas Moore her 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 her for obtaining letters of administration. in due form upon the estate of John Moore. dec'd

Ordered that Peter Weise. Madison Weest. Lourtis Yates and Lewis Yorkee or any three of them being first duly sworn for that purpose do appraise the estate of John Moore decd and report thereon to the Court according to law

Wm J Moyerhoeffer Pltff
vs
Wm Woolfrey Deft
} Upon an Attachment

This day came the pltff by his attorney and on his motion it is ordered that the Constable have leave to amend his return by endorsing the same on the Attachment which was done accordingly and thereupon came Geo K Gilmer by his attorney who filed his petition claiming a Conveniens upon and on the motion of the pltff by his attorney the said Gilmer is required to give security for all costs that may accrue to the officers of this Court and thereupon the said Geo K Gilmer appeared in Court & together with Strother Bright his security acknowledged themselves bound for any costs that may accrue to the Pltff and officers of this Court or may be awarded against said Gilmer and the trial of this cause is deferred until the next term

Sallie Carpenter orphan of Wm Carpenter decd being upwards of 14 years of age by an instrument of writing duly executed made choice of George Carpenter as her guardian and thereupon the said George Carpenter appeared in Court and together with John Carpenter his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Sixteen thousand dollars conditioned as the law requires

On Motion the Court doth assign John F Braun as guardian for Peter S Carpenter and Virginia H Carpenter Orphans of Wm Carpenter decd who are under the age of 14 years

Wm F Levin Pltff
vs
Jesse Carrier Deft
} Upon an Attachment

This day came the pltff by his attorney and the Attachment issued in this cause being returned executed and the deft not appearing and the Court being satisfied of the justness of the pltffs demand it is therefore considered that the Pltff recover against the deft forty five dollars and five cents with legal interest thereon from the 11th day of October 1863 till paid and the costs by the pltff in this behalf expended and it is ordered that the Sheriff of this County pay and satisfy this judgment out of any surplus remaining in his hands as the proceeds of defts property after satisfying prior judgments and report his proceedings to this Court

Silas Herron Pltff
vs
David McLaughlin Deft
} Upon an Attachment

This day came the pltff by his attorney and the Attachment being returned executed and the deft not appearing it is considered that the officer who levied the said Attachment make sale of the Attached personal effects for Constitutional money and hold the proceeds subject to the future order of this Court and the cause as to the real estate is continued until the next term

Ott & Coates Pltff
vs } Upon an Attachment
David McLaughlin Deft

This day came the pltffs by their attorney and the Attachment ispued in this cause being returned executed and the deft failing to appear. it is ordered that the officer who levied the said Attachment make sale of the attached personal effects for Constitutional Money and hold the proceeds subject to the future order of this Court. and report his proceedings to the Court

W J Zirkle Pltff
vs } Upon an Attachment
David McLaughlin Deft

This day came the pltff by his attorney. and the attachment ispued in this cause being returned executed. and the deft failing to appear. it is ordered that the officer who levied said Attachment make sale of the attached personal effects for constitutional Money. and hold the proceeds subject to the order of this Court. & report his proceedings to this Court

A Deed of Bargain & Sale from E T H Warren executor of Margaret Baxter dec'd to John H Hopkins. was presented in Court and said deed being signed but not acknowledged in due form by said Warren. and he having departed this life. and the Court being satisfied from the evidence of Joseph T Logan & W Gamble that the said deed and the signature thereto is wholly in the hand writing of the said E T H Warren. it is ordered that the same be recorded

David Shinesprings Pltff
vs } Upon an Attachment
Wm McK Fishback Deft

This day came the pltff by his attorney. and the Attachment being returned executed and the deft not appearing. and the Court being satisfied of the justness of the pltffs demand it is considered that the pltff recover against the deft $333.93 with interest thereon from the 3d day of October 1864 till paid. and the Costs by the pltff in this behalf expended. and it is ordered that the officer who levied the said Attachment make sale of the attached personal effects. and out of the proceeds pay and satisfy this judgment. and the surplus if any. pay to the deft. or such person as may be duly authorized to receive the same. and report his proceedings to this Court

Solomon P Reamer Jailer of this Court. presented in Court an account against the Commonwealth. amounting to four hundred and sixty four dollars and fifty cents which being sworn to. was examined and allowed by the Court. and ordered to be certified to the Auditor of Public accounts

Peter Long Pltff
vs } Upon an Attachment
John Kiser Deft

Ordered that this cause be placed upon the docket & continued

Wm Koontz Pltff
vs } Upon an Attachment
Same Deft The Same Order

Samuel Barley Pltff
vs
John M Kiser Deft
} Upon an Attachment

On the Motion of the pltff. it is ordered that this cause be placed upon the docket and continued until the next term

Ordered that the agent of this Court purchase for the use of the Clerks office one load of wood and pay for the same out of any funds in his hands not otherwise appropriated

Samuel Barley Pltff
vs
John M Kiser Deft
} Upon an Attachment

This day came the plaintiff by his attorney and the Attachment issued in this cause being returned executed and the Court being satisfied of the justness of the pltffs demand it is considered that the pltff recover against the deft $68.57 with interest on $26.47 part thereof from the 25 day of December 1860 on $30.52 another part thereof from the 5th day of February 1861 and $21.58 the residue thereof from the 12th day of April 1861 till paid and the costs by the pltff in this behalf expended and it is ordered that the Sheriff make sale of the property by him attached for constitutional Money upon the following terms the personal property for cash and the real estate on a credit of One two and three years in equal payments taking bonds with good security and return the proceeds of a sale of the personal effects and the bonds for the sale of the real estate to this Court with a sale list of the property. But no part of the real estate shall be sold until all the personalty is sold and then only so much as is necessary to pay the plaintiffs debt and costs

Same Pltff
vs
Same Deft
} Upon an Attachment returned executed

This day came the plaintiff by his attorney and George Kiser filed his petition claiming a lien by deed of trust upon a portion of the property levied on by the Sheriff under this attachment whereupon the parties dispensed with a jury and submitted the trial of the validity of the claim to the Court and upon the hearing of the evidence & argument of counsel the Court doth adjudge that the said George Kiser by virtue of his deed of trust executed by John McKiser and wife on the 13th of March 1862 to secure to said George Kiser a debt $2857.50 subject to same credit has a lien upon the following property levied on under said Attachment to wit. The house & lot in Dayton near the Mill. 1 Safe 3 Cabinets Two waggons. 1 Press. 1 Cooking Stove and 1 Bureau at Abram Keagy's. and it is ordered that the officer making sale of said enumerated property return with the order of sale the proceeds of the sale of said property to this Court for its disposition

Ordered that the Court be adjourned until the next term

Wm. McK. Wartmann, P. J.

At a Court held for Rockingham County at the Court-
House thereof on Monday the 20th day of February 1865

Present

Wm M^c K Wartmann J.P. O C Sterling P F Eanman } Gent
Warren T McGahey and Joseph Miller } Justices

The Clerk of this Court presented a list of Deeds and other writings admitted to record
in his office from the 1st day of July 1864 to the last day of January 1865. 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 Hanson & wife to Philip Instpsmiller
Same from James B Dickson & wife to Margaret & Hannas Weed
Same from David Stonespring & wife to Wm M^c Fishback Trustee for Mary E Fishback & others
Same from Henry Miller & wife to R H Weymant and Daniel Esp Frank
A Deed of Trust from Strother Bright to Abram Armentrout Jr Trust for Abram Eanman
A Deed of Bargain & Sale from Henry Frazier & others to Wm E Marshall
Same from Henry Sheets to Sammuel Sheets
A Subpenadens in the name of Sheridan & Rugan against Isaac Hanberry
A Deed of Bargain & Sale from James H Lowrey & wife to John C Showalter
Same from Allen W Brown & wife to E J H Warren
Same from Andrew B Brick & wife &c to Andrew Lewis
Same from John N Gordon & wife to George W Effinger
Same from Mario B Yost to Same
Same from Michael Ward & wife to Ann Gordon
Same from Ann Gordon to Margaret & Hannas Weed
Same from P E Winfield's attorney to Sammuel M Yost
Same from Andrew J VanPelt & wife to Patterson Greiner
Same from Patterson Greiner & wife to Benjamin S VanPelt
Same from James Kenney trustee to Jacob P Effinger
A Deed of Trust from James V McGahey to J W Winsbrough In Trust for W W Pearick
A Deed of Bargain & Sale from George W Hogan & wife to Thomas J Atchison
Same from John Gordon & wife to Peter Gordon
Same from Same to Same
Same from Same to Same
Same from Same to Same
Same from Augustus Waterman to Same
Same from John Hammes & wife to Same
Same from Augustus Waterman to Same
Same from Same to Same and James C Heltzel
Same from John C Morrison trustee to James C Heltzel
Same from Same to Daniel Good
Same from Same to Abraham Good
Same from Same to John Good
Same from George Rodecap & wife to James H Cook
Same from Abraham Hoover & wife &c to Emmanuel Hoover
Same from Emmanuel Hoover to Stephen Rodecap
Same from John Funk & wife to George Rodecap
Same from Margaret Baxter's exrs to John H Hopkins
Same from Christian Brunk & wife to Rebecca Branerman

A Deed of Bargain & Sale from Daniel D Dovel to Lewis F Gaither Trustee for Maria Borton
Same from Sarah C Woolfolkes to Ly Lo & Jno B Ammon
Same from Sally W Gray Trustee &c to Jacob N Liggett
Same from Joseph S Effinger to Samuel Uhl
Same from Same to George Mefferswith

A Settlement of the estate of Anthony Huffman 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 accounts of Henry Nisewander Guardian for Lydia S Nisewander &c
The Same Order

Joseph A Mitchell who has been heretofore appointed commissioned and qualified as a Notary Public for Rockingham County appeared in Court and together with Jacob 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

Josiah S Roller who has been heretofore appointed commissioned and qualified as a Notary Public for Rockingham County appeared in Court and together with Wm Beard 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

William Beard who has been heretofore appointed commissioned and qualified as a Notary Public for Rockingham County appeared in Court and together with Josiah S Roller 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

Upon the petition of Jonas Loewenbach & John M Huffman executors of A Huffman dec'd representing that they have now in their hands about the sum of $500 due to Frances Koontz which they are unable to pay over the said executors are directed to invest the said sum in eight percent confederate States bonds or securities & report present the bonds to the clerk of this court when so purchased if in coupon bonds who shall make an accurate list of the date amount time of payment &c of said bonds & who shall file said discription in his office & furnish a copy thereof to the said executors

On the Motion of John Koontz who made oath thereto according to law and together with David Scott John D Scott and James Steele his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Ten thousand dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form upon the estate of Peter Koontz dec'd

Ordered that David Eiler Joseph Funkhouser Robert Cox and Solomon Buntner or any three of them being first duly sworn for that purpose do appraise the estate of Peter Koontz dec'd and report thereon to the Court according to law

On the Motion of Joseph Funkhouser who made oath thereto according to law and together with David Eiler 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 de bonis non upon the estate of Charles Nicholas dec^{d}. in due form

The last will and testament of Sarah Armentrout dec^{d} was presented in Court and proved by the oaths of Samuel Linaman and A J O Bader the subscribing witnesses thereto and ordered to be recorded.

On the Motion of Jeremiah Armentrout and Cornelius Armentrout who made oath thereto according to law and together with Lyle Whitfield Manzy and Emanuel Armentrout their securities (who justified as to their sufficiency) entered into and acknowledged a bond with penalty of eight thousand dollars conditioned as the law requires. a certificate is granted the said Jeremiah Armentrout & Cornelius Armentrout for obtaining letters of administration with the will annexed in due form upon the estate of George Armentrout dec^{d}

Ordered that James McCleaver. George W. Manzy. Albert D. Nicholas & Richard Kyger or any three of them being first duly sworn for that purpose do appraise the estate of George Armentrout dec^{d} and return their report thereon to the Court according to law

Absent. D. F. Carman. O. Sterling & J^{r} Miller. Present Madison Moore Gent Justice

Julia Ann Estep daughter of James Estep who is over the age of 14 years appeared in Court and made choice of Ephraim Menger as her guardian and thereupon the said Ephraim Menger appeared in Court and together with Littleton W Gamble 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

Present O. Sterling Jr Miller & D F Carman Absent Madison Moore Gent Justices

Ordered that the Indenture entered into between H T Wantman Guardian for Cumberland Jones orphan of Maria Jones dec^{d} free negro. to Robert Black binding the said Cumberland to said Black as an apprentice be and the same is hereby rescinded. the said Cumberland having escaped to the Free States

The last will and testament of Isaac Reamer dec^{d} was presented in Court and proved by the oath of Noah McShuler one of the subscribing witnesses thereto and continued for further proof

Wm P Sites & others Pltffs } Entering the Court
vs
Maria Dever & others Defts } In Chancery

This cause this day came on to be further heard upon the papers formerly read. and upon the report of the Commissioners appointed to divide Hugh Dever's land and negroes belonging to the estate of Hugh Dever dec^{d}. among his heirs and was argued by Counsel. and no exceptions being offered thereto the said report is confirmed and ordered ~~that the said report~~ to be withdrawn from the papers and recorded in the Clerk's office of this Court

Anthony Hockman Foreman B F Armentrout John Glover. Isaac Whisen. Benj^{a} Thomas. Z D Gilmer. Wm Evers. Geo F Armentrout. Archibald Hollen. John A Carman

Joseph Miller. Wm Berry. John Dye. Jonas Earley. Daniel Miller & Simon Shannons were sworn a Grand Jury of Inquest for the County of Rockingham 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 to wit an Indictment against Hamilton Cave for Petit Larceny a true Bill. an Indictment against Eli Coontz for a wife Beater a true Bill. an Indictment against William Robinson and Ab Jones for selling Salt without License a true Bill. an Indictment against Peter Burkholder for Lascivious Cohabitation "a true Bill" and an Indictment against William Branham for an Assault and Battery a true Bill and the said Grand Jury having no further business before them are discharged

Ordered that the proper process be issued against Eli Coontz, William Robinson Ab Jones. Peter Burkholder & William Branham who have this day been indicted by the Grand Jury, which process shall be made directed to the Sheriff of this County and made returnable hereon the first day of the May Term next

Hamilton Cave who stands indicted for Petit Larceny appeared in Court in pursuance to his recognizance and on his Motion and for reasons appearing to the Court. It is ordered that his trial be deferred until the May term next of this Court. and that he be admitted to bail for his appearance at the time aforesaid in the sum of five hundred dollars for himself and the like sum of five hundred dollars for his security and thereupon the said Hamilton Cave together with William Bricken his security appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. yet upon this condition that the said Hamilton Cave shall make his personal appearance before this Court on the first day of the May Term next of this Court to answer the indictment aforesaid and not to depart thence without the leave of the said Court then this recognizance to be void, otherwise to remain in full force

Be it remembered that Jno F. Allemong, Jno W. Jacobs & Philander Herring appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia, in the sum of two hundred dollars each to be levied of their respective goods and Chattels lands and tenements and for the use of the said Commonwealth, Yet upon this condition that they shall make their personal appearance before this Court, on the first day of the May Term next. then and there to give evidence on behalf of the Commonwealth against Hamilton Cave and not to depart thence without the leave of the said Court. then this recognizance to be void. otherwise to remain in full force

Upon the petition of
Eli Ammon late Sheriff and as such administrator of Samuel Beacher dec'd
representing that he has in his hands $1027.47 belonging to said estate which he is unable to pay over to the parties entitled thereto. It is ordered that the said Administrator pay the same to the Commissioner of this Court

Ordered that the Clerk of this Court register the following manner of negroes who were emancipated by the last will and testament of Robert McKee dec'd. viz Betsy Brown a Black woman aged 48 years. five feet four and a half inches high has a scar near the left eye.

William. Irvine. a Black Negro. aged 23 years. five feet. eleven and three fourth inches high. has a scar on the left temple. and Nelson Irvine. aged 19 years. six feet. Two inches high. has a scar on the right hand. No permission is granted the said Negroes to remain in the Commonwealth of Virginia

Silas Hewton Pltff
vs
Daria McLaughlin Deft } upon an Attachment

M J Zirkle Pltff
vs
Same Deft } upon an Attachment

and O W Coates Pltff
vs
Same Deft } upon an Attachment

On the Motion of the Plaintiffs in the above named causes. it is ordered that the Officer who levied said Attachments. Rent out the real estate levied upon for Constitutional Money. the renting to be for one year. and to be secured by Bond with good security. and. return the same to Court

Wm Sanfley Pltff
vs
Andrew J Baugher 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 and doth ascertain the damages to which the Pltff is entitled to be $91.17 with legal interest thereon from the 17th day of May 1864. it is therefore considered that the Pltff recover against the deft. the sum of $91.17 with legal interest thereon from the 17th day of May 1864 till paid. and the Costs by the Pltff in this behalf expended

M J Zirkee Pltff
vs
Daria McLaughlin 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. and doth ascertain the damages to which the Pltff is entitled to $107.12. of which sum he is entitled to $78.01 in Constitutional Money. with interest from the 21 October 1862. and $29.12 in Confederate Treasury Notes with interest from the 11th of March 1864. it is therefore considered. that the Pltff recover against the deft $107.12 the damages aforesaid. with legal interest on $78.01 part thereof from the 21st day of October 1862. and on $29.12 the residue thereof from the 11th day of March 1864 till paid. and the Costs by the Pltff in this behalf expended

George W McFarland Pltff
vs
Thos Hashbarger Deft } In Case upon an Attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed and the deft failing to appear and from the testimony of a witness the Court being satisfied of the justness of the pltffs demand it is considered that the pltff recover against the deft $92.07 in Constitutional Money with legal interest from the 3d day of September 1864 till paid. and the costs in this behalf expended. and it is ordered that the Officer who

levied the said Attachment make sale of the Attached effects for cash in constitutional money and out of the proceeds pay and satisfy the judgment and the costs if any. pay to the deft or such persons as may be entitled, authorizes to receive the same and as for his proceedings in this behalf

Upon the petition of Joseph Hollower for permission to sell by retail ardent spirits not to be drank at the place where sold. on consideration the Court doth refuse to grant the same application

J W Burke — Pltff
vs
Samuel Funkhouser — Deft
} In Case

This day came the pltff by his attorney and it appearing that the deft hath departed this life, it is ordered that this cause be entered as now proceed against the name of Jeremiah Funk administrator of the deft and the trial of the cause is respited until the next term

Nathan Houston — Pltff
vs
Jeremiah Houston — Deft
} Ds

On Motion and for irregularity in the return of the Sheriff it is ordered that the writ in this cause, it is ordered that the same be returned de novo

Milton J Cormier — Pltff
vs
Jesse Cormier — Deft
} Upon an Attachment

Same — Pltff
vs
Same — Deft
} In Case

Peter S Keller — Pltff
vs
Eli Swisher — Deft
} Upon an Attachment

Joseph Blosser for — Pltff
vs
Benj. Wenger et — Defts
} Upon an Attachment

George W Stanley use — Pltff
vs
Jesse Cormier — Deft
} Upon an Attachment

Same — Pltff
vs
Same — Deft
} In Covenant

On Motion and for reasons appearing to the Court it is ordered that the Sheriff be and he is hereby commanded

Hoff Mn Ott'	Deff	Upon an Attachment
vs		
Benjamin Wenger &c	Defts	
Same	Deff	Upon an Attachment
vs		
Jesse Carrier	Defs	
R H Nyancey	Deff	Upon an Attachment
vs		
Same	Defs	
Wm Cornell Co	Deff	Upon an Attachment
vs		
Benjamin Wenger	Defs	
Wm & Cooke	Deff	In Case
vs		
David McLaughlin	Defs	
John J Roller	Deff	Upon an Attachment
vs		
Wm & Co Wenger	Defs	
Same	Deff	In Case
vs		
Same	Defs	
Wm Sanfley	Deff	Upon an Attachment
vs		
Andrew J Baugher	Defs	
Daniel Huffman	Deff	Upon an Attachment
vs		
David Sipe	Defs	
Wm Sanfley	Deff	Upon a Suggestion
vs		
Co Weaver &c	Defs	
Robert Sinkey	Deff	In Case
vs		
Philip Liggett	Defs	
Jno McCurman	Deff	In Case
vs	Defs	
Wm Athey		
Jno Emerick	Deff	In Case
vs	Defs	
David Weaver		

Ordered that the above named causes be continued over to the next term

Abraham Ammentrout Pltff
vs
Elizabeth Baugher Deft } Unlawful Detainer

and

John McPalmer &c Pltff
vs
John Keaton Deft } Unlawful Detainer

Ordered that the aforesaid Writs cause be continued until the next term

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

Wm. M'K. Wartmann P.J.

Tuesday February 21st 1865

Present

Wm M'k Wartmann P.J. Ab Sterling Jr. Miller } Gent
Warren T. McGahey, Geo S. Christie } Justices

Geo W. McFarland Pltff
vs
Shem Washbarger Deft } Upon an Attachment

On the Motion of the Pltff, so much of the order entered on Yesterday, as directs a sale of the property levied on is set aside, and the Officer who levied said attachment is directed to rent the property levied on for one year, the rent to be payable in Constitutional money

Ordered that Isaac H. Baker Guardian for Daniel Baker, Peter Baker, William Baker & Mary Baker is authorized to invest in eight per cent Confederate Confed. Bonds, the amount due his said wards as ascertained by the report & Settlement of Comr. Wartmann

Commonwealth
vs
Wm Robinson & Al. Jones } Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendants who pleaded "Not Guilty", and thereupon came a Jury to wit David Hartman, Garner Mefferd, Harvey Ammentrout, Jonas Lowenbach, Nic Beery, Wm. Bryce, Geo. Keiser, J.J. Nicholas, Geo. W. Hogan, Ab. Coffman, Albert Long and Edward Mason who being elected tried and sworn as true men did to give upon the evidence, having heard the evidence retired from the precincts of their verdict, and after sometime returned into Court and upon their oaths do say, We the Jury find the defts guilty & assess their severements at Twenty dollars. It is therefore considered that the Commonwealth recover against the defts $20 the fine aforesaid and the costs in this behalf expended.

Jonas Lowenbach Pltff
vs
John M. Keiser Deft } Upon an Attachment

This day came the Pltff by his Attorney and the Attachment issued in this cause being returned executed, and the deft not appearing, nor the Court being satisfied of the justice of the Pltff demand. It is considered that the Pltff recover against the deft $116.00

with legal interest on $44 part thereof from the 30th day of June 1864. on $18.24 an other part thereof from the 20th day of December 1860. on $20.94 an other part thereof from the 5th day of December 1860 and on $33.17 the residue thereof from the 16th day of December 1860 till paid. and the costs by the pltff in this behalf expended. and the question as to the right of property levied on. is deferred until the next term

Upon the application of Joseph H Glover who has paid the tax imposed by law a certificate is granted him to sell ardent Spirits by wholesale at his store in Harrisonburg the court being satisfied that the applicant is a man of good character and that his house is a proper place to sell by wholesale ardent Spirits

Absent George S Christie. Present. Peter F Eamman Gent Justices

Ole Sterling. late agent for the County of Rockingham. appeared in Court. and resigned as such. and thereupon the Court doth appoint George S Christie to supply the vacancy occasioned by the resignation of Ole Sterling. and the said late agent is directed to turn over to the said George S Christie. any salt. papers and other property in his hands connected with the office

The impressing agents for the County of Rockingham. are hereby ordered to proceed to impress any impressable tithes due to the Confederate States Government. in the hands of the citizens of said County. embracing grain and meat. which said agents may deem necessary for the support of families of Soldiers

Ordered that the funds directed on Yesterday to be paid over to the General Receiver of this Court. belonging to the ~~estate~~ estate of Samuel P Walker dec'd. be invested by said Receiver in 8 per cent Registered if to be procured. if not in Confederate Bonds of the Confederate States

Samuel Barley Pltff
vs
John M Kiser Deft
} Upon an Attachment

This day came the pltff by his attorney and the deft still failing to appear. and it appearing to the Court that the plaintiff has valid claim against the deft for $77.35 with interest on $26.47 part thereof from the 25th day of Dec 1860. on $26.58 an other part thereof from the 12th of April 1861. on $30.50 an other part thereof from the 4th day of Feby 1861. and on $8.80 the residue thereof from the 18th day of April 1861 till paid. and it further appearing that judgment for all the above named debts except the one of $8.80 with interest from the 18th day of April 1861 was rendered at the last Term under an other attachment, it is therefore considered that ~~judgment~~ the pltff recover against the deft all the above named sums with interest as aforesaid. to be credited by the amount made under the order of sale made at the last term. and that the pltff recover against the deft the costs in this behalf expended. and the question as to the right of property levied upon is continued until the next term

M M Beery Pltff
vs
A H Johnson 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 came a jury to wit Gamer McGuire

A H Payne. D M Kauffman. R R Fletcher. John Diller. Wm A Conrad. J W Houck. Harrison Grady. Isaac Click. Andrew Keyser and Wm Koontz who being elected sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel. retired from the bar to consider of their verdict and after sometime returned into Court and not being able to agree. Wm Koontz one of said jurors was withdrawn and the balance from rendering a verdict were discharged and the trial of the issue is deferred until the next Term.

Geesner Mesick Pltff
vs
George Chrisman Jr 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 deft

John C Woodson Pltff
vs
Jnett Harry Deft } In Case

The same order

Samuel Barley Pltff
vs
Daniel Suntzer Deft } Upon an Attachment

This day came the pltff by his attorney and R G Coakley Deputy for G C Ammon late Sheriff of this County. reported that in pursuance to the order of sale entered at the Dec Term of this Court. he had sold the real estate levied upon to Samuel Barley at the price of $82.25 which sale is confirmed and the said R G Coakley is directed to make to the purchaser a deed with special warranty for said property

Ordered that the Court be adjourned until the next Term

Wm McK. Wartmann P.J.

At a Court held for Rockingham County. at the Court House thereof on Monday the 20th day of March 1865

Present

Wm McK Wartmann P.J. Adam H Bush } Gent
Josiah S Keller } Justices

A Settlement of the accounts of A M Newman Guardian for Henry Moffett. having been filed in the Clerk's Office of this Court for the time prescribed by law. was presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded

Same of Same Guardian for Anna Moffett

The Same order

Same of Joseph Burkholder adm'r of David Rhodes dec'd

The Same order

A Settlement of the accounts of J W Earman adm^r of Jacob Earman 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 John Swartz administrator of Wesley G Denton dec^d

The Same order

Ordered that at an election to be held on Thursday next for three persons to represent the County of Rockingham in the next General Assembly of Virginia the following named persons be appointed Commissioners and officers to superintend the same. viz

1 For District No 1. at McGaheysville. Benjamin F Thomas. Z D Gilmer. G T Hopkins. Edward S Yancey & Frederick Armentrout Commissioners and Hugh B O'Brien Officer

2 At Conrad's Store. Wm G Kite Asher Argabright Thomas K Miller. Adam C Bear and Joseph H Kite and Henry Miller Commissioners and Wm J Runcle Officer

3 District No 2. at Taliaferro's Store. Wm Sanfley. Wm Riddlesberger. John Keough Harvey Weis and Jonathan Miller Commissioners and Joseph Miller Officer

4 at Port Republic. Fountain M Layton. Joseph M C Harnsberger. Charles Lewis. John McGee and Joseph Altaffer. Commissioners and John McPalmer Officer

5 District No 3. at McCrawford. Jacob P Kuyper. George Kiser. Peter S Roller. John F Kraun and Peter F Earman Commissioners and Adam Piper Officer

6 Dayton. Daniel Byerly. Hiram Coffman. Isaac Wright. John A Herring and Henry G Wilkins Commissioners and David Shiresprings Officer

7 District No 4. at Bridgewater. Fred K Speck. John Williamson. J W F Allemong Philander Herring and John Dinkle Commissioners & D Elam Kyle Officer

8 Ottabine Andrew J Blakemore. Francis M Erwin Jacob Bryan. Robert Black and James C Kellyie Commissioners and Lewis Byrd officer

9 District No 5. at Gordon's Store. Michael Whitmore. Simon J Harmon. David Bear Benj D Bowman and Archibald Hopkins. Comrs and Joseph Burkholder Officer

10 Bowman's Mill. D W Coffman. John Burkholder. Jacob Miller Michael Bowman and Silas Kenton Commissioners and Christian R Myers officer

11 District No 6. John S Effinger. O C Sterling. Joseph T Rohr. William A Conrad and Wm M K Heartzmann Commissioners and Wm H Roddiffer officer

12 Keezletown. Elijah Dudley. Robert Cox. Jonathan Peale. William Eiler and Joseph Frankhouser Commissioners and David Eiler Officer

13 District No 7. Spartapolis. Jacob N Coover. Madison Moore. Reubin Sellers and Cyrus Spitzer and Thomas Moore Commissioners and Wm C Grandle Officer

14 Kenton's Mill. Cyrus Rhodes. Jacob Bailey. Michael Sellers. William Sellers and Wm M Carpenter Commissioners and Reubin M Harrison Officer

15 District No 8. Timberville. Wm G Thompson. David Coover. Martin Garber George Weile and Jno Bowman Jr Comrs and J F Brunner Officer

16 Mennonite School House. David N Maupin. Jackson Horn. John J Bowman. Thomas Samphins & J Turpel Commissioners and John A Shoemaker officer

17 Coole's Store. J B Zirkle. Jacob Neff. Wm Funk Jno Pence & Jno G Coole Comrs & R J Keys Officer

18 District No 9. at Sprinkel's Store. Adam C Funk Isaac Funk. Wm Shearer. Benj Garber George M Funk and Jacob Fawley Commissioners and John D Sprinkel Officer

19 Mattigs Store. Isaac Funk. James Dove. George May. Reubin Dove and Josiah Sowders Commissioners and Henry Mattig Officer

An Instrument of writing purporting to be the last will and testament of George Houston dec'd was presented in Court and there being no subscribing witnesses thereto. Edward S Kemper and Wm D Frost were sworn and examined in Court. who proved that the said ~~will~~ instrument of writing and the signature thereto is wholly in the hand writing of the testator thereupon it is ordered that the same be recorded as the true last will and testament of the said George Houston dec'd and on the Motion of Maggie L Houston the executor therein named who made oath thereto according to law and together with M Harvey Effinger her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twelve thousand dollars conditioned as the law requires a certificate is granted her for obtaining a probate of the said will in due form. and leave is reserved to M Harvey Effinger the other executor therein named to qualify at pleasure

Ordered that Robert Leary. Meilliam Eiler and Shem Bauman after being duly sworn for that purpose do appraise the estate of George Houston dec'd and report thereon to the Court according to law

George S Christie Sale agent for this County. tenders his resignation. which is ordered to be accepted

Ordered that John Hauver be appointed surveyor of precinct No— in the room of Abraham Rolston deceased

John R Bauman Pltff
vs
Peter Bonas Deft
} Upon an attachment

This day came the pltff by his attorney. and the attachment issued in this cause being returned executed. and the deft not appearing it is ordered that the officer who levied the said attachment make sale of attached effects for Confederate Treasury notes. and hold the proceeds subject to the further order of this Court

Michael Carman Pltff
vs
John K Sanders Deft
} Upon an attachment

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

Gideon B Reed Pltff
vs
John K Sanders Deft
} Upon an attachment

This day came the pltff by his attorney. and the attachment issued in this cause being returned executed and the deft not appearing. and the Court being satisfied of the justness of the pltff's demand. It is ordered that the pltff recover against the deft fifty dollars with legal interest thereon from the 21st day of Sept 1863 till paid. and the costs in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects for Confederate money. and out of the proceeds pay and satisfy this judgment & the surplus if any pay to the deft or such person as may be lawfully authorized to receive the same. and make report thereon to the Court according to law

The Last will and Testament of Michael Cannon decd was presented in Court and proved by the oath of John M Bolton one of the subscribing witnesses thereto and it was proved by the said Bolton that Jacob Armentrout the other subscribing witness thereto signed the same in the presence of the Testator and of him the said Bolton and that the said Jacob Armentrout's signature thereto is genuine and thereupon the same is ordered to be recorded as the true Last will & Testament of Michael Cannon decd

Solomon Garber Pltff
vs
Christian C Garber Deft
} upon an attachment

This day came the pltff by his attorney and the deft not appearing it is ordered that the officer who levied the said attachment make sale of the attached effects for constitutional money and hold the proceeds subject to the future order of this Court

The Court doth appoint Sallie V Shoup Guardian for Caroline C Shoup orphan of John C Shoup decd who is under the age of 14 years and thereupon the said Sallie V Shoup appeared in Court and together Davis Shirkey Daniel Yount & Jacob S Rhodes her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty thousand dollars conditioned as the law requires

Caroline Long and George H Long who are over 14 years of ~~age~~ by an instrument of writing made choice of Elijah Dudley as their guardian and the Court doth appoint the said Elijah Dudley guardian for Alpina Long Mary Belle Long Byron Long Sigmorella Long Fanny G Long & Micellahmia Long who are under 14 years of age children of John C and Amanda J Long and thereupon the said Elijah Dudley appeared in Court and together with William H Burtner his security (who justified as to his sufficiency) entered into and acknowledged a bond with the penalty of one thousand dollars conditioned as the law requires

Ordered that all the acting justices of this County be summoned to appear here on the first day of the next term to act upon applications for ordinary license and for other purposes

M J Mayerhoeffer Pltff
vs
Wm Wolfrey Deft
} upon an attachment

This day came Jane H Wolfrey who filed her petition claiming the property levied upon which is ordered to be filed and thereupon Robert Yount acknowledged himself bound for costs and the cause is continued until the next term

Bushrod Rust Pltff
vs
John K Landes Deft
} upon an attachment

This day came the pltff by his attorney and the ~~deft~~ attachment being returned executed and the deft not appearing it is ordered that this cause be placed upon the docket

Andrew Clayton vs Jesse Cannon upon an attachment

The same order

Silbert & Kaufler Pltffs
vs } Upon an attachment
John K Sanner Deft

This day came the pltff by their attorney and the attachment issued in this cause being returned executed and the deft not appearing and the Court being satisfied of the justness of the pltffs demand it is considered that the pltff recover against the deft $334.75 with legal interest thereon from the 22d day of July 1864 till paid and the costs in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects for Confederate States Treasury notes & out of the proceeds pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report this proceeding to this Court

On the Motion of the heirs of Peter Kontz dec'd it is ordered that Daniel Eiler, Solomon Bantner, Philip Miller and Ed Kemper be appointed commissioners to lay off one third of Peter Kontz's lands as dower to his widow and divide the residue among his heirs

Gideon Kratzer Pltff
vs } Upon an attachment
Daniel McLaughlin Deft

This day came the pltff by his attorney and the attachment issued in this cause being returned executed and the deft not appearing and the Court being satisfied of the justness of the pltffs demand it is ordered that the pltff recover against the deft $30 &c with legal interest thereon from the 27th day of June 1857 till paid and the costs by the pltff in this behalf expended

M Harvey Effinger Pltff
vs } Upon an attachment
Christian Shoualter Deft

This day came the pltff by his attorney and the attachment issued in this cause being returned executed and the deft not appearing. It is ordered that the officer who levied the said attachment make sale of the attached effects for constitutional money and abide the proceeds subject to the order of this Court

William Kontz Pltff
vs } Upon an attachment
J M Kyser Deft

This day came the pltff by his attorney and the deft still failing to appear and the Court being satisfied of the justness of the pltffs demand it is considered that the pltff recover against the deft $56.65 in constitutional money with legal interest thereon from the 13th day of September 1864 till paid and the costs in this behalf expended

On the Motion of Jeremiah Dorman and the other heirs of Christian Dorman dec'd it is ordered that Philip Miller, Andrew Bertram, John Hauffman & Solomon Bantner be appointed commissioners to assign dower to Barbara Dorman widow of the said Christian Dorman dec'd in the real estate of which the said Christian Dorman died seized

John J Roller Pltff
vs } upon an attachment
Wm H Monger Deft

This day came the pltff by his attorney, and the deft failing to appear, it is ordered that the officer who levied the said attachment make sale of the attached personal effects for Confederate Treasury notes, and hold the proceeds subject to the future order of this Court, and report his proceedings to this Court

Same Pltff
vs } upon an attachment
John Carver Deft

This day came the pltff by his attorney, and the deft failing to appear, it is ordered that the officer who levied the said attachment make sale of the attached effects for Confederate money, and hold the proceeds subject to the order of this Court, and report his proceedings to this Court

Upon the petition of David J Garber for a change in a public road in this County, it is ordered that Samuel Whitmore, Solomon Garber and John Bryan be appointed Commissioners to act and report thereon to the Court according to law

John Carver Pltff
vs } upon attachment
Absalom Dove Deft

This day came the pltff by his attorney and the attachment awarded in this cause being returned executed and the deft not appearing, it is ordered that the officer who levied the said attachment make sale of the attached effects for Confederate Treasury notes, and hold the proceeds subject to the future order of this Court, and report his proceedings to this Court

S R Allebaugh Pltff
vs } upon an attachment
John K Sanders Deft

This day came the pltff by his attorney, and the attachment issued in this cause being returned executed, and the deft not appearing, and the Court being satisfied of the justness of the pltff demand, it is considered that the pltff recover against the deft $29.60 with legal interest thereon from the 29th day of July 1859 till paid, and the costs in this behalf expended, and it is ordered that the officer who levied the said attachment make sale of the attached effects for Confederate Money, and out of the proceeds pay and satisfy this judgment, and the surplus if any pay to the deft or such person as may be duly authorized to receive the same, and report his proceedings to this Court

Upon the petition of A P Nicholas & others to close a public road in this County, it is ordered that G W Hopkins, Lyle Mauzy & Addison Boyer be appointed Commissioners to act and report upon said petition according to law, and thereupon the said Commissioners met and filed their report, and upon examination of said report and of witnesses the Court is of opinion that the said road is of no public utility. It is therefore ordered that the petitioners have leave to close the same

On the Motion of Jacob N Coovan who made oath thereto according to law & together with Peter Neff. Peter S Roller and Gideon B Reed his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty four thousand dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form with the will annexed of John Allebaugh dec'd.

Ordered that John A Herring. John K Moore. John Dinkle & John D Williamson or any three of them being first duly sworn for that purpose do appraise the estate of John Allebaugh dec'd. and report thereon to the Court according to law.

On the Motion of Samuel R Allebaugh and it appearing that Harvey Minnick has been dead more than three months and no person having applied for administration upon his estate. it is ordered that his estate be committed to the Sheriff of Rockingham County for administration according to law.

Present C P Myers John Burkholder Gent Justices

The Court doth appoint Shelton H Carrier guardian for Henry Augustine Armentrout. Elizabeth A H Armentrout. George A C Armentrout. Mary V B Armentrout Eliza Jane Armentrout John Wesley D Armentrout and Edward L Armentrout orphans of Augustine Armentrout dec'd who are under the age of 14 years. and thereupon the said Shelton H Carrier appeared in Court. and together with Adam H Brewer and George W Yancey his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four hundred dollars conditioned as the law requires. which bond is ordered to be recorded.

Montazuma Brown who stands charged with a felony by him committed in this that he did on the 5th day of February 1865 in the County of Rockingham feloniously break and enter the dwelling house of Mrs Catharine Moyerhoeffer alias O'Neil in the day time of the day with intent in the said dwelling house then and there the goods and chattels of the said Mrs Catharine Moyerhoeffer feloniously to steal take and carry away. appeared in Court in pursuance to his recognizance. and sundry witnesses being sworn and examined the Court upon mature deliberation are of opinion that no felony has been committed it is therefore ordered that he be acquitted & discharged of the offence aforesaid.

Present O C Sterling. George S Christie Absent C R Mayers & Jno Burkholder Gent Justices

Henry Bryan who stands charged with a felony by him committed in this that he did on the 8th day of January 1865 in the County of Rockingham one sorrel gelding Horse of the price of fifteen hundred dollars of the goods and chattels of Wesley Slatterbuck feloniously did steal take and carry away. appeared in Court in pursuance to his recognizance. and on the Motion of the Attorney for the Commonwealth. and for reasons appearing to the Court it is ordered that the examination of the prisoner be continued until the next Term and on the Motion of the prisoner he is permitted to renew his recognizance for his personal appearance before this Court at the next Term. and thereupon the said Henry Bryant appeared in Court. and together with Robert Bryant. Henry M Flick and John K Beery his securities severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Henry Bryan in the sum of fifteen

dollars and the said Robert Bryant, Hayle Flick & Jno. Beery in the sum of fifteen hundred dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the said Commonwealth. Yet upon this condition that the said Henry Bryant shall make his personal appearance before this Court on the first day of the next term thereof then and there to answer the charge of felony aforesaid, and not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force & Virtue

Be it remembered that Meely Clatterbuck and Jacob Kinegardner appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of One hundred dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the said Commonwealth. Yet upon this condition that they shall make their personal appearance before this Court on the first day of the next term then and there to give evidence on behalf of the Commonwealth against Henry Bryant, and not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force and virtue

Be it remembered that John Bridley Jr. Elizabeth Maston. James Lang. And Flick Alexander Mesely. Robert Bryan. Daniel Hanley. Henry Flick & John D. Beery personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of One hundred dollars each to be levied of their respective goods and chattels. lands and tenements and for the use of the said Commonwealth. Yet upon this condition that they shall make their personal appearance before this Court on the first day of the next term. then & there to give evidence on behalf of the Commonwealth against Henry Bryant and not to depart thence without the leave of the said Court. then this recognizance to be void or otherwise to remain in full force

On the Motion of Joseph T. Logan Sheriff of this County. Henry Neff is admitted as his deputy Sheriff and thereupon the said Henry Neff took the several oaths required by law.

Ordered that the Court be adjourned until the next term

Wm. McK. Wartmann, P.J.

At a Court held for Rockingham County at the Court House thereof on Monday the 17th day of April 1865

Present

Wm. McK. Wartmann P.J. Madison Moore Thomas Moore
Adam C. Puck. Isaac Wright

A Settlement of the estate of Ayes Brunner 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 the Managers of the estate of George Brammer decease 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 the Guardian of Samuel Baker &c.
The Same order

Same of the estate of Lewis Caplinger dec'd
The Same order

Same of the estate of Abraham Diehl dec'd
The Same order

Same of the estate of Noah Compsweiler dec'd
The Same order

Same of the estate of John Hoammsberger dec'd
The Same order

Same of the estate of Adam Hoammsberger dec'd
The Same order

Same of the estate of Jacob Miller dec'd
The Same order

Same of the estate of Michael Scothron dec'd
The Same order

Same of the estate of Aeram Weise dec'd
The Same order

Wm H Dinkle produced credentials of his ordination and also of his being in regular communion with the Church called the Evangelical Lutheran, took the oath of allegiance &c. Commonwealth and entered into bond as required by the law regulating the solemnizing of marriages &c. and he is authorized to celebrate the Rites of Matrimony according to the forms and customs of said Church between any persons to him regularly applying therefor within this State

The renunciation of Sarah Allebaugh of the provisions of the will of her late husband John Allebaugh dec'd was presented in Court and being duly acknowledged is ordered to be recorded

Upon the petition of Lewis Zirkle privilege is granted him to hang a Gate across the public road running through his lane from the Valley Turnpike to the Ridge

Upon the petition of David Garber for a change of public road in this County the viewers heretofore appointed this day filed their report upon consideration whereof the

Court doth establish said road according to the report aforesaid

Upon the petition of G W Berlin &c for an alteration of a public road in this County it is ordered that John E Bryan, Daniel J Garber & C H & B Huffman be appointed viewers to ascertain a report upon the said petition according to law, and thereupon the said viewers came & filed their report, which was examined and confirmed, and it is ordered that the said change be made and established according to law

Peter Whitzel Pltff
vs
John J Whitzel Deft
} Upon an Attachment

This day came the pltff and the attachment issued in this cause being returned executed, and the deft not appearing, and the Court being satisfied of the justice of the plaintiffs demand, it is considered that the pltff recover against the defendant $77.55 with legal interest on $45 part thereof from the 1st day of Sept 1860 on $22.50 another part thereof from the 26th of February 1850 on $3.50 another part thereof from the 8th day of Dec 1847 on $11.00 from the 28th day of May 1856 and the costs by the pltff in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects for constitutional money and out of the proceed pay and satisfy this judgment and the surplus if any pay to the deft or to such person as may be duly authorized to receive the same & report his proceedings to this Court

George Calhoon Pltff
vs
John J Whitzel Deft
} Upon an Attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed, and the deft having not appearing and the Court being satisfied of the justice of the pltffs demand, it is considered that the pltff recover against the deft $60.10 with legal interest on $40.00 part thereof from the 20th day of March 1862 and on $20.10 the residue thereof from the 24th day of February 1861 Nice fraies and the Costs in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects and out of the proceed of such sale pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report his proceedings thereon to the Court

The last will and testament of Jacob Cole dec'd was presented in Court and proved by the oaths of Madison Moore and Samuel W Allebaugh the subscribing witnesses thereto and ordered to be recorded

David Vanmeter Pltff
vs
Charles H Weedon Deft
} Upon an attachment

This day came the pltff by his attorney and the attachment issued in this cause being 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 defendant $398.94 in specie with legal interest thereon from the 1st day of Aug 1863 Nice fraies and the costs in this behalf expended

Isaac Wammetre Pltff
vs
Charles Holloway Deft } Upon an Attachment

This day came the pltff by his attorney and the attachment upon which this cause is depending was executed and the deft not appearing and the Court being satisfied of the justness of the pltffs demand. It is considered that the pltff recover against the deft $103.38 cts specie and legal interest thereon from the 1st day of Nov A.D. 1865 till paid and the costs in this behalf expended and the cause is dismissed as to the Garnishee. S.A. Coffman.

David Wammetre Pltff
vs
Charles Holloway Deft } Upon Attachment
and
Isaac Wammetre Deft
vs
Same Deft

This day came the pltff in the above entitled cause as Samuel M. Robert Bowman by their attorneys and the said S.M. & R. Bowman file their petition claiming the property levied upon and thereon from by consent of parties the question as to the right of property was submitted to the Court, and the Court after hearing evidence for both parties and examination and the Court upon mature deliberation and opinion that the two horses mentioned in the Sheriffs return to be the property of Charles Holloway and liable to the pltffs attachment, and that the negro Boy Bob is the property of the petitioners Samuel M. & Robert Bowman and not liable to the levy of said Attachment. It is therefore ordered that the said negro boy be released from the levy aforesaid and delivered to the petitioners and it is further ordered that the Sheriff of this County make sale of the two horses aforesaid, after having first given Special notice of six months and after the proceeds arising therefrom shall be applied to the payment of the costs of the pltffs in the above named attachments and of this proceeding in this Court and it is further considered that the petitioners Samuel M. & Robert Bowman recover against the said David & Isaac Wammetre their costs in this behalf expended.

Henry Bryan who stands charged with a felony by him committed as appears of record in this proceeding by his recognizance entered into before the Court at the last term appeared by counsel this examination be continued until the present term and he is remanded to jail to abide further proceedings and the Court fixes the amount of his recognizance at the sum of $1000 for his appearance at the next term of this Court. Henry Bryan together with Robert Bryan & Henry Bailey appeared in Court and acknowledged themselves to be indebted to the State of Missouri in the sum of $1000 each to be levied of their respective goods and chattels lands and tenements to be void on condition that the said Henry Bryan shall personally be and appear before the Judge of the Circuit Court of Pettis County at the next term thereof to be holden at the Court House in the City of Sedalia on the first Monday after the fourth Monday in March next then and there to answer an indictment for Grand Larceny and not depart the Court without leave. Which recognizance is acknowledged.

At a Court Summoned and held for Rockingham County on Friday the 28th day of April 1865

Present

Wm M'k Wartmann P.J. Jonathan S Speck. Philander Herring } Gent.
Enoch B Dolly and George S Christie } Justices

Timothy Shougarow John McCauly and Michael Maloy who stand charged with a felony by them committed in this that they did on the 20th day of April 1865 in the County of Rockingham being armed with dangerous weapons to wit with loaded guns and pistols on one Nancy G Riffo feloniously did make an assault and her the said Nancy G Riffo in bodily fear did feloniously put one brown horse of the value of one thousand dollars and one pistol of the value of one hundred dollars of the goods and chattles of one William M Hunter from the person and against the will of the said Nancy G Riffo feloniously and violently did steal take and carry away", were led to the bar in custody of the Sheriff and thereupon the prisoners elected to be tried separately, and thereupon the said Timothy Shaughnessy was put upon his trial and sundry witnesses being sworn and examined, and the Court upon deliberation are of opinion that a felony has been committed and that there is probable cause to charge the said Timothy Shougarow therewith, it is therefore considered that the said Timothy Shougarow be remanded for trial before the Circuit Court of this County, on the first day of the next Term thereof, and thereupon on the motion of the prisoner he is admitted to give bail for his appearance before the Court aforesaid, and the Court doth fix the amount of his bail at five hundred dollars in Constitutional Money for himself and the like sum of five hundred dollars constitutional money, and thereupon the said Timothy Shougarow and John Scanlon his security personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Timothy Shougarow in the sum of five hundred dollars in Constitutional Money and the said John Scanlon ——— in the like sum of five hundred dollars constitutional Money 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 Timothy Shougarow shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next Term thereof, and ~~not depart thence~~ there and there to answer an indictment to be preferred against him for felony aforesaid and not to depart thence without the leave of this Court, then this recognizance to be void, otherwise to remain in full force and virtue, and thereupon the said John McCauley and Michael Maloy

were put upon their trial and sumary witneses being sworn and examined, and the Court upon deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. It is ordered that the prisoners be remanded for trial before the Circuit Court for Rockingham County on the first day of the next term thereof, and on the motion of the prisoners they are permitted to give bail for their personal appearance before the said Court, in the sum of one hundred dollars each in Constitutional money, and the sum of one hundred dollars each for their securities in the like kind of money, and thereupon the said John McCawly together with Timothy Shughurne his security 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 each in Constitutional money to be levied of their respective goods and chattels lands and tenements and for the use of the said Commonwealth. Yet upon this condition that the said John McCawly shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof, then and there to answer an indictment to be preferred against him for the felony aforesaid and not to depart thence without the leave of the said Court then this recognizance to be void, otherwise to remain in full force and virtue — Be it remembered that Michael Maloy together with Timothy Shughurne his security personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each ~~to be levied~~ in Constitutional money to be levied of their respective goods and chattels, lands and tenements and for the use of the said Commonwealth yet upon this condition that the said Michael Maloy shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof, then and there to answer an indictment to be preferred against him for the felony aforesaid and not to depart thence without the leave of the said Court, then this recognizance to be void otherwise to remain in full force and virtue.

Be it remembered that Nancy G Riffo, Andrew J Riffo, Eli Keeran and Benjamin Berry 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 each, to be levied of their respective goods and chattels, lands and tenements and for the use of the said Commonwealth. Yet upon this condition that the said Nancy G Riffo, Andrew J Riffo, Eli Keeran and Benjamin Berry shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof, then and there to give evidence on behalf of the Commonwealth against Timothy Shughurne, John McCawley and Michael Maloy who stand charged with felony, and not to depart thence without the leave of the said Court, then this recognizance to be void otherwise to remain in full force and virtue.

And thereupon the Court arose

Wm McK. Hartmann, P.J.

At a Court held for Rockingham County at the Court-House thereof on Monday the 15th day of May 1865

Present

Wm M. K. Wartmann, P. J., Christian A. Myers, Madison Moore, Isaac Wright, George S. Christie } Gent Justices

The Clerk of this Court presented in Court a list of deeds admitted to record in his office since his last report, which being seen and inspected by the Court, and ordered to be entered on the minutes as follows to wit

A Deed of Bargain & Sale from C. H. & B. Huffman wife to Martin L. Shank.
Same from John D. Harris Trustee to St. Francis & Roberts
Same from Wm Cook wife to Michael Showalter
Same from Abraham S. Byrd to Abraham Bowman

On the Motion of Abraham Beery (sr.) and it appearing to the Court that Christian Beery is a person of unsound mind, and not capable of taking Care of himself and property, it is ordered that Henry Neff be appointed a committee to take charge of the person and property of the said Christian Beery, and thereupon the said Henry Neff appeared in Court and together with Samuel R. Allebaugh his security (who justified as to his sufficiency) entered into and acknowledged bond in the penalty of Sixteen hundred dollars, conditioned as the law requires

Jesse Moyers &c &c Plff.
v
Christina Minnick &c &c Defts. } In Chancery

This cause came on to be further heard this 15th day of May 1865 upon the Bill and exhibits, upon the summons returned executed upon the defendants Christena Minnick and Levi Minnick more than two months since, and they still failing to appear and answer, the Bill as to them is taken for confessed and it appearing to the Court that the order of publication against the absent defendants Michael Minnick Andrew Minnick, Isaac Minnick, George W. Minnick, Isaac Lothaltz and Polly his wife Fountaine Dean and Elizabeth his wife has been duly executed more than one month the cause is heard as to them. Whereupon the argument of Counsel being heard the Court is of opinion that the real estate of Mathias Minnick should be divided between his widow and heirs according to their legal rights. It is therefore adjudged ordered and decreed that John J. Bowman, Henry Neff, Davis Martz and Madison Moore or any three of them who are hereby appointed Commissioners for that purpose go upon the lands in the Bill mentioned of which said Mathias Minnick died seized and assign to his widow Christena Minnick as her dower therein one third in value of said lands, and divide the residue among the heirs of said Mathias Minnick equally and fairly laying off together in one body shares of the non-resident defendants, and of such others as may desire it, assigning to Jesse Moyers in one body if it can be done his own share and the shares of William Minnick and Jacob Minnick which he has purchased, and to Mathias Minnick Jr. his own share and the share of John Minnick which he has purchased, and report in writing to this Court at its next term

Ordered that David J. Garber be appointed surveyor of precinct No. of which John Garber is now surveyor.

Ordered that Daniel Kiser be appointed surveyor of precinct No in the place of Samuel Miller

Sallie V Shoupe & Pltff
vs
Henry L Shoupe Deft } In Chancery

This cause came on to be heard by consent of parties given in court upon the Bill and answer with replication thereto and was argued by Counsel upon consideration whereof the Court is of opinion that the land and slaves in the Bill mentioned consisting of the Beaver Land of about 5 acres, the Liggett tract of about A 155, the Cole tract of about A 259. bought of Winfield, three tracts of land in the pines and any other land owned by the said H & H C Shoupe. together with the slaves Aleinda and her five children should be divided among the parties according to their respective interests therein. It is therefore adjudged ordered and decreed that Dennick Pennybacker, Erasmus Coffman, Giles Deiner and DeWitt Coffman, or any three of them do make equal partition of said land and slaves and that they assign one equal half thereof in value to the Complainant Sallie V Shoupe and Caroline E Shoupe heirs of H C Shoupe and the other half to the Respondent Henry L Shoupe and make report in writing to this Court at its next term. But it is to be remembered that no proceedings under this decree or in this cause are in any way to affect any lien or liability of any kind to which said property may be liable

Harriet G Effinger
vs
The Confederate States } Upon a Distrain Warrant

This day came the plaintiff by her attorney and the warrant herein returned executed, and no person appearing to replevy the property levied upon, and upon consideration whereof it is considered that the Pltff recover against the Deft $50. in Confederate money with legal interest thereon from this day, and the costs in this behalf expended and it is ordered that the officer who levied said warrant make sale of the attached effects according to law, and out of the proceeds pay and satisfy this judgment and report his proceedings to this Court

J S Pennybacker
vs
Same } Upon an Attachment

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

Peter Acker
vs
Jesse Leamer } Upon an Attachment
The Same Order

Franklin Hughes
vs
The Confederate States } Upon an Attachment
The Same order

Daniel Kauffman Pltff
vs } In Debt
David Sipe Deft On Motion continued until the next term

Wm L Anderson	Pltff	In Case
vs		
Wm Chrismann	Deft	

On Motion this cause is continued until the next term

Gideon B Reid	Pltff	In Case
vs		
Julius Mantz	Defts	The same order

S M Dodd	Pltff	In Case
vs		
Jno Foy's exor	Deft	The same order

Same	Pltff	In Case
vs		
E P Blackwell's exor	Deft	The same order

Isaac Pauls	Pltff	In Case
vs		
Jno Mc Pollen	Deft	The same order

M Heaney Effinger	Pltff	In Debt
vs		
Georgius Young	Deft	The same order

Same	Pltff	In Debt
vs		
James J Miller	Deft	The same order

M & C Effinger & Bro	Pltff	In Debt
vs		
Robert G Depuy	Deft	The same order

Same	Pltff	In Debt
vs		
D B Kranshaw	Deft	The same order

M & C Effinger	Pltff	In Debt
vs		
Same	Deft	The same order

Philip Pharis Jr	Pltff	In Debt
vs		
Sarnice Swarts	Deft	The same order

John Addinson Jr	Pltff	In Debt
vs		
James Mc Cook	Deft	The same order

M Harvey Effinger	Pleff	}	In Debt
vs			
Noah Burkholder &c	Defts	}	On Motion it is ordered that this cause be continued until the next term

Same	Pleff	}	In Debt
vs			
Christian Shewalter &c	Defts	}	The same order

John McDowell ex'tor	Pleff	}	In Case
vs			
Daniel D Dove	Deft	}	The same order

Soloman Garber	Pleff	}	In Case
vs			
Christian L Garber	Deft	}	The same order

G M & A M Effinger	Pleff	}	In Debt
vs			
Robert G Defuty	Deft	}	The same order

Robert L Robert	Pleff	}	In Case
vs			
Frederick Hilleyard	Deft	}	The same order

Peachy Moore	Pleff	}	In Case
vs			
John K Moore	Deft	}	The same order

Philip Liggett	Pleff	}	In Case
vs			
James Paine	Deft	}	The same order

Samuel Bare	Pleff	}	In Debt
vs			
Samuel Vanter &c	Defts	}	The same order

H H Nair	Pleff	}	In Debt
vs			
Richard Robinson &c	Defts	}	The same order

C R Harris	Pleff	}	In Debt
vs			
Geo Thaley	Deft	}	The same order

Nathan Haston	Pleff	}	In Case
vs			
Samuel Hollar	Deft	}	The same order

Ordered that the Sheriff of this County summon and the acting justices of the County to appear here on the first day of the June Term next to lay the County Levy, and for other purposes

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

Ordered that the Court be adjourned until the next term

Wm McK. Wartmann, J.P.

Virginia

In the Clerk's Office of the County Court of Rockingham May 16th 1865

Jacob M Liggett Qui tam for Louisa A Winfield Plff

vs In Debt

John C Winfield Deft

This day the defendant appears in the Clerk's office and confesses judgment for Seventeen hundred and forty four dollars and eighty nine cents with legal interest thereon from the 16th day of May 1865 three pence and costs

It is therefore considered that the Plff recover against the deft $1744.89 the debt aforesaid with legal interest thereon from the 16th day of May 1865 three pence and costs costs by the Plff in this behalf expended

Teste

Wm A Brent DC

State of Virginia
County of Rockingham to wit

At a Meeting of the Justices for Rockingham County at the Court House thereof on Monday the 2d day of August 1869.

Present

Wm D K Gaitskill C C Sterling Geo S Christie Jacob S Miller Isaac Long Wright Peter S Bear Edward Shaffer Madison Grove Benoni Dyche C Wilson Peter Bare Geo W Kenny Wm H Keyser Josiah Sowers Geo Mellig A L Bumgardner Wm S Miller Martin Garber Jno J Bowman Jacob Swope Wm H Keyser Wm H Conrad Wm S Mauzy Madison Grove Wm H Harnsberger Gideon Rosenberger Jno Funk Henry Berry Wm H Effinger

The Justices proceeded to elect one of their number Coty as presiding Justice and business for Col C Sterling Wm D K Gaitskill Isaac Wright Peter S Bear Geo W Kenny Madison Grove Martin Garber Geo Mellig A L Bumgardner Wm S Miller Martin Garber Madison Grove Wm H Harnsberger Gideon Rosenberger Jno Funk Henry Berry Wm H Effinger and on a ballot for Col C Sterling Wm D K Gaitskill Geo S Christie Josiah Sowers Peter S Bear Wm H Harnsberger Wm H Conrad Wm S Mauzy Madison Grove Benoni Dyche Gideon Rosenberger Jno Funk Henry Berry Jacob Swope Peter Bare Jno J Bowman Josiah Sowers Wm H Effinger Wm H Harnsberger & Wm H Conrad a majority of the votes were for the said C C Sterling who was declared duly elected presiding justice and took his seat accordingly.

The Court proceeded to elect a Clerk & Justices & Coll
1st Class August Term Wm S Miller Wm H Conrad P P Price & B W Price
September & October Term Martin Garber Geo S Christie Madison Grove
Jno J Bowman & Josiah Sowers
2nd Class November Term Jno S Bright Wm J Rowan Josiah S Harnsberger
Henry Berry
Decr & Jan'y Term Jno Funk Marcus Price Jackson Harnsberger
Harrison Wm H Funk
3rd Class Feby Term Wm Nik Wartmann W T McGahey Isaac Wright
George W Kemper
March & April Term Wm Miller George W Kenny Wm H Harnsberger
Peter Bare Geo Mellig
4th Class May Term John B Strickler Jeremiah Pence Benoni Dyche
Jan & July Term Wm Bear J A Marshall P P Price

The Justices assigned to the months Term and Alternate with those assigned to the Quarterly Terms every succeeding year under the expiration of the present Terms of Office

C C Sterling

Virginia to

Rockingham to wit at Rockingham County Court at the Court House
thereof on Monday the 4th day of December 1865

Present

C. C. Yancey Pl. Wm. M. Beck Peter S. Rhea
Wm. H. Hackelmann Madison Rowe. Wm. L. Yancey
Dec.

The following persons to wit Peter S. Rhea Commissioner of
Revenue certificate of delinquent list returned Wm. H. Hackelmann Clk
Henry Lyons Wm. H. Sprinkle Peter S. Rhea. Isaac Wright Peter S. Rhea Commr
of Revenue Wm. Bond. Enoch B. Coffey. McCamon Yancey Wm. Burke Geo. W.
Yancey. Wm. M. Beck Peter S. Rhea Commissioner Wm. H. Hackelmann Wm. L.
Yancey Wm. H. Hackelmann Wm. L. Yancey Peter S. Rhea Commissioner Wm. H.
Hackelmann Wm. L. Yancey

acknowledged a lease in the formerly of Randolph Brown and others to him for the fish privilege at the outlet of Silver Lake which lease was duly recorded in the office of the Clerk of this Court which lease is made a part of the Report of this office and to the action of this Court in relation thereto reference is had for further particulars

John H. Rutledge who was on the 18th day of July 1865 and prior thereto duly qualified and acted as Justice of the Peace for Rockingham County. Says that his term of six years from the 1st day of July 1865 will expire on the 1st day of July 1871 and that his said office will then expire and he will no longer be entitled to act as such Justice of the Peace. That he is desirous of holding his said office for the full term for which he was elected and prays that he may be permitted to do so. Says that he is not interested directly or indirectly in the fish privilege at the outlet of Silver Lake and has not been since the 1st day of July 1865 and that he is not related to any person who is interested therein. Says that he is not related to any person who is interested in the lease executed by Randolph Brown and others to Wm. Rockafield and Wm. Rockafield is not related to him

Edward Berry who was on the 18th day of July in the year 1865 duly elected
by the qualified voters of the fourth Congressional District of the State of
Pennsylvania entitled to vote for the choice of a Representative in the
Congress of the United States to serve for the term commencing
on the 4th day of March 1865 and ending on the 3rd day of March 1867 and
until his successor shall be duly elected and qualified and who was then
and there duly commissioned for the discharge of the duties of said
office as appears of record in the Secretary's office of the Commonwealth
of Pennsylvania and who now holds said office for the term aforesaid
and who is duly qualified to enter upon the discharge of the duties of said
office and who is required by the Act of Congress entitled "An Act
to provide additional Revenue for the support of the Government to
lay duties on Licenses to distill spirituous liquors to provide for the
better collection of duties on imported Goods and on Tea and Coffee
and to collect duties on property imported from foreign countries sold at
auction" approved July 1st 1862 and the several Acts amendatory thereof
and supplemental thereto to give bond with sufficient sureties for the
faithful discharge of the duties of said office and for the due payment
of all moneys which may come into his hands as such Collector according
to law and the said John H. Berry took the several oaths required by law

William P. Yeakey who was on the 18th day of July in the year 1865 duly elected
by the qualified voters of the 2nd Congressional District of the State of
Pennsylvania entitled to vote for the choice of a Representative in the
Congress of the United States to serve for the term commencing on the 4th
day of March 1865 and ending on the 3rd day of March 1867 and until his
successor shall be duly elected and qualified and who was then and there
duly commissioned for the discharge of the duties of said office as appears
of record in the Secretary's office of the Commonwealth of Pennsylvania
and who now holds said office for the term aforesaid and who is duly
qualified to enter upon the discharge of the duties of said office and who
is required by the Act of Congress entitled "An Act to provide additional
Revenue for the support of the Government to lay duties on Licenses to
distill spirituous liquors to provide for the better collection of duties on
imported Goods and on Tea and Coffee and to collect duties on property
imported from foreign countries sold at auction" approved July 1st 1862
and the several Acts amendatory thereof and supplemental thereto to give
bond with sufficient sureties for the faithful discharge of the duties of said
office and for the due payment of all moneys which may come into his
hands as such Collector according to law and the said William P. Yeakey
took the several oaths required by law

James L. Burgess who was on the 18th day of July in the year 1865 duly elected
by the qualified voters of the third Congressional District of the State of
Pennsylvania entitled to vote for the choice of a Representative in the
Congress of the United States to serve for the term commencing on the 4th
day of March 1865 and ending on the 3rd day of March 1867 and until his
successor shall be duly elected and qualified and who was then and there
duly commissioned for the discharge of the duties of said office as appears
of record in the Secretary's office of the Commonwealth of Pennsylvania
and who now holds said office for the term aforesaid and who is duly
qualified to enter upon the discharge of the duties of said office and who
is required by the Act of Congress entitled "An Act to provide additional
Revenue for the support of the Government to lay duties on Licenses to
distill spirituous liquors to provide for the better collection of duties on
imported Goods and on Tea and Coffee and to collect duties on property
imported from foreign countries sold at auction" approved July 1st 1862
and the several Acts amendatory thereof and supplemental thereto to give
bond with sufficient sureties for the faithful discharge of the duties of said
office and for the due payment of all moneys which may come into his
hands as such Collector according to law and the said James L. Burgess
took the several oaths required by law

James T. Sherman who was on the 18th day of July in the year 1865 duly elected
by the qualified voters of the fourth Congressional District of Pennsylvania
Comprised of the fourth Ward of the City of Philadelphia, the whole of the
Twenty-first Ward of the City of Philadelphia, the whole of the Twenty-
second Ward of the City of Philadelphia and the whole of the County of
Montgomery entitled to vote for the choice of a Representative in the
Congress of the United States to serve for the term commencing on the 4th
day of March 1865 and ending on the 3rd day of March 1867 and until his
successor shall be duly elected and qualified and who was then and there
duly commissioned for the discharge of the duties of said office as appears
of record in the Secretary's office of the Commonwealth of Pennsylvania
and who now holds said office for the term aforesaid and who is duly
qualified to enter upon the discharge of the duties of said office and who
is required by the Act of Congress entitled "An Act to provide additional
Revenue for the support of the Government to lay duties on Licenses to
distill spirituous liquors to provide for the better collection of duties on
imported Goods and on Tea and Coffee and to collect duties on property
imported from foreign countries sold at auction" approved July 1st 1862
and the several Acts amendatory thereof and supplemental thereto to give
bond with sufficient sureties for the faithful discharge of the duties of said
office and for the due payment of all moneys which may come into his
hands as such Collector according to law and the said James T. Sherman
took the several oaths required by law

Thomas B. Searle who was on the 18th day of July in the year 1865 duly elected
by the qualified voters of the Fifth Congressional District of Pennsylvania
entitled to vote for the choice of a Representative in the Congress of the
United States to serve for the term commencing on the 4th day of March
1865 and ending on the 3rd day of March 1867 and until his successor

[illegible]

James Mc[illegible] and Wm. Burdsall [illegible]

[illegible]

John [illegible] and Wm. [illegible] Sheriffs of Rockingham County [illegible]

[illegible]

Jackson Kiser [illegible]

[illegible]

Samuel J. Price who has been [illegible]

[illegible]

Robert J. Price who has been [illegible]

entered into and ordered to be recorded.

On the motion of Samuel R. McCaugh, Sheriff of this County, it is Ordered
Joseph D. Logan, Christopher Dixon, Robert Gordon, James Hamilton, Benjamin
Wood, & William Cox be appointed Constables for the ensuing year, who
accordingly appeared, and thereupon they took the usual oath of office
& Entered into Bond with Security.

On the Petition of John M. Pattison, praying for a Survey of
Morgan's and Bank Bayou, it is ordered that Edward Bowman, Thomas Bay
lock, & Jesse Cockerham be appointed Viewers

Ordered that Allen McClanahan be appointed Overseer of the Road
leading from Pattison's Ferry on Bayou Bartholomew to Spring River in the
room of Thomas Pack

✓ Ordered that Allen Fitzgerald be appointed Surveyor of Precinct No. 2 in the
room of Thomas Pack

Jesse Boyd, Thomas Miller, & Pleasant Barnhill were appointed Viewers
to view & mark out a Road from Pattison's Ferry on Bayou Bartholomew to
the Spring River, by the most practicable route, & report at the next Term
of this Court

✓ George M. Harris who has been appointed Overseer to open & keep in repair
such parts of this Road as may fall within his District, who accordingly
came into Court & took the usual oath

Ordered that Allen G. Thompson, Solomon Vaun & Hendrick Brannon
be appointed Commissioners of this County to receive Proposals
& contract for the Building of a Bridge over Bayou Bartholomew
at Pattison's Ferry, who accordingly came into Court & took the usual
oath

✓ Ordered that Silas M. Huffman be appointed Surveyor of Precinct No. 4
in the place of Willard Vaun

✓ Ordered that Abraham Bacon be appointed Surveyor of Precinct No. 1
in the room of Adam Cross

✓ Ordered that Abraham Morgan be appointed Overseer of the State Road
No. 1 in the place of Jesse Boyd

✓ Ordered that Thomas Pennington be appointed Overseer of Precinct No. 1 in
the room of Daniel Bartholomew

Ordered that the Treasurer of County Court be directed to pay
Hendrick Brannon the sum of Seventy five Dollars for building
a Bridge over Bayou Bartholomew at Pattison's Ferry

Ordered that the Petition of Thomas Hall for a Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge be granted and that Thomas Hall be appointed Overseer of the same and that he have power to call out the Hands allotted by Law to work on the same

Ordered that Isaac Hall be appointed Overseer of the Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge in the room of Thomas Hall

Ordered that Benjamin Hall be exempted from working on the Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge

On the Petition of Joseph Hall Praying that a Road may be laid out from the Mouth of Hall's Creek to the Main Road at Hall's Bridge and that Thomas Hall, Isaac Hall, Joseph Hall, Benjamin Hall, Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. may be appointed Viewers to view the same and report to the next Court of Quarter Sessions to be held for this County

Ordered that Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. be appointed Viewers to view the Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge and report to the next Court of Quarter Sessions to be held for this County

Ordered that Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. be appointed Viewers to view the Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge and report to the next Court of Quarter Sessions to be held for this County

On the Petition of Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Praying that a Road may be laid out from the Mouth of Hall's Creek to the Main Road at Hall's Bridge and that Thomas Hall, Isaac Hall, Joseph Hall, Benjamin Hall, Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. may be appointed Viewers to view the same and report to the next Court of Quarter Sessions to be held for this County

Ordered that Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. Thomas Hall Junr. Joseph Hall Junr. Isaac Hall Junr. Benjamin Hall Junr. be appointed Viewers to view the Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge and report to the next Court of Quarter Sessions to be held for this County

Ordered that Benjamin Hall be exempted from working on the Road from the Mouth of Hall's Creek to the Main Road at Hall's Bridge

Present [illegible]
Justices

Upon the petition of Benjamin [illegible] praying
to be allowed to keep a Ordinary at the House now occupied by him

Ordered that the petition of Benjamin [illegible] be granted and that he have
a Ordinary at the House and Lot now occupied by him

Ordered that the Sheriff summon twelve discreet persons to appear
at this Court on Monday the 11th day of September next to lay off the Dower
of Elizabeth Hargrove

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

A. C. Sheldon

Monday August 28th 1865

Present

The Worshipful Wm Hickman Esq
and Geo. Stennis } Justices

Upon the petition of John Hawkins is granted him to keep a
Public Ordinary at the House now occupied by him

Upon the petition of John Newton is granted him to keep a
Public Ordinary at the Virginia House in this town

Ordered that the Sheriff summon twelve discreet persons to
appear at the House of Wm Hickman on Tuesday the 12th day of September
next to lay off the Dower of Mary Hickman

82

O. C. Sterling

At a Court summoned and held for Rockingham County at the Court-house thereof on Friday the 8th day of September 1865 for the examination of Anderson Shiflett who stands charged with a felony by him committed in this that he did on the 30th day of August 1865 in the County of Rockingham feloniously enter the dwelling house of Isaac Ritenour in the night of that day, with intent, in the said dwelling-house, then and there, the goods & chattels of said Isaac Ritenour one coat of the value of $5.00, of the goods & chattels of W Winsborough, one coat of the value of $15.00, one coat of the value of $12.00, of the goods & chattels of Daniel Miller, the goods for one suit of clothing of the goods & chattels of John F Bradburn of the value of $20.00, one pair of pants of the goods & chattels of John D Scott of the value of $5.00, 8/4 yards of Jeans of the goods & chattels of Samuel Harris of the value of $8.25, 4 yards of Jeans of the goods & chattels of James Royer of the value of $4.00, in the said dwelling house, there being, feloniously did steal, take and carry away, [illegible]

Present

O. C. Sterling P.J. [illegible] Gentlemen

P. S. Roller, Jackson Horan & Madison Moore [illegible] Justices

The prisoner was led to the bar in custody of the Sheriff and sundry witnesses being sworn and examined touching the premises, and the Court upon deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith, it therefore ordered that he be remanded for trial before the Circuit Court of Rockingham County on the first day of the next term thereof, and thereupon the prisoner was remanded to jail

Be it remembered W W Winsborough, John D Scott, John H Berry, Isaac Ritenour John F Bradburn, Daniel Miller and James Royer personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia, in the sum of one hundred dollars each, to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth

Yet upon this condition that the said W W Winsborough, John D Scott, John H Berry, Isaac Ritenour, John F Bradburn, Daniel Miller and James Royer shall make their personal appearance before the Judge of the Circuit Court for Rockingham County at the Court House of said County, on Monday the 11th day of the present month (Sept), then and there to give evidence on behalf of the Commonwealth against Anderson Shiflett, who stands charged with a felony, 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

Whereupon the Countenance

O. C. Sterling

At a Court summoned and held for Rockingham County at the Court house thereof on Saturday the 8th day of September 1865 for the examination of Asa Shiflett who stands charged with a felony by him committed in this that he did on the 31st day of August 1865 in the County of Rockingham did have concealed in his dwelling house of the goods and chattels of Isaac Riteneur one coat of the value of $5.00. of the goods and chattels of J W Wimsbrough one coat of the value of $15.00. one coat of the value of $12.00 of the goods and chattels of Daniel Miller. the goods for one suit of clothing of the goods and chattels of Jno H Bradburn of the value of $20.00. one pair of pants of the goods and chattels of John D Scott of the value of $5.00 8/4 yds jeans of the goods and chattels of Samuel Harris of the value of $8.25. 4 yds of jeans of the goods and chattels of James Royer of the value of $4.00 which goods and chattels were feloniously stolen from the dwelling house of Isaac Riteneur

Present. O C Sterling P J Wm M^c Weartmann. P S Roller } Gent
Jackson Kerr and Madison Moore } Justices

The prisoner was led to the bar in custody of the Sheriff and sundry witnesses being sworn and examined touching the premises and the Court upon deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. It is therefore ordered that he be remanded for trial before the Circuit Court of Rockingham County on Monday the 11th day of the present Month (Sept). and thereupon the prisoner was remanded to jail

Be it remembered that Christian Kyger. Roxy Ann Kyger and Franay Shiflett 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 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 Christian Kyger. Roxy Ann Kyger and Franay Shiflett shall make their personal appearance before the Circuit Court of Rockingham County on Monday the 11th day of the present Month (Sept) then and there to give evidence on behalf of Asa Shiflett who stands charged with a felony and not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force and virtue

Thereupon the Court arose

O. C. Sterling

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 18th day of September 1865.

Present

H. Sterling P.J. Madison Moore. Josiah Sowders } Gent
John J Bowman & George S Christie } 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 August 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 Alexander H Johnson & wife to John M Johnson

A Marriage agreement between John Burkholder and Nancy Gaines

A Deed of Bargain & Sale from Samuel B Good to Isaac N & Jacob F Bowers

A Settlement of the Guardian accounts of Jno J Bowman Guardian for David P Bowman. 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 same Guardian for Rebecca Bowman

The Same order

Same of the accounts of Daniel Yount. admr of Rebecca Bowman dec.d

The Same order

Same of David Bowman admr of George M Bowman dec.d

The Same order

Same of Wm Patterson admr of James H Devier dec.d

The Same order

Same of Wm De Hoofe admr of Elizabeth Hoofe dec.d

The Same order

Jacob N Liggett. Charles S Yancey. Allan C Bryan. James Kenney. John C Walker Thomas L M Chipley. Wm H Effinger. J S Duckwall. B G Patterson. John C Woodson

who have been duly licensed to practise as attorneys in the Courts of this Commonwealth. and took and subscribed the oath prescribed by the Act of the General Assembly of Virginia passed 14 May 1864. and the oath as attorneys at Law.

Wm G Thompson who was at the last Court appointed a Commissioner of this Court to settle accounts of fiduciaries & appeared in Court and took and subscribed the oath required by the act of the General Assembly of Virginia passed May 14 1864. and the several other oaths required by law.

Charles S Thompson & Joseph Funkhouser who have been duly elected & commissioned as Justices of the peace for Rockingham County. appeared in

Court and subscribed the several oaths required by law

George H Carpenter who was at the last term of this Court appointed Guardian for Jimmie H Carpenter appeared in Court and together with John F Crawn 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.

The last will and testament of William Burner dec'd was presented in Court and proved by the oaths of E S Yancey & Charles A Yancey two of the subscribing witnesses thereto and ordered to be recorded, and there being no executor appointed by said will on the motion of Jacob B Burner who made oath thereto according to law and together with James McKeever Wm S Miller & E S Yancey his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned for the faithful performance of the duties of his trust a certificate is granted him for obtaining letters of administration in due form upon the estate with the will annexed of the said William Burner dec'd

Ordered that Frederick Armentrout Cornelius Armentrout, Z D Gilmer, Jno Ammon & E S Yancey or any three of them being first duly sworn for that purpose do appraise the estate of William Burner dec'd and report thereon to the Court according to law

On the motion of Emanuel Sipe, it is ordered that the estate of Maria Mauzy be committed to the Sheriff of this County for administration according to law

Ordered that Abraham Harrison, John Kerlin, John Armentrout, Doran M Long & D B Reed or any three of them being first duly sworn for that purpose do appraise the estate of Maria Mauzy dec'd and report thereon to the Court according to law

The last will and testament of Benjamin Wenger dec'd was presented in Court and proved by the oath of Allan C Bryan a subscribing witness thereto and it was further proved by the oaths of Allan C Bryan & M J Zirkle that the signature of the testator Benjamin Wenger is in his own hand writing, it is ordered that the said will be recorded as the true last will and testament of said Benjamin Wenger dec'd and on the motion of Benjamin Wenger who made oath thereto according to law and together with Daniel Wenger Ephraim Wenger & Peter Blosser 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 him for obtaining probate of the said will in due form

Ordered that John A Herring, Daniel Heffman, Michael Shank & Valentine Bolla or any three of them being first duly sworn for that purpose do appraise the estate of Benjamin Wenger dec'd and report thereon to the Court according to law

On the Motion of Samuel R Allebaugh Sheriff of this County, Henry Neff is appointed to qualify his his deputy, and thereupon the said Henry Neff took the oath and subscribed the oath required by the act of the General assembly of Virginia passed May 14 1864 and the several other oaths required by law

On the Motion of Julia Bryant who made oath thereto according to law and together with Zebulon D Gilmer her security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of Nine hundred dollars conditioned as the law requires, a certificate is granted her for obtaining letters of administration in due form upon the estate of Alexander Bryant dec'd

Ordered that Augustus Bryant, Allen McBaugher, Franklin Davis and Joseph Baugher or any three of them being first duly sworn for that purpose do appraise the estate of Alexander Bryant dec'd and report thereon to the Court according to law

The Court doth appoint Julia Bryant guardian for Cordelia E, Victoria V. Julia A & Alexander E Bryant, orphans of of Alexander Bryant who are under the age of 14 years. appeared in Court and together with Zebulon D Gilmore her security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars. conditioned as the law requires

Wm H Effinger who has been duly elected attorney for the Commonwealth for the County of Rockingham. appeared in Court and took the several oaths required by law

Wm C Grandle who was on the 18th day of July 1865 duly elected Constable for the seventh Magesterial district of Rockingham County. appeared in Court and together with Simon P Summers Reulin J Sellers and Wm M Carpenter his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars. conditioned for the faithful execution of the duties of his office. which bond is ordered to be recorded

The the Court doth appoint John Swartz guardian for Simon Denton orphan of Wesley G Denton. dec'd who is under the age of 14 years, and thereupon the said John Swartz appeared in Court and together with Henry A Rhodes his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned for the faithful performance of his trust as a present

Ordered that the Agent of this Court be authorized to borrow upon the Credit of this County the sum of five hundred dollars for the use of the overseers of the Poor for this County

Ordered that George W Shaver alter be appointed surveyor of precinct No 95. in the place of Peter Breneman dec'd.

On the Motion of Wm Shaver alter who has paid the tax imposed by law a license is granted him to keep a public ordinary at his house in Mount Crawford in this County until the 1st day of May next

Ordered that John J Bowman. Martin Garber & Wm G Thompson be appointed commissioners to act upon and report upon a proposed change in the road

known as the Billhimer & Turkeyville road on the lands of Billhimer and report thereon to the Court according to law

A report of the Commissioners heretofore appointed to assign dower to Polly Showalter in the lands of her late husband John F Showalter dec'd this day filed their report which was examined and ordered to be recorded

Peter Whitzel Pltff
vs
John J Whitzel Deft } upon an attachment

Ordered that the officer who levied said attachment make sale of the real estate levied upon and out of the proceeds pay and satisfy the judgment heretofore rendered and the surplus (if any) pay to such person as may be duly authorized to receive the same and report his proceedings to this court

George Eachorn Pltff
vs
John J Whitzel Deft } upon an attachment

Ordered that the officer who levied said attachment make sale of the real estate levied upon and out of the proceeds of the sale pay and satisfy the judgment heretofore rendered in this cause and the surplus if any pay to such person as may be duly authorized to receive the same

Ordered that John A Herring John K Moore John Dinkle & Jno D Williamson or any three of them after being first duly sworn for that purpose do ~~appraise the estate~~ assign dower to Sallie Allebaugh in the lands of which John Allebaugh died seized

The Commissioners heretofore appointed to assign dower to the widow of Jacob D Zirkle dec'd this day filed their report which was examined by the Court and ordered to be recorded

The Court doth certify that Samuel J Price ~~admitted~~ Charles A Holt who wish to obtain licences to practice as attorneys at law that they are persons of good character upwards of twenty one years of age and have resided in this County more than twelve months

Wm McCrosh Pltff
vs
John J Whitzel Deft } upon an attachment

This day came again the Plaintiff and the defendant still failing to appear the Court after hearing the evidence doth consider that the plaintiff recover against the defendant the sum of $750.00 with legal interest thereon from the 30th day of March 1864 till paid and the costs in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects both real and personal and out of the proceeds pay and satisfy this judgment and the surplus if any pay to such person as may be duly authorized to receive the same and report his proceedings to this court

Ordered that Z D Gilmer Joseph Leap and R Gibbons be appointed commissioners to divide lands willed by Wm Michael to the children of John Williams among the children of said Williams. and that Elias Michael be appointed Guardian ad liten for the infant children of said John Williams

Francis M Flick who has been duly appointed by the Mayor & Comalty of the town of Harrisonburg Sergeant for said town & as such to serve as constable in & for said town for the term ending the 31. day of March 1866. appeared in Court and together with A W Gamble. John H Wartmann & Abner J Nicholas 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. and thereupon the said Francis M Flick took the several oaths required by law

On the Motion of David Bloser who made oath thereto according to law and together with Peter Paul and Jonathan S Speck 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. a certificate is granted the said David Bloser for obtaining letters of administration in due form upon the estate of Anna Bloser dec^{d}

Ordered that Benjamin Wenger. Philip Bloser & Abraham Bloser or a appraise the estate of Anna Bloser dec^{d} and report thereon to the Court according to law

The last will and testament of John Driver dec^{d}. was presented in court and proved by the oaths of Martin Wampler. Frederick Wampler & Wm G Thompson the subscribing witnesses thereto and ordered to be recorded. and on the motion of Lewis Driver and David Driver the executors therein named who made oath thereto according to law. and together with Martin Wampler and Frederick Wampler 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 a certificate is granted them for obtaining a probate of the said will in due form

Ordered that Martin Wampler. Frederick Wampler. Jacob Crist and John Mc Kline or any three of them being first duly sworn for that purpose. do appraise the estate of John Driver dec^{d} and report thereon to the Court according to law

On the Motion of Julius M Kagey who made oath thereto according to law and together with Abraham Miller. and Robert Wright his security (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 David N Kagey dec^{d}

Ordered that Abraham Miller. Solomon Garber and Joel Glick or any ~~three of them~~ being first duly sworn for that purpose do appraise the estate of David N Kagey dec^{d} and report thereon to the Court according to law

The Last will and testament of Jacob Shoemaker decd was presented in Court and proved by the oaths of M J Zirkle & S K Wine two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of William G Thompson the executor therein named who made oath thereto according to law. and together with John Zigler and Harvey Algier his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars. conditioned as the law requires. a certificate is granted the said William G Thompson for obtaining a probate of the said will in due form

Ordered that John Pence. George Brunk. Samuel K Wine and Martin Kline or any three of them being first duly sworn for that purpose do appraise the estate of Jacob Shoemaker decd and report thereon to Court according to law

The Court doth appoint M J Moyerhoeffer Guardian for Jacob Rush aged 19 years orphan of John J Rush decd and thereupon the said Michael J Moyerhoeffer appeared in Court and together with Joseph Webb & Peter Heil 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

Upon the petition of Thomas C Greiner for the establishment of a road in this County. on his motion it is ordered that the said petition be referred to S C Whitescarver. John F Braun. Jackson Rhodes & Jackson Rhoades or any three of them. do act and report thereon to the Court according to law.

Ordered that Henry F Weartmann Wm M F Weartmann and George K Gilmer after being first duly sworn for that purpose. do appraise the printing material belonging to the estate of Joseph Funk decd and report thereon to the Court according to law

Ordered that John Hauer be appointed surveyor of Precinct No 99 in the place of Abraham Pelton decd

Ordered that Robert Cox be appointed surveyor of Precinct No 56 in the place of Abraham Miller

Ordered that Solomon Buxton be appointed surveyor of Precinct No 120 in the place of Robert Cox

Ordered that Archibald Taylor be appointed surveyor of Precinct No 112 in the place of Peter Armentrout resigned

Upon the petition of M Mettig & others who this day filed their petition. it is ordered that Henry Neff. Siram B Henkel and Jackson Horn who are directed to act and report thereon to the Court according to law

Upon the petition of M D Coffman & others who filed their petition. it is ordered that the said petition be referred to Wm P Byrd C G Turley & Jesse Rabbin & Jno Scanlon to be acted on and reported thereon to the Court according to law

Joseph A Mitchell who has been duly appointed a Notary Public for this County appeared in Court & together with Jacob A Mitchell 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. and thereupon the said Joseph A Mitchell took the several oaths required by law

The Court doth order and hereby directs its Clerk to certify to Genl Ayers Comd'g the United Forces in the Valley of Virginia at Winchester. that the Civil law is in full force in Rockingham County. That her Courts are organized and that her jail is strong and secure. and that they are fully prepared to take charge of and try any prisoners now held in custody by him. whom he may desire to turn over to the Courts. and they respectfully ask him to turn over to our Courts any citizens of our County now so held in custody by him

James B Campbell Pltff
vs
John J Whitsel Deft } Upon an attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed. and the defendant failing to appear. it is considered that the pltff recover against the deft the sum of $46.79 with legal interest thereon from the 8th day of August 1862 till paid and the costs in this behalf expended and this judgment is subject to a credit of $15. of date the 7th of August 1862. and it is ordered that the officer who levied said attachment make sale of the attached effects and out of the proceeds pay and satisfy this judgment and the surplus if any pay to the defendant or such persons as may be duly authorized to receive the same. and report thereon to the Court according to law

Upon the petition of R A Gibbons & others who filed their petition and it is ordered that R A Gibbons. T N Sellers & George J Kisling be appointed Commissioners to act and report thereon to the Court according to law

William B Evers who has been duly ordained a Minister of the Gospel in the Church called the United Brethren in Christ. appeared in Court and together with Wm H Herndon his security entered into & acknowledged a bond in the penalty of $1500.00 conditioned according to law. a license is granted him to celebrate the rites of matrimony & thereupon he took the oath required by law

Ordered that Edward S Yancey. Joseph Leap. Wm S Miller. J J Bent & E S Kemper be appointed Commissioners to lay off and make partition of the real estate of which Catharine Haynes died seized among her heirs. and report their proceedings to this Court

Ordered that John H Thomas be appointed surveyor of Precinct No 113. in the place of Abraham Trunk dec'd

Ordered that John Glover be appointed surveyor of precinct No 202 in the place of Reuben Armentrout

Ordered that the Sheriff of this County summon all the Justices to appear here on the 2nd day of the October term next to lay the County levy & for other purposes

On the Motion of the heirs of Christian Dorman. it is ordered that Robert Cox. Sdorman Buttner. Philip Miller & Henry B Hanmberger or any three of them be appointed Commissioners to assign dower to Barbara Dorman widow of Christian Dorman. and to divide the real estate owned by Christian Dorman & Andrew Dorman. between the said Andrew Dorman and the heirs of the said Christian Dorman. and report thereon to the Court according to law

A Copy of the last will and testament of Peter Brenneman dec^d. Attested by the Clerk of this Court. was presented in Court and it appearing that the original and the ~~copy~~ thereof has been destroyed. it is ordered that the said attested copy be recorded to have the same force and effect as the original

On the Motion of Martin Brenneman who made oath thereto according to law and together with Samuel B Good 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 John Hoover dec^d

Ordered that David C Brenneman J W Zirkle. Jacob Geil & M J Zirkle or any three of them being first duly sworn for that purpose do appraise the estate of John Hoover dec^d and report thereon to the Court according to law

Present. Hon Sterling P J. B M Rice & Jno H Sowders Gent Justices
Absent Madison Moore. Jno J Bowman & Geo S Christie Gent Justices

Upon the petition of M J Zirkle & others for the establishment of a road in this County this day filed their petition and on their motion it is ordered that their said petition be referred to Henry Beery. Jesse Burkholder & Samuel Bauman to be acted & report on according to law. and report their proceedings to this Court

The last will and testament of Joseph Wenger was presented in Court and proved by the oaths of Martin Brenneman & David C Brenneman two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of Isaac Wenger. Abraham Wenger & Jacob Geil the executors therein named who made oath thereto according to law and together with John Wenger. Christian Brunk. Martin Brenneman & Henry Beery their 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 them for obtaining a probate of the said will in due form

Ordered that Jacob Zirkle. Henry Wenger. David C Brenneman. Michael J Zirkle and Silas Beard or any three of them being first duly sworn for that purpose do appraise the estate of Isaac Wenger dec^d and report thereon to the Court according to law

Ordered that at the election to be held on the second Thursday in October next for the election of a Member of Congress for the Congressional district No six a Member of the senate of Virginia for district No 19 Composed of the Counties of Rockingham

and Greene and three persons to represent the County of Rockingham in the next General assembly of Virginia, that the following named persons be appointed to conduct and superintend the said election, viz

1st District. at McGaheysville. Benj. F Thomas. Z D Gilmore. G T Hopkins. & S Yancey Frederick Armentrout Commissioners and Hugh B O Brien Officer

Conrad's Store. Asher Argabright. Thomas K Miller. Adam C Bear. Joseph H Kite & Henry Miller Commissioners and Wm J Runcle Officer

2d District Palisamoe's Store. Wm Sawley. Wm Rodicheffer. John Haugh. Harvey Weir & Jonathan Miller Commissioners and Joseph Miller Officer

Port Republic. Fountain M Layton. Joseph M C Harnsberger. Charles Lewis. John W Lee and Jacob B Nicholas Commissioners and Oscar F A Berkey Officer

3d District. Mt Crawford. Jacob P Shuler. Geo Kiser. Peter S Rader. John F Kraun and Peter F Earman Commissioners and Adam Piper jr. Officer

Dayton. Daniel Byerly. Hiram Coffman. Isaac Wright. John A Herring. and Henry J Watkins Commissioners and Davis Shinespring Officer

4th District. Bridgewater. Fred'k Speck. John McWilliamson. W F Allemong. Philander Herring and John Dinkle Commissioners and St Clair Kyle Officer

Walnut. Andrew J Blakemore. Francis M Erwin. Jacob Byrd. Robert Black and James C Heltzel Commissioners and Lewis Byrd Officer

5th District. Gordon's Store. Michael Whitmore. S J Harman. David Bear. Benj. C Bowman and Archibald Hopkins Commissioners and Joseph Burkholder Officer

Bowman's Mill. D W Coffman. John Burkholder. Jacob Miller. Michael Bowman and Silas Heaton Commissioners and Christian R Myers Officer

6th District Court House. John S Effinger. Abner J Nicholas. Joseph T Rohr. Anthony Hockman and Wm M'k Hartmann Commissioners and Wm H. Rodiffer Officer

Keezletown. Elijah Dudley. Robert Cox. Jonathan Beale. Wm Biler & Joseph Trunkhouser Commissioners and David Biler Officer

7th District. Spartapolis. Jacob N Coiner. Madison Moore. Reubin Sellers and Lewis Spitzer and Thomas Moore Commissioner and Wm C Grandle

Heatons Mill Lewis Rhodes. Jacob Bailey. Michael Sellers. Wm Sellers and Wm C Carpenter Commissioners and Reubin C Harrison Officer

8th District Timberville. Wm G Thompson. George Weil. Martin Garber. David Zigler George Weil and John Bowman jr Commissioners and I F Brunner Officer

9th District School House. David S Maupin. Jackson Horn. John J Bowman. Thomas Samphins & Jacob Lisle Commissioners and John A Showalter Officer

Coiner's Store. J B Zirkle. Jacob Neff. Wm Funk. John Reese and John G Coiner Commissioners and Robert F Keys Officer

9th District. Sprinkel's Store. Adam Fulk. George C Fuck. Wm Kearner. Benjamin Trumbo and Jacob Fawley Commissioners and John C Sprinkel Officer

Wittig's Store. Isaac Fink. James Dove. George May. Reubin Dove and Josiah Sowders Commissioner and Henry Wittig Officer

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

O. C. Sterling

Tuesday September 19th 1865

Present

Ol Sterling P.J. John J Bowman. Madison } Gent
Moore. Josiah Sowders } Justices

Ordered that John Dillard be appointed surveyor of precinct No. a new road commencing at the Rockingham Turnpike and ending at the Port Republic road. and it is further ordered that John Hedrick be appointed a commissioner to assign hands to work on said road

J R Allebaugh Sheriff. presented in Court an account against the Commonwealth amounting to three dollars and sixty cents which being sworn to in open court. was examined and allowed by the Court. and ordered to be certified to the Auditor of public accounts

Upon the petition of Bennett & Co. they having produced a receipt for the tax imposed by law. a license is granted them to sell ardent spirits at their store in the town of Harrisonburg. the Court doth certify that the said Bennett & Co are men of good character and that their store is a proper place to sell ardent spirits

Upon the petition of Thomas G Logan. who has paid the tax imposed by law a license is granted him to keep a Public Ordinary at the Masonic Temple in the town of Harrisonburg. until the 1st day of the May Court next

Solomon P Reamer jailor of this Court. presented in Court an account against the Commonwealth amounting to Sixteen dollars and ten cents. which being sworn to in Court. was examined. allowed by the Court and ordered to be certified to the Auditor of public accounts

Ordered. Upon the petitions of Abner Young who has paid the tax imposed by law. a license is granted him to keep a Public Ordinary at his house in this County until the 1st day of May next. the Court being of opinion that he is a man of good character. not addicted to drinking or gaming. and will probably keep a house. orderly and such as the law requires

Noah Knighten who stands charged with a felony by him committed in this that he did on the 28th day of August 1865 in the County of Greene. feloniously steal and carry away one bay horse worth $100. of the goods and chattels of John R Long. was led to the Bar in custody of the Sheriff. and on the motion of the Attorney for the Commonwealth and for reasons appearing to the Court it is ordered that the examination of the prisoner be deferred until the next term and thereupon the prisoner moved the Court to be admitted to bail for his appearance before the next Court. which motion the Court doth overrule and thereupon the prisoner was remanded to jail

Be it remembered that James M Deane personally appeared in Court & acknowledged himself to owe and be indebted to the Commonwealth of Virginia in the sum of One hundred dollars to be levied of his goods and chattels. lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said James M Deane

shall make his personal appearance before this Court on the first day of the next term. then and there to give evidence on behalf of the Commonwealth against Noah Knighten. and not to depart thence without the leave of the Court. then this recognizance to be void. otherwise to remain in full force and virtue

Be it remembered that Henry Berry. Henry C Hammer. M B Roach James A Young. C B Roach. Malinda Knighten and George Baugher 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, 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 shall make their personal appearance before this Court on the first day of the next term. then and there to give evidence on behalf of Noah Knighten who stands charged with a felony. and not to depart thence without the leave of the Court. then this recognizance to be void otherwise to remain in full force and virtue

Dick Lewis alias Lewis Weaver who stands charged with a felony by him committed in this that he did on the 23rd day of August 1865 in the County of Frederick Va. feloniously take; steal and carry away. a large black horse. saddle and bridle of the value of one hundred and fifty dollars of the goods and chattels of Thomas Wathey of Frederick County. on the motion of the attorney for the Commonwealth and for reasons appearing to the Court. it is ordered that the trial of the prisoner be deferred until the next term.

Jesse Moyers & others Pltffs
vs
Christena Minnick & others Defts } In Chancery

This cause came on to be finally heard this 19th day of September 1865. upon the papers heretofore read. the proceedings heretofore had. and the report John J Bauman. Henry Neff Dorilas Martz and Madison West the Commissioners appointed under a former decree in this cause to partition the real estate of Mathias Minnick Sen. deceased. among his heirs & to assign dower therein to his widow. to which report there being no exceptions the same is confirmed and ordered by the Court. and it is adjudged. ordered and decreed that the widow and heirs of said Mathias Minnick Sr. deceased. to have hold enjoy & possess in severalty the respective lots or parcels of land allotted to them by said Commissioners the widow for her life and the heirs in fee as set forth in said report and it is further ordered that said Partition be recorded in the Clerk's office of this Court & that the costs of this partition and recording the same be apportioned among the parties according to their respective interests excepting the widow

Asa Shiflett late of the County of Rockingham who stands charged with a felony by him committed in this that he did on the 30th day of August 1865 feloniously buy receive and aid in concealing one coat of the value of five dollars of the goods and chattels of Isaac Peterson. one other coat of the value of fifteen dollars of the goods and chattels of J M Weinsborough. one other coat of the value of twelve dollars of the goods and chattels of Daniel Miller. one piece of cloth of the value of twenty dollars of the goods and chattels of John F Bradburn. one pair of pantaloons of the value of five dollars and a half of the goods and chattels of John D Scott. one piece of jeans of the value of eight dollars, and a quarter of the goods and chattels of Samuel Harris & one other piece of jeans of the value of four dollars of the goods and chattels of James Royer.

which said goods and chattels had before been feloniously taken stolen and carried away by Anderson Shiflett. he the said Asa Shiflett well knowing the said goods and chattels had been feloniously taken stolen and carried away. was thereto the bar in custody of the Sheriff and for reasons appearing to the Court it is ordered that his examination be deferred until the next term. and on the Motion of the prisoner. it is ordered that the prisoner be admitted to give bail for his appearance before this Court on the first day of the next term. and the Court doth fix the amount of bail at five hundred dollars for himself and the like sum of five hundred dollars for his securities which recognizance may be taken before any justice of the peace for Rockingham County and thereupon the prisoner was remanded to jail. and thereupon the said Asa Shiflett together with Christian Kyger his security. acknowledged 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 lands and tenements and for the use of the Commonwealth. yet upon this condition that the said Asa Shiflett shall personally his personal appearance before this Court on the first day of the next term. then and there to answer the charge of felony aforesaid not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force and virtue

John O'Conner Pltff
vs
Polly Mannerly Deft } Upon a writ of Unlawful Detainer

This day came the pltff by his attorney and the defendant failing to appear and plead. and thereupon came a jury to wit Jonas A Lowenbach. William Payne Wm Minnick. Jesse Moyers. John D Scott. J McWinsbrough. Thomas Swanson. John Mesperly. Charles A Sprinkel. D M Coffman. Isaac Deiers & Thomas Harrison who were sworn well and truly to try and ascertain whether the defendant unlawfully withheld from the plaintiff the possession of the house and lot in controversy and after hearing the evidence upon their oaths do say. "We the jury find that the defendant unlawfully withholds from the plaintiff the possession of the house and lot mentioned in the proceedings in this cause". It is therefore considered that the plaintiff recover against the defendant the possession of the said house and lot. and the costs in this behalf expended

Upon the petition of M D Coffman & others for a change of a road in this County appeared in Court by their counsel and the viewers appointed on yesterday. made and filed their report. and it is ordered that the owners of the land through which the proposed change is to cater. be summoned to appear here on the first day of the next term of this court. to shew cause if any he can why the said road shall not be established agreeably to the report of the viewers aforesaid

Shelton H Carrier Pltff
vs
Isaac Deavers Deft } Upon a writ of Unlawful Detainer

This day came the pltff by ~~their~~ his attorney and ~~by consent~~ it is ordered that the trial of this cause be continued until the next term

Upon the petition of William Peters for license to keep a Public Ordinary in the town of Harrisonburg. On consideration whereof the Court doth refuse to grant the saied application

John McPalmer appellant
vs
Jacob G Weast Appellee
} Upon an appeal from the judgment of a justice of the peace

This day came the parties by their attornies and thereupon the appellant by his attorney moved the Court to reverse the judgment rendered by the justice on the ground that the appellee failed to take and subscribe the oath prescribed by the act of the General assembly of Virginia passed May 14 1864 and the Court upon consideration doth sustain said motion and it is therefore considered that the said judgment be reversed and annulled and that the appellant recover against the appellee his costs in this behalf expended

Ordered that the Court be adjourned until the next term.

O. B. Sterling

At a Court held for Rockingham County at the Court-house thereof on Monday the 16th day of October 1865

Present

O. B. Sterling P.J. Madison Moore
George S. Christie Josiah Sowders
} Gent. Justices

The Clerk of this Court presented in Court a list of deeds 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 D.H. Kagey & wife to John A. Fishback
Same from John H. Sibert & wife to Jacob B. Linaberry
Same from David McKagey & wife to A. & J.H. Linaberry
Same from Jno. A. Fishback & wife to Same
Same from James Kenney Trustee to D.S. Rench
Same from John W. & Strickler to John L. Weise
Same from S.F. & Roberts & al to Philip Bradley
Same from John Rhodes to Annaren S. Kenton
Same from Same to Catharine Flick
Same from D.M. Switzer & wife to Robert A. Gray
Same from Robert A. Gray & wife to Howe G. Peyton
Same from H.G. Peyton to H.B. Cochran
Same from Solomon Funk & wife to Benjamin Funk
Same from Sammee Coralee & wife to George Lantz

A Settlement of the estate of Jacob Harnsberger 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 estate of John Evers 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

Ordered that Peter Surpe be appointed surveyor of precinct No in the room of Abraham Gover

Warren S Lusty who has been duly licensed to practise as an attorney in the Courts of this Commonwealth appeared in Court and took and subscribed the oath of allegiance to the United States & the restored Government of Virginia. and also took the oath of an attorney at law. and thereupon he is admitted to practise in this Court

Ordered that George H Chrisman be appointed in addition to those heretofore appointed to appraise the estate of Peter Rennemon dec^d and report thereon to the Court according to law

Frederick K Speck who has been duly appointed a Notary Public for Rockingham County, appeared in Court and together with James J Lannan his security entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires. and thereupon the said Speck took and subscribed the oath of allegiance to the Constitution of the United States. and to the restored government of the State of Virginia and the oath of office

S P Reamer jailer of this Court presented in Court an account against the Commonwealth amounting to fifty four dollars and eighty five cents which being sworn to in Court. was examined and allowed and ordered to be certified to the Auditor of Public accounts

Ordered the Charles S Thompson Peter Paul & John Wease be appointed Commissioners to assign dower to Severnia Robinson in the lands of her late husband John Robinson dec^d and report thereon to the Court according to law

On the Motion of M J Moyerhoeffer one of the securities of Martin Altaffer as administrator with the will annexed of Reuben Altaffer dec^d it is ordered that said Martin Altaffer be summoned to appear here at the next term of this Court to shew cause why he should not execute a new administration bond or have his powers revoked

On the Motion of Henry Neff who made oath thereto according to law and together with Michael H See 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 Elenora Wise dec^d

Ordered that Isaac Miller William McIntire J O Branson & Roark after being duly sworn for that purpose do appraise the estate of Elenora Wise dec^d and report thereon to the Court according to law

Absent Geo S Christie Present Jo F Funkhouser

Ordered that George Braun be released from the payment of a Bond for $80 executed to H T Mantzmann guardian for a black girl daughter of Maria Brodas dec'd which Bond was executed in pursuance to an order of this Court binding said girl to said Braun

Ordered that Harvey Liskey be appointed surveyor of precinct No in the place of Peter Rhodes

Upon the petition of John H Berry who has paid the Tax imposed by Law a license is granted him to keep a Public Ordinary in this County until the 1st day of May next

On the motion of Dorcas Mantz one of the securities of D H & L Mantz admr of Benj F Mantz dec'd it is ordered that the said D H & L Mantz be summoned to appear here on the first day of the next Term to shew cause why he shall not be required to give a new Bond as such administrator or his power revoked

On the Motion of Magdalene M D Coffman the executrix named in the last will and testament of Isaac G Coffman dec'd heretofore recorded in this Court who made oath thereto according to law and together with Wm Strayer & Samuel A Coffman her 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 her for obtaining a probate of the said will in due form

Ordered that M D Switzer George McCaskey & Jno N Gordon after being first duly sworn for that purpose do appraise the estate of Isaac G Coffman dec'd and report thereon to the Court according to law

H A Rhodes Pltff
vs
Hugh Nair and wife 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 ordered that the power and authority of the said Hugh Nair wife as guardian for Elizabeth & Priscilla Shank be revoked & annulled and that the pltff recover against the defts their costs in this behalf expended

Ordered that Samuel Shank be appointed surveyor of precinct No in place of Daniel Shank

Ordered that Wm H Roadcap be appointed surveyor of precinct No 119

Upon the petition of Michael H Lee who has paid the tax imposed by Law a license is granted him to keep a Public Ordinary in this County until the 1st day of May next

Ordered that Edward S Kemper W T McGahey Wm S Mercer Joseph Leap and E S Yancey be appointed commissioners to make partition

of the lands of which Jacob Kersh died seized known as the Snyder farm among those legally entitled thereto and report thereon to the Court according to law

On the motion of Adam May who made oath thereto according to law and together with Elijah Hauffman and John Smith his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of three thousand six hundred dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form upon the estate of Daniel May dec'd

Ordered that George F Trunkhouser, Henry Argenbright, Cyrus G Turley & George Kiser, or any three of them being first duly sworn for that purpose do appraise the estate of Daniel May dec'd and report thereon to the Court according to law

Ordered that Eliza A May be appointed guardian for Caroline, Joseph, Daniel & James May infant children of Daniel May dec'd and thereupon she appeared in Court and together with Adam May her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three hundred dollars conditioned as the law requires

Upon the petition of Michael J Zirkle & others for the establishment of a road the viewers heretofore appointed to act upon the said petition this day filed their report & writ appearing that the persons through his land it is proposed to locate said road have consented that the same shall be made. It is ordered that the said road be opened and established agreeably to the report aforesaid and it is ordered that Michael E Brenk be appointed surveyor thereof

On the Motion of Benjamin Bauman who made oath thereto according to law and together with Daniel Bauman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twelve hundred dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Henry Miserander dec'd

Ordered that Samuel Shrum, Daniel Bauman, Abraham Miller and Joel Garber or any three of them being first duly sworn for that purpose do appraise the estate of Henry Miserander dec'd and report thereon to the Court according to law

On the Motion of Henry B Hamsberger who made oath thereto according to law and together with D W Coffman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of eighteen hundred dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Daniel Murry

Ordered that Jonathan M Leyton, Abraham Mohler, Alex G Fuller and

Joseph M C Hammberger or any three of them being first duely sworn for that purpose do appraise the estate of Daniel Murry dec'd and report thereon to the Court according to law

She last will and testament of Frederick Kline dec'd was presented in Court and proved by the oaths of John Mason Thomas Lampkins & Isaac Smith the subscribing witnesses thereto and ordered to be recorded. and on the Motion of Michael Kline & Joseph Kline the executors therein named who made oath thereto according to law and together with Samuel Kline Jr. Samuel Kline Sen'r. Peter Swope. Lewis Silvius. Benjamin D Bowman. Benjamin Bowman and Frederick Kline their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty thousand dollars conditioned as the law requires a certificate is granted them for obtaining a probate of said will in due form.

Ordered that Samuel Kline. Michael Kline. Daniel Miller and Thomas Lampkins or any three of them being first duely sworn for that purpose do appraise the estate of Frederick Kline dec'd and report thereon to Court. according to Law

Robert Craig who has been duly appointed a Notary Public for Rockingham County. appeared in Court and together with John M G Smith his security entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires. and thereupon the said Robert Craig subscribed and took the several oaths required by law

With the consent of the Court. John Robinson Jr guardian of William and Catharine Robinson orphans of John Robinson dec'd is permitted to resign his trust. and appeared in Court and resigned his said guardianship

On the Motion of George Mc Mauzy and J M Weinstrough who made oath thereto according to law. and together with James M Weaver Ly Ammon & George Kisling their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty eight thousand dollars conditioned as the law requires which certificate is granted them for obtaining letters of administration in due form upon the estate of Joseph Mauzy dec'd

Ordered that Z D Gilmer. J M Weaver. Wm B Yancey and Wm S Ammon or any three of them being first duely sworn for that purpose do appraise the estate of Joseph Mauzy dec'd and report thereon to the Court according to law

On Motion it is ordered that Christian Hartman be appointed committee to take care of the person and property of James Diehl a person of unsound mind and thereupon the said Christian Hartman appeared in Court and together with Wm Sawley. John Harshbarger and Noah Flory his securities (who justified as their sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars conditioned as the law requires

E S H Stevens who has been duly licensed to practise as an attorney at Law in the

courts of this Commonwealth on his motion he is permitted to practice with this court and thereupon he subscribed and took the several oaths required by law

The last will and testament of Jacob Fink dec'd was presented in Court and proved by the oaths of Jacob Souders and Pierson Whetzel the subscribing witnesses thereto and ordered to be recorded and on the motion of Isaac Fink the executor therein named who made oath thereto according to law and together with Josiah Souders & A H Fuck 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 a certificate is granted him for obtaining a probate of said will in due form

It appearing to the Court that more than three months having elapsed since the death of Philip Laymon and no one having applied for administration upon his estate, it is ordered that the estate of the said Philip Laymon be committed to the sheriff of this County for administration according to law

Ordered that George Martz, Gideon Rosenberger, Wm G Stephens and E P Huff or any three of them being first duly sworn for that purpose do appraise the estate of Philip Laymon dec'd and report thereon to the Court according to law

The last will and testament of Mildred Moore dec'd was presented in Court and proved by the oaths of Jacob Martz and James M Chapman the subscribing witnesses thereto and ordered to be recorded and on the motion of William F Gaines the executor therein named who made oath thereto according to law and together with Darius Martz and Jacob N Lowen 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 him for obtaining a probate of the said will in due form

Ordered that Jackson Martz, Curtis Yates and Samuel Roller after being duly sworn for that purpose do appraise the estate of Mildred Moore dec'd and report thereon to the Court according to law

On the Motion of Peter Rader who made oath thereto according to law and together with Jacob N Liggett and Henry L Sharpe 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 a certificate is granted the said Peter Rader for obtaining letters of administration in due form upon the estate George Rader dec'd

Ordered that Giles Dever, John C Winfield, Henry L Sharpe and Abraham Knopp Jr. or any three of them being first duly sworn for that purpose do appraise the estate of George Rader Sr. and report thereon to the Court according to law

The last will and testament of William Swartz dec'd was presented in Court and proved by the oaths of Wm D Hopkins & Samuel B Goodman of the subscribing witnesses thereto and ordered to be recorded

Ordered that the Overseers of the poor for this County bind according to law

Benjamin Clatterbuck age 11 years. to David Frank to learn a trade. and the said Frank is to pay to said apprentice at the end of his term a good suit of clothes

John H Moore who has been duly appointed a Notary Public for this County appeared in Court and together with Wm Beard his security entered into and acknowledged a bond in the penalty of five hundred dollars. conditioned as the law requires and thereupon the said John H Moore subscribed and took the several oaths required by law

David Brenneman who is upwards of 14 years of age. appeared in Court and with the approbation of the Court made choice of Samuel Bowman as his guardian and the Court doth appoint the said Samuel Bowman as guardian for Susanna Brenneman ~~Bowman~~ who is under the age of 14 years. orphans of Peter Brenneman dec'd. and thereupon the said Samuel Bowman together with Jacob Myers and Michael H Bowman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned as the law requires

Elizabeth Brenneman orphan of Peter Brenneman who is upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Isaac Wenger as her guardian. and thereupon the said Isaac Wenger together with David B Brenneman 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

The Court doth appoint Barbara J. Brenneman guardian for Elizabeth J. Brenneman orphan of John Brenneman dec'd who is under the age of 14 years and thereupon the said Barbara J. Brenneman together with Christian Brunk and David Brenneman 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

Upon the petition of John G Coates who has paid the tax imposed by law. a license is granted him to keep a Public Ordinary in this County until the 1st day of May next

The Court doth appoint George H Berlin Guardian for Wm H Morris orphan of Morris dec'd who is under the age of 14 years. and thereupon the said George H Berlin together with Frederick K Speck and Samuel Frank 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

John Dinkle Guardian for Wm H Morris. appeared in Court and with the consent of the Court resigned his trust as such guardian

The Commissioners heretofore appointed to make partition of the real estate of which Jacob Strayer dec'd ~~died~~ seized among his heirs. this day filed their report & no exceptions being offered thereto the same is confirmed and ordered to be recorded

The Commissioners heretofore appointed to make partition of the real estate of which Peter Koontz dec'd at this day filed their report and there being no exceptions being offered thereto the same is confirmed & ordered to be recorded

Absent O C Sterling & G S Christie. Present J S Roller. Jo. Funkhouser. P Herring Gent Justices

Asa Shiflett who stands charged with a felony by him committed, appeared in Court in pursuance to his recognizance entered into before this Court and on his motion the examination of his case is continued until the next term, and on the motion of the prisoner he is again admitted to bail for his appearance before this Court at the next term. and thereupon the said Asa Shiflett & Christian Kyger in open Court acknowledged themselves to owe and be indebted to the Common wealth of Virginia in the sum of five 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 Asa Shiflett shall make his personal appearance before this Court on the first day of the next term to answer the charge of the felony aforesaid, and not to depart thence without the leave of the said Court. then this recognizance to be void, otherwise to remain in full force and virtue

Absent Josiah S Roller. Present O C Sterling Gent Justices

Noah Knighten who stands charged with a felony by him committed on it this that he did on the 28th day of August 1865 in this County, feloniously steal & carry away one bay horse worth $100.00 of the goods and chattels of John K Long. was led to the bar in custody of the Sheriff of this County, and a summary witnesses being sworn and examined and the prisoner fully heard in his defence. the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. it is therefore ordered that he be remanded for trial before the Circuit Court of this County at the next term thereof and thereupon the prisoner moved the Court to be admitted to bail for his appearance. which motion the Court doth overrule and thereupon the prisoner is remanded to Jail

Be it remembered that J M Dean. James M Healey and John K Long 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 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 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 Noah Knighten 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

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

O. C. Sterling

Tuesday October 17th 1865

Present

O.C. Sterling P.J. Josiah Souders. Madison Moore } Gent
Joseph Funkhouser & Philander Herring } Justices

Noah Knighten who was on yesterday examined for a felony, and remanded for trial before the Circuit Court of this county, was led to the bar in custody of the Sheriff. and the Court being satisfied from testimony of witnesses that close confinement will be very injurious to the prisoners health. it therefore ordered that he be admitted to baile for his appearance befre the Circuit Court of this County at the next term. and the Court doth fix the amount for which he shall give baile at $500- for himself, and the like sum of $500 00 for his security. and thereupon the said Noah Knighten together with Meredeth Knighten in open Court. acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels. lands and tenements and for the use of the Commonwealth
Yet upon this condition that the said Noah Knighten shall make his personal appearance befre 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 felony of which he stands charged. and not to depart thence without the leave of said Court. then this recognizance to be void. otherwise to remain in full force and virtue

S H Carries Pltff
vs
Isaac Beavers Deft
} Upon Unlawful Detainer

By Consent of the parties it is ordered that this cause be dismissed

Thomas Harrison Pltff
vs
S H Carries Deft
} Unlawful Detainer.

By Consent of parties it is ordered that this cause be dismissed

Dick Lewis alias Lewis Weaver who stands charged with a felony. on the motion of the prisoner by his attorney. it is ordered that this examination be continued until the next term

Charles B Yancey's adm'r Pltff
vs
Thomas A Yancey Deft
} Upon an award

By Consent of parties the following award is entered up and made the judgment of this Court. to wit. We Wm M'K Hartmann and James Kenney having on this day heard the statements of the parties in the matter in Controversy between Charles B Yancey's adm'r and Alex T Yancey, and all the testimony offered. do award that the watch in question is the property of Alexander T Yancey and that the same be delivered to him. Given under our hands & seals this 16 Oct 1865

Wm M'K Hartmann
James Kenney

Ordered that David Reedy be appointed surveyor of precinct No in the place of Paulser

On the Motion of Joseph T Logan who made oath thereto according to law and together 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 him for obtaining letters of administration in due form upon the estate of Aaron Armentrout dec^{d}

Ordered that Daniel Hook. Nathaniel Hook. Michael Armentrout & William G Armentrout or any three of them being first duly sworn for that purpose. do appraise the estate of Aaron Armentrout dec^{d} and report thereon to the Court according to law

Present

Old Sterling P.J. A H Tuck. Josiah Sanders. P Herring. Henry Beery
Joseph Trinkhouse. G S Thompson. Geo W Fawley. Wm Beard. Madison
Moore. J J Bowman. Thomas Moore. Wm S Miller. Mearen T McGahey
A S Baugher. Jackson Kean. Geo S Christie. John Funk. William Pitt
Wartmann. Lewis Weil. Wm M Carpenter. Peter Paul. G Raemberger

} Court Justices

Ordered that Wm M^{c}K Wartmann agent of this Court be authorized to borrow upon the Credit of this County five hundred dollars in addition to the amount authorized to be borrowed at the last term. to be appropriated to the use of the overseers of the Poor for this county

The Court having been summoned to appear here on this day for the purpose of laying the County and Parish Levies. and the Commissioners of the revenew not having reported the number of Levies it is ordered that the laying of the Levy be postponed until the next term

Ordered that George S Christie. Wm M Carpenter. Jno J Bowman. A H Tuck. B M Rice P Herring. J S Roller. M T McGahey. & Wm S Shewalter. be appointed a committee whose duty it shall be to examine the report and accounts allowed by the overseers of the Poor for this County and report to this Court upon the correctness of said report and accounts and if any are unjust the amount &c. and any other matter pertinant. and the said committee shall have power to send for persons and papers. and the said Committee shall report at the next term of this Court

Ordered that the agent of this County collect together all the salt sacks belonging to the County and make sale of them and appropriate the proceeds to the use of the County

Ordered that the Sheriff summon all the justices of this Court to appear here on the 2^{d} day of the next term for the purpose of laying the County Levy. and for other purposes

Ordered that the County agent be required to correspond with Messrs Fowler. Almond & Stevens. and ascertain from them whether they intend to repair the Rockingham Turnpike if so when it will be done. and any other matter he may deem pertinant

Ordered that the agent of this County be authorized to cause glass to be put in the windows and any other necessary repairs to the Court House. and also to cause twelve new chairs to make for the jury box and cause the old ones to be repaired

Ordered that the agent of this County be directed to sell at public auction the large stone steps belonging to the County now lying in front of the Court house

The Committee heretofore appointed to examine and report upon the proper mode of restoring the burnt records this day filed their report which was received and ordered to be filed for future consideration

Upon the petition of Wm Peters for license to keep a Public ordinary which application the Court doth refuse

Ordered that the Court be adjourned until the next term

O. C. Sterling

At a Court held for Rockingham County at the Court house thereof on Monday the 20th day of November 1865.

Present

O C Sterling P J. Henry Beery. Wm S Shavalier } Gent Justices

The Clerk of this Court presented in Court a list of deeds committed to record in the Clerks Office of this Court 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

A Deed of Bargain & Sale from Jno Linneweaver & wife to Jacob Linneweaver
Same from George B Oder & wife to Wm A Vaden
A Deed of Trust from Joseph Shavalier to David Shavalier In Trust for G W Keller
A Deed of Bargain & Sale from David Blosser & wife to F S Sheets Trustee
Same from S M Bowman & wife &c to Francis M Flick
Same from Francis M Flick & wife to Jacob R Braithwaite
Same from Samuel B Good to Samuel Bowman of Ben
Same from James W Crawford to Lewis & Blackburn
Same from Wm & Ruffner & wife to A S & H J Gray
Same from Jacob Burnore & wife &c to Philip Pharis
Same from David Sanders to Henry Argabright Trustee
Same from R M Kyle's exrs to D H Sanders
Same from Betsy Ann Kline & Others to Jarvis A Lea (Commissioner)
A Deed of Trust from C B Yancey to John C Noonan In Trust &c

A Settlement of the accounts of the Guardian of Virginia E Bowman 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 Louisa D Bowman — The Same order

Same of Daniel P Bowman — The Same order

A Settlement of the accounts of the guardian of Wm S Bowman having been filed in the Clerk's office of this Court for thirty 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 a/c of the guardian of Joseph M Bowman
The Same order

Same of the a/c of the administrator of David B Bowman dec'd
The Same order

Same of the a/c of the administrator of Joseph J Showalter dec'd
The Same order

An attested copy of the last will and testament of Lewis Zirkle dec'd was presented in Court and ordered to be recorded

An attested copy of the last will and testament of Samuel Myers dec'd from the County records was presented in Court and ordered to be recorded

Andrew C Henebarger who has been duly appointed a Notary Public in and for Rockingham County appeared in Court and together with C C Strayer his security entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires and thereupon the said Andrew C Henebarger took and subscribed the oaths required by law

On the motion of David A Heatwole who made oath thereto according to law and together with Joseph Heatwole 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 the said David A Heatwole for obtaining letters of administration in due form upon the estate of Henry A Rhodes dec'd

Ordered that Hugh Swope John Young Abraham Bloser & Reuben Swope or any three of them being first duly sworn for that purpose do appraise the estate of Henry A Rhodes dec'd and report thereon to the Court according to law

On the Motion of Noah Earley and Hester Earley who made oath thereto according to law and together with Abraham Earley their securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three thousand five hundred dollars conditioned as the law requires a certificate is granted them for obtaining letters of administration in due form upon the estate of Joseph Earley dec'd

Ordered that Joseph Miller Wm T Carpenter Joseph B Moyers & Michael Shank or any three of them being first duly sworn for that purpose do appraise the estate of Joseph Earley dec'd and report thereon to the Court according to law

On the Motion of George Herring. it is ordered that John Bryant Senr. Michael Davis. Chapman Powell. Jacob Herring be appointed Commissioners to make partition of the Lands of John Lawson deceased. according to law to the rights of the parties & report thereon to the Court

It appearing that Daniel P Calhoun has departed this life more than three months ago. and no person having applied for administration on his estates. it is ordered that the same be committed to the Sheriff of this County for administration according to law

Ordered that Jackson Martz. Curtis Yates. Frederick Hellyard and William P Gaines or any three of them do appraise the estate of Daniel P Calhoun decd and report thereon to the Court according to law

The Last will and Testament of Jacob Miller decd with the Codicils annexed was presented in Court the said will was proved by the oaths of Daniel Thomas & Jacob Thomas two of the subscribing witnesses thereto. and ordered to be recorded. the first Codicil was proved by the oath of Daniel Thomas, and Joseph T Miller an other subscribing witness thereto being dead. it was proved to the satisfaction of the Court that his signature thereto is genuine. and the said 1st Codicil is ordered to be recorded. and the 2d Codicil thereto being proved by the oaths of Daniel Thomas & Henry Miller two of the subscribing witnesses thereto and ordered to be recorded. and on the Motion of Samuel Shank and Jacob S Miller the executors therein named who made oath thereto according to law. and together with Samuel Long. David Garber John Miller & Daniel Thomas their securities (who justified of their sufficiency) entered into and acknowledged a bond in the penalty of Nine thousand dollars conditioned as the law requires a certificate is granted them for obtaining a probate of said will in due form

Dorilas Martz Pltff
v
D H & L Martz admrs of D J Martz Deft } upon a Notice

This day came as well the Pltff as the deft. and the summons being duly executed upon the deft. and he appearing in Court. and refusing to execute a new bond as administrator of D J Martz. it is therefore ordered that the power and authority of said D H & L Martz as such admrs be revoked and annulled & that the pltff recover against the deft the Costs in this behalf expended

It appearing to the Court that David Shank Senr. is a person of unsound mind it is ordered that David Shank Jr be appointed Committee to take charge of the person and property of the said David Shank Senr. and thereupon the said David Shank Jr appeared in Court and together with Jacob Shank 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

On the Motion of William E Shelton who made oath thereto according to law and together with Peter S Roller and George Ireland 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. a certificate is granted the said

William E Shelton for obtaining letters of administration in due form upon the estate of Silas Shelton decd

Ordered that Cyprus G Turley Jackson Rhodes A R Gladden & George F Trunkhouser or any three of them being first duly sworn for that purpose do appraise the estate of Silas Shelton decd and report thereon to the Court according to law

Lewis Driver Pltff
vs
John Riser Exr of Daniel Driver Deft } Upon a Notice

This day came the pltff by his attorney and the defendant appearing in Court in person and refusing to execute a new bond as such executor it is ordered that his power and authority as such executor be revoked and annulled and that the pltff recover against the defendant his costs in this behalf expended

Wm B Compton who has been duly appointed a Notary Public for Rockingham County appeared in Court and together with John E Morrison and Allan E Bryan his securities entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires and thereupon the said William B Compton took the several oaths required by law

M J Mayerhoeffer Pltff
vs
Martin J Altaffer Deft } Upon a Motion

The Summons awarded in this cause being returned executed and the deft not appearing it is ordered on motion of the plaintiff that the power and authority of the deft as administrator with the will annexed of Reulin Altaffer decd be revoked and annulled and that the pltff recover against the deft the costs in this behalf expended

On the motion of William Sanfley the executor named in the last will and testament of Reulin Altaffer decd is re-instated as such executor and on his motion who made oath thereto according to law and together with Amos Scott his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of seven thousand dollars conditioned as the law requires a certificate is granted him for obtaining a probate of said will in due form

The last will and testament of Sarah Mantz decd was presented in Court and proved by the oaths of Curtis Yates & Frederick Helly and the subscribing witnesses thereto and ordered to be recorded and on the motion of Dorcas Mantz the executor therein named who made oath thereto according to law and together with Jackson Mantz & Frederick Helly and his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires a certificate is granted him for obtaining a probate of the said will in due form

Upon the petition of J D Watson & M J Mayerhoeffer a license is granted them to retail (not to be drunk at the place where sold) liquors at their stores in this County the Court being satisfied that they persons of good character not addicted to drinking or gaming and that their houses are proper places to retail ardent spirits

The Last will & testament of Abner McBlain was presented in Court & proved by the oaths of Archibald Fultz & Jacob Shank two of the subscribing witnesses thereto and ordered to be recorded

The Last will and testament of Elizabeth Rife decd was presented in Court and proved by the oaths of Soloman Garber & Jacob Thomas two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Jacob J Thomas the executor therein named who made oath thereto according to law. and together with Adam Thomas and Adam Shank his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four hundred dollars conditioned as the law requires a certificate is granted him for obtaining a probate of said will in due form

Ordered that Jacob Thomas. Adam Shoemaker and Samuel Long after being duly sworn for that purpose do appraise the estate of Elizabeth Rife decd and report thereon the Court according to law

Ordered that Wm Chapman be appointed surveyor of precinct No 175. in place of Levi Heigy

Ordered that Franklin Lisbey be appointed surveyor of precinct No 119 in place of Wm McPuffner

Ordered that John Wissmander be appointed surveyor of precinct No 122 in the place of Jacob Knicely

Ordered that Michael Carman be appointed surveyor of precinct No 172. in the place of Michael Shaver

Ordered that George Kaneise be appointed surveyor of precinct No 109. in the place of R McKyle decd

Ordered that Conrad Sanger be appointed surveyor of precinct No 80. in the place of Frederick Keefe

Ordered that Michael Kline be appointed surveyor of precinct No 73 in the place of James R Crawford

Ordered that Noah Anders. Addison & James Tutwiler be added to the list of hands assigned to the road of which Elijah Huffman is surveyor

On the motion of Jacob Early who made oath thereto according to law and together with Peter Heaturole & Peter Klopfer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fourteen hundred dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Samuel Rodes decd

Appearing that R A Michael has departed this life more than three months

ago and no person having applied for administration on his estate. it is ordered that the same be committed to the Sheriff of this county for administration according to law

Appearing to the Court that Preston Calhoun has departed this life more than three months ago and no person having applied for administration on his estate. it is ordered that the same be committed to the Sheriff of this County for administration according to law

Ordered that Curtis Yates. Madison West & Dorcas Martz after being first duly sworn for that purpose do appraise the estate of Preston Calhoun dec'd and report thereon to the Court according to law

John T Harris & G L Latimer who have been duly licensed to practice as attorneys at law in the Court of this Commonwealth appeared in Court and took and subscribed the oaths required by law

Present

Josiah S Poller. ~~Henry Berry~~ Peter S Poller, Gent
Jackson Horn. absent O C Sterling } Justices

Asa Shiflett who stands charged with a felony by him committed appeared in Court in pursuance to his recognizance entered into before this Court. and on his motion and for reasons appearing to the Court. it is ordered that his examination be continued until the next term and it is ordered that the prisoner be admitted to bail in the sum of $500. for himself and the like sum of $500. for his security and thereupon the said Asa Shiflett. together with Christian Kyger his security acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels. lands and tenements and for the use of the Commonwealth

Yet upon this condition that the said Asa Shiflett shall make his personal appearance before this Court. on the first day of the next term. then and there to be examined for the felony of which he stands charged. and not to depart thence without the leave of said Court. then this recognizance to void. otherwise to remain in full force and virtue

Sally Berry who has been duly summoned to appear here on this day as a witness on behalf of Asa Shiflett as Commonwealth being solemnly called and not appearing it is ordered that she be summoned to appear here on the first day of the next ~~term~~ court if any she can why she shall not be fined and attached for her failure aforesaid

Absent Peter S Poller & Jackson Horn. Present O C Sterling P Q Josiah Sowders & George Wattig. Gent Justices

On the Motion of William H Hendon who made oath thereto according to law and together with Michael J Meyerhoeffer his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand eight hundred dollars. conditioned as the law requires a certificate is granted the said William H Hendon for obtaining letters of administration in due form upon the estate of Samuel Kimble dec'd

Upon the petition of David Kagy & others who this day filed their petition and on motion of the petitioners it is ordered that their said petition be referred to cp John J Bowman. Madison West and Wm F Gaines who are directed to act and report thereon to the Court according to law

On the motion of Jane Jarrolds who made oath thereto according to law and together with Algernon S Gray. William Webster & Wm Huffman her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four hundred dollars conditioned as the law requires a certificate is granted her for obtaining letters of administration in due form upon the estate of Richard Jarrolds dec^{d}

Ordered that S R Allebaugh Riley Armentrout & Peter Neff after cp being duly sworn for that purpose do appraise the estate of Richard Jarrolds dec^{d} and report thereon to the Court according to law

Jonas Reid appellant
vs
Richard Stephens appellee
} upon an appeal from the judgment of a Justice of the peace

Ordered that this cause be placed upon the docket

G M Gaim appellant
vs
Madison Mikle appellee
} upon an appeal from the judgment of a Justice of the peace

Ordered that this cause be placed upon the docket

Juliet alias Juliet Blue a free negro who stands charged with a felony by her committee in this that she did on the 11th day of November 1865 in the County of Rockingham feloniously take steal and carry away sixty dollars in federal currency of the goods and chattles of Enoch Shank was ordered to the bar in custody of the Sheriff. and on her motion and for reasons appearing to the Court it is ordered that her trial be deferred until the next term and thereupon the prisoner is remanded to jail

Upon the petition of Wm H Meesche who has paid the tax imposed by law a license is granted him to keep a Public Ordinary in the town of Harrisonburg

Upon the petition of M D Coffman & others for the establishment of a road on this day came the petitioners by their attorney and the summons awarded against the land holders being returned executed and they not appearing on the motion of the petitioners it is ordered that a writ in the nature of a writ of ad quod damnum be awarded to be directed to the Sheriff of this County commanding him to summon and impannel a jury of twelve freeholders of the vicinage not related to either party to meet on the lands proposed to be taken for such road on the 2nd day of December next who shall view the lands of the proprietors and tenants over & ascertain what will be a just compensation to each proprietor and tenant for the land of his proposed to be taken and for the damage to the residue of his tract beyond the peculiar benefits which will be derived in respect to such residue from the said road which writ is ordered to be made returnable here on the first day of the next term

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

O. B. Sterling

Tuesday November 21st 1865.

Present

O B Sterling P.J. Wm S Shoemaker } Gent
Henry Beery } Justices

Ordered that an election be held in the 2nd Magesterial District of this County for a justice of the peace for said district in place of G McKemper. which election shall be held on the 2nd day of December next. and that the Commissioners and officers who attended the last election, shall attend the said election

Sallie V Shoupe & others Pltffs
against
H L Shoupe Deft } In Chancery

This cause came on to be further heard this 21st day of November 1865 upon the papers heretofore filed. the proceedings heretofore had. and the report of Commissioners D Pennybacker. D W Coffman & Giles Devier to which no exceptions are taken. whereupon the argument of counsel being heard. the Court doth affirm & approve said report and doth authorize & require the same to be withdrawn from the papers and recorded in the proper deed book of the County Court

John R Bright & others Pltff
vs
Julia Ann Derrow & others Deft } In Chancery

On the motion of the plaintiffs. it is ordered that this suit be dismissed

Williams Brown Pltff
vs
Frederick Rodes & others Deft } In Chancery

On the motion of the plaintiff. it is ordered that this suit be dismissed

S R Allebaugh Sheriff of this County presented in Court an account against the Commonwealth amounting to thirty six dollars and sixteen cents. which being sworn to in Court. was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

Present O B Sterling P.J. B M Rice. Wm S Shoemaker. A G Fulk. Josiah Sowders. P Herring. G S Christie. Joseph Funkhouser. C S Kemper. George Wetzig. Henry Beery. Lewis Weil. W G McGahey. Isaac Wright. Wm W Carpenter. John J Bauman. Jackson Ham. Wm S Miller. John Funk. Wm M K Wartmann. Peter Paul Peter S Roller. Gideon Rosenberger. Madison Moore. Thomas Moore. Martin Garber

The Committee appointed at the last term to examine and report upon the propriety of allowing the the accounts reported by the Overseers of the Poor for this County. this day presented their report which is ordered to be entered on the Minutes as follows to wit. "To the County Court of Rockingham County. Your Committee to whom was referred the appropriations asked by the overseers of the Poor. respectfully report that they have performed their duty. The Committee called a meeting on the 28th of October last at which was present George S Christie. Philander Herring Bramwell M Rice. W T McGahey. Wm McCarpenter and A H Fulk. absent J J Bowman. W S Showalter and J S Roller. Charles A Yancey Clerk and agent of the overseers of the Poor. was present with the reports and papers of the Board and afforded your committee every opportunity for a thorough examination of the allowances made by the Overseers of the Poor. Your committee is perfectly satisfied that a large proportion of the accounts allowed by the Overseers of the Poor. were extravagant and even extortionate and greatly beyond the current market rates. as for instance. the article of Flour. which in April last was rating at $5 & 6 $ per barrel. is allowed by the overseers at $10. per barrel in specie. when at no time, within the last nine months has Flour. exceeded that sum in currency. Your committee could enumerate other items but do not deem it necessary. as they are convinced under the laws directing appropriations for parish purposes that the Court has very little descretion in the matter. The Committee deem it a duty they owe to themselves as well as to the people of the County. to enter their protest against the action of the Board of overseers in this matter that it may be entered upon the records of the court. and the blame if any attach to whom it properly belongs. Respectfully submitted

G S Christie
W T McGahey
B M Rice
P Herring
A H Fulk
Wm McCarpenter"

The Court proceeded to lay the County & Parish Levies (all 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 & to meet contingent expenses. ~~Sheriffs Commissions & Delinquents~~	$10,700.00
Interest on loan for 6 Months on $1000-	30.00
Sheriffs commissions for collecting Levy	612.00
Estimated allowance for Delinquents	6750.00
Claims allowed & appropriations this day made by the Court	3000.00
Estimated allowance for delinquents	2250.00
Sheriffs commissions for collecting Levy	210.00
Balance to meet contingent expenses	540.00
	$24,122.00

Credit

By 4800 Leaves at $5.00	24,000.00
Deficiency	122.00

Ordered that the Sheriff of this County collect from each tithable in this County not exempt by law $5.00. three dollars & seventy five cents of which shall be appropriated to the Parish and $1.25 to the County. and out of the money arising from such collections pay the claims allowed by the County and Parish to the persons entitled to the same

and the balance after making allowance for Commissions & Delinquents. pay to the agent of the County and Parish

Ordered that Jonathan Toppin be exempted from the payment of County and Parish Levies

M W Effinger agent & Secretary of the Soldiers aid society this day filed his report which was ordered to be received and filed

On the motion of Henry Derrow and it appearing that Henry Derrow Senr. has departed this life more than three months ago. ~~dep~~ no one having applied for administration upon his estate. it is ordered that the said estate be committed to the sheriff of this County for administration according to law

Ordered that Daniel Flark George W Yancey. Madison Moore & Henry Ammentrout or any three of them being first duly sworn for that purpose do appraise the estate of Henry Derrow decd and report thereon to the Court according to law

Ordered that Benjamin D Bowman be appointed a commissioner on the part of this County to act in conjunction with an agent to be appointed by the Court of Pendleton County. to let out to contractor or contractors the road from Dry river in this County across the Pendleton Mountain to the waters of the South Fork in Pendleton County

Toxhall A Dangerfield who has been duly licensed as an attorney in the Courts of this Commonwealth appeared in Court and took the several oaths required by law

Upon the petition of M Wittig & others for a change in a road of this County the Viewers heretofore appointed this day filed their report. and on the motion of the petitioners it is ordered that a summons be awarded against Isaac Ritchie and Jacob Hawley two of the land holders through whose land said road is proposed to be located to appear here on the the first day of the next term to shew cause if any they can why said road shall not be opened and established agreeably to the report of the Viewers

John J Bowman Wm G Thompson & Martin Garber who were appointed Viewers at the ~~last~~ Sept term last of this Court to act and report upon the proposed change in the road known as the Bilchimer & Tinibenree road on the lands of Bilchimer. this day filed their report. and on the motion of Lewis Wise executor of Henry Bilchimer dec'd a writ in the nature of a writ of ad Qu.d.damnum is awarded him according to law to be directed to the sheriff of this County. and to be executed on the 25 day of the present Month (Nov)

Nile Beery ... Pltff
vs
A V C Johnson ... Deft } In Case

On the motion of the defendant this cause is continued until the next term at the costs of the deft

Dick Lewis alias Lewis Weaver a negro man who stands charged with a felony by him committed in this that he did on the 22d day of August 1865 in the County of Frederick &c. feloniously take steal and carry away a large black horse, saddle and bridle, of the value of one hundred and fifty dollars of the goods and chattels of Thomas Wathey, was led to the bar in custody of the Sheriff, and the Court having fully heard the evidence and not having time to hear the argument of counsel the case is deferred until tomorrow, and thereupon the prisoner is remanded to jail

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

O. B. Sterling

Wednesday Nov 22d 1865

Present

O. B. Sterling P.J. Joseph Funkhouser, Geo S Christie, Wm S Shewalter & Henry Beery } Gent Justices

Ex. Com. Sheriff &c. of Jacob Fawley Pltff
vs
George W Fuck Deft } In Debt upon an attachment

The attachment having been returned duly levied upon three tracts of land in Brocks Gap in Rockingham County belonging to the defendant Geo W Fuck to wit a tract called the "Home tract" of A 192 adjoining the lands of Richard Custer & others, a tract of A 33 adjoining the home tract, and a tract of A 35 adjoining the lands of A Brenneman & others and it appearing to the Court that the attachment was properly sued out against the defendant as a non resident and that the order of publication awarded has been duly executed, and the Court being satisfied of the justice of the plaintiffs demand, it is considered that the plaintiff recover against the defendant $641.00 Debt with legal interest on $113.00 part thereof from the 15th day of October 1856, on $139.00 another part thereof from the 26th day of June 1860 and on $400.00 the residue thereof from the 18th day of April 1861, till paid and the costs in this behalf expended. It is therefore ordered that the Sheriff of this County after giving 4 weeks notice of the time, terms and place of sale do proceed to sell the property so levied on, as follows 1/3 of the purchase money in 6 months from the day of sale, the residue in two equal payments in one and two years from the day of sale, all bearing interest from the day of sale, taking bond and security for the payments, and out of the proceed of such sale pay and satisfy this judgment and the residue (if any) pay to such person as may be duly authorized to receive the same, and return his proceedings to this Court

Dick Lewis alias Lewis Weaver who stands charged with a felony by him committed in this that he did on the 22d day of August 1865 in the County of Frederick Va. feloniously take steal and carry away a large black horse, saddle and bridle of the value of one hundred and fifty dollars of the goods and chattels of Thomas Wathey, was this day again led to the bar in custody of the Sheriff, and the warrant being read to the prisoner in open Court, and the Court having fully heard the evidence and argument of counsel as well on behalf of the Commonwealth as the prisoner, upon mature deliberation are satisfied that a felony has been committed, and that the prisoner is guilty of said felony and that he be confined

therefore one year in the Penitentiary of this Commonwealth. and thereupon the prisoner by his counsie. saith that the Court now here. ought not to give judgment against the prisoner. because the offence with which the prisoner stands charged is not entered of record. nor the charge read to him before the hearing of the evidence wherefore he prays that the conviction aforesaid may be arrested. and the prisoner may go hence without day. whereupon came the Attorney for the Commonwealth. and the matters of law arising upon the plea aforesaid being argued. it seems to the Court here. that the said plea and matters therein contained are not sufficient in law to arrest the said judgment and thereupon it being demanded of the prisoner. if any thing he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law. and nothing being offered or alleged in delay of judgment. it is therefore considered that the said Dick Lewis alias Lewis Weaver be imprisoned in the Penitentiary of this Commonwealth for the term of one year. therein to be kept and imprisoned in the manner prescribed by law. and it is ordered that the sheriff of this County. shall as soon as may be after the adjournment of this Court. remove and safely convey the said prisoner from the jail of this Court to the said Penitentiary. and thereupon the prisoner was remanded to jail

George L Gratton who has been duly licensed to practise as an attorney in the Courts of this Commonwealth. on his motion is admitted to practise in this Court. and thereupon he took and subscribed the oath of allegiance to the Constitution of the United States & restored government of Virginia and also took the oath of an attorney at law

Absent George L Christie. Gent Justice

The Court doth appoint O P Kelpshenstine sealer of weits & measures for the County of Rockingham. and thereupon the said O P Kelpshenstine appeared in Court and took the oath of office. and took and subscribed the oath to support the Constitution of the United State and the restored government of Virginia

On the motion of O P Kelpshenstine sealer of weits & measures for this County J L Rogan is admitted as his deputy. and thereupon he took the oath of office and also took & subscribed the oath to support the Constitution of the United States and the restored government of Virginia

Jesse Moyers Pltff
vs
Edmond Minnich Deft } Unlawful Detainer

This day came as well the Attorney pltff by his attorney as the deft by his attorney who pleaded not "Guilty" and thereupon came a jury to wit. Henry Derrow Charles Black. Abraham Whitmore. John Koontz. Robert Cox. D M Huffman. B F Armentrout. Joseph Armentrout. Abner Nicholas. Richard Clatterbuck. Joseph B Moyers and J 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 some time returned into Court and upon their oaths do say "We the jury find for the plaintiff the premises mentioned in the within summons and that the deft

unlawfully with-holds the same from the plaintiff"

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

O. C. Sterling

Thursday November 23d 1865

Present

O C Sterling P J. Henry Beery Wm S Shoveter } Gent
Joseph Funkhouser } Justices

Jesse Moyers Pltff
vs
Edward Minnick Deft } Unlawful Detainer

This day came again the parties by their attornies and it is considered that the pltff recover against the defendant the land in the verdict of jury mentioned & found on yesterday and the costs in this behalf expended and whereupon the pltff prays a writ to the Sheriff of Rockingham county to be directed to cause him to have his possession of the land aforesaid and to him it is granted returnable here at the next Term

Robert Gray's ex'rs &c Pltff
vs
Wm B Yancey's adm'r Deft } In Debt

This day came the parties by their attornies and the deft by his attorney who saith that he hath fully administered all and singular the goods and chattels rights and credits of the said testator and thereupon by consent of parties it is considered that the pltff recover against the deft $1000 cts the debt in the declaration mentioned with legal interest thereon from the 1st day of January 1850 till paid and the costs by the pltff in this behalf expended to be levied of the goods and chattels of said intestate when assets sufficient shall come to the hands of the said defendant to be administered This judgment subject to the following credits, Interest paid the Jany 1st 1854. by $200 cts paid Jany 1st 1854. Interest paid to 1st Jany 1856, by $100. paid Jany 1st 1856. Int paid to Jany 1st 1857 by $168 cts paid Jany 21 1857. by $183.50 paid by $150 cts paid Jany 1st 1858

Wm L Anderson Pltff
vs
Wm Chrisman &c Defts } In Case

This day came the parties by their attornies and the defendants by their 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 defered until the next Term

Isaac Pane Pltff
vs
John J Roller Deft } In Case The same order

Samuel Bare vs Samuel Carter &c On motion and for reasons appearing to the Court it is ordered that this cause be dismissed

S M Dold Pltff
vs
John Fox's admrs Deft } In Case

This day came as well the pltff as the deft by their attorney, and the deft pleaded non assumpsit, to which the pltff replied 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

Same Pltff
vs
E P Blackwell's admrs Deft } In Case

The Same order

Peachy Maine Pltff
vs
John K Moore 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 judgment obtained in the office is set aside, and the trial of the issue is deferred until the next term

Philip Liggett Pltff
vs
James Paine Deft } In Case

The same order

Nathan Huston Pltff
vs
Samuel Hollar Deft } In Case

The Same order

R S Harnsberger assignee Pltff
vs
George O Conrad Deft } In Debt

This day came the parties by their attornies, and the deft by his attorney saith that he has well & truly paid the debt in the declaration mentioned, & which the pltff by his 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 Peale Pltff
vs
E A Shands' exr Deft } In Debt

The Same order

Richard Jarrolds Pltff
vs
Silas Flick Deft } In Debt

This day came Jane Jarrolds admx of Richard Jarrolds, and on her motion this case is revived & ordered to proceed in her name as admx of the pltff Richard Jarrolds, & thereupon the deft by his attorney pleaded ~~judgment~~ to which the pltff replied generally, & the judgment obtained in the office is set aside, & the trial of the issue is deferred until the next term

W H Phillips Pltff
vs
Wm Minnick Deft } In Detinue

This day came the parties by their attornies and the defendant by his attorney pleaded Non. detinet to which the pltff by his attorney replied generally it is therefore ordered that the judgment obtained in the office be set aside and the trial of the issue is deferred until the next Term

James Kenney Trustee Pltff
vs
Jacob P Effinger Deft } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment to which the pltff by his 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 and leave is reserved to the deft to file special pleas in this cause within sixty day from the adjournment of this Court

Silas Kenton Pltff
vs
David McLaughlin Deft } Upon an attachment

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

W J Jinkle Pltff
vs
Same Deft } Upon an attachment

The same order

John R Bowman Pltff
vs
Peter Bonas Deft } Upon an attachment

The same order

Joseph Blosser for Pltff
vs
Benjamin Weenger &c Defts } Upon an attachment

This day came the pltff by his attorney and on his motion it is considered that the pltff recover against the deft his costs in this behalf expended

H & S M Ott Pltff
vs
Benjamin Weenger &c Defts } Upon an attachment

This day came the pltff by their attorney and on their motion it is considered that the pltff recover against the deft their costs in this behalf expended

Same Pltff
vs
Jesse Carnes Deft } Upon an attachment. This day came the pltff by their atty and on their motion it is considered that the pltff recover against the deft their costs in this behalf expended

Ott. Cortes & Co — Pltffs
vs
Benjamin Meenger — Deft
} upon an attachment

This day came the pltff by their attorney and on their motion it is considered that the pltffs recover against the deft their costs in this behalf expended

Ott & Cortes — Pltffs
vs
David McLaughlin — Deft
} upon an attachment

This day came the pltffs by their attorney and on their motion it is ordered that the pltffs recover against the deft the costs in this behalf expended

George W Stanley & wife — Pltffs
vs
Jefferson Carnes — Deft
} upon an attachment

Same — Pltffs
vs
Same — Deft
} In Case

R H Yancey — Pltff
vs
Same — Deft
} upon an attachment

John J Roller — Pltff
vs
Wm H Monger — Deft
} upon an attachment

Wm Saufley — Pltff
vs
A J Baugher — Deft
} upon attachment

Daniel Huffman — Pltff
vs
David Sipe — Deft
} upon an attachment

Wm Saufley — Pltff
vs
L S Weaver & — Defts
} upon a suggestion

Peter Long — Pltff
vs
J M Kisen — Deft
} upon an attachment

and Samuel Bailey — Pltff
vs
Same — Deft
} upon an attachment

On Motion & for reasons appearing to the Court it is ordered that these causes be continued until the next term

John J Roller — Pltff
vs
John Leaver — Deft
} upon an Attachment

Jonas Lowenbach — Pltff
vs
John M Kiser — Deft
} upon an attachment

Samuel Barley — Pltff
vs
Wm M & Fishback — Deft
} upon an attachment

Same — Pltff
vs
Jacob Shaver — Deft
} upon an attachment

M J Meyerhoeffer — Pltff
vs
Wm Mooney — Deft
} upon an attachment

John Leaver — Pltff
vs
Absalom Dorsey — Deft
} upon an attachment

John L Woodson — Pltff
vs
Samuel F Showalter — Deft
} upon an attachment

Michael Earman — Pltff
vs
John K Sanders — Deft
} upon an attachment

Solomon Garber — Pltff
vs
Christian C Garber — Deft
} upon an attachment

Same — Pltff
vs
Same — Deft
} In Case

Bushrod Rust — Pltff
vs
John K Sanders — Deft
} upon an attachment

M K Effinger — Pltff
vs
Jesynus Young — Deft
} upon an attachment
On motion and for reasons appearing to the Court it is ordered that the aforesaid twelve causes be continued over until the next Term

M Harvey Effinger	Pltff	upon an attachment
vs		
John J Miller	Deft	
M H Effinger & Bro	Pltff	upon an attachment
vs		
Robert G Depuety	Deft	
Same	Pltff	upon an attachment
vs		
D B Cravenhorn	Deft	
M Harvey Effinger	Pltff	upon an attachment
vs		
Same	Deft	
Same	Pltff	upon an attachment
vs		
Noah Burkholder	Deft	
G M & A M Effinger	Pltff	upon an attachment
vs		
Robert G Depuety	Deft	
Andrew Clayton	Pltff	upon an attachment
vs		
Jesse Cannier	Deft	
Christian Sites	Pltff	upon an attachment
vs		
Christian Shewalter	Deft	
J S Pennybacker	Pltff	upon an attachment
vs		
The Confederate States	Deft	
Franklin Hughes	Pltff	upon an attachment
vs		
Same	Deft	

On motion and for reasons appearing to the Court it is ordered that the aforesaid ten causes be continued until the next term

Samuel Bare	Pltff	In Debt upon an attachment
vs		
Samuel Vanters et	Deft	

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

On the motion of Charles Mc Clary who made oath thereto according to law and together with Frances Clary. John Mc Clary & James A Clary his security (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 de bonis non upon the estate of Jonathan Clary. dec'd

John J Roller Pltff
vs
Wm H Monger Deft } In Case

On motion and for reasons appearing to the Court. it is ordered that this cause be continued until the next Term

Milton J Carmer Pltff
vs
Jesse Carmer Deft } In Case

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

John Koontz ad of Peter Koontz Pltff
vs
Harriet Koontz Deft } Upon a warrant heretofore issued from before a Justice of the Peace

This day came as well the plaintiff by his attorney as the deft by her attorney and the warrant issued in this cause being returned to this Court from before a justice of the peace for this County and ordered to be placed upon the docket. and neither party requiring a jury. by consent of parties all matters in controversy is submitted to the Court. and sundry witnesses being sworn and examined. and the Court upon mature deliberation are of opinion that the Pltff. is not entitled to recover any thing against the deft. it is therefore considered that the Pltff recover against the Deft her costs in this behalf expended

Samuel Reubush Pltff
vs
Benjamin F Wade Deft } In Case

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

Silas Beard Pltff
vs
Same Deft } In Case

The Same order

J Mc Zirkle Pltff
vs
Same Deft } In Case

The Same order

Rebecca J Hammett Pltff
vs
Jno Anders Deft
and
John C Dove Pltff
vs
Same Deft
} Upon attachments

S R Allebaugh Sheriff of Rockingham having this day reported to court that by virtue of orders in these cases he has sold the 19 acres of land levied on in this cause to Abram Anders at $825 per acre and the house and lot to Thomas Lohey at the price of $180. The court being satisfied that the sale to Thomas Lohey is too low and that the bid of Richard A Stephens of $270.00 as reported by the sheriff as a fair price. said bid is accepted and the sale of the A19 of land to Abram Anders and of said house and lot to Richard A Stephens is confirmed by the court, and the Sheriff is authorized to withdraw the bonds of the purchasers and collect the same and apply the proceeds to the payments of the plaintiffs judgments &c. and upon the payment of the purchase money said S R Allebaugh is directed to convey the property to the purchasers. and acknowledge the deed for record and writ of profession is awarded to cause the said purchasers to have possession of the real estate purchased by them as aforesaid

Harriet Koontz Pltff
vs
John Koontz Deft
} Upon an attachment

This day came the parties by their attornies and thereupon the deft by his attorney moves the court to quash the attachment issued in this cause on the ground that it was improperly issued. which motion being argued by counsel the court upon deliberation are of opinion that said attachment was improperly issued it is therefore ordered that the said attachment be quashed and that the deft recover against the Pltff the costs by him in this behalf expended

James H Wolfley Pltff
vs
Randolph Turk Deft
} In Case

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 10 o'Clock

O C Sterling

Friday November 24th 1865

Present

O C Sterling P J Harry Beery G S Christie
Joseph Brinkhouser
} Gent Justices

S P Reamer jailer of this Court presented in Court an account against the Commonwealth amounting to forty one dollars and twenty five cents which being sworn to in open court was allowed and ordered to be certified to the auditor of Public accounts

S P Reamer jailor of this Court presented in Court an account against the Commonwealth amounting to $23.20 which being sworn to in Court was examined & allowed by the Court and ordered to be certified to the auditor of public accounts

A H Peale Pltff
vs
A E Shands's ex'x Deft
} In Debt

This day came again the parties by their attornies and the defendant by her attorney with-drew her plea of payment. It is therefore considered that the Pltff recover against the deft $56.00 the debt in the declaration mentioned with legal interest thereon from the 29th day of March 1861 till paid and the costs in this behalf expended. To be levied of the goods and chattels of the the said E A Shands in the hands of Martha J Shands his administratrix. To be administered this judgment is subject to a credit of ten dollars paid July 3d 1861.

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

On Motion of Lewis Miller Jr of Henry Billheimer dec'd it is ordered that the writ of ad quod damnum awarded him on tuesday last be executed on the 2d day of December next & made returnable here at the next term

John R Cook Pltff
v
John D Rhine Deft
} Upon a warrant removed from before a justice of the peace

This day came the parties by their attornies and neither party requiring a jury all matters of dispute was submitted to the Court and upon summary witnesses being sworn and examined and the argument of counsel heard, the Court upon mature deliberation are of opinion that the pltff is not entitled to recover any thing against the deft. it is therefore ordered that this cause be dismissed and that the deft recover against the Pltff his costs expended in his defence in this behalf expended

Ordered that the Court be adjourned until the next term

O. C. Sterling

In the Clerk's office of the County Court of Rockingham Dec 15th 1865.

Robert Ruffner Pltff
vs
Joseph Lyon Deft
} In Debt

This day the defendant appeared in the office aforesaid and confessed judgment for $80. the debt in the writ mentioned with interest & costs It is therefore considered that the pltff recover against the deft the sum of $80.00 with legal interest thereon from this day and the costs by the pltff in this behalf expended

Teste

Wm D Bowman DC

At a Court held for Rockingham County at the Court House thereof on Monday the 18th day of December 1865

Present

O C Sterling P.J. Adam H Fulk
Philander Herring & Jackson Kerr } Gent Justices
Thomas Moore

The Clerk of this Court presented in Court a list of deeds and other writings admitted to record in the Clerks office of this Court 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 John J Lounsan to Ezra H Lounsan
Same from David L Rice & wife to John J Lounsan
Same from Lewis Pirkee to Reulin Pirkee
Same from Frederick Long & wife Same
A Deed of Trust from Reulin Long to Alx Fletcher In Trust for R C Fletcher
Same from Aug Armentrout to Alex Carman In Trust for Henry Derrow &
A Marriage Contract between John D Pennybacker & Mary E Maupin
A Deed of Bargain & Sale from Moses Forsyth & wife to Jacob Sanger
Agreement between Sally McGray & DeWitt C Jones
A Deed of Bargain & Sale from Jacob Dundore & wife &c to John M Allemong
Same from Gabriel Heatwole & wife to John G Heatwole
Same from George M Effinger & wife to Gerard M Effinger
A Deed of Trust from Robert F Keys to Jno H Hopkins In Trust for D Coffman
A Deed of Bargain & Sale from Wm Murchase to Francis M Flick
Same from Andrew F Hatfield to James F Lounsan
Same from Philip Swartz to Wm N Jordan
Same from Isaac Showalter & wife to Barnett Smith
Same from John C Brock Com to Erasmus F Pirkey
Same from Daniel Shelly & wife to Wm Derrow
Same from W P Ernswiller & others to Crawford Yokes
Same from Samuel Ernswiller to Same
Same from Amelia C A Turner to Same
Same from Philip Phares & wife to J B Loose
Same from Magdalene Rhodes to Henry C Rhodes
Same from Henry Brachier &c to Jonathan Pence
A Marriage Contract between Simon Miller & Hannah Baxter

Abraham Miller Pltff
vs } upon a Motion
Charles S Weaver Deft

Upon the Motion of the plaintiff and it appearing to the Court that at its February term 1861 of this Court a judgment had been rendered in the name of Addison Reyer for the use of Abraham Miller against the Deft Charles S Weaver for the sum of five hundred and sixteen dollars and sixty five cents with interest on three hundred and sixteen dollars and sixty five cents part thereof from the 15th day of December 1859 and on two hundred dollars the residue thereof from the 2d day of December 1859 till paid subject to a credit of six dollars & 15 cents of the 9th of April 1860 & # cents and it appearing that the original papers & the Clerks certificate of said judgment have been lost or destroyed the Clerk of this Court is hereby directed to re-enter judgment in his record of judgments

Upon the petition of Allison Breeden & others for a new road in this County, upon a report of Viewers this day filed, on the motion of the petitioners and it appearing that the land holders through whose land said road is proposed to be conducted, have consented, it is ordered that the said road be opened & established according to law, and that Wm N Jordan be appointed Surveyor of said precinct

On the Motion of Sarah Steinbrick, and it appearing to the Court that Frederick Steinbrick has departed this life more than three months ago, and no person having applied for administration upon his estate, it is ordered that his estate be committed to the Sheriff of this County for administration according to law

It appearing to the Court that the original will of David Weaver and the record thereof has been destroyed, a copy thereof was presented in Court and proved to the satisfaction of the Court, that it is a true copy thereof, and the same is ordered to be recorded

On Motion and it appearing to the Court that more than three Months has elapsed since the death of Jacob Cole, and no one having applied for administration upon his estate, it is ordered that his estate be committed to the Sheriff of this County for administration according to law

Ordered that Abraham B Linder, Abm Summers, Madison Moore & Eli Long or any three of them being first duly sworn for that purpose do appraise the estate of Jacob Cole dec'd and report thereon to the Court according to law

The Commissioners heretofore appointed to assign dower to Lavina Robinson the widow of John Robinson dec'd this day filed their report, and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Ordered that Joseph T Logan, Henry Shacklett & Nelson Sprinkle, after being first duly sworn for that purpose, do appraise the estate of Benjamin S. Michie, dec'd and report thereon to the Court according to law

It appearing that Simeon J Harnsberger is a person of unsound mind, it is ordered that Charles W Harnsberger be appointed a committee to take charge of the person and property of the said Simeon J Harnsberger and thereupon the said Charles W Harnsberger appeared in Court and together with Jacob E Harnsberger his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires

M J Mayerhoeffer Pltff
vs
R M Kyle's ex'trs Defts } upon a suggestion that the defts are indebted to Wm Wolfrey &c

This day came the pltff by his attorney and A S Byrd one of the executors of R M Kyle dec'd appeared in Court and was examined on oath, and it appearing from such examination it appears to the Court that the defts are indebted to

to the said Wm Wolfrey in the sum of $96.82 due April 2d 1863 & $75.00 due 14 Nov 1863. It is therefore considered that the pltff recover against Abraham & Wm D Byron extrs of R M Kyle. the sum $171.82 with interest on $96.82 part thereof from the 2d day of April 1862. & on $75.00 the residue thereof from the 14th day of November 1863 till paid &c

Upon the petition of David Nagey & others for a view &c in a public road in this County. the viewers heretofore appointed this day filed their report. and on motion it is ordered that the land holders through whose lands said road is proposed to be located be summoned to appear here at the next term of this Court to shew cause if any they can why said road shall not be opened and established according to law

5 Copies & 5 Copies

Jacob Fry Pltff
vs
John McDonnan Defdt } Unlawful Detainer

On Motion it is ordered that this cause be dismissed and that the pltff recover against the deft the costs by him in this behalf expended

The last will & testament of Catharine Evers dec'd was presented in Court and proved by the oaths of Christian Brunk & Samuel Coffman the subscribing witnesses thereto and ordered to be recorded. and there being no executor therein named. and on the motion of John Evers who made oath thereto according to law and together with Henry Armentrout his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three hundred dollars, conditioned as the Court may require, a certificate is granted him for obtaining in due form letters of administration with the will annexed of said Catharine Evers dec'd

Ordered that Jacob Miller be appointed surveyor of precinct No 82 in the place of Samuel Frank

Upon the petition of Isaac Paul & Sons. a license is granted them to retail ardent Spirits at their Store in Harrisonburg not to be drank at the place where sold. and the Court doth certify that they are persons of good character not addicted to drinking &c

Bond & Security given Jany 18th 1864

A M Evers & others Pltffs
vs
Samuel Whitmore & others Defts } In Chancery

This cause came on to be heard this 18th day of December 1863 upon the bill and answers of all the defendants & replication thereto whereupon the argument of Counsel being heard and it appearing to the Court that a sale of the land in the bill mentioned is necessary for paying the debts of John Evers dec'd and by consent of parties the Court doth order adjudge & decree a sale of the farm in the bill mentioned upon the following terms to wit one fourth in hand or in sixty days from sale & the remainder in seven equal annual payments bearing interest from day of sale. Bond & personal security taken & a lien retained. and it is further ordered and decreed that John Evers & A M Evers be and they are hereby appointed Commissioners to make the sale aforesaid. but before they shall make said sale they shall or some

one for them enter into bond with security before the Clerk of this Court in the penalty of $15000. conditioned according to law & they shall report to this Court at its next term after the sale

Asa Shiflett who stands charged with a felony by him committed appeared in Court in pursuance to his recognizance entered into before this Court at its last term. and on his motion it is ordered that this cause be continued until the 4th February Term next. and that he be admitted to bail for his appearance at the February term next in the sum of $500. for himself & the like sum of $500. for his security. and thereupon the said Asa Shiflett appeared in Court and together with Christian Kyger his security ~~appeared in Court and acknowledged~~ acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Asa Shiflett shall make his personal appearance before this Court on the first day of the February Term 1866 to answer the felony aforesaid. and not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force & virtue

George A Bennett appellant
vs
Harrisonburg appellee
} Upon an appeal from the judgment of the Mayor of Harrisonburg

By Consent it is ordered that this cause be dismissed

John H Crawford
vs
Abraham Armentrout
} Upon an award

All matters in dispute between the parties having been properly submitted to the final award and arbitrement of James Kenney & Coffman & J W G Smith. and the said arbitrators having heard the parties. and were that John H Crawford pay to Abraham Armentrout one hundred dollars payable in United States paper currency with interest from the 7th day of December 1865 till paid. and that each party pay their own costs. it is ordered that the said award be entered up as the judgment of this Court

Charles A Yancey Pltff
vs
Edward S Yancey Deft
} Upon a motion

This day came the parties by their attorneys and it appearing that the deft had had legal notice of this motion & by writing refused to give a new bond as administrator of Wm B Yancey dec'd it is ordered that his power & authority as admr of Wm B Yancey be revoked and annulled. and on the motion of Charles A Yancey who made oath thereto according to law and together with Wm B Yancey his security (who qualified as to his sufficiency) entered into and acknowledged bond in the penalty of five thousand dollars conditioned as the law requires a certificate is granted the said Charles A Yancey for obtaining letters of administration de bonis non on the estate of William B Yancey deceased in due form

Absent Jackson Com. Present Jno Funk Gent Justice.

Richard N Poole produced credentials of his ordination and also of his being in regular communion with the church called the Methodist Episcopal Church and took the oaths required by law. It is ordered that he be authorized to celebrate the Rites of Matrimony according to the forms and customs of said church

Ruffner Robert Pltff
vs
Isaac Meenger Defts } upon a suggestion that the deft is indebted to Pltff by

On motion and for reasons appearing to the court it is ordered that this cause be placed upon the docket & continued until the next term

On the motion of Samuel Barley & D R Hopkins and it appearing to the Court that William Swartz has been dead more than three months and no person having applied for administration upon said estate it is ordered that the estate of the said William Swartz be committed to the Sheriff of this County for administration according to law

Upon the petition of M Mettig & others for an alteration in a public road in this County the summons awarded against Isaac Ritchie & Jacob Fawley being returned executed and they appearing & on their motion exceptions in the nature of a writ of ad quod damnum is respectively awarded them to be executed on the 28 day of the present month to be directed to the Sheriff of this County and made returnable here at the next term of this Court

Upon the Petition of Henry Billheimer's executor upon a writ of ad Quod Damnum upon the return of the writ & inquest thereon made & upon consideration thereof the court refuses to establish the road upon the terms named in said writ & inquest it is therefore ordered that the said writ be dismissed

John McCoakley a white man who stands charged with a felony by him committed in this that he did on the night of the 13th day of December 1865 in this County feloniously break in Abraham Deihl's spring house and did steal take & carry away one crock of pudding & one piece of soap & devises other damage done was led to the bar in custody of the Sheriff and on his motion it is ordered that the examination the cause be continued until the next term and thereupon the prisoner moved to be admitted to bail for his appearance which motion the Court doth overrule and thereupon the prisoner was remanded to jail

Ordered the St Clair Gibson a free negro be exempted from the payment of County & Parish levies

Jno D Pennybacker appellant
vs
The Mayor &c of Harrisonburg appellee } upon an appeal from the judgment of the Mayor of Harrisonburg

Ordered that this cause be continued until the next term

Ordered that the Court be adjourned until the next term

A. M. Strickler

At a Court held for Rockingham County at the Court-
house thereof on Monday the 15th day of January 1866

Present

O C Sterling P J Philander Herring Adam H } Gent
Tuck John Funk & Thomas Moore } Justices

The Clerk of the County Court of Rockingham returned into Court a list of deeds and other writings admitted to record in his office during the Month of December last which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

Deed of Bargain & Sale from M Harvey Effinger wife to A S & H J Gray
Same from J W F Allemong wife to Price & Pharis
Same from John B Balduin Trustee to Wm R Foster
Same from A M Newman & wife to Isaac Pane
Same from Henry Miller wife to Daniel Thomas
Same from Martin Miller wife to Same
A Deed of Trust from David Lorker to W W Carpenter Trustee for D B Reid
A Deed of Bargain & Sale from Joseph H Shue wife to Morris Lavenbach
Same from Robert M Dinkle wife to Harvey Kyle
Same from James J Miller wife to H J Gray
Same from George W Effinger wife to A H Johnson
Same from Same to John M Swain

A Settlement of the estate of Henry Billhimer dec'd was presented in Court and no exceptions being offered thereto the same is confirmed & ordered to be recorded.

Same of the estate of George Brunner dec'd
The Same order

Same of the estate of Wm Sheiryhouse dec'd
The Same order

Same of the Guardian of Mary Cook
The Same order

Same of the Guardian of Columbia Hulse
The Same order

Same of the Guardian of Jonathan Hulse
The Same order

Same of the Guardian of Osburn Hulse
The Same order

Same of the Guardian of Angelina Hulse
The Same order

A Settlement of the estate of John Kline dec'd 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

Same of the estate of C H Kite dec'd
The Same order

Same of the Guardian of Jacob Leedy
The Same order

Same of the Guardian of Catharine Lowry
The Same order

Same of Payments to Legatees of Adam Michael dec'd
The Same order

Same of the estate of Hiram Mantz dec'd
The Same order

Sam of the Guardian of Allen B Mayers
The same order

Saime of the Guardian of Andrew J Mayers
The same order

Same of the Guardian of R P Pickering
The Same order

Same of the Guardian of John D. Strickler
The Same order

Same of the estate of John Swan[illegible]
The Same order

Same of the estate of John F Shoemaker
The Same order

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

Same of the Guardian of Richard D Thomas
The Same order

Same of the Guardian of Madison C Thomas
The Same order

Same of the Guardian of Ann R Thomas
The Same order

A Settlement of the Trustee of John McNeilson 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 J W Zircle

The Same order

Same of the same estate

The Same order

Same of the Guardian of Maria V Zircle &c

The Same order

Same of the Guardian of Same

The Same order

Abraham S Rosenbarger Pltff
v
Abraham Leedy & others Defts } In Chancery

This cause came on to be heard this 15th day of January 1866 upon the bill and exhibits, and the return of the Sheriff of the execution of the process upon the defendant A M Newman and it appearing that the order of publication against the defendant Abraham Leedy has been executed and more than one month having elapsed since the execution of the process, and the execution of the order of publication and said defendants Leedy & Newman having failed to appear and answer the bill is taken for confessed. Whereupon the argument of counsel being heard the Court doth adjudge order and decree that unless the defendant Abraham Leedy or some person for him shall within thirty days pay to the plaintiff the sum of $2140.0 with interest thereon from May 25th 1857 subject to a credit of $175.50 paid May 25th 1857 and also $2140 with interest from May 25th 1858 $8/6.31 the costs of this suit at law then Samuel R Allebaugh who is hereby appointed a commissioner for that purpose shall proceed to sell at public auction on the 104 acre tract on Smiths Creek the said tract of 104 acres the tract of 50 acres in Hindleys Gap and the half of the 150 acre tract on the Mountain the title whereof is now in dispute in the County Court of Rockingham & 90 acres of timbered land adjoining the 104 acres tract upon the following terms viz one third payable on the day of sale or within 60 days bearing interest from the day of sale the residue in two equal payments at one & two years from the day of sale the with interest from the date taking from the purchasers bonds with good personal security the title to be retained as ultimate security with the privilege to the purchasers if they prefer to pay the whole amount (on confirmation of the sale) of the purchase money or any part thereof in cash. The said Commissioner being required to give four weeks notice of the time Terms & place of sale by publication in one of the Newspapers published in Harrisonburg by posting the same at two or more public places in the neighborhood and at the front door of the Court House of Rockingham County on a Court day. But before said Commissioners receives any money under this decree he is required to execute before the Clerk of this Court

in his Office. bond with good security in the penalty of $1000. with condition according to law & is required to report his proceedings to this Court at the first term after the sale

Wm Saufley who has been duly elected a justice of the peace for this county, presented in Court his commission as such justice and also the Certificate of Wm M^c Weartmann a justice of the peace that the said Wm Saufley appeared before him and took the several oaths required by law. which commission and certificate are ordered to be filed

Ordered that the Indenture binding Charles Bowyers aged 12 years be a apprentice and transferred to Abraham S Rosenbarger, who is to learn the business of a Plasterer & teach said apprentice to the rule of three to furnish him with a freedom suit & pay him $100. at the end of his apprenticeship

The Commissioners heretofore appointed ~~Commissioners~~ to assign dower to Sarah Altaffer in the lands of her late husband Reubin Altaffer dec^d this day filed their Report which was examined and confirmed by the Court and ordered to be recorded

Upon the petition of Joseph Stern & others for a change of a road in this County, on their motion of the petitioners it is ordered that the said petition be referred to George Kelly Yancey Jacob Harrison & David Flook to be sworn & reported upon according to law. and thereupon the said Viewers made their report and no exceptions being offered thereto. it is ordered that the said road as located be opened and established according to law

Ordered that M J Zirkel Overseers of the poor bind out to George W Adams, Thornton Thurston (Colored) age 13 years upon the condition that the said Adams shall teach him the art of farming and at the end of his apprenticeship pay said apprentice the sum of $150.00

James A Hearden who produced in Court credentials of his ordination & regular communion with the Methodist Episcopal Church appeared in Court & together with J M Layton his security entered into and acknowledged a bond in the penalty of $1500. conditioned as the law requires. a testimonial is granted him to celebrate the rites of Matrimony according to the forms & ceremonies of the said Church

Leopold Wise a Native of Austria appeared in Court and made oath that it was bona fide his intention to become a citizen of the United States & that he forever renounces all allegiance he may have or owe to any foreign State. Prince Potentate or State or Sovereignty whatever & particularly to Francis Joseph King of Austria

Leopold Wise a subject of Austria. a free white person and not an enemy. this day came before the Court and declares on oath. that he intends to reside in the County of Rockingham and State of Virginia. whereupon it is ordered that the

said declaration be entered of record and that the said Weise is at this time actually a resident in said County and State

On the Motion of Samuel A Coffman who made oath thereto according to law and together with C C Strayer 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 him for obtaining Letters of administration in due form upon the estate of Jacob Bear dec'd

Ordered that C C Strayer J N Bruffy & B F Meade after being first duly sworn for that purpose do appraise the estate of Jacob Bear dec'd and report thereon to the Court according to law

On the Motion of George Mefferswith who has paid the tax imposed by law a license is granted him for obtaining a license to retail Beer & Ale at his store in the town of Harrisonburg

On Motion of Martin Garber who made oath thereto according to law and together with John Sanger & H A Showalter his securities (who justifies 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 him for obtaining letters of administration in due form upon the estate of Daniel Garber dec'd

Ordered that Isaac Wright Daniel Bowman & Joel Hay or any three of them being first duly sworn for that purpose do appraise the estate of Daniel Garber dec'd and report thereon to the Court according to law.

On the Motion of Preston Lahmon it is ordered & it appearing to the Court that Abraham Layman has departed this life more than three months ago and no one having applied for administration upon his estate it is ordered the same be committed to the Sheriff of Rockingham County for administration according to law

Ordered that Madison Moore R A Stephens Wm M Carpenter & Noah M Long or any three of them being first duly sworn for that purpose do appraise the estate of Abraham Layman dec'd and report thereon to the Court according to law

Ordered that John W Palmer Jr M C Harnsberger Harrison Bateman & John Harper or any three of them being first duly sworn for that purpose do appraise the estate of Annie Ochsenhirt dec'd and report thereon to the Court according to law

Mary Garber & Barbara Garber orphans of Daniel Garber dec'd being upwards of 14 years of age appeared in Court with the approbation of the Court made choice of Jr Bowman as their guardian and thereupon the said Joseph Bowman appeared in Court and together with Martin Garber his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $5000 conditioned as the law requires

It is ordered that Robert Cox be appointed guardian for Edward G Echard Caroline V Echard & Mary Alice Echard orphans of Franklin Echard deceased who are under the age of 14 years. and thereupon the said Robert Cox appeared in Court and together with John Leedy his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $3000 & conditioned as the law requires

On the Motion of Margaret Tonnay who made oath thereto according to law & together with Wm M. Wartmann her security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of three hundred dollars conditioned as the law requires. a certificate is granted her for obtaining letters of administration in due form upon the estate of Jeremiah Tonnay decd.

Ordered that James Golden. Thomas H Moran & Henry D Meyatt. after being first duly sworn for that purpose do appraise the estate of Jeremiah Tonnay decd and report thereon to the Court according to law

Ordered that Christian Brunk be appointed surveyor of precinct No 207 in place of Michael Brunk

Ordered that the Overseers of the Poor bind James Stewart Scott (Colored) on condition to furnish clothing food & Lodging

J E Pennybacker Pltff
vs
Joseph S Pennybacker & others Defts } In Chancery

It is ordered that this case be referred to Master Commissioner William M. Wartmann to state and settle an account between the plaintiff and defendants to shew the amount due to the plaintiff. to report together with such matters as he may deem pertinent

A Copy of the last will & testament of Joseph Trunk decd was presented in Court and it appearing to the Court that the original & record of said will has been destroyed. the Court being satisfied that the said Copy is a true copy of said will. It is ordered that the same be recorded

On the Motion of Josiah Turner and it appearing that more than three months have elapsed since the death of John C Shoupe administrator of Jacob Shoupe and no person having applied for administration de bonis non upon the estate of the said Jacob Shoupe. It is ordered that the estate of the said Jacob Shoupe be committed to the Sheriff of this County for administration de bonis non according to law

On the Motion of Jacob Acker the estate of Richard Glover deceased is committed to the Sheriff of this County for administration according to law. it appearing to the Court that the said Richard Glover has been dead more than three months.

Ordered that Madison Moore. Michael Sellers & George W Geither after being first duly sworn for that purpose do appraise the estate of Richard Glover decd and report thereon to the Court according to law

Upon the petition of David Kagey & others the summons awarded against the land holders being returned executed and on the motion of Jesse Mayers guardian of the heirs of Michael Scothron, John B Smith, Morgan Layton Samuel & Jacob Mantz and Curtis Yates writs in the nature of a writ of ad. quod. Damnum is awarded them according to law to be executed on the 30th day of January 1866 to be directed to the Sheriff of this County & made returnable here at the next term and on motion of David Kagey, Jacob Holsinger, Michael Sohr, George Saley and others Noah Minnick, Noah Holsinger, Samuel Holsinger, Jonas Holsinger, Joshua Wampler Curtis Yates & Samuel J Yates they have leave to withdraw their names from the said petition and are not to be responsible for any future costs in this case

Abraham J Cole orphan of Jacob Cole dec'd who is upwards of 14 years of age appeared in Court & with the approbation of the Court made choice of Simon P Summers as his guardian and thereupon the said Simon P Summers appeared in court and together with Madison Moore & George Kline his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of one thousand two hundred dollars conditioned as the law requires

Upon the petition of George H Cook & others for a change in a public road in this County, this day filed their said petition and on their motion a writ of Ad Quod Damnum is awarded them according to law to be executed on the ___ day of 1866 & returnable here on the first day of the next term

The Commissioners heretofore appointed to make partition of the real estate of which Wm Michael Dec'd having presented in Court their report and no exceptions thereto offered thereto the same is confirmed and ordered to be recorded

William Burkhead who stands charged with a felony, by him committed in this that he on the 28th day of Feby 1863 in said County did unlawfully maliciously & feloniously shoot Jonathan Bateman with intent to disfigure maim disable and kill him the said Jonathan Bateman, appeared in Court in pursuance to his recognizance and on the motion of the Attorney for the Commonwealth, this cause is continued until the next term and on the motion of the prisioner he is admitted to give bail for his appearance before this Court at the next term in the sum of five hundred dollars for himself & the like sum of $500 for his security and thereupon the said Wm Burkhead appeared in Court and together with Zachariah Raines his security acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Wm Burkhead shall make his personal appearance before this Court on the first day of the next term to answer the felony aforesaid and not to depart thence without the leave of the said Court. Then this recognizance to be void otherwise to remain in full force & virtue

Wm M Armentrout appellant
vs
Augustine Armentrout appellee } upon an appeal from the judgment of a Justice of the peace

On Motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term at the cost of the appellee

Lydia A McQuary appellant
vs
A H Brewer appellee
} upon an appeal from the judgment of a Justice of the Peace

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 appellee

John McCoakley who stands charged with a felony by him committed by him in this that he did on the 13th day of December 1865 in this County break in Abraham Diehl's spring house and did steal take & carry away one crock of pickling & one piece of soap besides other damages done was left to the bar in custody of the Sheriff of this County, and sundry witnesses being sworn and examined touching the premises, the Court upon mature deliberation ~~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 the said John McCoakley 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

E Sipe appellant
vs
Frederick Hillyard appellee
} upon an appeal from the judgment of a justice

This day came the parties by their attornies and by consent it is ordered that the matter in controversy in this cause be referred to Wm M. Hartman, whose award shall be final and entered up as the judgment of this Court

James F Gilmer produced in Court credentials of his ordination and of his being in regular communion with the Armenian Union Church appeared in Court and together with Andrew L Lindsey his security entered into and acknowledged a bond in the penalty of $1500. conditioned as the law requires. testimonials is granted him to celebrate the rites of Matrimony. and thereupon the said James ~~F Gilmer~~ took the oath required by law

J R Brathwaite Pltff
vs
C L Miller Deft
} upon a forthcoming bond

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

The Surveyor of this County made a report of a survey of a tract of land in this County charged upon the Commissioners books to Harvey Brown and sold for the non payment of taxes and thereon & purchased by Henry McDonnan was presented in Court & thereupon Wm Brown appeared by Counsel and contested the right of the said McDonnan to have said report recorded & after hearing the argument of Counsel the Court doth refuse to admit said report upon record.

Upon a survey of lands sold for non-payment of taxes charged upon the Commissioners books to Same

The Same order

Upon the application of Jeremiah Harnsler & Moves the Court to certify that he is unable longer to pay the expenses now due for the support of his daughter in the Lunatick Asylum. which certificate the Court refuses to give

Richie & Fawley Pltff
vs
& Mettig & others Defts } Upon a writ of Ad Quod Dammum

On Motion it is ordered that this cause be continued until the next term

The Commissioners heretofore appointed to lay off and devide the lands of which Catharine Haynes died seized filed their report & no exceptions being offered thereto the same is confirmed and ordered to be ~~filed~~ recorded
Same of the Lands of Jacob Kersh The same order

Ordered that the Court ~~then~~ adjourned until the next term

O. H. Sterling

At a Court Summoned and held for the County of Rockingham on the 25th day of January 1866

Present

O. H. Sterling Pf. Philander Herring. Peter Paul } Gent
Madison Moore. Wm W. Carpenter & Geo. S. Christie } Justices

Benjamin F. Rice & Jacob Grim were led to the bar in custody of the Sheriff of this Court who stand charged with a felony by them committed that they did on the 20th day of December 1865 in said County feloniously steal ten sows one white & black spotted and one sandy color of the value of fifty dollars of the goods & chattels of Saml Harris and summary witnesses being sworn and examined and the Court upon mature deliberation are of opinion that the prisoners are not guilty of the felony of which they stand charged. it is ordered that the prisoners be discharged

And thereupon the Court arose

O. H. Sterling

Virginia

At a Court held for Rockingham County at the Court House there of on Monday the 19th day of February 1866

Present

O C Sterling P J Isaac Wright Joseph Funkhouser W S McGahey } Gent 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

A Deed of Bargain & Sale from S A Coffman & wife &c to H J Gray

Same from A M Effinger & wife to Jonas Lovenbach

A Contract between Revel Rogers and W Gale & Glaze

A Deed of Bargain & Sale from Chal Weiler & wife &c to the First National Bank of Harrisonburg

Same from William N Gay & wife to Revel L Greiner

Same from Isaac J Parkins & wife &c to George W Roller

A Deed of Trust from George W Roller & wife to B G Patterson In Trust for J & J H Parkins

A Deed of Bargain & Sale from S M Yost & wife to J N Liggett

Same from Michael Tomay to Jerry Tomay

Same from P H Baugher & wife to S H Garber

Same from L W Gamble & wife to John H Hopkins

Same from Isaac W Harper & wife to Reuben & John Sherfe

A Settlement of the accounts of John Sineweaver Guardian for Jesse & Edward Detwiler having been filed in the Clerk's Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the estate of John Long dec'd

The Same order

A Settlement of the a/c of the late Guardian of Samuel A Rhodes dec'd

The Same order

A Settlement of the estate of Charlotte Smith dec'd

The Same order

Same of the estate of Henry Jewett & Mary Walker Smith dec'd

The Same order

Same of the a/c of the Guardian of Alice Winfield

The Same order

Same of the a/c of the Guardian of Louisa Winfield

The Same order

Same of the a/c of the Guardian of Emily [redacted]

The Same order

On the motion of John Rife who made oath thereto according to law and together with Jonas Earley his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Mary Rife

Ordered that John McDevier Samuel H Myers. Emmanuel Hoover & Benjamin Hoover or any three of them being first duly sworn for that purpose do appraise the estate of Mary Rife decd and report thereon to the Court according to law

Ordered that Simon Harmon. Jacob Dundore. William Lilley & Benjamin D Bowman do appraise the estate of John H Campbell decd and report thereon according to law

Ordered that B J Craig. Town Tayor McKay & Abraham Mohler ~~be appointed~~ commissioners to assign dower to Mary Murry in the lands of which her late husband Daniel Murry died seized. and report thereon to the Court according to law

Ordered that Robert Bowman. Wm McPhee. Samuel Shackleton & Benjamin G Patterson or any three of them after being duly sworn for that purpose do appraise the estate of Wm Sprinkel decd and report thereon to the Court according to law

On the motion of John D Showalter who made oath thereto according to law and together with Lewis Driver 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. a certificate is granted the said John D Showalter for obtaining letters of administration in due form upon the estate of Frances Woodward decd

Ordered that John McDriver. John Rife. Jonas Earley & Benjamin Hoover or any three of them being first duly sworn for that purpose do appraise the estate of Frances Woodward decd and report thereon to the Court according to law

Mary Lincoln — Pltff
vs
Mary E Maupin Guardian for A Lincoln Maupin & Sally Maupin Orphans of Richard Maupin — Deft

} upon a Motion to be released as the security for the deft in her official bond

This day came the pltff by her attorney & on her motion it is ordered that this cause be placed upon the docket

It appearing that Richard Jarrolds trustee for Jane Jarrolds in a deed executed by John McKay ~~this deceased~~ this life it is ordered on the motion of the said Jane Jarrolds that Samuel R Allebaugh be substituted in the place of the said Richard Jarrolds

The Commissioners heretofore appointed to assign dower to Sallie Allebaugh decd in the lands of her late husband John Allebaugh decd filed their report and there being no exceptions being offered thereto the same is confirmed and ordered to be recorded

George R Ergenbright & others Pltff
vs
P H Ergenbright Deft. } In Chancery

Ordered that Y & Amman be appointed guardian ad litem for the infant parties in this suit. This cause came on by consent to be heard this 19 day of February 1866 upon the bill of complaints the answer of the defendant in person and by Guardian ad litem whereupon the argument being heard upon consideration whereof and by consent of parties the Court doth adjudge order and decree that Jeremiah D Gilmer William B Yancey Richard B Kendrick Henry E Lyle and B F Thomas who are hereby appointed commissioners for that purpose and any three of them may act shall proceed to make partition of the tract of land in the bill mentioned (including the widows dower land) into five equal shares according to quantity and quality and assign said shares to the several plaintiffs and the defendant respectively and said commissions are required to make report to the Court at the next term

George H Cook & others Pltffs
vs
Henry Billheimer & Co Deft } Upon a writ of Ad Quad Dammum

This day came the parties by their attorneys and the and the Sheriff of this County have returned the inquest found by the jury summoned by him from which it appears that the amount of damages & for land taken from the estate of Henry Billheimer dec'd was fixed at $22.00 It is therefore ordered that upon the payment of the said $22.00 as paid by the petitioners the said road be established & opened according to law

The last will and testament of William Andes dec'd was presented in Court and was proved by the oaths of Moses Bowman & William Lowry two of the subscribing witnesses thereto and ordered to be recorded. And on the motion of Adam Andes the executor therein named who made oath thereto according to law and together with Isaac Wampler & Michael 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 Adam Andes for obtaining a probate of the said will in due form

Hannah J & John C Simmons children of Wm C Simmons who are over the age of 14 years by an instrument of writing made choice of William C Simmons as their guardian and the Court doth appoint the said Wm C Simmons guardian for Mary Eliz., Francis Catharine, Jacob Wm. & David Garrison Simmons also children of the said Wm C Simmons and thereupon the said Wm C Simmons appeared in Court and together with Jonas Reed & Perry H Baughers (Chapels Dale) (his securities) who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $15000.00 conditioned as the law requires

Upon the petition of S H Lewis & others for a change of road in this County It is ordered that the said petition be referred S H Lewis Jr Jacob H Yost & A L Wagoner be appointed viewers to be acted and reported thereon to the Court according to law

Ordered that all the acting justices of this County be summoned to appear here on the first day of the April term next to act upon application for Ordinary Licenses & for other purposes

The last will & testament of John Hoover decd was presented in Court and was proved by the oaths of Daniel Deampler & Samuel Swank two of the subscribing witnesses thereto and ordered to be recorded

Adam Saylman & others Plffs
vs
Jesse Carrier Deft } Upon Attachments

The Sheriff having made his report of sales & moneys under the attachments in these causes. And on his motion it is ordered that these causes be referred to Commissioner Wm McK Hartmann to ascertain the order in which said claims shall be paid and the amount to each

On the motion of Samuel J Hamsberger who wishes to obtain a license to practise as an attorney in the Courts of this Commonwealth. It is ordered to be certified that he is man of honest demeanor and good character and that he is upwards of twenty one years of age and has resided in this County for the last twelve months

On the motion of Henry L Shoupe who made oath thereto according to law and together with Jacob N Liggett 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 him for obtaining letters of administration in due form upon the estate of James Beech decd

Ordered that Giles Derrier, Joseph Shoupe, Burbridge Rust, Peter Acker and or Dennick Pennybacker or any three of them being first duly sworn for that purpose do appraise the estate of James Beech decd and report thereon to the Court according to law

On the motion of John H Beery who made oath thereto according to law and together with Lewis Driver 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 the said John H Beery for obtaining letters of administration in due form upon the estate of Magdalene Swank decd

Ordered that George W Hogan, Benjamin Moeller, Silas Beard & Silas Benton or any three of them being first duly sworn for that purpose do appraise the estate of Magdalene Beery decd and report thereon to the Court according to law

D F A Perkey Constable presented in Court an account against the Commonwealth amounting to $ 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 Addison Moeller who produced credentials of his ordination and being in regular communion with the Methodist Episcopal Church South appeared in Court and together with Joseph Swinehouser his security entered into and acknowledged a

bond in the penalty of $500.00 conditioned as the law require he the said Addison Weller is authorized to celebrate the Rites of Matrimony according to the forms and customs of said Church between any persons to him regularly applying therefor within this State.

Present & Stephen Gent Justice

Alex Shiflett who stands charged with a felony by him committed appeared in Court in pursuance to his recognizance entered into before this Court at the Dec Term last appeared in Court and on the motion of the prisoner his examination is continued until the next term and on the motion of the prisoner he is admitted to bail for his appearance at the next term of this Court in the sum of $500. for himself and the like sum of $500. for his security and thereupon the said Alex Shiflett appeared in Court & together with Christian Kyger his security (who justified as to his sufficiency) acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth. Yet upon this condition that if the said Alex Shiflett shall make his personal appearance before this Court on the first day of the next term to answer the charge of felony aforesaid and not depart thence without the leave of the Court then this recognizance to be void otherwise to remain in full force and virtue.

Present Geo. Christie ——— Absent Ed Stephen

William Burkhead who stands charged with a felony by him committed appeared in Court in pursuance to his recognizance entered into before this Court and on the motion of the attorney for the Commonwealth it is ordered that the examination of the prisoner be continued until the next term and on the motion of the prisoner he is admitted to bail for his appearance at the next term in the sum of five hundred dollars for himself and the like sum of five hundred for his security & thereupon the said Wm Burkhead together with Zachariah Raines his security appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels lands and tenements for the use of the Commonwealth. Yet upon this condition that the said William Burkhead shall make his personal appearance before this Court on the first day of the next term to answer the felony aforesaid and not to depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force and virtue.

Gent S H Lewis W L Baughan Franklin Keyton Thomas Keyton Henry Cuddy & Jas A Harden who have been duly summoned to appear here as witnesses on behalf of the Commonwealth against Wm Burkhead being solemnly called and not appearing it is ordered that they be severally summoned to appear here on first day of the next term to shew cause if any they can why they shall not be fined and attached for their said contempt.

Ordered that Peter Dick be exempted from the payment of County and Parish levies.

Joseph H Shue (foreman) Strother Sheets Abraham Beam John Sinsweaver Michael Sellers Michael Armentrout Samuel Roller Jonas Earley John Rife Peter Strine Jacob Triplett Joseph Burkholder Joshua R Mines Philip Keller Jackson Rhodes Simon Whitsell & Nicholas Kyger were sworn a Grand Jury of inquest for the body of this County after having received their charge retired to consider of their presentments and not having time to dispatch all the business before them were adjourned untile to morrow morning at 10 O'Clock

Ordered that Lountain M Layton be appointed in lieu of Daniel Brown heretofore appointed one of the Commissioners to assign dower to Mrs Murry in the lands of her late Husband Daniel Murry dec'd

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

O C Sterling

Tuesday February 20 1866

Present

O C Sterling J. Isaac Wright Joseph Funkhouser Wm McGahey & G S Christie } Gent Justices

Y C Ammon & others Pltff
against
John McMechan & others Defts } In Chancery

This cause came on by consent to be heard this 20 day of February 1866 upon the Bill of complainants, and the joint answer of the defendants John McMechan & wife whereupon the argument of counsel being heard upon consideration thereof and by consent of the parties, the Court doth adjudge order and decree that Thomas K Miller James M Weaver George McMauzy Robert A Gibbons and Zebulon D Glenn or any three of them who are hereby appointed commissioners for the purpose do proceed to make partition of the real estate of Jacob Ammon deceased among his five heirs at law reserving & excepting from partition so much of the 54 7 acres or Miller tract as may designated to be necessary to reserve for sale to satisfy debts of the estate The said commissioners are further instructed to include the Mill property in two shares if they find it necessary to do so, to equalize the heirs and in the judgment of the commissioners it can be done without operating injustice And the said commissioners are required to make report to the Court at its next term

John H Berry constable of this County presented in Court an account against the Commonwealth amounting to $11.10 which being sworn to was examined allowed by the Court and ordered to be certified to the auditor of Public accounts

H A Chrisman Com'r of Rev. presented in Court an account against the Commonwealth amounting to $7.53. which being sworn to was examined allowed by the Court and ordered to be certified to the auditor of Public accounts

Commonwealth
vs
Ransom Bennett } upon a rule
Ordered that this rule be discharged

Abram Armentrout Pltff
vs
Elizabeth Baugh &c Defts } Action of Unlawful Detainer

This day came the pltff by his attorney and on his motion it is ordered that this cause be dismissed and that the pltff recover against the defendants the costs by him in this behalf expended

John W Palmer &c Pltffs
vs
John Keator Deft } Unlawful Detainer

This day came the pltffs by their attorney and on their motion it is ordered that this cause be dismissed and that the pltff recover against the Deft the costs in this behalf expended

Matrona Reed who is upwards of 14 years of age by an instrument of writing made choice of Maria Shrinkel as her guardian and thereupon the said Maria Shrinkel appeared in Court and together with Milton J Garrier & Christian R Myers ~~as her 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 which bond is ordered to be recorded

Milton J Garrier Pltff
vs
Jesse Garrier Deft } In Case

This day came the parties by their attorneys and the Court being satisfied of the justice of the pltffs demand it is considered that the pltff recover against the deft $460.00 with legal interest on $100 part thereof from the 27 day of March 1860 & on $400 the residue thereof from the 23d day of May 1860 till paid and the costs in this behalf expended

The Grand Jury summoned and empannelled 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 into Court and presented the following indictments viz an Indictment against Jane Jarrels for retailing ardent spirits without license a true bill an Indictment against Jane Jarrels for retailing ardent spirits without license a true bill an Indictment against Jane Jarrels for retailing ardent spirits without license a true bill an Indictment against James Montgomery Johnson for an assault & battery a true bill and Indictment against Livingston Johnson for an assault & battery a true bill and Indictment against Levi H Rinner for a wilful trespass a true bill an Indictment against Alexander Bird for petit Larceny a true bill an Indictment against Livingston Johnson for disturbing an assembly met for the worship of God a true bill an Indictment against James Montgomery Johnson for disturbing an assembly met for the worship of God a true bill an Indictment against John Rodes for disturbing an assembly met for the worship of God a true bill an Indictment against Isaac Brown for disturbing an assembly met for the worship of God a true bill an Indictment against Robert Rodes for disturbing an assembly met for the worship of God a true bill an Indictment against John Koontz for disturbing an assembly met for the worship of God a true bill and Indictment against Albert G Sinclair for disturbing an assembly met the worship of God a true bill an Indictment against John Koontz for disturbing an assembly met for the worship of God a true bill

an Indictment against James Branham for an assault & battery a true bill
an Indictment against George Ringer for a riot an affray & breach of the peace a true bill
and an Indictment against Elizabeth Lemley for petit larceny true bill. and the said Grand Jury having no further business before them were discharged

Ordered that Summons be awarded against the several persons this day indicted which process shall be directed to the sheriff of this County and made returnable hereon the first day of the May Term next

Julia Ann Derrow	Pltff	Unlawful Detainer
v		
Adam H Brewer	Deft	

Daniel Good	Pltff	Unlawful Detainer
v		
Henry M Dennard	Deft	

M Harvey Effinger	Pltff	Upon an Attachment
v		
Jerynus Young	Deft	

Same	Pltff	Upon an Attachment
v		
J J Miller	Deft	

Same & Bro	Pltff	Upon an Attachment
vs		
R G Depuety	Deft	

Same	Pltff	Upon an attachment
v		
D B Counhour	Deft	

M H Effinger	Pltff	Upon an Attachment
vs		
Same	Deft	

Same	Pltff	Upon an Attachment
v		
Noah Burkholder &	Defts	

G M & A M Effinger	Pltff	Upon an attachment
vs		
R G Depuety	Deft	

I S Pennybacker	Upon attachments
v	
Confederate States v Hughes & Same	On Motion & for reasons appearing to the Court it is ordered that the aforesaid 11 Cases be dismissed

M Scothorn's heirs — Pltff
v
David Kagey & others — Defts
} Upon a writ of Ad Quod Damnum

John B Smith — Pltff
v
Same — Defts
} Upon a writ of Ad Quod Damnum

Curtis Yates — Pltff
v
Same — Defts
} Upon a writ of Ad Quod Damnum

J & S Martz — Pltff
v
Same — Deft
} Upon a writ of Ad Quod Damnum

and
M Sayton — Pltff
v
Same — Defts
} Upon a writ of Ad Quod Damnum

On Motion & for reasons appearing to the Court it is ordered that the aforesaid five causes be continued until the next term at the cost of Jackson Martz

M J Garnier — Pltff
vs
Jesse Garnier — Deft
} Upon an attachment

P & R Roller — Pltff
v
Eli Tutinier — Deft
} Upon an attachment

R H Yancey — Pltff
v
Jesse Garnier — Deft
} Upon an attachment

G W Stanley & wife — Pltffs
v
Same — Deft
} Upon an attachment

John J Roller — Pltff
v
Wm H Monger — Deft
} Upon an attachment

Wm Sanford — Pltff
v
N J Baugher — Deft
} Upon an Attachment

On Motion & for reasons appearing to the Court it is ordered that the aforesaid six causes be continued until the next Term

a Copy of the last will & testament of Elizabeth Flook dec'd was presented in Court and was proved by the oath of Wm W Carpenter and ordered to be recorded

Commonwealth
vs
Harrieton Case } Upon an Indictment

Same
vs
Peter Burkholder } Upon an Indictment

Same
vs
C W Kontz } Upon an Indictment
and
Same
vs
Wm Branham } Upon an Indictment

On Motion & for reasons appearing to the Court it is ordered that the Defendants four causes be dismissed

Eli M Peregoy Pltff
vs } Unlawful Detainer
Elijah Hamm Deft

On the motion of the Pltff it is ordered that this cause be dismissed and that the Pltff recover against the deft the costs by him in this behalf expended

Zachariah Taylor Pltff
vs } Unlawful Detainer
Alfred Welch Deft The Same order

Harriett Kontz Pltff
vs } Unlawful Detainer
Henry Kite Deft The Same order

David Fry Pltff
vs } Unlawful Detainer
John M Dorman Deft The Same order

David H Landes Pltff
vs } Unlawful Detainer
David Landes Deft

On Motion & for reason appearing to the Court it is ordered this cause be continued until the next term at the costs of the deft

Wm Sanfley Pltff
vs } Upon a Suggestion
Charles Hildebrand & Co Defts Continued until the next term

Peter Long — Pltff
vs
Jno M Kiser — Deft
} an attachment

Samuel Barley — Pltff
vs
Same — Deft
} Upon an attachment

John Carver — Pltff
vs
Absalom Dove — Deft
} Upon an attachment

John J Roller — Pltff
vs
John Carver — Deft
} Upon an attachment

Jonas Lowenbach — Pltff
vs
John M Kiser — Deft
} Upon an attachment

Samuel Barley — Pltff
vs
Wm M K Fishback — Deft
} Upon an attachement

Same — Pltff
vs
Jacob Sharer — Deft
} Upon an attachment

Jno C Woodson — Pltff
vs
S F Shoualter & — Defts
} Upon an attachment

Michael Carman — Pltff
vs
John K Landes — Deft
} Upon an attachment

Solomon Garber — Pltff
vs
C C Garber — Deft
} Upon an attachment

Bushrod Rust — Pltff
vs
John K Landes — Deft
} Upon an attachment
and
Andrew Clayton — Pltff
vs
Jefe Carnes — Deft
} Upon an attachment

On Motion & for reasons appearing to the Court it is ordered that the cases in these cases be continued until the next term

A M Berry Pltff
vs
A H Johnson Deft } In Case

On Motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term. & leave is reserved to the deft to file a special plea in this cause within sixty days from the end of the present term

James Hartman's adm'r Pltff
vs
Henry McDorman Deft } 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 pltff and on the Motion of the deft and it appearing to the Court that the pltff is not a resident of this state it is ordered that unless the pltff give good security for costs in this case within sixty days from the end of the present term this cause shall be dismissed at the May term next

Charles C Haas who has been duly licensed to practise as an attorney at law in the Courts of this Commonwealth on his motion he is permitted to practise in this Court & thereupon he took the oath required by law

Absent. George S Christie Gent Justices

Robert Liskey Pltff
vs
Philip Liggett Deft } In Case

On Motion it is ordered that this cause be dismissed

G W Stanley & wife Pltff
vs
Jesse Carrier Deft } In Case

John W Burman Pltff
vs
Wm Athey Deft } In Case

John Eversole Pltff
vs
David Messer Deft } In Case

Gideon B Reed Pltff
vs
Julias Martz & Defts } In Case

S M Dold vs Jno Fox & adm'r
and
Same vs E P Blackwell's adm'rs } In Case

On Motion it is ordered that the aforesaid six causes be continued until the next Term

Wm L Anderson — Pltff
v
Wm Chrisman & — Defts
} 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 pltff. and leave is reserved to the defts to file special pleas within sixty days from this term

Isaac Paul — Pltff
v
John McReeler — Deft
} In Case

Jno McDowel's admrs — Pltff
v
D D Dowel — Deft
} In Case

Solomon Garber — Pltff
v
C C Garber — Deft
} In Case

Philip Liggett — Pltff
v
James Payne — Deft
} In Case

Peachy Moore — Pltff
v
John K Moore — Deft
} In Case

On Motion & for reasons appearing to the Court it is ordered that the aforesaid cause be continued until the next term

John J Roller — Pltff
v
Wm H Monger — Deft
} In Case
The Same order

James Payne — Pltff
v
Philip Liggett — Deft
} Upon a warrant

On Motion it is ordered that this cause be continued until the next term at the costs of the deft

Harriet Koontz — Pltff
v
John Koontz — Deft
} Upon a warrant

On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed and that the deft recover against the pltff his costs in this behalf expended

R M Mooney Coror of the Rev presented in Court an acct against the Commonwealth amounting to $4.68 which Recognizance in Court was examined & allowed by the Court and ordered to be certified to the Auditor of public accounts

Nathan Huston Pltff
vs
Sammee Holler Deft } In Case

This day came parties by their attornies and thereupon came a jury to wit Strother Bright. John H Ralston. Augustine Armentrout. John Eastham. Charles Fridley. John S Fridley. Isaac N Beery. Wm H Carnicofe. Henry Pulse. N M Beery John Rhodes and George Chrisman who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear see the evidence were adjourned until to morrow morning at 10. O'Clock

George W Yancey Pltff
vs
Alcinda Bowman Deft } In Case

This day came the parties by their attornies and the deft. saith that she did not assume upon herself in the manner and form as the pltff in his declaration hath alleged to which plea the pltff replied generally on which thereupon the writ of enquiry and writ of fingment attained in the office is set aside and the trial of the issue is deferred until the next term

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

O. H. Sterling

Wednesday February 21st 1866

Present

O H Sterling PJ Wm McGahey Isaac Wright Gent
Joseph Funkhouser } Justices

Robert Bryan for Pltff
vs
J W Zirkle &c Deft } In Debt

This day came the parties by their attornies and by consent it is ordered that all matters in dispute be referred to the final arbitrament and award of Saml A Coffman Wm M'K Mastmann and John W G Smith whose award shall be entered as the fingment of this Court

S P Reamer jailor of this Count presented in Court an account against the Commonwealth amounting to $100.75 which being sworn to in Court was examined allowed and ordered to be certified to the auditor of public accounts

On motion it is ordered that Madison Moore Wm M Cashpooler George Mantz and Cyrus Rhodes be appointed commissioners to assign dower to Malinda Layman in the lands of her late husband Adam Layman dec'd and divide the moriage among the legal heirs of said Adam Layman dec'd

R S Harnsberger use Pltff
vs
George A Conrad Deft } In Debt

This day came the parties by their attornies and the deft by his attorney

with-drew his plea of payment. It is therefor considered that the pltff recover against the deft $332.40 the debt in the declaration mentioned with legal interest thereon from the 27th day of March 1858 till paid and the costs in this behalf expended this judgment is subject to a credit of $10. paid May 6th 1858 & by $10. paid Dec. 14th

Samuel Grimm — Pltff
v.
Jacob Housefluck — Deft
} In Case

Peachy Wine — Pltff
v.
John K. Moore — Deft
} In Case

On Motion it is ordered that the aforesaid two causes be continued until the next term

John Rhodes — Pltff
v.
Abraham Painter — Deft
} In Case

Same — Pltff
v.
Robert & Allen Painter — Defts
} In Case

John L. Woodson — Pltff
v.
Jacob L. Silbert &c — Defts
} In Case

A.H. Brewer — Pltff
v.
Same — Defts
} In Case

Strother Bright — Pltff
v.
Same — Defts
} In Case

Wm H. Pearson — Pltff
v.
John Rhodes — Deft
} In Case
and
Joseph W. Knabson — Pltff
v.
George W. Adams — Deft
} In Case

This day came the parties by their attornies in the aforesaid seven causes and the defts in each case plead Not Guilty, and thereupon the writ of enquiry and judgment obtained in the office is set aside to which plea the reverse plaintiffs replies generally

Jacob Barley for &c. Pltff
vs
A H Brewer Deft } In Debt

This day came the parties by their attornies and the deft by his attorney filed a plea of non est factum to which the pltff replies generally and thereupon the judgment obtained in the office is set aside

Eli Miller Pltff
vs
Joshua R Mires Deft } In Debt

The Same order

Richard Robinson Pltff
vs
Henry McDorman Deft } In Case

This day came the parties by their attornies and the deft pleaded non assumpsit to which the pltff replies generally and thereupon the writ of enquiry & judgment obtained in the office is set aside and the trial of the issue deferred until the next term

Present Geo S Christie Gent Justice

William Dunnavant who stands charged with a felony by him committed in this that he did on or about the 1st day of August 1864 in this County did feloniously take steal and carry away one roan mare of the value of one hundred and twenty five dollars of the goods and chattels of John H Hopkins was led to the bar in custody of the Sheriff of this County and by consent of the prisoner George S Christie the committing justice in this cause was permitted to act as a member of the Court upon the trial of this cause and the Court having fully heard the evidence are of opinion that a felony has been committed and that there is probable cause to charge the prisoner William Dunnavant with the felony aforesaid it is therefore ordered that the prisoner be remanded for trial before the Circuit Court of this County on the first the next term of said Court and thereupon the prisoner moved the Court to be admitted to bail for his appearance before the said Court which motion the Court doth overrule and thereupon the prisoner was remanded to jail

Be it remembered that John H Hopkins Frederick A Way James D Ridale Joel Sibel and John B Blizzard personally appeared in Court and severally acknowledged them selves 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 upon this condition that they 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 William Dunnavant and not to depart thence without the leave of the said Court then this recognizance to void otherwise to remain in full force and virtue

Richard Jarrold's exrs Pltff
vs
Silas Flick Deft } On Debt

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

Silas Henton Pleff
vs
Joseph Hodcombe &c Defts } In Debt

This day came the parties by their attornies and the defendants by their attorney withdrew their plea of payment and confessed judgment for the debt in the declaration mentioned with interest and costs It is therefore considered that the pltff recover against the deft $60.00 the debt in the declaration mentioned with interest thereon from the 3d day of April 1865 till paid and the costs in this behalf expended

Daniel Smith who has been duly summoned to appear here as a witness on behalf of Joseph H Nave &c Adam H Fulk being solemnly called and not appearing it is ordered that he be summoned to appear here on tomorrow to shew cause if any he can why he shall not be fined & attached for his failure aforesaid

John F Lewis Pleff
vs } Upon a warrant
Addison Royer Deft

John Rhodes Pleff
vs } On Case
Abram Painter Deft
and
Same Pleff
vs } On Case
Robert & Allen Painter Deft

On Motion it is ordered that the aforesaid three causes be continued until the next term

Nathan Houston Pleff
vs } In Case
Samuel Hollar Deft

This day came again the parties by their attornies and the jury sworn and empannelled on yesterday for the trial of the issue in this cause appeared in Court in pursuance to their adjournment and having fully heard the evidence retired from the bar and after some time returned into Court and not being able to agree upon a verdict it is ordered that the said jury be discharged and the trial of the issue deferred until the next term

Jacob Barley for &c Pleff
vs } In Debt
A H Brewer Deft

This day came again the parties by their attornies and on the motion of the deft by his attorney he has leave to file special plea in this cause within sixty days from the adjournment of this Court

Griel Aller & Co Pleffs vs Charles A Skinkle In Case This day came the parties by their attornies & Jno T Harris appeared in Court and acknowledged himself security for all costs accrued & to accrue in this cause

Eli Summers Pltff
vs } In Case
A H Brewer & 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 the writ of enquiry & judgment obtained in the office is set aside and the trial of the issue is referred until the next term

Joan of Turk Pltff
vs } In Case
Joseph H Nave Deft

This day came the parties by their attornies and the deft by his attorney tendered a general demurrer to the pltff's declaration which the Court doth overrule. and thereupon the deft pleades "Not Guilty" to which the pltff replies generally. and thereupon the writ of enquiry & judgment obtained in the office is set aside

Greil Allen & Co Pltff
vs } In Case
John Dinkle Deft

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

Emily F Davis Pltff
vs } In Case
Peter Krontz's adm'r Deft

This day came the parties by their attornies and the deft by his attorney pleaded "non assumpsit" to which the pltff by her attorney replies generally. and thereupon the writ of enquiry & judgment obtained in the office is set aside

Robert H Shrindle Pltff
vs } In Case
John B Amis Deft
The same order

A & C Sprinkle for use Pltff
vs } In Debt
E T H Warren's ex'tr Deft

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

Eli Miller Pltff
vs } In Debt
Joshua R Mires Deft

This day John T Harris appeared in Court and acknowledged him self bound as security for all costs the pltff that has or may hereafter accrue in this cause

F N Shinebuck's adm'rs Pltff
vs
Peter Plecker Deft } In Debt

This day came the ~~plaintiffs~~ by their attornies and the deft by his attorney pleaded payment to which the pltff replies generally and thereupon the judgment obtained in the office is set aside and the trial of the issue deferred until the next term. and leave is reserved to the deft to file special pleas & pleas under the Statutes within sixty days from the end of the present term

John L Sprinkel Pltff
vs
Wm Ritchie Deft } In Debt

This day came the parties by their attornies and the deft by his atty pleaded payment to which the pltff replies generally and thereupon the judgment obtained in the office is set aside

Wm Sellers for Pltff
vs
Jacob Barley Deft } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment to which the pltff replies generally and thereupon the judgment obtained in the office is set aside. and leave is reserved to the deft to file special pleas within sixty days from this term

Adam McLong Pltff
vs
Gabriel Wood Deft } In Debt

This day came the parties by their attornies and deft by his attorney pleaded payment 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. and leave is reserved to ~~the~~ deft to file affidavits & special pleas within sixty days from the present term

Charles Fridley Pltff
vs
George McHogan Deft } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment 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 and leave is reserved to the deft to file special pleas within sixty days from this term

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

O. C. Sterling

Thursday February 22d 1866

Present

O C Sterling D J Warren T McGahey. Isaac Dright and Joseph Trunkhauser } Gent Justices

Thomas K Harnsberger & others Pltffs
vs
George W Price & others Defts } In Chancery

This cause came on by consent to be heard this 22d day of February 1866. upon the bill, exhibits, and the answer of the defendant Lucinda Yancey, and more than one month having elapsed since the return of the process executed on the other defendants and they still failing to appear and file answers the bill is taken for confessed as to them and the argument of counsel being heard upon consideration thereof and with the consent of the parties interested, the Court doth adjudge order and decree that John W Woodson, who is appointed a commissioner for that purpose, do proceed to give notice of the time terms and place of sale by advertisement inserted for the space of four weeks in one of the newspapers published in Harrisonburg, and put up at three or more public places in the neighborhood of the land, and having given such notice shall sell at public auction on the premises the reversionary interest in the real estate in the bill mentioned, subject to the life estate of Mrs Lucinda Yancey upon the following terms viz one fourth of the purchase money payable on the first day of the next term of this Court succeeding the sale and the remainder in three equal annual payments from the day of sale, requiring bonds with good personal security from the purchaser, the title to be retained as further security until the whole amount is paid. Before said John W Woodson receives any money under this decree he is required to execute bond in the Clerk's Office, before the Clerk of the Court with good security in the penalty of $5000.00 with condition agreeably to law, and said Commissioner will make report to the Court. This cause is referred to Commissioner Wm M K Bartmann to ascertain & report the amount & priority of liens on the property decreed to be sold.

James Kenney Trustee Pltff
vs
Jacob P Effinger Deft } In Debt

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 continued until the next term at the costs of the defendant.

Edmund W Boggs Pltff
vs
Shelton H Carnes Deft } In Covenant

This day came the pltff by his attorney, and the deft failing to appear 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 $77.96 and the time from which interest thereon shall run to be 22d day of February 1866. It is therefore considered that the pltff recover against the deft the said sum of $77.96 with legal interest thereon from the 22d day of February 1866 till paid, and the costs by the pltff in this behalf expended.

Ordered that James W Bloxe be appointed surveyor of precinct No in the place of Wm Merica

Adam H Fulk Pltff
vs
Joseph H Nave Deft } In Case

This day came the parties by their attornies, and thereupon came a jury to wit John Rhodes, Wm M Biedsinner, Joseph McKratzer, James H VanDeet, George P Buttner, George B Glover, George F Mayhew, Patterson Greiner, Abram Whitmore John H Berry, Aug Armentrout and Wm Armentrout who being elected tried & sworn the truth to speak upon the issue joined, having heard the evidence but not having time to hear all the argument of counsel were adjourned until to-morrow morning at 9 O'Clock

Ordered that the Court be adjourned until to-morrow morning at 9 O'Clock.
O. C. Sterling

Friday February 23d 1866

Present
O C Sterling PJ. W & McGahey Joseph Trunkhouser and Isaac Wright } Gent Justices

Adam H Fulk Pltff
vs
Joseph H Nave Deft } In Case

This day came the parties by their attornies and the jury sworn and empannelled on yesterday for the trial of this cause appeared in Court in pursuance to their adjournment and having fully heard the evidence and arguments of counsel retired from the bar to consider of their verdict and after some time appeared in Court and upon their oaths do say "We the Jurors find for the plaintiff and assess the damages at ($1500.) fifteen hundred dollars." It is therefore considered that the plaintiff recover against the defendant fifteen hundred dollars the damages aforesaid with legal interest thereon from this day and the costs in this behalf expended

John M Smith Pltff
vs
E & L Heffman Deft } In Debt

This day came the parties by their attornies, and the deft pleaded payment to which the pltff replies generally, 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 & the Deft has leave to file special pleas in this cause within sixty days from the end of this term

Eli Perkey Pltff
vs
George Sawley 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 leave is reserved to the deft to file special pleas

Wm Worley Pltff
vs
M J Mayerhoeffer Deft } In Case

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

Robert H Spindle Pltff
vs
John B Amig Deft } In Case

The same order

Garner Mefferd Pltff
vs
George Ehrisman Deft } In Case

The same order

Emily F Davis Pltff
vs
Peter Koontz & admrs Deft } In Case

The same order

Charles Friday Pltff
vs
George W Hogan 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 claimed in the Office is set aside & leave is reserved to the deft to file special pleas

Joseph McKitzer Pltff
vs
George W Adams Deft } In Dower

This day came the parties by their attornies and thereupon came a jury to wit George W Shaver Abner W Jones John Bear George Fawcett Abraham Earman Benj F Armentrout Solomon Hauffman Joseph Rhodes John Leedy Peachy Rice Strother Sheets and Benjamin Glovier who being elected tried and sworn the truth to speak upon the issue joined and having fully heard the evidence & argument of counsel retired from the bar to consider of their verdict and after some time returned into Court & not being able to agree upon a verdict it was ordered that they be discharged and the trial of the issue deferred until the next term

John C Shrinkle Pltff
vs
William Ritchie Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Augustine Armentrout Nathaniel Hook Thomas G Hogan George W Hogan George P Burtner John Bowers John W C Houston John Rhodes Wm Armentrout John Eastham Henry Shacklett and Strother Bright

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

O. C. Sterling

Saturday [redacted] 24th 1866.

Present

O. C. Sterling P.J. Warren T. McGahey and Joseph Funkhouser } Gent Justices

John C Wondson Pltff
vs
Jacob L Silbert &c Deft } In Case

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

A H Brewer Pltff
vs
Same Deft } In Case

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

Strother Bright Pltff
vs
Same Deft } In Case The Same order

John Sowder Pltff
vs
Samuel Fuller's admr Deft } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded that he had fully administered the estate of Samuel Fuller dec'd It is therefore considered that the deft recover against the pltff his costs in this behalf expended and by consent it is ordered that the pltff recover against the deft $45.00 the debt in the declaration mentioned with interest from the 23d day of November 1859 till paid and the costs in the costs in this behalf expended to be levied of the goods and chattels of Samuel Fuller dec'd to come to the hands M J Mayerhoeffer his administrator to be administered

Same Pltff
vs
Same Deft } In Case Ordered that this cause be continued until the next Term

Charles Friedley Pltff
vs
George W Hogan Deft } In Debt The Same order

Jacob Trust surviving partner &c Pltff
vs
B F Richard surviving partner Defdt } In Case

This day came the parties by their attornies and neither party requiring a jury the court proceeded to execute the writ of enquiry in this cause and thereupon the court doth fix the damages to which the pltff is entitled at $159.07 with legal interest from the 24th day of Sept 1860 till paid and the costs in this behalf expended

Grier Atlee & Co Pltffs
vs } In Debt
C A Sprinkel & Defts

On Motion it is ordered that this cause be continued until the next Term

W & C Phillips Pltff
vs } In Case
Wm Minnick Defdt

The Same order

John C Sprinkel Pltff
vs } In Debt
William Ritchie Defdt

This day came the parties by their attornies and the jury summoned impannelled & sworn yesterday appeared in Court in pursuance to their adjournment and having fully heard the evidence in this cause 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 fifty five dollars and thirty seven cents with interest from this date Feby 24th 1866 part of the debt in the declaration mentioned" It is therefore considered that the pltff recover against the deft $55.37 the amount found by the jury aforesaid with legal interest thereon from the 24th day of February 1866 till paid and the costs in this behalf expended

Ordered that the following named persons be allowed the sums affixed to their respective names viz Strother Bright $5.00 Jno C Ralston $2.50 Aug. Armentrout $6.25 Jno Earham $5.00 Charles Tinsley $2.50 Jno S Tinsley $2.50 Isaac N Beery $2.50 William C Carricofe $2.50 Henry Pulse $2.50 N C Beery $2.50 John Rhodes $6.25 Geo Christman $2.50 Wm M Billheimer $2.50 Joseph H Kratzer $2.50 Jas C VanPelt $2.50 George P Buntner $3.75 George B Glover $2.50 Geo F Mayhew $2.50 Patterson Greiner $2.50 Abm Whitmore $2.50 Jno H Beery $2.50 Wm Armentrout $3.75 Geo W Sharer $1.25 A Haines $1.25 Jno Bear $1.25 Geo Faucett $1.25 B F Armentrout $1.25 Abm Earman $1.25 Sol Huffman $1.25 Joseph Rhodes $1.25 Peachy Rice 1.25 Strother Sheets $1.25 Benjamin Glover $1.25 John Seedy 1.25 Noah Flook $2.50 Thos G Logan $2.50 Geo W Logan $2.50 Jno W C Houston $2.50 Hy Shacklett $2.50 and John Bowers $2.50 all of which sums are to be paid by the County of Rockingham

John Conner Pltff
vs } In Debt
David F Sinsenaker &c Defts

This day came the parties by their attornies and the defts by

their attorney tendered a special plea the filing which the pltff objected to. which being arguared. the court doth permit said plea to be filed. to which action & opinion of the Court the pltff by his counsel excepted & tendered his bill of exceptions. which was signed sealed and ordered to be made a part of the record

Eli Miller Pltff } In Debt
v
Joshua R Mires Deft }

This day came the parties by their attornies and the defendant files certain special pleas to which the pltff replies generally

Adam H Fuck Pltff } In Case
v
Joseph H Nave Deft }

This day came the parties by their attornies. and the defendant by his counsel moved the Court to set aside the verdict & judgment rendered in this cause on yesterday, which being argued by counsel and the Court upon mature deliberation refuse to grant a new trice and thereupon the defendant by his counsel offered three bills of exceptions. which were signed sealed and enrolled by the Court and ordered to be made a part of the record

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

Ordered that the Court be adjourned until the next term

O. C. Sterling

At a Court held for Rockingham County at the Court house thereof on Monday the 19th day of March 1866

Present

O C Sterling P J. Wm McCarpenter Peter Paul } Gent
George Weiting & George W Fawley } 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 and ordered to be entered on the minutes as follows to wit

A Deed of Bargain & Sale from Jno F Lewis & others to the Abbott Iron Company of Baltimore City
A Deed of Trust from Charles Brinkley to Wm P Compton In Trust for Geo W Yancey
A Deed of Bargain & Sale from George W Brinkley & wife to Philip Pharis Jr
Same from John H Frank & wife to Same
Same from Philip Pharis Jr & wife to Jacob H Frank
Same from John Garrison & wife to James A & James G Patterson
Same from Robert A Gray & wife to Samuel M Yost
A Deed of Trust from George O Conrad & wife to Charles A Yancey
Same from John W Mellhorn to Theophilus Abt. In Trust for Jno B Ammon &c
A Deed of Bargain & Sale from Elizabeth Long to Lydeon Rosenbarger
A Deed of Trust from Benjamin S VanPelt to Wm M Kuhn In Trust for D Penny & others

for

_____

___ TIME _____ _____

__ OF _____

_____

☐ PLEASE CALL

☐ WILL CALL AGAIN

A Deed of Bargain & Sale from Elizabeth Burkey & others to Gideon Rosenberger & others
" " " " Philip P. Harris & wife to Reubin M. Baker
A Deed Trust from William Loel to Jonas A. Lavenbach in Trust for Coffmans & Bruffy &
A Deed of Bargain & Sale from Archibald Holland & wife to Mary F. Kogler
A Deed of Trust from William Loel to Jonas A. Lavenbach trustee

John Lahman & others Pltff
vs
Martha J. Lahman & others Defts } In Chancery

This cause came on to be heard this day upon the bill and answers of the infant defendants by L.W. Garnett their guardian ad litem, whereupon the argument of counsel being heard, the Court doth order, adjudge and decree that Madison Moore, William M. Carpenter, George Mantz & Cyrus Rhodes be and are hereby appointed commissioners to assign dower to the widow of Adam Lahman dec'd Malinda A. Lahman, and make partition between the children of the said Adam Lahman dec'd and to make report to the next term of this Court, how they have executed this decree

On the motion of Hettie Crawford who made oath thereto according to law, and together with William Crawford her 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, a certificate is granted the said Hettie Crawford for obtaining letters of administration in due form upon the estate of Mary Case dec'd

A Copy of the last will and testament of Lavenia H. Lambert dec'd the original of which was heretofore proved and admitted to record in this Court and the same together with the record thereof having been destroyed it was proved to the satisfaction of the Court by the oaths of Joseph A. Mitchell & Christian Brunk that the paper now presented to the Court is a true copy of said will it is ordered that the same be recorded

Ordered that Abraham Hoover, Abraham Brenneman, Michael Wine and Isaac Shoemaker do appraise the estate of Lavinia H. Lambert and report thereon to the Court according to law

Ordered that Joseph Burkholder, Christian Showalter, Samuel B. Good and John S. Long or any three of them being first duly sworn for that purpose do appraise the estate of Wm. Swartz dec'd and report thereon to the Court according to law

The Last will & testament of John Gibbons dec'd was presented in Court and proved by the oath of Joseph Bryan one of the subscribing witnesses thereto, and it appearing that A.W. Brown the other subscribing witness thereto has departed this life it was proved by the oaths of Allan C. Bryan & Wm. D. Trout that the signature of A.W. Brown to said will is genuine it is ordered that said will be recorded

The Last will & testament of Wilson Wine was presented in Court and proved by the oaths of Wm. C. Armentrout & Reubin M. Grubb two of the subscribing witnesses thereto and ordered to be recorded, and on the motion of Madison Wine the executor therein named who made oath thereto according to law and together with Nathaniel Flook his security

(who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twelve hundred dollars conditioned as the law requires a certificate is granted the said Madison Wise for obtaining a probate of said will in due form

Ordered that Joseph Stern Wm McArmentrout William Dennon & David Flook or any three of them after being first duly sworn for that purpose do appraise the estate of Wilson Wise dec'd and report thereon to the Court according to law

Wm H Harnick Commissioner of the Revenue presented in Court an account against the Commonwealth amounting to $18.00 which being sworn to in Court was examined allowed by the Court and ordered to be certified to the auditor of Public accounts

On the motion of Jacob Harnsberger security for Charles Harnsberger committee for Simeon J Harnsberger it is ordered that the said Charles Harnsberger be summoned to appear here on the 1st day of the next Term to shew cause if any he can why he should not be required to give a new bond as such committee or his powers be revoked

Henry B Jones Pltff
&c Upon a Motion
Wm K Bailey Samuel Coates & Jacob Byrd Defts

Ordered that the defendants be summoned to appear here on the 1st day of the next Term of this Court to shew cause if any they can why the judgment rendered in this cause at the October Term 1860 should not be amended and errors corrected

Present Lewis Wise

Ordered Thomas McBaskerville be allowed the sum of $13.16 which is ordered to be paid out of any funds in the hands of the sheriff belonging to the County not otherwise appropriated

Ordered that a judgment in favour of D Pennybacker for the use &c of George W Flook executor of E Roadcap's estate obtained at the November Term of this Court 1860 be entered upon the present judgment docket by the Clerk and that the fi fa and the return thereof to the 1st Monday in January 1861 of no property found on which to make a levy be entered in the execution book such entries to have the same effect as the original entries which are lost by the distruction of the records of the Clerk's office amount of debt $240.092 cents with interest from the 6th day of Feby 1860 till paid and $6.95 cts the services of the Clerk rendered in these entries to be charged to & paid by the County

On the motion of David Frank who made oath thereto according to law and together with Wm H VanPelt his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $400 - conditioned as the law requires a certificate is granted him for obtaining letters of administration de bonis non upon the estate of Joseph Frank dec'd

Ordered that Peter Keesecker Frederick Keep Henry S Rhodes and Jacob Keesecker or any three of them being first duly sworn for that purpose do appraise the estate of Joseph Frank dec'd and report thereon to the Court according to law

On the motion of Reuben Sanders who made oath thereto according to law & together

with Hugh Swope & Emmanuel Suter his securities (who first 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 him for obtaining letters of administration in due form upon the estate of John Swope dec'd

On the motion of John Mc Minnick who made oath thereto according to law and together with James C Hottzell Isaac B Niswander & Jacob J Frank his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned as the law requires a certificate is granted the said John Mc Minnick for obtaining letters of administration in due form upon the estate of Joseph Mc Minnick dec'd

Ordered that John Swartz Adam Shank John Yeast & Peachy Wine or any three of them being first duly sworn for that purpose do appraise the estate of Joseph Mc Minnick dec'd and report thereon to the Court according to law

Ordered that John C Wenger be appointed proxey to represent the interest of Rockingham County in the meetings of the Manassas Gap Rail Road Company ~~for the next twelve months~~

Ordered that David Frank be appointed guardian for Elizabeth Frank & Priscilla Frank orphans of Joseph Frank dec'd and thereupon the said David Frank appeared in Court and together with Wm C VanKirk his security (entered into and acknowledged a bond in the penalty of Seven hundred dollars conditioned as the law requires

By an instrument of writing Elizabeth Denton who is upwards of 14 years of age made choice of Abraham Carman as her guardian and thereupon the said Abraham Carman appeared in Court and together with Augustine Armentrout his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1000.00 conditioned as the law requires

Upon the petition of S H Lewis & others the viewers heretofore appointed in this cause this day filed their report and upon consideration whereof the Court doth establish said road upon the conditions & terms set forth in said report

The Court doth appoint Adam Shank as guardian for Catharine Shank Jacob Henry Shank Adam Shank & Peter Shank children of Adam Shank who are under the age of 14 years and thereupon the said Adam Shank appeared in Court & together with Adam Thomas and Jacob J Thomas his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of one hundred and fifty dollars conditioned as the law requires

~~On the motion of Brasmwell Mc Rice who made oath thereto according to law and together with~~

The Last will and testament of Wesley Landsman dec'd was presented in Court and proved by the oaths of John Wayne & Benjamin Driver the subscribing witnesses thereto and ordered to be recorded And on the motion of Brasmwell Mc Rice who made oath thereto according to law and together with M J Zirkle & Isaac Wenger his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $1000.00 conditioned as the law requires a certificate is granted him for obtaining letters of administration with the will annexed of Wesley Landsman dec'd

Ordered that John Wayne Benjamin Driver Harvey Yeager Jno Funk & Daniel Frank or any three of them being first sworn for that purpose do appraise the estate of Wesley Landsman dec'd and report thereon to the Court according to law

On the motion of Henry Forren – Wm B Compton is appointed Trustee for the benefit of the Creditors of the Rockingham Turnpike Company in lieu of E A Shands the former Trustee who has departed this life

John C Walker & Charles Lewis who have been duly appointed Notary Publics for this County appeared in Court and entered in bonds with security conditioned as the law requires and thereupon they took the several oaths required by law

Syna A Swank & Louisa V Swank orphans of Joseph Swank who are over the age of 14 years by an instrument of writing made choice of Samuel J Swank as their guardian and thereupon he appeared in Court and together with John C Ralston his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of $700. conditioned as the law requires

William Burkhead who stands charged with a felony appeared in Court in pursuance to his recognizance entered into before this Court and for reasons appearing to the Court it is ordered that his examination be deferred until the next Term and that he be admitted to bail for his appearance in the sum of $500. for himself and the like sum for his security and thereupon the said William Burkhead together with Zachariah Raines & James Burkhead his securities (who justified as to their sufficiency) appeared in Court & acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Wm Burkhead in the sum of $500. and the said Zachariah Raines & James Burkhead jointly in the sum of $500. 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 Wm Burkhead shall make his personal appearance before this Court on the first day of the next Term to answer the felony aforesaid and not to depart thence without the leave of the Court and then this recognizance to be void otherwise to remain in full force and virtue

Commonwealth against Vincent Smith for felony on motion & for reasons appearing to the Court it is ordered that his examination be continued until the next Term

Be it remembered that M J Zirkle B F Zirkle Daniel Fletcher and one Noah Smith 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 chattels lands and tenements and for the use of the Commonwealth Yet upon this condition that they 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 Vincent Smith 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

Joseph F Logan Pltff
vs
Wm C Price & of Jacob Armentrout Deft } upon a Notice
This day came the parties and the deft refusing to give a new bond as admr of Jacob Armentrout it is ordered that his powers as such be revoked and annulled

Ordered that L.W. Gannie & John S. Effinger. & Charles A. Sprinkle & Henry A. &c appraise the estate of Andrew Hauch dec'd & report thereon to the Court according to law

Adam Long Pltff
vs
John Dovel's Exrs Defts
} upon an award

On Motion it is ordered that Adam Long. Noah Marty and Charles McDovel be summoned to appear here on the first day of the next term to shew cause if any they can why the award in this cause shall not be entered up as the judgment of the Court

Emanuel Sipe Pltff
vs
Frederick Hellyard Deft
} upon an award

This day came the parties and thereupon it is ordered that the award filed in this cause be entered up as the judgment of this Court and that the said Sipe recover against the said Frederick Hellyard the sum of $32.27 with interest thereon from the 12th day of March 1860 and the costs in this behalf expended

Jannie E. Long & Hennie E. Long orphans of John Long dec'd who are over the age of 14 years by an instrument of writing made choice of John R. Smale as the Court do appoint him Guardian for Misses J. & Jacob Long orphans of aforesaid who are under 14 years of age their guardian, and thereupon the said John R. Smale appeared in Court & together with Philander Herring his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $10.00 conditioned as the law requires. Ordered that Jacob Heaturwole Hetz Rhodes. Conrad Sanger Jr & Jr Heaturwole do appraise the estate of John Snope dec'd & report thereon to the Court

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

Tuesday March 20 1860

Present
O C Sterling P.J. George McFawley Wm McCarpenter } Gent
Lewis Wolf. Geo Wetting & Peter Paul } Justices

The Commissioners heretofore appointed to assign dower to the widow of Daniel Murry dec'd filed their report and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Patterson Greiner Pltff
vs
James Dove Deft
} Unlawful Detainer

On Motion of the Pltff is is ordered that this cause be dismissed

George R Ergenbright & others Pltff
vs
P H Ergenbright Deft
} In Chancery

This cause came on to be further heard this 20th day of March 1860 upon the papers heretofore filed the proceedings heretofore had and the report of the Commissioners H. E. Sipe. B. J. Thomas Wm B Yancey & R B Heaurich to which no exceptions is taken and the same is hereby adopted and confirmed and said

report is ordered to be recorded in the deed book of this County, as evidence of the title of the parties to this suit, the Court doth further adjudge and ordered that the costs of this suit and expenses of partition be borne and paid ratably by the parties viz one fifth by each

S H Lewis Sr. S H Lewis Jr. W L Baugher Wm H Hendon & J N Haraen who have been duly summoned to appear here to shew cause if any they could why they should not be fined & attached for their contempt in failing to appear at the Feby term last as witnesses on behalf of the Commonwealth against William Burkhead appeared in Court and made their excuse which being deemed reasonable it is ordered that the rule be dismissed

Lydia A M Crary appellant
v.
Adam H Brewer appellee
} upon an appeal from the judgment of justice of the peace

This day came the parties by their attornies and on motion and for reasons appearing to the Court it is ordered this appeal be dismissed and that the appellee recover against the appellant & W Gamble her security the costs by him in this behalf expended

Ordered that George H Chrisman & Jacob N Liggett be appointed proxies to represent the interest of this County in the meetings of the Manassas Gap Railroad Company, in addition to Jno L Woodson appointed on yesterday any one of the three may act as such proxey & their act or the act of either of them in such meeting

Absent O C Sterling

[redacted] As a Shifflett who stands charged with a felony by appearing in Court & pursuing to his recognizance hath committed and after hearing the evidence of the Commonwealth & of prisoner in the Court it appears that no felony has been committed by the prisoner it is ordered that the prisoner be discharged and acquitted of the said offence

Ordered that the Court be adjourned until the next term

O. C. Sterling

In the Clerk's Office of the County Court of Rockingham April 9th 1866

Abraham Beery — Pltff
vs
Henry Neff committee for Christian Beery — Deft
} In Debt

This day the defendant Henry Neff committee for Christian Beery appeared in the Office aforesaid and confessed judgment for $1240.00 the debt in the declaration mentioned with legal interest thereon from the 1st day of January 1866 till paid and costs

It is therefore considered that the pltff recover against the deft the sum of $1240.00 the debt aforesaid with legal interest thereon from the 1st day of January 1866 till paid and the costs in this behalf expended

Teste

Wm D Trout DC

In the Clerk's Office aforesaid April 10th 1866

Charles A Yancey admr de bonis non of
Wm B Yancey dec'd (use of George Bruffy's admrs) — Pltff
vs
Edward S Yancey — Deft
} In Debt

This day the defendant appeared in the Office aforesaid and confessed judgment for two hundred and forty seven dollars with legal interest thereon from the 25th day of December 1859 till paid and costs

It is therefore considered that the plaintiff recover against the defendant the said sum of $247.00 with legal interest thereon from the 25th day of December 1859 till paid and the costs in this behalf expended

Teste

Wm D Trout DC

At a Court held for Rockingham County at the Court House thereof on Monday the 16th day of April 1866

Present

O C Sterling PJ, Lewis Will, George W Fawley, George Wittig, Peter Paul — Gent 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 March last which being seen and inspected by the Court is ordered to be entered on the minutes as follows. viz

A Deed of Bargain & Sale from S W Gamble's Clerk to R M White
Same from Wm H Jordan & wife to Joseph Miller
Same from John B Amiss & wife to S P H & G H Miller
Same from R M Kyle & Co's to D H Sanders
Same from James Kenney Trustee to Sowenbach & Bro's
Same from Henry Mell & wife to John Hasklanger
Same from John A Meinpiece & wife to Anthony Rhodes Jr
Same from David Link & wife to the heirs of Eliza H Henry
Same from Jeremiah Harnsberger & wife to S P H & J G & H Miller
Same from George W Miller & wife to Same
A Mortgage from S P H Miller & wife & to Shipsmith Wilmer

A Deed of Bargain & Sale from Noah Landes trustee &c to John Kelly
Same from Wm C Price & wife to Samuel R Sterling
Same from Same to Philip Pharis Jr
Same from Jr Byerly's ex'or &c to John Miller
Same from P Herring & wife &c to John K Coudy
Same from John Silbert & wife to Same
Same from Abel Dove to M Mentzig &c Trustees for Church
Same from P Herring & wife &c to Samuel T Fishback
Same from Wm A Hogshead & wife to Linenweaver & Swope
Same from Wm M K Foley & wife to Elizabeth Foley
Same from Daniel Huffman to John H Dunnivant
Same from Wm Bear & wife to Harvey Smith
Same from Peter Hartman & wife to Same
Same from Jr Byerly's ex'or &c to Joseph Miller
Same from Asa Shiflett to Henry Kyger
Same from John C Long & wife to Anthony Hochman
Same from Wm Peter & wife to Samuel Rice & trustees for Church
Same from Joseph Mauzy & wife to W K Mauzy
Same from James Kenney trustee to A T C Sprinkel
Same from Same to L J C Hott
Same from D Pennybacker & wife to John H Watts
Same from John H Watts & wife to G I Barbee
Same from J M Johnson & wife to A H Johnson
Same from A B Buck & wife to Jno Riswanger
Same from Jno M Laugh & wife to Ephraim Menger
Same from E S Mitchell to Jacob Reedy
Same from Jr Byerly's ex'or &c to George M Berlin
Same from Augustus Rice to A Feuchtenberger
Same from Benjamin Harlin & wife to Jno Stokes
Same from Samuel C Long & wife to Same
Same from Jacob Shank & wife to Christian Shank

On Motion the order confirming the settlement of the estate of Jacob Hannelberger is set aside and the settlement is recommitted to the Commissioner

A Copy of the last will and testament of Henry Billheimer dec'd attested by the Clerk of this Court, was presented in Court and ordered to be recorded

On the motion of J W Fisher, and it appearing to the Court that more than three months have elapsed since the death of John Long and no person having applied for administration upon his estate, it is ordered that his estate be committed to the Sheriff of this County for administration according to law

The Court doth appoint Mary C Taliaferro guardian for Lucy, Eddie, Lizzie, Thomas and Fountain Taliaferro infant children of Fountain H Taliaferro dec'd who are under the age of 14 years and thereupon the said Mary C Taliaferro appeared in Court and together with Wm B Yancey her security (approved by the Court to his sufficiency) entered into and acknowledged a bond in the penalty of $6000 00 conditioned as the law requires

On the motion of John D Scott one of the securities of John Kontz as administrator of Jotan Kontz dec'd it is ordered that the said John Kontz 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 or have power as such admr. shall not be revoked and annulled

Ordered that John D Heaturle be appointed surveyor of precinct No 65

Ordered that Solomon Dean be appointed Surveyor of precinct No 42

Jacob Harnsberger Pltff
Charles W Harnsberger Deft } upon a motion

This day came the parties by their attornies and the defendant refused to execute a new bond as Committee for Simeon J Harnsberger it is therefore ordered that his power and authority as such committee be revoked and annulled

Huston Handy who has been duly licensed to practice as an attorney at law appeared in Court and on his motion is permitted to practise in this Court and took the oath required by law

On motion and it appearing to the Court that more than three months having elapsed since the death of Frederick Hummel and no one having applied for administration on his estate it is ordered that the estate of said Frederick Hummel be committed to the Sheriff of this County for administration with the will annexed

Ordered that Edward S Kemper. Robert M Money. Harvey Wine. William W Hooke be appointed Commissioners to assign dower to Rebecca Feller in the lands of her late husband Samuel Feller dec'd and report thereon to the Court according to law

On the motion of William H Buntner who made oath thereto according to law and together with Solomon P Buntner & George P Buntner his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires a certificate is granted the said William H Buntner for obtaining letters of administration in due form upon the estate of Margaret Buntner dec'd

Ordered that Abraham Paul. Abraham Sager Joseph Coffman & Joel Flory or any three of them being first duly sworn for that purpose do appraise the estate of Margaret Buntner dec'd and report thereon to the Court according to law

Ordered that Joseph Funkhouser be appointed guardian for Charles & Nicholas orphan of Charles William P Nicholas dec'd who is under the age of 14 years and thereupon the said Joseph Funkhouser appeared in Court and together with Abraham Earman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned as the law requires

The Last will and testament of Joseph Wine dec'd was presented in Court and

proved by the oaths of Geo C Everding and E W Jones two of the subscribing witnesses thereto and ordered to be recorded. and Henry A Beam the executor named in said will having refused to take upon himself the burthen of the execution of said will. on the motion of Sally Wine who made oath thereto according to law and together with Jacob Byerly. John Wine. Henry A Beam & E W Jones her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires. a certificate is granted her for obtaining letters of administration with the will annexed upon the estate of Joseph Wine dec'd

Ordered that John Hedrick. E W Jones & Samuel Chandler after being first duly sworn for that purpose do appraise the estate of Joseph Wine dec'd and report thereon to the Court according to law

The Court doth appoint Charles A Yancey guardian for David C Lincoln orphan of Preston Lincoln who is under the age of 14 years and thereupon the said Charles A Yancey appeared in Court and together with S H Moffett & J M Liggett his securities entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires

Ordered that the following judgments heretofore rendered in this Court be entered upon the minutes of this Court and placed upon the judgment docket of this Court the original papers having been destroyed viz J C Morrison (use of M Harvey Effinger) vs Sunsfield see judgment at the February Term 1859 for $130.00 Debt Interest from the 16th day of January 1858 till paid and costs $6.31 Royer & Miller (use of Effinger & Bro) vs Gasner Mesick Debt $51.[illegible] with interest from the 1st day of January 1860 and costs $6.71 Fi fa Aug 1860
W A Harper & Co vs W J McGahey judgment confessed on the 4th day of March 1856 for $246.[illegible] with interest from the 4th day of March 1856 till paid paid and costs $4.81
Harper & Baldwin vs James M Dovel judgment at February Term 1859 for $102.[illegible], interest from the 4th day of March 1857 till paid and costs $7.74
B F Rickard surviving partner of the late firm of Houck & Rickard use of C A Baldwin & Co vs Philip Cole judgment rendered at the Feby Term 1863 for $236.[illegible] Debt Interest from the 29th day of April 1861 & $7.[illegible] costs.

On Motion of Thomas K Miller who made oath thereto according to law and together with Wm S Miller his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of Sixteen thousand dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Ann Miller dec'd

Ordered that Asher Argenbright. Adam Beer. Hiram Kite & Henry Miller or any three of them being first duly sworn for that purpose do appraise the estate of Ann Miller dec'd and report thereon to the Court according to law

Ordered that Joseph Raish be exempted from the payment of County and Parish levies

Wm W Hooke & others plaintiff
vs
Lucy Jane Williams Defendant } In Chancery

This cause came on by consent of parties to be heard this 16th day of April 1866 upon the bill and answer of the defendant by her guardian ad litem and in person whereupon the argument of counsel being heard the Court doth adjudge order and decree that Edward S Kemper Joseph Beery Harvey Wise and Joseph Altaffer any three of whom may act are appointed Commissioners to make partition of the tract of land of 94 or 95 acres in the bill mentioned which had been assigned as the dower of Robert Hooke's widow into seven shares as nearly equal in value as may be practicable and the said shares distribute by lot among the six original heirs and the grand daughter and said commissioners will make report to the Court at its next term

Samuel W Pollock who has been duly elected Sergeant of the Corporation of the Town of Harrisonburg and as such a constable for said Corporation for the term of one year ending on the 1st day of April 1867 and after said term shall have expired until his successor is qualified to enter upon the discharge of the duties of his office. appeared in Court and together with David R Coffman and Jason N Bruffy 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. and thereupon the said Samuel W Pollock took the several oaths required by law

George R Derrow orphan of John Derrow dec'd who is upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Nathaniel Flook as his guardian, and thereupon the said Nathaniel Flook appeared in Court and together with Henry Derrow his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Seven hundred dollars conditioned as the law requires which bond is ordered to be recorded

Upon the application of George Riser. George F Funkhouser & G H Dinges, setting forth that they propose to build a mill upon their lands upon Cook's Creek in Rockingham County a wool Manufactory useful to the public and to erect a dam across said Creek about ten feet high for the use of the said Factory which dam may cause the overflow of the lands of other persons on the motion of the applicants it is ordered that a writ of ad quod damnum be awarded them to be directed to the Sheriff of this County and to be executed on the 21 day of April 1866 and made returnable here on the first day of the next Term

Present

Wm W Carpenter. Wm S Miller. Henry Beery
Jackson Kaufman. B M Rice. J J Bowman. E S Kemper. Wm
Lawler. D Herring. M Moore. G Rosenberger. G S Christie
W G McGahey. Wm C Hudson. Wm S Showalter. James A
Harden. Wm McK Wartmann. J S Roller. Martin Garber
P S Roller. Isaac Wright. Thomas Moore Jr. Funkhouser
Wm Board

On Motion it is ordered that the fence law be abolished and the provisions of

acts of the last general assembly of Virginia be enforced for seven months from this date over so much of the third magesterial district embraced in the following bounaries beginning on the Valley Turnpike two miles north of Mt Crawford and to extend one mile on each side of said Turnpike and to terminate at the Augusta line

Upon the application of Wm H Weesche, Wm Shewalter, Andrew J Wall, John G Cootes B S VanPelt Michael McLee
who have paid the tax imposed by law a license is granted them to keep Public Ordinaries in this County until the first day of May 1867 the Court being satisfied that they are persons of good character not addicted to drinking or gaming and will properly keep houses useful orderly and such as the law requires

On the Motion of Isaac Pawlsons
who have paid the tax imposed by law license is granted them to sell by retail (not to be drank at the place where sold) ardent Spirits at their store in this County, the Court being of opinion that the applicants are persons of good character and that their store house is a proper place to retail ardent Spirits

Ordered that John McDonaldson be exempted from the payment of the County & parish levies

Henry McDorman Pltff
vs
Wm Brown &c Deft } Unlawful Detainer

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

John Evers' adm'r Pltffs
vs
Saml Whitmore &c Defts } In Chancery
Same Pltff
Same Defts } These causes came on together to be finally heard this 11th day of April 1866 whereupon the Court doth order adjudge and decree that the sale made of the two tracts of land in the bill mentioned be confirmed and that the deed to Samuel Carpenter for the 258½ acre tract is approved and that the deed to John Evers for one hundred acres is likewise approved and both deeds ordered to be recorded

On the motion of William S Miller who made oath thereto according to law and together with A B Rick his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twelve thousand dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration de bonis non with the will annexed of John Gibbons dec'd

Ordered that Zebulon D Gilmore Dr T N Sellers Robert L Yancey & Henry Harnsberger Sr or any three of them being first duly sworn for that purpose do appraise the estate of John Gibbons dec'd and report thereon to the Court according to law

Absent all the Justices except
O C Sterling P J Wm W Carpenter Lewis Wise } Gent
Joseph Burkhouser George Wittig } Justices

Jacob N Cowen administrator with the will annexed of John Allebaugh deceased this day filed his petition setting forth that Sarah Allebaugh widow of John Allebaugh Mary Williams and Caroline Kite widowed daughters of said John Allebaugh and Jane and Josephine Allebaugh unmarried daughters of said John Allebaugh are dependant for support mainly upon the principal and interest of certain debts specified in said petition and the Court being satisfied that the facts set forth in said petition are true. It is ordered the Commissioner Wartmann proceed to ascertain and report to this Court what amount is necessary for the support of said females what amount each debtor to the estate of said John Allebaugh should pay specifying the whole upon them natably and whether the sum specified upon each shall be of the principal or interest of their indebtedness

Fannie E Lincoln late ward of Jacob Lincoln and also heir of Mary E Lincoln this day filed her petition setting forth that she is an unmarried woman and is mainly dependant for her support upon the principal and interest ~~to the~~ of the amount in the hands of the representative of her late guardian Jacob Lincoln and her interest in the estate of Mary E Lincoln dec'd and the Court being satisfied that the statements made in said petition are true. It is ordered that Commissioner Wartmann proceed to ascertain and report to this Court what amount is necessary for the support of the said Fannie E Lincoln. what amount each debtor to her shall pay specifying the whole upon them natably and whether the sum specified upon each shall be of the principal or interest of their indebtedness

Charles A Yancey Guardian for David F Lincoln this day filed his petition setting forth that the said David F Lincoln was formely the ward of B F Lincoln now deceased that there is a considerable sum of money due the said ward from the personal representatives of said B F Lincoln and that his said ward is mainly dependant for his support upon the principal and interest of said fund and the Court being satisfied that the statement made in said petition is true. It is ordered the Commissioner Wartmann proceed to ascertain and report to this Court what amount is necessary for the support of the said David F Lincoln, and whether the sum specified upon each shall be of principal or interest of the amount due from the estate of said B F Lincoln

William Burkhead who stands Charged with a felony by him committed in this that he did on the 28th day of February 1863 in the County of Rockingham unlawfully maliciously and feloniously shoot Jonathan Bateman with intent to disfigure maim disable and kill him the said Jonathan Bateman ~~appeared~~ appeared in Court in pursuance to his recognizance entered into before this Court at its last term and the Court not having time to hear all the evidence the further examination of the prisoner is continued until to morrow

George W May Kate Randol Andrew J Sigler Harriet Randol & Jonathan Bateman Jr who have been duly summoned to appear here as witnesses on behalf of the Commonwealth against William Burkhead being solemnly called

and not appearing it is ordered that they be summoned to appear here on to morrow to shew cause if any they can why they shall not be fined and attached for their said contempt

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

O. C. Sterling

Tuesday April 17th 1866

Present

O C Sterling P.J. Wm M Carpenter Lewis Wells } Gent
Joseph Funkhouser George M Yancey } Justices

Ordered that Lewis Argabright be appointed surveyor of precinct No 14

Ordered that the Commissioners of the revenue for this County in pursuance to the provisions of the act of the General Assembly of Virginia entitled an "act imposing a tax on Dogs passed" February 3d 1863 proceed to ascertain the number of dogs owned by each person in the County giving the name of the owners and report to the June Court next

William Burkhead who stands charged with a felony by him committed in this that he did on the 28th day of February 1863 in the County of Rockingham unlawfully maliciously and feloniously shoot Jonathan Bateman with intent to disfigure maim disable and kill the said Jonathan Bateman this day again appeared in Court and sundry witnesses being sworn and examined the Court upon mature deliberation are of opinion that the prisoner is not guilty of the felony of which he stands charged it is therefore ordered that the said William Burkhead be acquitted and discharged of the felony aforesaid

Mary C Kyle widow of Robert M Kyle dec'd this day filed her petition setting forth that her late husband Robert M Kyle dec'd left a will the provisions of which as to her she renounced and took such portion as the law allowed her and that a considerable portion of said Robert M Kyle's estate consists of bonds & debts due her late husband and that she is mainly dependant for her support upon the principal and interest of the debts due her late husband and the Court being satisfied that the statements made in said petition are true It is ordered the Comr Wartmann proceed to ascertain and report to this Court what amount is necessary for the support of the said Mary C Kyle what amount each debtor shall pay and whether the sum aforesaid shall be of principal or interest of the indebtedness of the parties mentioned in her petition

upon the petition

A S W & P Byrd executors of the last will and testament of Robert M Kyle setting forth that they as executors of said Kyle are required to pay to Catharine Turley the interest on the sum of two thousand dollars and that the said Catharine Turley is mainly dependant for her support upon the said interest and that there are debts due the estate of the said R M Kyle and the Court being satisfied that the statements made in said petition are true It is ordered that Comr Wartmann proceed to ascertain and report to this Court what amount is necessary for the support of the said Catharine Turley what amount each debtor shall pay and whether the sums aforesaid upon each shall be of the principal or interest of their indebtedness

Vincent Smith (a freedman) who stands charged with a felony by him committed in this that he did on the ___ day of January 1866 in the County of Rockingham feloniously take steal and carry away from the store house of Michael J Zirkle 1 pair of shoes of the value of five dollars and fifty cents 1 pair pants of the value of eleven dollars. 1 wool shirt of the value of four dollars & fifty cents 1 cloth coat of the value of thirteen dollars one necktie of the value of forty cents. of the goods and chattles of Michael J Zirkle. was led to the bar in custody of the Sheriff and sundry witnesses being sworn and examined. and the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith it is therefore ordered that the prisoner be remanded for trial before the Circuit Court of this County on the first day of the next Term and thereupon the prisoner was remanded to jail

Be it remembered that Noah Smith (Negro) and Isaac Wenger 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 they shall make personal appearance before the Circuit Court of this County to give evidence on behalf of the Commonwealth against Vincent Smith on the first day of the next Term thereof. 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

Samuel Shacklett Plff
vs
Harvey Ammentrout Deft
} Upon a writ of Unlawful Detainer

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed and that the pltff recover against the deft the costs by him in this behalf expended

Jacob P Effinger Pltff
vs
Elijah Falls Deft
} Unlawful Detainer

This day came the pltff by his attorney and the defendant failing to appear and thereupon came a jury to wit A J Nicholas. Wm C Kavanaugh. A S Byrd John M Huffman. R A Stephens. Charles Chandler. Wm White. Joseph Rhodes J W Zirkle A H Brewer S Blair Kyle and Wm L Evans who being elected tried and sworn to ascertain whether the deft withholds the possession of the property in controversy against the consent of the pltff and having heard the evidence upon their oaths do say "We the jury find for the plaintiff the premises in question." It is therefore considered that the pltff recover against the deft the possession of the property mentioned in the writ and the costs in this behalf expended

Harriett Effinger Pltff
vs
Richard P Fletcher Deft
} Unlawful Detainer

This day came as well the pltff by his attorney as the deft by his attorney who pleaded Not Guilty. and thereupon came a jury to wit Abner J Nicholas Wm C Kavanaugh Jno Huffman A S Byrd R A Stephens Charles Chandler Wm White Joseph Rhodes J W Zirkle A H Brewer S Blair Kyle & Wm L Evans 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 not having time to agree upon their verdict were adjourned until to morrow morning at 10 O'Clock

Ordered that the Court be adjourned until to morrow morning at 10 o'Clock &c

O. C. Sterling

Wednesday April 18th 1866

Present

O C Sterling P.J. Joseph Trunkhouser. Geo W Fawley } Gent
Wm M Carpenter & Lewis Mill & Geo Whiting } Justices

Ordered that at an election to be held on the 4th Thursday in May next for a Sheriff and constables for the several districts in this County that the same Commissioners and officers appointed to superintend the last general election do superintend the said election for Sheriff & Constables

Mary Lincoln Pltff
v
Pennybacker Deft } Upon a Mention

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

Under the act of the General Assembly of Virginia, entitled "an act to Reorganize the Militia" passed March 2d 1866. the Court doth appoint the following named persons to conduct the election of company officers in their respective regiments. viz for the 58 Regiment Joseph H Kite. Wm A Mauzy and John Carpenter for the 116 Regiment John E Dovel. I F Brammer & O P Horn and for the 145 Regiment Barry G Patterson ~~Graham L Boyd~~ Archibald Taylor & George Chrisman Jr

Samuel Swank Pltff
v
Isaac A Bushong & others Defts } In Chancery

On the motion of plaintiff. Mary E C Bushong. Henry T Bushong. Isaac A Bushong. Luther D Bushong Emily Bushong. John S Bushong. James A Bushong Sarah A Bushong. Charles L Bushong and Joseph Bushong infant children of Isaac A Bushong and Sarah his wife. are made defendants in this cause and L W Gamble is assigned as guardian ad litem to them. who thereupon filed their answer. to which the plaintiff replied generally. and on the further motion of the plaintiff Wm D Fontaine assigned as guardian ad litem to the infant defendants Lydia F & Louisa V Swank and filed their answer to which the plaintiff replied generally. and thereupon this cause came on to be heard. this 18th day of April in the year 1866. upon the bill & exhibits the answers of Noah Beery and wife and Isaac A Bushong and Sarah Bushong his wife. and of the infant defendants the children of Isaac A Bushong and wife. and of the testator Joseph Swank. by their guardians ad litem this day assigned them. with replications to said answers and it appearing to the Court that the summons awarded in this cause has been returned executed upon all the other defendants more than two months. the bill as to them is taken for confessed Whereupon the argument of counsel being heard. upon consideration thereof the Court

doth adjudge order and decree that William R Hopkins. John H Ralston Sr. George H Chrisman John Funk and Peter Swank who are hereby appointed Commissioners for that purpose. or any three of them do proceed to make partition of the 200 acres of land in the bill mentioned and allot and assign to the plaintiff Samuel Swank two ninths thereof being his own and the share of Joseph Swank. and two ninths to the two infant defts. Lydia J. and Louisa V Swank adjoining the pltffs share of two ninths if in the judgment of the commissioners it can be done without prejudice to the rights of others. and assign one ninth each to Peter Beery wife & Noah Beery wife adjoining each other if the same can be done without injustice to others the said Peter Beery having purchased the share of Noah Beery wife and said Commissioners will make partition of the remaining three shares of one ninth each if required by the parties giving 1/9th to the said Sarah Bushong and her children. 1/9 to John H Ralston and wife. and 1/9th to John Swank. and report to this Court at its next term

Harriett Effinger Pltff
vs
Richard P Fletcher Deft } Unlawful Detainer

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 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 upon their verdict were discharged. and the trial of the issue deferred until the next term

David H Landes Pltff
v
David Landes Deft } Unlawful Detainer

This day came the parties by their attorney and the deft by his attorney pleaded "not guilty" to which the pltff replied generally and thereupon came a jury to wit Jno A Earman Thomas Swanson. Gideon Kratzer. Charles A Sprinkel. George W Logan. Peachy Rice Theophilus Ott. Jacob P Effinger. Patterson Greiner. D M Huffman. Jonas Reid and Strother Sheets who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel upon their oaths do say. "We the jury find for the plaintiff the premises mentioned in the writ" It is therefore considered that the pltff recover against the Deft the premises aforesaid and the costs by the pltff in this behalf expended

Joseph P Hyde Pltff
vs
Emsy Ann Riddlesbarger Deft } Unlawful Detainer

This day came the parties by their attorney and the defendant by her attorney pleaded "Not Guilty" to which pltff replied generally and thereupon came a jury to wit John A Earman. Thomas Swanson. Gideon Kratzer. Charles A Sprinkel. George W Logan. Peachy Rice. Theophilus Ott. J P Effinger. Patterson Greiner. D M Huffman. Jonas Reid and Strother Sheets who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence ~~retired from the bar~~ upon their oaths do say "We the jury find for the plaintiff the premises mentioned in the writ" It is therefore considered that the pltff recover against the deft the premises aforesaid and the costs in this behalf expended.

Absent O C Sterling & Joseph Funkhouser Gent Justices

George K Gilmer who has been duly appointed a Notary Public for Rockingham County appeared in Court & together with Samuel R Sterling his security entered into and acknowledged a bond in the penalty of $2500 conditioned as the law requires. Whereupon the said George K Gilmer took the several oaths required by law

R M Kyle's ex'tors Appellant
vs
Hill & Triplett Appellee's } Upon an appeal from the judgment of a justice of the peace

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 no error in the judgment aforesaid it is therefore considered that the appelees recover against the appellants $25.00 with legal interest thereon from the 1st day of November 1861 and $4.60 cents expended before the said justice and also the costs in this behalf expended

R M Kyle's ex'tors appellant
vs
Wm O'Hill appelee } Upon an appeal from the judgment of a justice of the peace

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 no error in the judgment of the justice aforesaid it is therefore considered that the same be confirmed and that the said Wm O'Hill recover against Robert M Kyle's ex'tors the sum of $13.50 with legal interest thereon from the 1st day of April 1862 and $3.10 costs expended before the said justice and the costs in this behalf expended

W C Sherman & others Pltffs
vs
John W Meehan & others Defts } In Chancery

On the motion of Wm F Levin & wife and Mrs Woolfe leave is granted them to re-examine Thomas Miller & Mrs Woolfe & G W Mauzy witnesses heretofore examined in this case

Present O C Sterling & Joseph Funkhouser Gent Justices

Jonas Reed appellant
vs
Richard A Stephens appellee } Upon an appeal from the judgment of justice of the peace

This day came the parties by their attornies and on motion and for reasons appearing to the Court it is ordered that A H Brewer Gideon Reid & Robert Phillips be made parties to this suit as the joint partners of Jonas Reid and the Court not having time to fully hear the case it is continued until to-morrow.

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

C C Sterling

Thursday April 19th 1866

Present

O.H. Sterling P.J. George W. Fawley Joseph Funkhouser } Gent
Wm W. Carpenter George Wittig } Justices

Jonas Reid & others appellants
vs
Richard A. Stephens appellee } Upon an appeal from the judgment of a justice of the peace

This day came again the parities by their attornies. and the Court having fully heard the parties upon mature deliberation are of opinion that there is no error in the judgment aforesaid. it is therefore considered that the said appeal be dismissed. and that the appellee recover against the appellants and their security the costs by the appellee in this behalf expended.

Coffmans & Bruffy Pltff
vs
Rosenbaum & Loab Deft } Upon an attachment

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

Ordered that the Court be adjourned until the next term.

O. H. Sterling

At a Court held for Rockingham County at the Court-House thereof on Monday the 21st day of May 1866

Present

O H Sterling P.J. E S Kemper Joseph H Funkhouser & Gideon Rosenberger } Gent Justices

The Clerk of this Court presented in Court a list of Deeds and other writings admitted to record in the Clerk's office of this Court 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 M Lowenbach to Peter Wright
Same from Eleanor Heise to Mathias M Miller
Same from Noah Pence & wife to Jacob Grim
Same from George W Yancey & wife to Joseph D Price &c
Same from James B McGill & wife Joseph S Huffman
Same from John Evers & others to Samuel Carpenter
Same from Wm H Harrison & wife to James S Lowman
Same from Jenetta E Conrad & others to Wm Ott
Same from George Miller & wife to Adam Baker
Same from John Senger Atty &c to Madison Roadcap
Same from Silas Shelton & wife to Noah Landes
Same from Wm G Thompson to Alex Holsinger Jr
Same from Jennetta E Conrad & others to H H Strayer
Same from Daniel Kesler & wife to John T Greene &c
Same from Philip Pharis Jr & wife &c to Same

A Deed of Bargain & Sale from Wm F Sadler &c to Jos D Price & Philip Pharis Jr
Same from Jacob L Sibert to T J Offett
Same from J R Stevens wife to Wm A Conrad
Same from Wm A Conrad to Edward Sullivan
The renunciation of Elizabeth Burner of the provisions of Wm Burner's will
A Deed of Trust from Wm Evans to J D Riley In Trust for John Roche
A Deed of Bargain & Sale from Richard Robinson to Wm H Robinson
Same from David S Maupin wife to Alm L & Dorcas S Maupin

A Settlement of the estate of Joseph Funk dec'd was presented in Court and 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 Hugh Dever dec'd.
The same order

On the application of J A Coffman who has paid the tax imposed by Law a license is granted him to vend by retail ardent Spirits at his store in Harrisonburg the Court being satisfied that he is a person of good character not addicted to drinking or gaming and that his store is a suitable place to retail ardent Spirits

Joseph Holcomb this day produced in Court credentials of his ordination and also of his being in regular communion with the Church called the United Brethren in Christ took the oath of allegiance to the Commonwealth and entered into a bond as required by law regulating the solemnizing of Marriages according to the form and customs of said Church between any persons to him regularly applying therefor within this State

Upon the petition of J A Coffman for an alteration of a public road in this County ordered that the said petition be referred David Armentrout Emanuel Rhodes John W Houston and John Niswander or any three of them being first duly sworn for that purpose do act and report upon the said petition according to law

Ordered that Col H B Martz Samuel H Newham & H H Bowman be appointed Commissioners in the place of Jno E Dove J J Brown & O P Hoan who refuse to act. to reorganize the Militia of the 116 Regiment under the act passed March 2d 1864

Upon the application of George W Stanley who wishes to vend religious books in this County it is ordered that the Commissioner of revenue grant him license for that purpose and that said Commissioner assess him with a nominal tax

Catharine Burkholder David Burkholder & Abraham Burkholder orphans of David Burkholder dec'd who are upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Noah E Wenger as their guardian & thereupon the said Noah E Wenger appeared in Court and together with Benjamin Wenger his security (who justified as to his sufficiency) entered into & acknowledged

a bond in the penalty of three thousand dollars conditioned as the law requires

Upon the petition of Levi Sager for a road the petitioners this filed their petition and on their motion the same is referred to John Fawley John L Biller and Harrison Smith to locate and report on according to law

The last will and testament of Alexander Holsinger dec'd was presented in Court and proved by the oaths of Uriel Vaughn & William McInturff two of the subscribing witnesses thereto and ordered to be recorded and there being no executor appointed by said will on the motion of William G Thompson who made oath thereto according to law and together with John J Bowman Lewis Mill & Giles Driver his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires a certificate is granted the said Wm G Thompson for obtaining letters of administration with the will annexed of said Alexander Holsinger dec'd in due form

Ordered that David Driver Martin Wampler Samuel Wampler Jr and Daniel Zigler or any three of them being first duly sworn for that purpose do appraise the estate of Alexander Holsinger dec'd and report thereon to the Court according to law

On the Motion of the heirs of Henry Derrow dec'd it is ordered that Geo W Yancey David Flook and Madison Moore after being first duly sworn for that purpose do assign dower to Julia Ann Derrow in the real estate of her late husband Henry Derrow dec'd and report thereon to the Court according to law

A Copy of the last will & testament of Ann J Jones was presented in Court and the Court being satisfied from the evidence of G M Effinger that it is a true copy of the said will it is ordered that the same be admitted to record and it appearing to Court from an instrument of writing that Rhesa Williams the executor therein named refuses to take upon himself the burthen of the execution of said will and on the motion of Levin T Jones who made oath thereto according to law and together with G M Effinger his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of six thousand dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form with the will annexed of the said Ann J Jones dec'd

On the Motion of Thos Bowman who made oath thereto according to law and together with John Albright & Samuel Chandler 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 him for obtaining letters of administration in due form upon the estate of William Earman dec'd

Ordered that George Bowman Elijah Huffman and John Dillard after being first duly sworn for that purpose do appraise the estate of Wm Earman dec'd and report thereon to the Court according to law

The Court doth appoint Nathaniel Flook Guardian for Elizabeth M Derrow orphan of Robert Derrow dec'd and thereupon the said Nathaniel Flook appeared in Court and together with

Reubin Sellers his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty Two thousand dollars conditioned as the law requires

On the motion of Jacob Lincoln & Abraham B Lincoln who made oath thereto according to law and together with Jacob N Cowen and Reubin Sellers and Benjamin F Armentrout (who justified as to their 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 Jacob Lincoln & Abraham B Lincoln for obtaining letters of administration with the will annexed of Benjamin F Lincoln dec^{d} in due form

Ordered that Madison Moore Reubin Sellers James White & Simon B Summers or any three of them being first duly sworn for that purpose do appraise the estate of Benjamin F Lincoln dec^{d} and report thereon to the Court according to law

On the Motion of Thos G Mauzy and it appearing to the Court that more than three months having elapsed since the death of Edward F Williams and no person having applied for administration upon his estate, it is ordered that the estate of the said Edward F Williams be committed to the Sheriff of this County for administration according to law

On Motion it is ordered that Charles A Yancey be appointed committee for Simeon J Harnsberger in the place of Col W Harnsberger removed and thereupon the said Charles A Yancey appeared in Court and together with Jacob R Liggett his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars conditioned as the law requires

Ordered that Robert Bowman Charles A Sprinkel Theophilus Ott Samuel A Coffman & M D Coffman or any three of them being first duly sworn for that purpose do appraise the estate of Simeon J Harnsberger and report thereon to the Court according to law

Jacob Rohr Overseer of the poor for the 6th Magisterial District of this County by an instrument of writing resigned his office which resignation is ordered to be entered of record

Ordered that Garrard McDonald & John L Berry be exempted from County & Parish Services

Upon the petition of John Scanlon who has paid the tax imposed by law a license is granted him to keep a Public Ordinary in the town of Harrisonburg the Court being satisfied that the said Scanlon is a man of good character not addicted to gaming & drinking and that he will probably keep a house orderly and useful and such as the law requires

Upon the application of John Scanlon who has paid the tax imposed by law to enable him to retail ardent Spirits at his house in the town of Harrisonburg the Court doth certify that the said John Scanlon is a man of good character not addicted to drinking or gaming and that his house is a proper place to retail ardent

Joseph H Roach Pltff
vs
Anthony Rhodes & Deft } Upon a suggestion
It appearing from the examination in Court that the defts are not indebted to Joseph H Rose it is therefore ordered that this cause be dismissed

The Court doth appoint George W. Adams guardian for Nancy Flick orphan of James H. Flick dec'd and thereupon the said George W. Adams appeared in Court and together with B. M. Rice 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

Solomon P. Reamer Jailor of this County presented in Court an account against the Commonwealth amounting to $55.50 which being sworn to in Court was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

D. S. Rench Pltff
vs
Peter W. Roudabush Deft
} Upon an award

On the motion of the pltff it is ordered that the deft be summoned to appear here on Wednesday next to shew cause if any he can why the award filed in this cause shall not be entered up as the judgment of the Court

This day came George Riddle who alleges that he is aggrieved by an entry in the land book made H. A. Chrisman Commissioner of the revenue for the 2d District for this County in the year 1865 whereby he is charged with $ taxes for the year 1865 on a tract of land containing acres described as lying and thereupon the said George Riddle moved the Court to exonerate him from the payment of $ which motion was defended by Wm. H. Effinger the attorney for the Commonwealth for this County and the said H. A. Chrisman the Commissioner who made the assessment was examined as a witness touching the application and it appearing that said book in which said alleged erroneous entry has been made was certified by the Clerk of this Court on the 27th day of February 1866 and that application for redress against the erroneous entry was made on this day for the first time and it appearing from the evidence adduced that the said land should be charged at 40 cents per acre all of which the Court certifies as facts proved upon the application of the said H. A. Chrisman and upon consideration whereof and from the facts so proved the Court is satisfied that the said George Riddle is erroneously charged on said book with taxes amounting to $ whereupon it is ordered that the said George Riddle be exonerated from the payment of $ taxes so erroneously charged if not already paid and if paid that it be refunded to him

Upon the application of John Bowen alleging that he is the owner of the land on both sides of Dry Fork in Rockingham County on the farm formerly owned by John Arnold six miles below Harrisonburg on the west side of the Valley Turnpike who proposes to erect a dam across said Creek to propel a water Grist Mill and other machinery useful to the public it is ordered that a writ of Ad Quod Damnum be awarded him to be directed to the Sheriff of Rockingham County and to be executed on the 5th day of June next

B. J. Bagby Pltff
vs
H. & M. Harris &c Defts
} Motion

Indexed

This day came the pltff by his attorney and on his motion it

is considered by the Court that the Pltff recover against the defendants $37.85 with interest on $13.60 part thereof from the 15th day of April 1842 on eight dollars an other part thereof from the 20th day of August 1857 and on $15.75 the residue thereof from the 1st day of Janry 1854 till paid and $7.28 damages and the costs in this behalf expended

William Chapman Pltff
v
Samuel Mackey Deft } Unlawful Detainer

This day came the Pltff by his attorney and on his motion it is ordered that this cause be dismissed and that the Pltff recover against the deft his costs in this behalf expended

John J Roller Pltff
v
Wm H Morgan Deft } upon an attachment
and
Same Pltff
v
John Carver Deft } upon an attachment

On Motion & for reasons appearing to the Court it is ordered that the aforesaid two causes be dismissed

Commonwealth
vs
Jane Jarrold } upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by her attorney who filed a demurrer now to the indictment in this cause and also pleaded Not Guilty to which the attorney for the Commonwealth replied generally & thereupon the issue is continued until the next Term

Same
v
Same } upon an Indictment
The Same order

Same
v
Same } upon an Indictment
The Same order

Same
v
James M Johnson } upon an Indictment
The Same order
Same
v
Same } upon an Indictment
The same order
Same
v
Livingston Johnson } upon an Indictment
The same order
Same
v
Same } upon an Indictment
The same order
Same
v
John Rhodes } upon an Indictment
The same order
Same
v
Isaac Brown } upon an Indictment
The same order

Commonwealth
vs
Levi H Rimer } Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney who pleaded not Guilty whereupon the issue is continued until the next term

Same
vs
James Branham } Upon an Indictment
The Same order

Same
vs
George Rimer } Upon an Indictment
The Same order

Same
vs
Alexander Bird } Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney and the attorney for the Commonwealth said that he will not further prosecute the deft under the indictment in this cause it is therefore ordered that this cause be stricken from the docket

Same
vs
Robert Rodes } Upon an Indictment

This day came as the attorney for the Commonwealth as the deft by his attorney who filed a general demurrow to the indictment in this cause and also pleaded not Guilty to which the attorney for the Commonwealth replied generally & thereupon the issue is continued until the next term

Same
vs
John Kountz } Upon an Indictment
The Same order

Same
vs
Albert G Lincoln } Upon an Indictment
The Same order

Same
vs
Elizabeth Terrill } Upon an Indictment
The Same order

Ordered that the Sheriff of this County summon all the acting Justices of this County to appear here at the July term next to lay the County Levy and for other purposes

M D Coffman &c Pleff
vs } upon a writ of ad quod Damnum
J A Lowenback &c Defts

M Scothron's heirs Pleff
vs } upon a writ of ad quod Damnum
Daniel Kageys &c Defts

Jno B Smith Pleff
vs } upon a writ of Ad Quod Damnum
Same Deft

Curtis Yates Pleff
vs } upon a writ of Ad Quod Damnum
Same Deft

J & S Martz Pleff
vs } upon a writ of Ad Quod Damnum
Same Deft

M Layton Pleff
vs } upon a writ of Ad Quod Damnum
Same Deft

On Motion it is ordered that the aforesaid six causes be continued until the next Term

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

O. B. Sterling

Tuesday May 22d 1866

Present

O B Sterling P.J. Wm McCarpenter E S Kemper } Gent
Joseph Funkhouser & Gideon Rosenberger } Justices

Harriett G Effinger Pleff
vs } Unlawful Detainer
Richard P Fletcher Deft

This day came the parties by their attornies and by consent of parties it is ordered that this cause dismissed

Harriet G Effinger Pleff
vs } upon an award
Richard P Fletcher Deft

This day came the parties by their attornies and by consent it is ordered that the award filed in this cause be entered up as the judgment of this Court It is therefore considered that the pleff recover against the deft Richard P Fletcher the sum of $117.95 with legal interest thereon from the 1st day of June 1866 till paid and the costs in this behalf expended

Wm M^K Wartmann one of the Commissioners of this Court this day filed his report made in pursuance to a former order of this Court upon the petition of Fannie E Lincoln an unmarried woman ascertaining the amount required for her annual support to be $175.00 to be paid by Jacob Lincoln. being submitted to the Court is approved and the report is ordered to be recorded

Samuel Swank & others Pltffs
vs
Isaac A Bushong & others Defts } In Chancery

This cause came on to be heard this 22^d day of May 1866 upon the papers heretofore read. the proceedings heretofore had and the report of Commissioners John H Ralston Sen^r. Wm R Hopkins and John Funk to which there is no exceptions and the same is hereby adopted and confirmed and ordered to be recorded in the Deed book of Rockingham County. It is further ordered that the costs of this suit be ratably paid by the parties plaintiffs and defendants in proportion to their respective interest in the land which was partitioned. But the right is reserved to the parties to sue out execution for the proper proportion of the costs expended in the prosecution of this suit

George Rader's adm^r Pltff
vs
Sarah A Pennybacker & others Defts } In Chancery

This cause came on to be heard this 23^d day of May 1866 upon the Bill & papers filed. answer of Wm D Frost guardian ad litem of Caroline V Shoupe and the bill taken for confessed as to the remaining defendants and on argument of counsel and on consideration thereof it is adjudged ordered and decreed that a lien exists on the land purchased by Sarah A Pennybacker of George Rader dec^d and subsequently of Sarah A Pennybacker and Joseph S Pennybacker Jr^r by H & J H Shoupe and David Shirkey for the amount called for by the last bond of $1067.^{22}/_{100}$ with interest thereon from the date it became due April 1^st 1865 and the regular costs expended in this suit, It is further ordered that the said Joseph S Pennybacker Jr^r and Sarah A Pennybacker shall pay the aforesaid amount to Peter Rader adm^r and in the event of a failure on their part to make such payment or the defendants Shirkey and Shoupe or Sallie V Shoupe so to do. then the Sheriff of this County shall proceed to sell the land mentioned. at public sale for cash due notice of the day and place of sale being first given by publication for the term of four weeks in one of the papers of the town of Harrisonburg. and from the proceeds of sale to pay the amount of $1067.^{22}/_{100}$ and the costs of this suit and expenses of sale. The time of sale shall however to be subject to the provisions of an act passed March 2^d 1866 by the Virginia Legislature entitled "an act to stay the collection of debts for a limited period". The land when sold to be sold subject to any liens which may have priority over this claim of P Rader adm^r in the character of land bonds executed for the payment of the land mentioned belonging to S Pennybacker and in order to ascertain the amount of such liens unpaid. it is ordered that Master Commissioner Wm M^K Wartmann shall state an account of such liens. and the payment which may have been made and any offset legally entitled to be had against the same by Sarah A Pennybacker or Jos S Pennybacker Jr^r and shall be authorized in ascertaining any facts connected therewith to examine the parties on oath or other persons in regard thereto and report to the next Term of this Court

The Commissioners appointed at the last term of this Court to superintend the election of Company officers for the 115th Regiment of Virginia Militia having failed to hold an election of officers for the 10th Company of said Regiment the Court doth appoint Hiram Coffman Captain George Arey 1st Lieutenant & John A Arey 2d Lieutenant for said Company

Henry B Jones Pltff
vs
Wm K Gailey &c Defts
} Upon a Motion

This day came the pltff by his attorney and the process awarded in this cause being returned not executed upon Samuel Cortes and Jacob Byrd, it is ordered that new process be awarded against them returnable here on the first day of the next term

On Motion it is ordered that the petitions of A Mattingly &c. M D Coffman & others R A Gibbons & others. M J Zirkle & others & Mason Ware & others be continued until the next term

Milton J Carrier Pltff
vs
Jesse Carrier Deft
} Upon an attachment

P S Roller Pltff
vs
Eli Tutwiler Deft
} Upon an attachment

Geo W Stanley surv Pltff
vs
Jesse Carrier Deft
} Upon an attachment

R H Yancey Pltff
vs
Same Deft
} Upon an attachment

Wm Sawfley Pltff
vs
A J Bougher Deft
} Upon an attachment

Daniel Kauffman Pltff
vs
Davis Sipe Deft
} upon an attachment

and

Wm Sawfley Pltff
vs
C S Weaver & Defts
} Upon a suggestion

On Motion and for reasons appearing to the Court it is ordered that the aforesaid Seven causes be continued until the next Term

Ordered that Wm D Lovington be appointed surveyor of precinct No 11. in the place of Wm Merica

Peter Long — Pltff
vs
John M Kiser — Deft
} upon an Attachment

Samuel Barley — Pltff
vs
Same — Deft
} upon an Attachment

John Garner — Pltff
vs
Absalom Dove — Deft
} upon an Attachment

Jonas Lowenbach — Pltff
vs
John M Kiser — Deft
} upon an Attachment

Samuel Barley — Pltff
vs
Same — Deft
} upon an Attachment

John L Woodson — Pltff
vs
S G Showalter & — Defts.
} upon an attachment

Samuel Barley — Pltff
vs
Jacob Shaver — Deft
} upon an Attachment

Michael Earman — Pltff
vs
John K Landes — Deft
} upon an Attachment

Solomon Garber — Pltff
vs
C C Garber — Deft
} upon an Attachment

Bushrod Rust — Pltff
vs
John K Landes — Deft
} upon an attachment

and

Andrew Clayton — Pltff
vs
Jesse Garrier — Deft
} upon an attachment

On Motion and for reasons appearing to the Court it is ordered that the aforesaid eleven causes be continued until the next term

Christian Sites — Pltff
v
Christian Shoualter — Deft
} upon an attachment

Robert Ruffner — Pltff
v
Isaac Wenger — Deft
} upon a Suggestion

J R Brathwaite — Pltff
v
C L Miller — Deft
} upon a Distress warrant

John N Hill — Pltff
v
Daniel Funk — Deft
} upon an attachment

and

Wm Lackie — Pltff
v
O F A Perkey & — Defts
} upon a Motion

On Motion & for reasons appearing to the Court it is ordered that the aforesaid five causes be continued until the next Term

On the motion of George F Funkhouser who made oath thereto according to law and together with Peter S Rosser and Henry M Argenbright his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fourteen thousand dollars conditioned as the law requires a certificate is granted the said George F Funkhouser for obtaining letters of administration de bonis non with the will annexed of Abraham Funkhouser dec'd in due form

Ordered that Cyrus Perley, George Kyser, Jackson Rhodes & George Rieland or any three of them being first duly sworn for that purpose do appraise the estate of Abraham Funkhouser dec'd and report thereon to the Court according to law

Upon the petition of G F Funkhouser George Kiser & G H Dinges that they propose to build a woolen Factory on their land near Mount Crawford on Cook's Creek and the writ of Ad Quod Damnum awarded in this cause at the last term being duly returned executed whereupon on consideration of the inquisition of the jury returned and upon fully hearing the petitioners and all circumstances being weighed it is ordered that the said petitioners have leave to build the said Factory & Dam and that they become seized in seized & possessed in fee simple of the bed of Cook's Creek as circumscribed by metes & bounds in the inquest aforesaid upon the lands of John F Craun upon their paying to the said John F Craun the sum of one hundred and twenty dollars the value of said land ascertained in the inquest aforesaid

Moses Lee & Mariah Detrick who have been duly summoned to appear here as witnesses on behalf of Richard Robinson v Henry M Dornan being solemnly called and not appearing it is ordered that they be summoned to appear here on Friday next to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Joseph T Logan Deputy for S R Allebaugh S R C presented in Court a list of delinquents in the License tax for the year 1865 was presented in 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 Samuel Shacklett who made oath thereto according to law and together with Henry Shacklett his security (who ~~justified~~ as to his sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned as the law requires. a certificate is granted the said Samuel Shacklett for obtaining letters of administration in due form upon the estate of Daniel Nichol dec'd

Ordered that St Clair Kyle. John Dinkel. Frederick N Speck. Joseph Byrd and Adam Raber or any three of them being first duly sworn for that purpose do appraise the estate of Daniel Nichol dec'd and report thereon to the Court according to law

The Court doth appoint Ann M Nichol guardian for George A Nichol & Lucy L Nichol orphans of Daniel Nichol who are under the 14 years of age. and thereupon the said Ann M Nichol appeared in Court and together with Samuel Shacklett 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

Henry M Dorman — Pltff
vs
William Brown & — Defts
} Unlawful Detainer

This day came the parties by their attornies and the defts by their attorney pleaded "not Guilty" to which the pltff by his attorney replied generally and thereupon came a jury to wit John H May. Michael Neff. Wm D Maiden. David Minnick. Henry M Argabright. Henry Derrow. John Moore. P W Long. Thomas J Butler. John W Welhorn. Isaac Acker and James C Keltzer 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 defendants" It is therefore considered that the defendants recover against the Pltff their costs in this behalf expended

Nathan Houston — Pltff
vs
Samuel Keller — Deft
} In Trespass upon a Capias

This day came the parties by their attorney and thereupon the deft moved the Court to quash the Capias issued in this cause which was resisted by the pltff's attorney and the Court not having time to hear all the evidence further action is deferred until the next term to morrow

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

A C Sterling

Wednesday May 23d 1866

Present

A C Sterling P J. Wm W Carpenter. Gideon Rosenberger. Joseph Funkhouser
} Gent Justices

J W Burke Pltff
vs
Samuel Funkhouser's admr Deft } In Case

This day came the parties by their attornies and it appearing that Samuel Funkhouser has departed this life and that Samuel [redacted] qualified as administrator of his estate it is ordered that Scire Facias be awarded against the said Samuel Pane returnable to the August term next to shew cause if any he can why this suit shall not be revived and proceed in his name

James H Wolfrey Pltff
vs
Rudolph Turk &c Defts } In Case

This day day came the parties by their attornies and the defts by his atto pleaded not Guilty to which the pltff replied generally and thereupon the jury is continued untie the next term

John H Keller Pltff
vs
Wm H Monger Deft } In Case
and
John McQuinnan Pltff
vs
Wm Athey Deft } In Case

On motion and for reasons appearing to the Court it is ordered that the aforesaid three causes be dismissed

Ordered that Henry Soule be exempted from the payment of County & Parish Levies

George W Stanley & wife Pltffs
To
Jesse Garnier Deft } In Covenant

John C Worden Pltff
vs
Jonette Harry Deft } In Case
and
Gideon D Reid Pltff
vs
Julius Marty &c Defts } In Case

On motion and for reasons appearing to the Court it is ordered that the aforesaid three causes be continued untie the next term

John W Davis et als Pltffs
vs
Daniel D Dove Deft } In Case
Peachy Weire
vs
John K Morse } In Case
Same
Same On Motion & for reasons appearing to the Court it is ordered that the aforesaid three causes be continued untie the next term

D S Rench Pleff
vs } Upon an award
P W Ronadabush Deft

This day came the parties by their attornies and on motion it is ordered that this cause be placed upon the docket

Isaac Paul Pleff
vs } In Case
John W Roller Deft

This day came the parties by their attorneys and thereupon came a jury to wit Michael Neff Henry Berran Henry M Argabright Thomas J Butler David Minnick James G Heltzel Wm D Maiden John W Mechan Daniel Byerly Wm Johnson Anthony Burkholder and Isaac Acker who being elected tried and sworn to speak upon 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 fifty dollars the value of the cow" It is therefore considered that the plaintiff recover against the defendant $50.00 the damages aforesaid with legal interest thereon from this day and the cost by the pltff in this behalf expended

Jacob Barley for Pleff
vs } In Debt
A H Brewer Deft

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 continued until the next term at the costs of the plaintiff

Wm Sellers for Pleff
vs } In Debt
Jacob Barley Deft

This day came the parties by their attornies and on the 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

Nathan Hunter Pleff
vs } In Case
Samuel Hoffer Deft

This day came the parties by their attornies and thereupon came a jury to wit P W Long John Moore John H May Perry Rhodes Wimsborough Hunter Henry A Rhodes D B Armentrout D M Huffman George W Adams B F Armentrout John W Wood and John W Showalter who being elected tried the truth to speak upon the issue joined and not having time to hear all the evidence are adjourned until to morrow morning at 9 O'Clock

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

O. C. Sterling

Thursday May 24th 1866

Present

O.C Sterling P.J. Josephus Trunkhouser Wm M Carpenter } Gent
Gideon Rorembarger } Justices

Absent O.C Sterling Gent Justice

Philip Kinney Pltff
vs
George W Sanford & Defts } In Debt

This day came the parties by their attornies and thereupon the defts by his attorney prayed oyer of the writ & filed a general demurrer to the declaration, to which the pltff replied generally & thereupon the demurrer being argued the Court doth sustain the demurrer and dismiss the cause It is therefore considered that the defts recover against the pltff their costs in this behalf expended

Josiah Turner Pltff
vs
Jacob Shaufer's admr Deft } In Case

This day came the parties by their attorney and the deft by his attorney pleaded Non assumpsit to which the pltff replied generally and thereupon the jindgment & writ of enquiry obtained in the office is set aside

Nathan Houston Pltff
vs
Samuel Hollier Deft } In Case

This day came the parties by their attornies and the jury sworn 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 after some time returned into Court and upon their oaths do say "We the jury find for the plaintiff and assess the damages at $10.00" It is therefore considered that the pltff recover against the deft the sum of ten dollars as with interest thereon from this day and costs by the pltff in this behalf expended

Present O.C Sterling P.J.

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

O. C. Sterling

Friday May 25th 1866

Present

O.C Sterling P.J. Wm M Carpenter Josephus } Gent
Trunkhouser and Gideon Rorenbarger } Justices

Thomas J Michie who has been duly licensed to practise as an attorney at Law in the Courts of this Commonwealth on his motion is permitted to practise in this Court and thereupon he took the oath prescribed by law

Peachy Moore Pltff
vs
John K Moore Deft } In Case

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

Adam M Long Pltff
vs
Gabriel Moore Deft } In Debt

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

Henry F Wartmann who was on the 24th day of this Month duly elected an Overseer of the Poor for the 5th Magesterial District of this County to fill the vacancy occasioned by the resignation of Jacob Rohr, appeared in Court and took the oath several oaths required by law

James Kenney Trustee Pltff
vs
Jacob P Effinger Deft } In Debt

This day came the parties by their attornies & thereupon came a jury to wit Henry Derrow, H M Argenbright, P W Long, John H May, Henry A Rhodes, John W Meehan, Michael Neff, Wm Swaugh, Hunter Isaac Acker, D B Armentrout, David Minnick & Anthony Burkholder who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear all the evidence are adjourned until to morrow morning at 9 O'Clock

Ordered that the Court be adjourned until to morrow morning at 9 O'Clock
P. C. Sterling

Saturday May 26th 1866

Present
P C Sterling P J. Joseph Funkhouser } Gent
Wm W Carpenter & Gideon Rosenberger } Justices

James Kenney Trustee for &c Pltff
vs
Jacob P Effinger 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 Court in pursuance to their adjournment and having fully heard the evidence retired from the bar to consider of their verdict returned into Court and upon their oaths do say We the jury find for the plaintiff. Seven thousand and sixty seven dollars Seventy and two third cents the debt in the declaration mentioned with interest thereon at the rate of 6 per centum per annum from the 30th day of March 1863 until paid - and we further find that said debt was not to be paid in Confederate notes"

W H Philips Pltff
vs
Wm Minnick Deft } In Detinue

This day came the parties by their attornies and thereupon came a jury to wit John Moore, Thomas J Butler, James C Heltzel, Perry Rhodes, Isaac M Johnson, Nathaniel Flook, Wm Armentrout, John Sineweaver, George M Adams, Christian Mayer, Gustavus Gay and Abraham Earman 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 are not being able to agree by consent of parties were discharged and the trial of the issue deferred until the next term

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

O. C. Sterling

Monday May 28th 1856

Present

O C Sterling PJ, Wm M Carpenter, Joseph Funkhauser and Gideon Rosenberger } Gent Justices

Peter Crumpacker Pltff
vs
Reubin H Humbert's admrs Deft } In Debt

This day came the parties by their attornies and thereupon the deft by his attorney confessed a judgment for the debt in the declaration mentioned, saving equity. It is therefore considered that the pltff recover against the deft $875.80 the debt in the declaration mentioned with interest thereon at the rate of six per centum per annum from the 5th day of April 1853 till paid, and the costs in this behalf expended, to be levied of the goods and chattels which were of Reubin H Humbert in the hands of Richard A Stephens admr of said Reubin H Humbert dec'd to be administered

Catharine Crumpacker Pltff
vs
Same Deft } In Debt

This day came the parties by their attornies and thereupon the defendant confessed judgment for the debt in the declaration mentioned saving equity. It is therefore considered that the pltff recover against the deft $875.80 the debt aforesaid with interest thereon at the rate of six per centum per annum from the 5th day of April 1853 till paid and the costs in this behalf expended, to be levied of the goods and chattels which were of Reubin H Humbert dec'd in the hands of Richard A Stephens administrator of the said Reubin H Humbert to be administered

John Eversole Pltff
vs
Daniel Meade & } In Case
John F Lewis Defts
John F Lewis Pltff
vs
Addison Rayer Deft } In case

On motion and for reasons appearing to the Court the aforesaid two causes are continued until the next Term

Gesner Mefsick Pltff
vs
George Chrisman Jr Deft
and
Robert L Roberts Pltff
vs
Frederick Keilly and Deft
} In Trespass

On Motion and for reasons appearing to the court it is ordered that the aforesaid two causes be continued untie the next term

N McBeery Pltff
vs
A H Johnson Deft
} In Case

This day came the parties by their attornes and on motion of the deft it is ordered that this cause be continued untie the next term at the costs of the deft

James Hartman's Admr Pltff
vs
Henry McDonnan Deft
} In Case

This day came the parties by their attornies and thereupon John L Woodson appeared in Court and undertook for the plaintiff that he shall satisfy and pay all such costs and damages as may be awarded to the defendant, in case the said plaintiff shall be cast in this suit, and also that he the said plaintiff shall satisfy and pay all the fees which will become due from him to the officers of this Court. or that he the said John L Woodson will satisfy and pay there costs, damages and fees for him. and on Motion and for reasons appearing to the court it is ordered that this cause be continued untie the next term at the costs of the plaintiff

James Paine Pltff
vs
Philip Siggett Deft
} Upon a warrant removed from before a Justice of the peace

This day came the parties by their attornies and thereupon came a jury to wit Isaac McJohnson, Isaac Acker, David Minnick Anthony Burkholder John Moore James L Heltzel, Michael Neff, P McLang, D B Armentrout, John H May, Henry Derron and Perry Rhodes, who being elected tried and sworn ~~the truth~~ to speak upon the trial of this cause and upon their oaths do say "We the jury find for the defendant" and thereupon It is therefore considered that the plaintiff recover against the defendant the costs in this behalf expended

Noah McBeery who has been duly summoned to appear here as a witness on behalf on this day as jurors being solemenly called and not appearing it is ordered that he be summoned to appear here on the first 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

Wm L Anderson Pltff
vs
Wm L Chrisman Jr Defts
} In Case

This day came the parties by their attornies and thereupon came a jury

to wit James L Heltzel. Michael Neff. D B Armentrout. Isaac W Johnson. Thomas J Butler Perry Rhodes. David Minnick. Anthony Buckholder. John H May. Henry Perrow John Moore and Jno W Melhorn 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 upon their oaths do say "We the Jury find the defendant Not Guilty" it is considered that the defendants recover against the pltff the costs by them in this behalf expended

Commonwealth
v
Noah W Beery } Upon a rule for failing to attend as a juror

This day came the deft and on his motion it is ordered that the said rule be discharged upon the payment of costs

Samuel Grim Pltff
v } In Case
Jacob Housefluck Deft

This day came the parties by their attorney, and the defendant by his attorney pleaded Non Assumpsit to which the pltff replied generally and thereupon the judgment and writ of enquiry obtained in the Office is set aside and ~~the trial of the issue is deferred until the next term~~ thereupon came a jury to wit Isaac Acker. P W Long. H M Argenbright. George W Adams. Henry Rhodes. Harrison Shangler. Richard A Stephens. Samuel Chandler. Reubin M Sherfey. John Cronshaw. Frederick Rhodes and Franklin Whitmore 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 one hundred dollars and 71 cents" It is therefore considered that the pltff recover against the deft $100.71 the damages aforesaid with interest at the rate of six per centum per annum from this day and the costs in this behalf expended

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

O. C. Sterling

Tuesday May 29th 1866

Present

O C Sterling RJ Wm W Carpenter. Joseph Funkhouser Gideon Rosenberger & Madison Moore } Gent Justices

Olander Smith who has been duly licensed to practice as an attorney at Law in the Courts of this Commonwealth on this motion he is permitted to practice as such in this Court and thereupon he took the oath required by law

J M Dold Pltff
v } In Case
John Fox's adm'rs Deft

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 judgment and writ of Enquiry obtained in this office is set aside and by consent of parties the trial of the

submitted to the Court after hearing the evidence the Court doth ascertain the damages to which the Pltff is entitled to be $87.50 and the time from which interest shall run to be the 1st day of January 1864 It is therefore considered that the Pltff recover against the deft $87.50 the damages aforesaid with legal interest thereon from the said 1st day of January 1864 till paid and the costs in this behalf expended to be levied of the goods and chattels which were of John Fox in his lifetime in the hands of C P Chilton admr of the said John Fox to be administered

S M Dold Pltff
vs
C P Blackwell's admr Deft
} In Case

This day came the parties by their attornies and the deft pleaded "non Assumpsit" to which the Pltff replied generally and thereupon the judgment and writ of enquiry obtained in the office is set aside and by consent of parties the trial of the issue is submitted to the Court and after hearing the evidence the Court doth ascertain the damage to which the Pltff is entitled to be $14.66 and the time from which the interest shall run to be January 1st 1864. It is therefore considered that the Pltff recover against the deft $14.66 the damages aforesaid with legal interest thereon from the said 1st day of January 1864 till paid (and no costs) to be levied of the goods and chattels which were of C P Blackwell in his life time, in the hands of Charles P Chilton admr of C P Blackwell to be administered

Isaac Hardesty & J R & L Hardesty late partners trading under the name of I Hardesty & Son Pltffs
vs
J L Mcary Deft
} In Debt

Upon the motion of the plaintiffs this cause is ordered to be placed on the docket of this Court, it appearing that the original papers therein have been lost or destroyed after the institution of the suit

Absent Wm W Carpenter Gent Justices

Lewis Rehard who has been duly summoned to appear here as a witness on behalf of Jacob L Sibert &c at the suit of John L Woodson being solemnly called and not appearing it is ordered he be summoned to appear here ~~as a witness on behalf of~~ forthwith to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

John L Woodson Pltff
vs
Jacob L Sibert &c Deft
} In Case

This day came the parties by their attornies and thereupon came a jury to wit D B Armentrout, John H May, Isaac Acker, Anthony Burkholder, Peter W Long, John Moore, David Minnick, Isaac W Johnson, James L Heetzel, Henry M Argabright, Michael Neff and Thomas J Butler who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear all the evidence are adjourned until to morrow morning at 9 O'clock

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

Joseph Funkhouser

Wednesday May 30th 1866

Present

Joseph Funkhauser. Gideon Rosenbarger, Madison Moore } Gent Justices

John L Woodson Pltff
vs
Jacob L Sibert &c Defts } In Case

This day came again the parties by their attornies and the jury sworn and empannelled on yesterday appeared in pursuance to their adjournment and not having time to hear all the evidence are adjourned until to morrow morning at 9 O'Clock

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

Joseph Funkhouser

Thursday May 31st 1866

Present

Joseph Funkhauser. Madison Moore and Gideon Rosenbarger } Gent Justices

Comadore D Shifflett Pltff
vs
Amos Scott Deft } In Assumpsit

This day came the parties by their attornies and by consent all matters in difference between the parties is submitted to the final determination of John F Lewis and Manassas Blackburn and agree that their award or the award of such person as they shall choose for an umpire thereupon and their award shall be made the judgment of the Court The defendant agreeing to waive the benefit of the stay law and the same is ordered accordingly

John L Woodson Pltff
vs
Jacob L Sibert &c Defts } In Case

This day came the parties by their attorneys and the jury sworn and empannelled on Tuesday last appeared in Court in pursuance to their adjournment and not having time to fully hear all the evidence are adjourned until to morrow morning at 9 O'Clock

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

Joseph Funkhouser

Friday June 1st 1866

Present

Joseph Funkhauser. Madison Moore and Gideon Rosenbarger } Gent Justices

Anderson Shiflett who was committed to the jail of this Count. by the Circuit Court of Rockingham as a Lunatic in pursuance to the finding of a jury sworn and empannelled in said Court and it was also ordered that he be removed to one of the Lunatic Asylums of this Commonwealth. was brought into Court by the Sheriff and it appearing from an examination of the said Shiflett that he has so far recovered his mind that it is not longer necessary to confine him it is therefore ordered that he be discharged from custody

Solomon Garber Pltff
vs
Christian & Garber Deft
} In Case

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

Richard Jarrold's admr Pltff
vs
Silas Flick 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 pltff

Philip Liggett Pltff
vs
James Paine Deft
} In Case

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

Martha Rice Pltff
vs
John A Fishback Deft
} In Debt

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

John L Woodson Pltff
vs
Jacob L Sibert &c Defts
} In Case

This day came again the parties by their attorneys and the jury sworn and empannelled on Tuesday last for the trial of this cause appeared in Court in pursuance to their adjournment and having heard the evidence, but not having time to fully hear all the argument of Counsel are adjourned until to morrow morning at 8. O'Clock

Ordered that the Court be adjourned until to morrow morning at 8. O'Clock

Joseph Funkhouser

Saturday June 2nd 1866

Present

Joseph Funkhouser Madison Moore and Gideon Rosenberger } Gent 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 this County

Thomas J Butler	✓	$ 15	00	Perry Rhodes	✓	$ 12	50	Wm Armentrout	✓	$ 1	25
D B Armentrout	✓	15	00	Henry A Rhodes	✓	8	75	Jno Sirewaver	✓	1	25
Daid Minnick	✓	15	00	Winsbrough Hester	✓	8	75	Christian Myers	✓	1	25
Anthony Burkholder	✓	15	00	Daniel Byerly	✓	6	25	Gustavus Gay	✓	1	25
John H May	✓	15	00	Geo W Adams	✓	6	25	Abraham Carman	✓	1	25
Isaac Acker	✓	15	00	Wm D Maiden	✓	5	00	Henry Rhodes	✓	1	25
Isaac W Johnson	✓	15	00	Samuel Ruebush	✓	3	75	Harrison Shangler	✓	1	25
James W Heltzel	✓	15	00	D M Heffman	✓	3	75	Rich^{d} A Stephens	✓	1	25
H M Argabright	✓	15	00	B F Armentrout	✓	3	75	Samuel Chandler	✓	1	25
Michael Neff	✓	15	00	John W Wood	✓	3	75	Reubin M Sherfey	✓	1	25
Peter W Long	✓	15	00	Jno W Showalter	✓	3	75	John Crouthorn	✓	1	25
Henry Perrow	✓	12	50	Rudolph Myers	✓	2	50	Frederick Rhodes	✓	1	25
John W Melhorn	✓	12	50	Nathaniel Flook	✓	1	25	Franklin Whitmore	✓	1	25
John Moore (of Amos)	✓	12	50								

and it is ordered that the Sheriff of Rockingham County pay the above named sums to the persons respectively entitled to the same

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

D J Foley & Bro Pltff
vs } In Debt
John L Brown Deft

This day came the parties by their attornies and on the motion of the defendant and for errors appearing it is ordered that this cause be remanded to rules to be proceeded in according to law

Absent Madison Moore Present Old Sterling & Wm M Carpenter Gent Justices

It appearing to the court that John Miller is a person of unsound mind it is ordered that Benjamin F Miller be appointed a committee to take charge of the person and property of said John Miller and thereupon the said Benjamin F Miller appeared in Court and together with Abram E Webster his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of One hundred dollars conditioned as the law requires

James Kenney Trustee Pltff
vs } In Debt
Jacob P Effinger Deft

This day came again the parties by their attornies and the defendant moved the court to set aside the verdict rendered in this cause on the ground that the said verdict is contrary to the evidence and the instructions of the Court which motion being argued the court upon deliberation doth overrule the said motion and thereupon it is considered that the Pltff recover against the deft $7067.70½ the debt mentioned in the verdict aforesaid with legal interest thereon from the 30th day of March 1883 till paid and the costs in this behalf expended. Memorandum upon the trial of this cause the defendants by ~~their~~ his attorney excepted to actions and opinions of the Court done and delivered upon the trial of this cause and tendered four bills of

exceptions which were signed sealed and enrolled by the court and ordered to be made a part of the record

Absent O.C. Sterling & Wm M. Carpenter Present Madison Moore Gent Justices

John C. Woodson Pltff
vs
Jacob L. Silbert &c Defts } In Case

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 Court in pursuance to their adjournment and having fully heard the evidence and argument of the counsel retired from the bar to consider of their verdict and after some time returned in to court and not being able to agree it is ordered that the said jury be discharged and the trial of the issue deferred until the next term

~~Which is upon the trial of this cause the defts excepted to certain opinions and actions of the Court delivered & which upon the trial of this cause were tendered bills of exceptions which were signed sealed enrolled & ordered to be made a part of the record~~

Present O.C. Sterling & Wm M. Carpenter Absent Madison Moore

Ordered that the Court be adjourned until the next term

O. C. Sterling

In the Clerks Office of the County Court of Rockingham May 21 1866

Jonas A. Loewenbach Pltff
vs
Jonas Heller Defd } In Debt

This day the defd appeared in the Office aforesaid & confessed judgment for $673.73 with interest from this day

It is therefore considered that the pltff recover against the defd $673.73 the debt aforesaid with legal interest thereon from this day and the costs by the pltff in this behalf expended

Teste

Wm D Bruce Cl

At a Court Summoned and held for Rockingham County at the Court House thereof on Tuesday June 12th 1866

For the examination of John Dean who stands Charged with a felony by him committed in this that he did on day of March 1865 in the County of Rockingham, of his malice, kill & murder Newton Shiflett and on the day of March 1865 with a certain gun then & there loaded with gunpowder & leaden shot feloniously & of his malice aforethought did shoot Alfred Shiflett with intent him the said Alfred Shiflett then and there to maim disfigure disable & kill

Present

O.C. Sterling P.J. Wm M. Carpenter } Gent
Joseph Funkhouser, Geo S. Christie & Ed Kemper } Justices

The said John Dean was led to the bar in Custody of the Sheriff and the Court not having time to hear all the evidence the further examination is deferred until tomorrow Morning at 9 O'Clock

Thomas Shiflett who has been duly summoned to appear here as a witness on behalf of John Deane. being solemnly called and not appearing. it is ordered that an attachment be awarded against him to be directed to the Sheriff of this County and made returnable here on to morrow morning

O. C. Sterling

Wednesday June 13th 1866

Present

O C Sterling P.J. Joseph Funkhouser Wm Beard } Gent
Carpenter George & Christie & Ed S Kemper } Justices

Prisoner John Deane was this day again led to the bar in the custody of the Sheriff. and sundry witnesses being sworn and examined touching the premises 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 from custody

And thereupon he departed

O. C. Sterling

At a Court held for Rockingham at the Court house thereof on Monday the 18th day of June 1866

Present

O C Sterling P.J. Charles S Thompson. E D Daily } Gent
Wm Beard. Joseph Funkhouser } Justice

The Clerk of this Court presented in Court a List of Deeds and other writings admitted to record in the Clerks Office of this Court which being seen and inspected by the Court is ordered to be entered on the minutes as follows viz

A Deed of Bargain & Sale from David Ensminger & wife to Crawford Zirkle
Same from Henry Ensminger & wife to Same
Same from Abraham Ensminger Sr & to Same
Same from John B Zirkle to Same
Same from Samuel Gibbins & wife to D & H. Forrer
Same from Daniel Huffman Comr to Same
Same from Samuel M Pitt to Henry Pitt
Same from John L Wise & wife to John Strickler
Same from Benjamin F Strickler to Same
Same from George McMauzy & wife to Wm C Kibbinger
Same from D S Brown & others to Joseph Byrd
A Deed of Trust from Michael Flynn to P Fitzgerald Jr Trust for Margaret Toomay
A Deed of Bargain & Sale from Martha Rice to David S Rice
Same from Michael Krupp to Edmond Minnick
Same from Henry Heinegardner & wife to John Rife
Same from A B Rick & wife to James H Harris

A Deed of Bargain & Sale from Jacob Durnbaugh & wife &c to Jonas Blosser
Same from Ernest Kingsten to Cary Lock
Same from Stephen Harnsberger to H B & J M C Harnsberger
Same from Same to Stephen M Harnsberger's heirs
Same from John Swank & wife to Samuel Swank
Same from & Harvey M Jordan wife to Samuel Cline
Same from Peter Zimmerman & wife to P D & J Zimmerman
Same from Andrew Kenton & wife to Wm D Hansford
Same from John Smith & wife to Jonas Heller
Same from Benjamin F Strickler to John L Wise
Same from Jeremiah Harnsberger & wife to D M Harnsberger
Same from DeWitt Coffman & wife to David Heller
Same from Joseph D Price & wife &c to Daniel Dechert &c
Same from Strother Sheets trustee to Samuel Sheets
Same from Mahlon Douglas & wife to John Strickler
Same from Jacob D Williamson &c to Frances M & M Argabright

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

A Copy of the last Will and Testament of John Perkey dec'd was presented in Court and ordered to be recorded

Ordered that the Sheriff of this County summon & the acting justices of this County to appear here on the 2nd day of the August term next to lay the County levy and for other purposes

Ordered that Wm D Carpenter be appointed surveyor of precinct No 13 in place of Daniel Huffman resigned

David Cline orphan of George Cline dec'd who is above the age of 14 years appeared in Court and with the approbation of Court made choice of John B Cline as his guardian and thereupon the said John B Cline appeared in Court & together with John Miller David Shirkey Benjamin Miller & Henry Hale & Jacob Myers his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires

The last will and testament of Moses Silvious dec'd was presented in Court and proved by the oaths of George Brunk & Lewis Wine two of the subscribing witnesses thereto and ordered to be recorded and on the motion of John D Pence the executor therein named appeared in Court and together with Henry Neff & Lewis Wine his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of Two 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 George Brunk Jonathan Branner Lewis Wine & Harvey Algeir

or any three of them being first duly sworn do appraise the estate Moses Silvers dec.d and report thereof to the Court according to law

Present James A Harden Absent Joseph Funkhouser Gent Justices

Ordered that Joseph Rhodes be exempted from the payment of County & Paris levies

Upon the petition of S A Coffman & others for an alteration in a public road in this County. the Viewers appointed at the last term. made and filed their report. on consideration whereof the Court doth establish said road agreeably to and upon the terms set forth in said report

Ordered that George Brunk be appointed surveyor of precinct No 142 in the place of John Shutters

Ordered that Samuel B Good be appointed surveyor of precinct No 91 in the place of Benjamin D Bowman

The last will and testament of Thomas Harrison dec.d was presented in Court and proved by the oath of George Sites one of the subscribing witnesses thereto and the other subscribing witnesses ~~that~~ having departed this life it was proved by the oath of Allan L Bryan & L W Gamble that the signature of David Steele as subscribing witness thereto is the genuine signature of said David Steele. It is ordered that the said will be recorded

John C Herman Plff
vs
William Orebaugh Defft. } Upon an Attachment

The attachment issued in this cause being returned executed and the defft being solemnly called and not appearing & the Court being satisfied of the justice of the plaffs demand it is considered that the plff recover against the defft $100.00 with legal interest from the 1st day of April 1866 till paid and the costs in this behalf expended. and it appearing that Jacob Miller has been summoned as a garnishee in this cause and it appearing from evidence that the said Miller is indebted to the defft William Orebaugh in the sum of thirty dollars it is considered that the plff recover against the said Miller the said sum of $30.00 with legal interest thereon from this day

On the motion of Jacob Funkhouser who made oath thereto according to law and together with Jacob Brundage Wm Lilley Peachy Wine Michael Kline & Frederick Kline 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 him for obtaining letters of administration in due form upon the estate John C Funkhouser dec.d

Ordered that David R Hopkins Wm Ary & Jacob Brundage after being first sworn for that purpose do appraise the estate of John C Funkhouser dec.d and report thereon to the Court according to law

Augustine Armentrout Pltff
vs
Wm Le Armentrout Deft
} upon an award

An award between Augustin Armentrout and William Le Armentrout made by James Baker Wm K Rodeffer and Joseph Funkhouser in pursuance of a written agreement of submission made and signed by said Augustin Armentrout and William Le Armentrout on the 17 day of March 1866 was this day returned to Court and it appearing to the Court that it was agreed by the parties to said submission that the same should be entered of record in the County Court of Rockingham It is ordered that the said Augustin Armentrout & Wm Le Armentrout be summoned to appear before this court on the 1st day of its next term to shew cause if any they can why said award shall not be entered up as the judgment or decree of this Court

Julia Ann Derrow Pltff
vs
Augustin Armentrout Deft
} upon an award

An award between Julia Ann Derrow and Augustin Armentrout made by James Baker Wm K Rodeffer and Joseph Funkhouser in pursuance to a written agreement of submission made and signed by said Julia Ann Derrow and Augustin Armentrout on the 17th day of March 1866 was this day returned to Court and it appearing to the Court that it was agreed by the parties to said submission that the same should be entered of record in the County Court of Rockingham It is ordered that the said Julia Ann Derrow and Augustin Armentrout be summoned to appear before this Court on the 1st day of its next term to shew cause if any they can why said award shall not be entered up as the judgment or decree of this Court

Ordered that John S Brown & Co have leave to assign and transfer their license as Merchants to Armstrong & Brown

It appearing to the Court that Armstrong & Brown have been erroneously assessed with a license tax as Merchants in Bridgewater when they had an assignment properly made of the license of J S Brown & Co the said Armstrong & Brown moved the Court to be released from the payment of the assessment aforesaid the Attorney for the Commonwealth being present and defending the said motion It is ordered that the Sheriff of this County refund that the tax paid by said Armstrong & Brown under the assessment aforesaid

Jefferson Wetzel who stands charged with a felony by him committed in this that he did on 5 day of May 1865 in Rockingham County one horse of the value of one hundred dollars of the goods and chattels of Frederick Smith then and there being found feloniously steal take and carry away was led to the bar in custody of the Sheriff and on the motion of the prisoner & for reasons appearing to the Court It is ordered that this examination be continued until the next term

Jefferson Wetzel who stands charged with a felony by him committed in this he did on 5 day of May 1865 in Rockingham County one mare of the value of one hundred dollars of the goods and chattels of Philip Sowders then and there being found feloniously steal take and carry away was led to the bar in Custody of the Sheriff and on motion of the prisoner & for reasons appearing to the Court It is ordered that the examination of the prisoner be deferred until the next term

Be it remembered that Philip Sanders Wells Dove Abraham Myers & Frederick Smith personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars each to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth
Yet upon this condition that the said Philip Sanders Wells Dove Abraham Myers & Frederick Smith 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 Jefferson Wetzel 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

Ordered that Abraham Spitzer be appointed surveyor of precinct No 61 in the place of Reuben Shoemaker

On the motion of Mrs Harrison the executor named in the last will and testament of Thomas Harrison dec'd who made oath thereto according to law and together with John W Houston & David Sites his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires a certificate is granted him for obtaining a probate of said will in due form

John W Simmons Exr Pltff
vs
Phebe Armentrout Defts } In Chancery

This cause being duly set for hearing came on to be heard this 18th day of June 1866 upon the bill & papers therewith filed the answers of the infant defendants Matilda and Suronna Armentrout by L W Gamble their guardian ad litem filed by leave of Court & general replication thereto and as to the other defendants it appearing that more than one month has elapsed since the service of the process awarded in this case upon them and they still failing to appear the bill is taken for confessed as to them and it appearing to the Court that the complainants are entitled to recover from the heirs and distributees of Aaron Armentrout dec'd the sum of $300 00 with interest thereon at the rate of six per cent per annum from the 1st day of January 1861 until paid subject to a credit of $18.00 as of the 18th of May 1862 and the said complainants to recover from the same the further sum of $300.00 with interest thereon from the 1st day of January 1862 at the rate of six per cent per annum until paid and the further sum of $300 00 with interest thereon at the rate of six per cents per annum from the 1st day of January 1863 until paid and the further sum of $300.00 with interest thereon at the rate of six per cents per annum from the 1st day of January 1864 until paid and the Court doth further adjudge order & decree that unless the said defendants or some one for them shall within sixty days after the expiration of the act to stay the collection of debts for a limited period passed March 2d 1866 pay said amounts interest & costs to complainants then it shall be the duty of Joseph T Logan who is hereby appointed a Commissioner for that purpose to proceed to sell the land in the bill & proceedings mentioned to the highest bidder at public auction upon the following terms one third in hand and the remainder in three equal payments to fall due in six twelve and eighteen month from the day of sale the whole bearing interest from the day of sale but said Commissioner shall first advertise the time terms and place of sale which shall be on the premises in one of the newspapers published in the town of Harrisonburg for at least four successive weeks prior to the sale and report his proceedings to this Court at its next term after such sale

Ordered that Isaac Wenger guardian of Elizabeth Brenneman dec.d be required to give a new bond as such guardian and thereupon the said Isaac Wenger appeared in Court and together with Jacob Wenger his security (who justified as to his sufficiency) entered into and acknowledged a new bond in the penalty of five thousand dollars conditioned as the law requires

On Motion it is ordered that Samuel Bowman guardian of David Brenneman give a new bond as such guardian, and thereupon the said Samuel Bowman appeared in Court and together with Michael W Bowman his security (who justified as to his sufficiency) entered into and acknowledged a new bond in the penalty of six thousand dollars conditioned as the law requires

On Motion it is ordered that Christian Brunk be appointed guardian for Susannah Brenneman and thereupon the said Christian Brunk appeared in Court and together with John Brunk his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of six thousand dollars conditioned as the law requires

James W Burgess who was on the 21st day of May 1866 duly elected constable for the third Magesterial district of this County to serve as such for the term of two years commencing on the 1st day of July 1866 and after said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office appeared in Court and together with Jacob Logo & Elijah S Huffman 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 and thereupon the said James W Burgess took the several oaths required by law

Jackson Knopp who was on the 21st day of May 1866 duly elected Constable for the eighth Magesterial district of this County to serve as such for the term of two years commencing on the 1st day of July 1866 and after said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office appeared in Court and together with Henry Neff & John C Hannan 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 and thereupon the said Jackson Knopp took the several oaths required by law

John C Sprinkel who was on the 21st day of May 1866 elected Constable for the ninth Magesterial District of Rockingham County to serve as such for the term of two years commencing on the 1st day of July 1866 and after said term of office shall have expired until his successor shall be qualified to enter upon the discharge of the duties of said office appeared in Court and together with Abraham Brenneman and Joseph C Mitchell 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 and thereupon the said John C Sprinkel took the several oaths required by law

Upon the petition of Charles A Yancey Guardian of David Lincoln infant representing the said David Lincoln to be dependant for his support upon certain sums of Money due by Jacob and Abram Lincoln as executors of the estate of B F Lincoln dec.d former guardian and an amount to which he is entitled as distributee of the estate of Mary C Lincoln dec.d under the control or in the hands of one or both of the aforementioned Jacob and

Abram Lincoln it is ordered that Wm M. V. Wartmann a master commissioner of this Court shall proceed to ascertain the amount required for the annual support of said David Lincoln, and the amounts the said Jacob and Abram Lincoln shall pay towards the same specifying the same according to law. of principal or interest due by them and make report of his conclusions to the next term of this Court.

Wallace Wood a free negro who stands charged with a felony by him committed in this that he did on the 8th day of June 1866 in the County of Rockingham commit an assault and battery with intent to kill maim and disfigure by beating a billet of wood on the head of one Wesley Gordon a free negro was led to bar in custody of the Sheriff and sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation are of opinion that a felony has be 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 at the next term and thereupon the prisoner was remanded to jail the prisoner upon the trial of this cause being without counsel the Court assigned George G Gratton esqr. as counsel for the prisoner.

Smith Sampson & others Pltffs
vs
Mathias Kersh Deft } In Chancery

This cause came on to be further heard this 18th day of June 1866 upon the bill and exhibits, and it appearing to the Court, that the summons awarded in this cause has been returned executed and he still failing to appear and file his answer the bill is taken for confessed. Whereupon the argument of Counsel being heard the Court is of opinion that the tract of about A 340 in the bill mentioned should be partitioned among the parties according to their respective interests in the same. It is therefore adjudged ordered and decreed that W J McGahey Zebulon D Gilmer Henry Bird & Jamison Bent or any three of them who are hereby appointed Commissioners for that purpose do go upon the said land and partition the same among the parties allotting to defendant Mathias Kersh one half of said land and the residue to be divided into seven equal parts having regard to quality and quantity and allot or assign one seventh to Smith Sampson wife one seventh to Elicous Michael wife 1/7 to Wm Haynes wife 1/7 to Henry Johnson and wife 1/7 to Belinda Haynes 1/7 to Sarah E Haynes infant daughter of Christena Haynes and 1/7 to Frank Alex and James Haynes children of Julia Haynes deceased and report to this Court at its next term

Augustus Mosely William Johnson and George Thompson negroes who stand charged with a felony by them committed in this that they did on the 14th day of June 1866 in the night time in the County of Rockingham burglariously enter the Dwelling house of one Nelson Sprinkel and did feloniously take steal and carry away one Silver watch of the value of $50. and one Pocket Book containing $20 or $40 in National currency, five cents and ten cents in silver coin and some valuable papers all the property of him the said Nelson Sprinkel, was led to the bar in custody of the Sheriff and sundry witnesses being sworn and examined touching the premises the Court upon mature deliberation are 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 remanded for trial before the

Circuit Court of Rockingham County at the next term and thereupon the prisoners were remanded to jail

Be it remembered that A.H.C. Sprinkel. Nelson Sprinkel. James Gordon Gamliel Sprinkel. George Logan and Abraham Spencer appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars each to be levied of their respective goods and chattels Lands and tenements and for the use of the Commonwealth yet upon this condition that they shall make their personal appearance before the Circuit Court of Rockingham on the first day of the next term then and there to give evidence on behalf of the Commonwealth against Augustus Moseley William Johnson and George Thompson and not to depart thence without the leave of said Court, then this recognizance to be void. otherwise to remain in full force and virtue

Ordered that the Court be adjourned until the next term

O. B. Sibley

In the Clerk's Office of the County Court of Rockingham July 5th 1866

Henry H Reed. Edward J Reed & Geo W Reed Merchants & Partners trading under the name of Geo W Reed & Co } Pltffs
v
Isaac Paul & Wm Paul merchants & partners trading under the name & Style of Isaac Paul & Son } Defts
} In Debt

This day the defendant Isaac Paul appeared in the Clerk's Office aforesaid and confessed judgment for $1424.29 the debt in the declaration mentioned with interest and costs It is therefore considered that the pltffs recover against the said Isaac Paul the said sum of $1424.29 with legal interest thereon from the 1st day of April 1866 till paid and the costs by the pltffs in this behalf expended

Teste

Wm D Front D C

In the Clerk's Office of the County Court of Rockingham July 5th 1866

Same Pltffs
v
Same Defts
} In Debt

This the defendant Isaac Paul appeared in the Clerk's Office aforesaid and confessed judgment for $1420.27 the debt in the declaration mentioned with interest & Costs. It is therefore considered that the pltffs recover agt said Isaac Paul the said sum of $1420.27 with legal interest thereon from the 1st day of April 1866 till paid & the costs in this behalf expended. Teste Wm D Front D C

In the Office aforesaid July 5th 1866

A A Shriner & B F Hart Merchants & Partners trading under the name & Style of A A Shriner & Co } Pltff
v
Same Defs
} In Assumpsit

This day the defendant Isaac Paul appeared in the Office aforesaid

and confession judgment for $1240.65 Damages with interest from the 17th day of July 1866 and the costs subject to a credit of $500.00 paid March 12th 1866. The ~~Plaintiff~~ being represented by Counsel & agreeing to take judgment for that amount. It is therefore considered that the Pltff recover against the deft Isaac Paul the said $1240.65 damages with legal interest thereon from the said 17th day of February 1866 till paid and the costs in this behalf expended. subject to a credit of $500. paid March 12th 1866

Teste

Wm D Frost Dc

At a Court held for Rockingham County on Monday the 16th day of July 1866

Present

Joseph Funkhouser Charles J Thompson } Gent
Wm Beard & E B Dalley } 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 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 Elizabeth R Herman to D H Herman
a Lis Pendens Allan C Bryan against George L Deneen &
a Deed of Bargain & Sale from Peter Swope & wife to Reuben Swope
Same from George W Hogan & wife To Wm A Elkins
Same from Eliza Rogers To John J Mantz
Same from Jacob A Mitchell To Isaac Barton
Same from Samuel Hartman & wife To Henry A Beahm
Same from Benjamin C Long Exor to David F Linaweaver
Same from Ezra H Lowman to Wm A Jarvis
Same from Wm Sanger & wife to Wm H Herndon & c Trustees for a Church
Same from Jacob A Mitchell to John C Mitchell
Same from Manassas Blackburn To John F Lewis
Same from John Ulrick & wife To Wm J Thompson
Same from Benjamin Funk to Solomon Funk
Same from Joseph Funk to Benjamin Funk
a Deed of Release from Wm C Simmons to George W Yancey
a Deed of Bargain & Sale from John Keister & c to Jacob Sanger
Same from John T Harris & wife to Wm A Conrad

A Settlement of the guardian account of Isaac H Baker guardian for Daniel Baker having been filed in the Clerk's 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 the Guardian of Peter Baker. The same order

Same of the Guardian of Virginia E Bowman The same order

A Settlement of Daniel Yount guardian of the heirs of D P & Deborah Bowman 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 & ordered to be recorded

Same of the accounts of the Guardian of Joseph M Bowman
The Same order

Same of the accounts of the Guardian of David P Bowman
The Same order

Same of the accounts of the Managers of the estate of George Brenner dec'd
The Same order

Same of the a/c of Isaac H Baker Gua. for Samuel H Baker
The Same order

Same of the a/c of same Guardian of William Baker
The Same order

Same of the a/c of the Guardian of Fannie Lincoln &c
The Same order

Same of the a/c of the Guardian of David F Lincoln
The Same order

Same of the Guardian of Jacob & Endora Defrentz
The Same order

Same of the estate of Baltzer Dengledine
The Same order

Same of the estate of Jacob C Shank
The Same order

Same of the estate of John Weller dec'd
The Same order

An appraisement of the estate of Archibald Rethersford was presented in Court and ordered to be recorded

A Sale Bill of same estate was presented in Court the
Same order

A Sale bill & appraisement of the estate of Wilson Weise
The Same order

An Appraisement List of property & true sale bills of Peter Brenaman was presented in Court and ordered to be recorded.

A J Vanpelt who has been duly appointed a Notary Public in & for the County of Rockingham appeared in Court and together with John H Hopkins & L W Gamble his securities (who justified as to their sufficiency) entered into and acknowledged a bond with penalty of five hundred dollars conditioned as the law requires whereupon the said A J VanPelt took the several oaths required by law.

Robert Gray's ex'tor & ex'tx (use of Jacob C Hanselberger) Pltff
v
Jacob Byrd & Peter Paul Defts
} In Debt

It appearing that at the February Court 1861 of this Court that judgment was rendered in the above entitled cause and the record of said judgment having been destroyed it is therefore considered that the pltff recover against the defts $300.00 with legal interest thereon from the 25th day of March 1848 & $7.31 Costs & Int from 1857 Jany 1st & Int from 1857 Jany 1st & Int from 1860 March 16th & $80 appeal 30 & $100
also H C Hanselberger Pltff
v
Allan C Bryan John C Woodson & Litleton W Gamble Defts
} In Debt

Judgment at the February Court 1861 for $610. with interest from the 18th day of January 1860 & $7.91 Costs

J C Hanselberger Pltff
v
John Biedhimer & Franklin Lickey Defts
} In Debt

Judgment rendered at the February Court 1861 for $105.00 with interest from the 23rd day of March 1860 & $7.31 Cts ordered that the Clerk of this Court enter the said judgments of the judgment docket of this Court.

John P Kagles Pltff
v
Abraham Kantz Defts
} Upon an Attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed and the defendant being solemnly called & not appearing it is considered that the pltff recover against the deft $57.66½ cents with legal interest thereon from the 17 day of September 1855 till paid and the costs in this behalf expended and it is ordered that the officer who levied said attachment make sale of the attached effects and out of the proceeds of such sale pay and satisfy this judgment and the surplus if any pay to the ~~pltff~~ Deft or to such person as may be duly authorized to receive the same

Michael Shank Pltff
v
Jacob Byerly Defts
} Upon Arbitration & Award

By consent of the parties the following award is directed to be entered

in the proceedings of the Court (see the same filed) and thereupon it appearing that an award has been made between the parties and the same properly made out and returned and it further appearing that an award has been made between the parties and the same property made out and returned and it further appearing that the def Jacob Byerly waives the necessity of a rules and consents that said award may now be entered as the judgment of the Court the same is accordingly done. therefore it is considered by the Court that the said Michael Shank pursuant to said award recover against the the defendant Jacob Byerly the sum of three hundred and thirty five dollars and eighty one cents with interest from the 25 day of June 1816 together with the costs of this suit

Alice S Filler orphan of Samuel Filler being over the age of 14 years of age appeared in Court and with the approbation of the Court made choice of Wm Sawley as her guardian and the Court doth appoint the said Wm Sawley guardian for John Filler orphan of same who is under the age of 14 years and thereupon the said Wm Sawley appeared in Court and together with Joseph Altaffer 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

Sarah Filler orphan of Samuel Filler decd being upwards of 14 years of age appeared in Court & with the approbation of the Court made choice of Joseph Altaffer as her guardian and thereupon the said Joseph Altaffer appeared in Court and together with Wm Sawley his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500. conditioned as the law requires

On the Motion of Asa S Baugher who made oath thereto according to law and together with Wm Ammon & Wm Garnich his securities (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of two thousand four hundred dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of Anna S Baugher decd

Ordered that Moses Lauser. John Marden. George Baugher & Samuel S Naylor or any three of them being first duly sworn for that purpose do appraise the estate of Anna S Baugher decd and report there on to the Court according to law

The Court doth appoint Nancy A Secrist guardian for Henrietta V M Secrist & Mary M A Secrist orphans of Charles W Secrist who are under the age of 14 years of age and thereupon the said Nancy A Secrist appeared in Court and together with John Leidy & Samuel A Long his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires

Upon the application of Misses Louisa & Cordelia Estes & H Hebbert who have paid the tax imposed by law. a license is granted them to keep a House of Public Ordinary in this County until the 1st day of July 1817. the Court being satisfied that they are persons of good character not addicted to drinking or gaming and will probably keep a house useful orderly and such as the law requires

On the Motion of Samuel Coates it is ordered that the estate of Abraham Smith be committed to the Sheriff of this County for administration according to law

On Motion by consent of all parties interested it is ordered that the power & authority of W & M D Harris as administrators of Deninah Smith dec'd be revoked and annulled. and the On the motion of Charles A Yancey who made oath thereto according to law and together with Jacob N Liggett his security (who justifies as to his efficiency) entered into & acknowledged a bond in the penalty of one hundred dollars conditioned as the law requires

Ordered that A G Bryan. S H Moffett and George G Gratten after being first duly sworn for that purpose do appraise the estate of Deinah Smith and report thereon to the Court according to law

S W Pollock sergeant of Harrisonburg presented in Court an account against the Commonwealth amounting to $820 which being sworn to in Court was examined & allowed and ordered to be certified to the auditor of the public accounts

The Court doth appoint Israel Caplinger guardian for Israel Lentz Simon Peter Lentz & Polly Ann Lentz orphans of Jacob Lentz dec'd who are under the age of 14 years appeared in Court & together with Jacob Caplinger his security entered into & acknowledged a bond in the penalty of $400. conditioned as the law requires

Power of Attorney from Jacob Caplinger to Henry Neff which being duly acknowledged before a justice of the peace is together with the certificate hereon endorsed admitted to record

Ordered that Wm Shanas be released from the payment of County and Parish levies for the year 1865

On the Motion of Benjamin F Spitzer and it appearing that Philip Spitzer & Mary Spitzer have departed this life more than three months ago and no person having appeared for administration upon their estates. it is ordered that the estates of Philip Spitzer & Mary Spitzer be committed to the Sheriff of Rockingham County for administration according to law

A Division of the real estate of Jacob Freeze dec'd made in pursuance to the mutual agreement of the heirs was presented in Court and no exceptions being offered thereto. the same is confirmed and ordered to be recorded

Ordered that Mason Bare & John B Bear be released from the payment of County & Parish levies assessed against them for the year 1865 it appearing to the Court that the said assessment was erroneously made

Wm Minnick Pltff
vs
Joseph Showalter Deft } Upon an attachment

This day came the pltff his attorney and the attachment issued in this cause being returned executed and the deft still failing to appear. it is considered by the Court that the pltff recover against the deft $500 with legal interest thereon from 22d day of July 1863 till paid and the costs in this behalf expended it is therefore considered that the officer who levied said attachment make sale of so much the attached effects and out of the proceeds of such sale pay and satisfy this judgment and the surplus

if any pay to the deft or such person as may be duly authorized to receive the same: and make report thereon to the Court according to law

Comr. Wm McK Hartmann presented in Court his report made upon the petition of Mrs Sarah Allebaugh and by consent of all parties interested it is ordered said report be recommitted Comr Hartmann to be acted & reported ~~thereon to the~~ on according to law

Upon the petition of Jennetta Runcle on her motion it is ordered that the said petition be referred to Comr Wm McK Hartmann to be acted and reported on according to law

Jefferson Weitzel who stands charged with a felony was led to the bar in custody of the Sheriff and on motion of the prisoner the examination of this cause is continued until the next term

Ezekiel Weitzel David Barks & Emanuel Smith who have duly summoned to appear here as witnesses on behalf of Jefferson Weitzel at the suit of the Commonwealth being solemnly called and not appearing. It is ordered that they be summoned to appear on the first day of the next term of this Court to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

S P Reamer jailor of this Court presented in Court an account against the Commonwealth amounting to $54.25 which being proven to in Court was examined allowed and ordered to be certified to the Auditor of Public accounts

Jonathan Bateman Pltff
vs
A B Tangpany Deft
} Upon an attachment

On Motion of the pltff it is ordered that this cause be filed upon the docket

Evans Jones Pltff
vs
Adam Leacy Deft
} Upon an attachment

The attachment issued in this cause being returned executed and the deft being solemnly called and not appearing. It is considered that the pltff recover against the deft $87.41 with interest thereon from the 10th day of November 1866 the period the costs in this behalf expended. subject to a credit of $18.11 of date May 11th 1866. it is ordered that the officer who levied said attachment make sale of the attached effects and out of the proceed pay and satisfy this judgment and the surplus if any pay to the deft or such person as may be duly authorized to receive the same and report thereon to the Court according to law

John B Amig a justice of this Court for the 1st Magisterial District by an instrument of writing tendered his resignation as such justice which resignation is accepted and it is ordered that an election be held for a proper person to fill the vacancy occasioned by said resignation be held on the last Saturday in this present month and the

the Commissioners and officers who conducted the election held on the 24th day of May last. &c conduct the said election

Ordered that Henry Heaturole be appointed surveyor of precinct No 98 in the place of Adam Gore

Samuel R Allebaugh Sheriff of this County. Joseph T Logan Robert G Coakley Christopher Miller. Henry Neff & G C Ammon his Deputies. presented in Court lists of Delinquents in the property & capitation tax which being sworn to in Court. were examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Samuel B Good who was on the 24th day of May last duly elected constable for the 5th Magesterial District of this County to serve as such for the term of two years commencing on the 1st day of July 1866. and after the said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office. appeared in Court and together with John F Long David C Brenaman. John Rhodes & Wm D Bair his securities entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires. and thereupon the said Samuel B Good took the several oath required by law

John H Berry who was on the 24th day of May last duly elected a constable for the first Magesterial District for this County to serve as such for the term of two years from the 1st day of the present Month. and after said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office. appeared in Court and together with G C Ammon and James M Wearer his securities entered into & acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires. and thereupon the said John H Berry took the several oaths required by law

James F Lowman who was on the 24th day of May last duly elected a Constable for the fourth Magesterial district for this County to serve as such for the term of two years commencing on the 1st day of the present Month & after the said term of office shall have expired until his successor shall have qualified to enter upon the discharge of the duties of said office appeared in Court and together with Fred K Speck & John Dinkle his securities entered into & acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires. and thereupon the said James F Lowman took the several oaths required by law

William Peters ~~Appellant~~ } Upon an appeal from the judgment
vs } of a justice of the peace
John H Austin ~~Appellee~~

This day came the parties by their attorneys and sundry witnesses being sworn examined the Court upon mature deliberation are of opinion that there is no error in the judgment aforesaid. It is therefore considered that the judgment aforesaid be affirmed and that the said John H Austin recover against Wm Peters and John H Heil his security in said appeal $19. with legal interest thereon from the 19th day of

January 1864 till paid and $1.00 cents recovered before said justice & $230 damages by reason of said appeal and the costs in this behalf expended

Be it remembered that Frederick Smith Abraham Mayers & Philip Sowers personally 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 chattels lands and tenements and for the use of the Commonwealth Yet upon this condition that they shall make their personal appearance before this Court on the 1st day of the August term next then & there to give evidence on behalf of the Commonwealth against Jefferson Metzel and not to depart thence without the leave of said. Then this recognizance to be void otherwise to remain in full force and virtue

D S Resch Pltff
vs
P W Ronaldush Defs } upon an Award

This day came the pltff by his attorney and on his motion said award is made the judgment of the Court. it is therefore considered that the pltff recover against the defs $533.30 the amount found by said award with legal interest thereon from the 7th day of May 1865 till paid and the costs in this behalf expended

Ordered that Wm Stinespring be released from the payment of County & Parish levies for the year 1865. it appearing that said assessment is erroneous

Philip Dingledine Pltff
v
Joseph C Williams Defs } upon an attachment

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed

Ordered that John Young be appointed surveyor of precinct No 60. in the place of Jacob Brunk dec'd

Philip Koontz Pltff
v
G W Sanford Defs } In Debt

On Motion of the pltff he has leave to withdraw from the papers in this cause the obligation upon which this action is founded upon leaving a correct copy with the papers

J R Brathwaite Pltff
v
Charles L Miller Defs } upon an attachment

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

Julia Ann Derrow Pltff
v
Augustin Armentrout Deft
} Upon an award

This day came the parties by their attornies and by consent of the parties it is ordered that the said award be entered as the judgment of this court it is therefore considered that Augustin Armentrout recover against the said Julia Ann Derrow the sum of Seven hundred and twelve dollars and sixty one cents with legal interest thereon from the 22d day of March 1866 and the costs in this behalf expended and the costs $21.00 expended by said Armentrout before the arbitrators this judgment is subject to a credit of $100 of date the 22d day of March 1866

Augustin Armentrout Pltff
v
Wm W Armentrout Deft
} Upon an award

This day came the parties by their attornies and by consent it is ordered the award made and returned in this cause be entered up and made the judgment of this court it is therefore considered that the said Augustin Armentrout recover against the said Wm W Armentrout forty dollars with legal interest thereon from the 22d day of March 1866 till paid and $18.95 costs awarded before the arbitrators and the costs in this behalf expended

James M Johnson Appellant
v
Jacob Lincoln Appellee
} Appeal from the judgment before a justice of the peace

This day came the parties by their attornies and sundry witnesses being sworn and examined and the Court before entering upon deliberation are of opinion that there is error in the said judgment of the justice it is therefore considered that the appellee recover against the appellant & Livingston Johnson his security in said appeal $5.15 with legal interest thereon from the 21st day of April 1866 till paid subject to a credit of $6 of date the 16th July 1866 and the cost by the appellee in this behalf expended

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

Joseph Funkhouser

Tuesday July 17th 1866

Present
Joseph Funkhouser Wm Beard & J McGaheyn
C J Thompson & O B Kelly
} Esqrs Justices

S J Hannbergen who has been duly licensed as an attorney appeared in Court & took the several oaths required by law

John Kelly Pltff
v
Pat Fitzgerald &c Defts
} In Chancery.

This day came the parties by their attornies and by consent

consent of parties it is ordered that the power and authority of Pat Fitzgerald as trustee for Michael Flynn in the deed of the 10th day of June 1866 be revoked and annulled. and that Wm M. K Wartmann be appointed and substituted as trustee in lieu of said Pat Fitzgerald. with all the power and authority as if he was appointed as the by authority of the deed aforesaid

James M Johnson Plff
vs
Jacob Lincoln Deft } Action on appeal

This day came again the parties by their attorneys and on motion for reasons appearing to the court it is ordered that the order and writing judgment for costs against the appellant this security be revoked and annulled. that the appellee only recover the amount of the judgment aforesaid. without costs to either party

S R Allebaugh Sheriff of this County presented in Court an account against the Commonwealth amounting to two hundred and ninety nine dollars and sixty cents. which being sworn to in Court by said S R Allebaugh and Joseph T Logan his deputy. who acted as the guard. which account was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts. & it is further ordered to be certified that the said Sheriff & his deputy. did go to the City of Indianapolis Ind in pursuance to the requisition of the Governor of Virginia. bearing date on the day of 1866 for the purpose of arresting Noah Whetzel who stands presented for felony. and that the Governor of Indiana upon being presented with said requisition refused to deliver the said Whetzel to the said Sheriff

Ely Ammon & others Plff
vs
John McMechan & others Deft } In Chancery

This cause came on this day to be heard upon the papers herein read. the report of the Commissioners. Depositions exhibits and the proceedings herein had. and being argued by counsel upon consideration whereof. for reasons appearing to the Court by consent of parties it is ordered that this cause be removed to the Circuit Court of this County where proceedings were first instituted by the parties in this cause for the purposes prayed for in the said bill & proceedings. to be there finally disposed of

Ordered that an election be held for a Constable for the sixth Magisterial of this County. to be held on the 11 day of August 1866. and that the Officers & Commissioners who superintended the election held on the 24th day of May last. do conduct the said election

Ordered that the Court be adjourned until the next term

Joseph Funkhouser

Virginia

At a Court held for Rockingham County on Monday the 20th day of August 1866

Present

Peter S Roller. Madison Moore. Jno J Bowman } Gent
George S Christie B M Rice } 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 July 1866 which being seen and inspected by the Court and ordered to be entered on the minutes as follows viz

A Deed of Bargain & Sale from A G Aikman Sheriff &c to Mary A Runcle
A Marriage Contract between Samuel Flory & Maria Celine
A Deed of Trust from Henry Conrad to Felix R Davis In Trust for Foreer & Clippinger
A Deed of Bargain & Sale from Timothy Funk & wife to Ephraim Rinebush
Same from Jacob Dunaway & wife &c to Daniel Coupe
Same from Jacob N Liggett & wife to A S & C Sprinkel
Same from George O Conrad & wife to D M Lantzer
Same from Nathaniel Britton to Jensen D Kildew
Same from Abraham Summers & wife to George Shank
Same from J A Mitchell to Timothy M Curdy
Same from Christian Haws to Reubin Swope
A Deed of Trust from Charles M Price to E S Staver In Trust for Solomon Staver
A Deed of Bargain & Sale from Algernon S Gray to John McNeil
Same from Thomas L McChesley to Samuel R Sterling
Same from H J Gray & wife to Wm L Kaiscofe
Same from Morris Lewenbach & wife &c to Jonas A Lowenbach
Same from Jacob H Beam & to Barbara Whitmore
Same from Jacob Cole to Fayette Cole
Same from John N Gordon & wife &c to Aaron H Wilson
Same from Samuel A Funkhouser to John F Long
Same from Jacob Brubecker to Anthony Burkholder
A Deed of Trust from Jacob Frank to Wm B Compton In Trust &c
A Deed of Bargain & Sale from Samuel Carver & wife &c to Fred K Speck & Trustee
Same from John H Beery & wife to Patrick Shay

A Settlement of the estate of John Brenneman 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 Guardian of J P Eddins	The Same order
Same of the estate of John Cedrick	The Same order
Same of the estate of Wm P Nicholas	The Same order
Same of the estate of A S Rutherford	The Same order
Same of the a/c of the Guard'n of Mary Cook	The Same order

On the motion of S R Allebaugh Sheriff of this County. Wm H Roadiffer is permitted to qualify as his deputy Sheriff. and thereupon the said Wm H Roadiffer appeared in Court and took the several oaths required by law

A Division of the land of which Jacob Freese dec'd made by mutual consent of parties interested. was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

The last will & testament of David Hedsinger dec'd. was presented in Court and proved by the oaths of David H Hedsinger & Michael Thomas the subscribing witnesses thereto and ordered to be recorded and on the motion Eli Spitzer who made oath thereto according to law. and together with Philip Hedsinger & Jesse Moyers his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of $1400 00 conditioned as the law requires a certificate is granted the said Eli Spitzer for obtaining a probate of said will in due form

Ordered that Michael Thomas. Jesse Moyers Michael Sohn & Joseph Beamsderfer or any three of them being first duly sworn for that purpose do appraise the estate of David Hedsinger dec'd and report thereon to the Court according to law

Upon the petition of Robert L Yancey for a change in a Public road known as the Port Republic road on his own land. it is ordered that the said Robert L Yancey have leave to change said road commencing where the private road that leads from his buildings intersects the Port Republic road and running with the new road already made by him in a North Eastwardly direction to intersect the Port Republic road

On Motion it is ordered that DeWitt Coffman. Gideon Kratzer and Silas Kenton be appointed commissioners to assign and lay off to Mary M Beery one 11th in the dower of which Magadelene Beery died seized

The Last will and testament of Adam Coffman dec'd was presented in Court and proved by the oaths of Lewis Will and Michael Brock two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Wm G Thompson the executor therein named who made oath thereto according to law and together with Lewis Will & Martin Garber 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 a probate of the said will in due form

Ordered Henry Alger. George Brunk George Will & Jonathan Branner or any three of them being first duly sworn for that purpose do appraise the estate of Adam Coffman dec'd and report thereon to the Court according to law

On the motion of Benjamin S Van Pelt it is ordered that leave be granted him to assign his license as an ordinary keeper in the town of Harrisonburg to Jacob P Effinger

Ordered that Wm M Sibert. Abraham Anders. Joseph B Strayer. Franklin Little & John Sprecher or any three of them being first duly sworn for that purpose do appraise the estate of Jacob W Zirkle dec'd and report thereon to the Court according to law

On the motion of R S Hannsbergen it is ordered that the estate of Benj F Marty be committed to the Sheriff of this County for administration according to law

Emma M Bear orphan of Jacob Bear being upwards of 14 years of age by an instrument of writing made choice of Samuel A Coffman as her guardian and thereupon the said Samuel A Coffman appeared in Court and together with Wm D Coffman his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $800 cc conditioned as the law requires

fee paid

On the motion of Samuel B Sheets who made oath thereto according to law and together with Peter S Roller & Samuel Funkhouser his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of three hundred dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form upon the estate of Elizabeth Sheets dec'd

Ordered that P A Clarke John T Moyers & George Kiser after being first sworn for that purpose do appraise the estate of Elizabeth Sheets dec'd and report thereon to the Court according to law

On the Motion of Simon P Sheets who made oath thereto according to law and together with Peter S Roller and Samuel Funkhouser his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $800 cc conditioned as the law requires a certificate is granted the said Simon P Sheets for obtaining letters of administration in due form upon the estate of John B Sheets dec'd

Ordered that P A Clarke John T Moyers & George Kiser after being first duly sworn for that purpose do appraise the estate of John B Sheets dec'd and report thereon to the Court according to law

The Last will & testament of George Shaver dec'd was presented in Court and proved by the oaths of E S Mitchell & Christian Brenk two of the subscribing witnesses thereto and ordered to be recorded

Upon the petition of Mary Barr that she is an unmarried woman and very poor that she has judgments against John Barr and Abraham Brenneman and that she is dependant upon both principal & interest of said judgments for her support it is ordered that the said petition be referred to Masters Commissioner Wm M Hartman to be acted on and report thereon according to law

On the motion of James M Chapman who made oath thereto according to law and together with Thomas Moore his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $600 conditioned as the law requires a certificate is granted him for obtaining letters of administration de bonis non upon the estate of William Chapman dec'd.

Ordered that Wallace West Peter Zetty. Emmanuel Driver Lewis Strickler or any three of them being first duly sworn for that purpose do appraise the estate of William Chapman dec'd and report thereon to the Court according to law

Joseph M Kratzer Pltff
vs
Kate Long Deft } Upon an attachment

This day came the Pltff by his attorney and it appearing that the attachment issued in this cause being returned duly executed and the deft being solemnly called and not appearing and the Court being satisfied as to the justice of the pltffs demand it is therefore considered that the pltff recover against the deft $60.00 with legal interest thereon from the 17th day of May 1866 till paid and the costs in this behalf expended and it is ordered that the officer who levied said attachment make sale of the attached effects and out of the proceeds ~~thereof~~ and satisfy this judgment and the surplus (if any) pay to the deft or such person as may be duly authorized to receive the same, and make report thereof to the Court according to law.

On the motion of R C Bregonia who has been duly licensed to practise as an attorney at law in the Courts of this Commonwealth on his motion he is permitted to qualify in this Court and thereupon the said R C Bregonia took the oath as prescribed by law

On Motion and for reasons appearing to the Court that J S Duckwall has been erroneously assessed with the County & Parish levies for the year 1865. It is therefore ordered that the said J S Duckwall be released from the payment of said levies

James Steele who was on the 11th day of August 1866 duly elected constable for the Sixth Magesterial district of this County to serve as such for the unexpired term ending on the 1st day of July 1868 and after the said term shall have expired until his successor is qualified to enter upon the discharge of the duties of said office appeared in Court and together with Francis M Chipman & Jesse Ralston & (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. and [redacted] upon the said James Steele took the several oaths required by law

Oscar F A Perkey who was on the 21st day of May 1866 duly elected constable for the 2d Magesterial [redacted]istrict of this County to serve as such for the term ending on the 1st day of July 1868 & after said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said office appeared in Court & together with Zachariah Raines 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. and thereupon the said Oscar F. Perkey took the several oaths required by law

Reports of the Settlements of the estate accounts of John Hoarnsberger decd with his admrs Thomas K Hoarnsberger and Henry Hoarnsberger for the years ending January 1st 1865 and January 1st 1866. were returned to Court. and it appearing from said reports that Comr Wartmann. that there was due to said admrs from the said estate the sum of $780.86 in Confederate States currency on the 10 day of Feby 1865. and that on the 15th day of Feby 1865. the real estate belonging to said deceedant was ~~rented~~ rented out for the sum of $589.50 which the parties claim was to be paid in Confederate notes. It is ordered that these accounts be recommitted to Comr Wartmann to take evidence as to the manner in which the rents of said estate for the year commencing on the 15th of Feby 1865 were to be paid. and report the same with any other matters the said Commissioner may deem pertinent. or any party in interest may require

Comr Wm McK. Wartmann this day filed his report upon the petition of Jennette Rincle. which was examined by the Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same upon the petition of Eliza A Golden

The Same order

Same upon the petition of Sarah Allebaugh

The Same order

Same upon the petition of Mary E Kyle

The Same order

Same upon the petition of R M Kyle's ex'rs

The Same order

Nebulon D Gilmer foreman Geo. Mesick Samuel Sheets. Abram J Rosenberger Marcus Lawson. Eli Long. Jesse Myers. Elias Braun Lewis Byrd. Eli Spitzer Wm McInturff. Isaac Funk George Miller Jr Samuel Earman Henry Harnsberger Jr John Burkholder. Franklin Heughes. Ephraim Wenger. John R Swadley Silas Lary were sworn a Grand Jury of and for the body of the County of Rockingham. and having received their charge retired from the bar and after some time returned into court & presented the following indictments viz an indictment against Montgomery Johnson for an assault & battery "a true bill" an indictment against Wellington Johnson for an assault & battery "a true bill". and [redacted] indictment against Alfred McCauley. for Petit Larceny "a true bill" and the said Grand Jury not having any further business before them were discharged

Ordered that Montgomery Johnson & Wellington Johnson be summoned to appear here on the first day of the Nov Term next to answer the indictments this day found by the grand jury against them

On the motion of Frank C Wilson who made oath thereto according to law and together with Samuel M Dold his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $800.00 conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form upon the estate of John M Wilson dec'd

Ordered that C C Strayer, Henry Shacklett, Henry T Wartmann & W S Lusty or any three of them being first duly sworn for that purpose do appraise the estate of John M Wilson dec'd and report thereon to the Court according to law

John N Hill Pltff
vs
David Funk Deft
} Upon an Attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed and it appearing that the deft is not a resident of this Commonwealth and the order of publication in this cause being returned duly executed. And the Court being satisfied of the justice of the pltffs demand, it is considered that the pltff recover against the deft $34.75 with legal interest thereon from the 9th day of October 1851 till paid and the costs in this behalf expended. And it appearing that there are in the hands of John Funk who has been summoned as a garnishee in this cause effects or other securities belonging to said David Funk more than sufficient to pay the said sum of $34.75 with interest and costs and the said John Funk shall pay such amount as are in his hands now belonging to said David Funk and that he be constituted a receiver of such amounts of money or such property as belonging to or are coming to said David Funk and shall pay the said John N Hill any balance due upon the said amount of $34.75 interest from the 9th of Oct 1851 & costs which he may not be able to pay out of the money in his hands now from amounts collected hereafter

Levi Rinker Pltff
vs
David Funk Deft
} In Debt upon an Attachment

This day came the pltff by his attorney and the attachment issued in this cause being returned executed, and it appearing that the deft is not a resident of this Commonwealth, and the order of publication issued in this cause being returned executed, and the Court being satisfied of the justice of the pltffs demand, it is considered that the pltff recover against the deft $34.41½ cents with legal interest thereon from the 16th day of July 1852 till paid and the costs in this behalf expended, and it appearing that there are in the hands of John Funk who has been summoned as a garnishee in this cause effects or other securities belonging to said David Funk more than sufficient to pay this judgment and the said John Funk shall pay such amount as are in his hands now belonging to said David Funk & that he be constituted a receiver of such amounts of money or such property as belonging to or are coming to said David Funk & shall pay the said Levi Rinker any balance due upon the said amount of $34.41½ together with interest & costs which he may not be able to pay out the money in his hands now from amounts collected hereafter

Commonwealth
vs
Alfred McCauley } Upon an Indictment for Petit Larceny

This day came Lowell the attorney for the pltff as the deft by his attorney who pleaded not guilty to which the attorney replied generally. and thereupon the trial of the issue is deferred untill the next term. and it is ordered that the prisoner be discharged from custody

John Shoemaker Pltff
vs } Upon an Attachment
Ezra Buntner Deft

This day came the pltff by his attorney. and the attachment issued in this cause being returned executed. and the deft being solemnly called and not appearing. and the Court being satisfied of the justice of the pltffs demand. it is considered that the pltff recover against the deft $33.00 with legal interest thereon from the 15th day of November 1858 till paid. and the costs in this behalf expended and it is ordered that the Officer who levied the said attachment. make sale of the attached effects. and out of the proceeds pay and satisfy this judgment. and the surplus (if any) pay to the deft or such person as may be duly authorized to receive the same. and report his proceedings to this Court

Aaron Shutters Pltff
vs } Upon an Attachment
John S Braun Deft

This day came the pltff by his attorney and the attachment issued in this cause being returned executed. and the deft being solemnly called and not appearing. it is considered that the pltff recover against the deft $80.25 with legal interest thereon from the 6th day of August 1866 till paid. and the costs in this behalf expended. and it is ordered that the officer who levied the said attachment make sale of the attached effects and apply the proceeds toward the payment of this judgment. and report his proceedings to this Court. and the cause as to Jas F Lowman summoned as a garnishee be continued untill the next term

On the Motion of Elizabeth Sowers and it appearing that more than three months have elapsed since the death of John Sowers & no person having applied for administration upon his estate. it is ordered his said estate be committed to the Sheriff of this County for administration according to law

On the Motion of Dr J W Winsborough and it appearing that more than three months have elapsed since the death of Peter Haynes Jr. and no person having applied for administration upon his estate. it is ordered that his said estate be committed to the Sheriff of this County for administration according to law

Fannie C Lincoln
vs } On Motion of Fannie C Lincoln proceeding under 2d & 5th
Jacob Lincoln sections of act passed by the Legislature of Virginia March 2d 1866 entitled an

act to stay collection of debts for a limited period. it appearing that petition of the plaintiff as an unmarried woman was duly presented to the Court. and that the Commissioner of the Court ascertained the amount necessary for her support to be $175. per annum and assessed the amount upon Jacob Sincler. and that such report was approved by the Court and entered of record by the Clerk. and that the said defendant had twenty days notice of the intention of said plaintiff to present this motion. the Court gives judgment in behalf of said plaintiff against said defendant for $175. and all costs by her hitherto expended in this cause

Jefferson Wetzel who stands charged with a felony by him committed in this that he did on the 5th day of May in the year 1865 in the County of Rockingham. one mare of the value of one hundred dollars of the goods and chattels of Philip Sowders. then and there being found feloniously steal take and carry away against the peace and dignity of the Commonwealth of Virginia. was led to the bar in custody of the Sheriff. and a summary witnesses being sworn and examined. and the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. it is therefore ordered that he be remanded for trial before the next Circuit Court of this County on the first day of the next term thereof. and thereupon the prisoner was remanded to jail

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

P. S. Roller

Tuesday August 21st 1866

Present

P S Roller. Madison Moore B M Rice } Gent
George S Christie Jno J Bowman } Justices

The Court doth appoint Samuel Bare guardian for Hiram Mc Bare and Amanda Bare children of the said Samuel Bare. who are under 14 years of age and thereupon the said Samuel Bare appeared in Court and together with Josiah S Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars conditioned as the law requires which bond is ordered to be recorded

cd
Hiram Mc Bare

Jefferson Wetzel who stands charged with a felony by him committed in this that he did on the 5th day of May 1865 in the County of Rockingham one horse of the value of one hundred dollars of the goods and chattels of Frederick Smith then and there being found feloniously steal take and carry away against the peace and dignity of the Commonwealth of Virginia was led to the bar in custody of the Sheriff and summary witnesses being sworn and examined the Court upon deliberation are of opinion that no felony has been committed by the prisoner it is therefore ordered that the prisoner be acquitted & discharge of the offence aforesaid

Jefferson Wetsel who was examined on yesterday and sent to the Circuit Court to be tried for a felony by him committed. was this day led to the bar in custody of the Sheriff and thereupon the prisoner moved the Court to reconsider their action had in this cause on yesterday which motion the Court doth overrule and thereupon the prisoner was remanded to jail

Be it remembered that Abraham Mayers. Philip Sowders. Frederick Smith & Joshua Dove 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 each to be levied of their respective goods and chattels lands & tenements and for the use of the Commonwealth. Yet upon this condition that they shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof. to give evidence on behalf of the Commonwealth against Jefferson Wetzel 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

Catharine R Lewis daughter of Charles H Lewis being upwards of 14 years of age ~~appeared~~ by an instrument of writing made choice of her father the said Charles H Lewis as her guardian. and thereupon the said Charles H Lewis appeared in Court and together with John T S Lewis his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Six hundred dollars conditions as the law requires. which bond is ordered to be recorded

Ordered that the following named persons be exempted from the payment of County & Parish levies viz: John Kephart. Jos Baugher John Harman Sen. Riley Snyder & Isaac Moyers son of Jno Moyers

It appearing that Mrs E Millebarger has been erroneously assessed with one County & Parish. It is ordered that she be released from the payment thereof

It appearing that Mrs E A Koontz has been erroneously assessed with three Levies it is ordered that she be released from the payment of the same

Present

P S Roller. John J Bowman. Madison Moore B M Rice. Geo S Christie. Thomas Moore. Wm M Cartmann. A S Baugher. Henry Beery. Isaac Wright. Josiah Sowders. Philander Herring. Martin Garber. Charles S Thompson. Lewis Weil. Josiah S Roller. Joseph Funkhouser. Enoch B Dolly. Wm M Carpenter. Jno Funk. Wm S Miller. Ed Kemper. Warren T McGahey. Gid Rosenbarger. Wm Beard. Wm Sanfley. James A Harper & Peter Paul } Gent Justices

Ordered that S Clair Williams be exempted from the payment of County and Parish levies

V V

A G Ammon Deputy for S R Allebaugh Sheriff of this County presented in Court an account against the Commonwealth amounting to $12.05 which

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

Jefferson Metzel who was on yesterday examined for a felony and sent to the Circuit Court for trial. ~~was sent to the Sheriff~~ this day again appeared in Court by his Counsel and on his motion it is ordered that he be admitted to bail for his appearance before said Court in the sum of one thousand dollars for himself & the like sum of $1000. for his security. which recognizance may be taken before any justice of the peace for Rockingham County

On Motion and for reasons appearing ~~to the Court~~ the Court refuses to adopt the provisions of an act of the General Assembly of Virginia entitled "an act to prevent and punish unlawful Hunting" passed February 20 1866

It is ordered that W S Lurty & B G Patterson be granted the privilege of erecting an office in the South Eastern corner of the Court House yard said office to correspond in dimensions & finnish with those already erected said W S Lurty & B G Patterson is to have exclusive control of said office for fifteen years from the date of the completion of the office. free of all rents & demands whatsoever as compensation for erecting the same. at the end of which time the said office will revert to the County

Samuel R Allebaugh Sheriff of this County and ~~Ly~~ Co Amnon Jr F Logan Christopher Miller Henry Neff. R G Cookley & ~~Presented~~ his Deputies presented in Court their lists of delinquents in the County levies for the year 1865 which being sworn to was examined by the Court and allowed & ordered to be filed

The justices of the County of Rockingham having been summoned to appear on this day and a Majority being present. it is ordered that the purchase made by the overseers of the poor for this County of the Farm owned by Jonas Lowenbach about 4 Miles South of Harrisonburg adjoining the lands of Deneale. Lewis & others and containing about 325 acres at the sum of $19.500 on the following payments and manner the first payment to be $3000.00 and to be paid by a transfer of the present poor house property near Keezletown to the said Jonas Lowenbach at the sum of $3000. The 2nd payment to be $4135 and to be paid on the 1st day of September 1867. 3rd payment to be $4135 and to be paid on the 1st day of Sept 1868 and the 4th payment to be $4135 and payable on the 1st day of Sept 1869 and the 5th and last payment on the 1st day of Sept 1870. ~~said~~ deferred payments are not to bear interest until due. fully ratifying and confirming the agreement of purchase on the part of the overseers of the poor with the said Jonas A Lowenbach. and ordering them to finally conclude it. and fully assenting to the sale and application of the proceeds of sale of the Poor house property near Keezletown

On Motion it is ordered that the County Agent Wm M K Wartmann advertise to all persons holding claims for ~~salt~~ impressed grain & provisions under a former order of this Court, to procure the evidence of their claims and make report to this Court at the June term next of this Court

The Court decline & refuse to take any action at this term in regard to the payment of bonds executed for the purchase of salt & payment of interest on the bonds executed by the County for the benefit of the Manassas Gap Rail Road Company

Ordered that Joseph Kavanaugh be appointed superintendent of the Court House yard ~~and that he be allowed the sum of $~~ for his services

Ordered that the Commissioners of the revenue for this County be allowed the sum of ten dollars each for listing the number of dogs in this County

The justices having been summoned for that purpose and a majority being present proceeded to lay the County and Parish levies as follows. to wit

Claims allowed and appropriation made this day. allowances to County Officers pay of justices &c $4434.20
allowance for contingent expenses 400.29
Sheriff's comm for collecting levy 320.51
Estimated Delinquents. say 1250 @ $1.50 1875.00
$7050.00

Cr

By 4700 Levies @ $1.50 $7050.00
To amount required for the support of Poor and other expenses of Poor & Poor House 6133.00
Amount allowed for Sheriffs Commissions delinquents &c 2797.00
$8930.00

~~By 4700 Levies @ 1.90~~ Cr
By 4700 Titheables at $1.90 each $8930.00

Ordered that the Sheriff of this County collect from each titheable in this County not exempt by law $3.40 one dollar and fifty cents of which shall be appropriate for County purposes and one dollar & ninety cents to the Parish and out of the money arising from such collections pay the claims this day allowed and the appropriations made by the Overseers of the Poor and the balance after deducting Sheriffs Commissions and delinquents pay to the County Agent

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

G. S. Christie

Wednesday August 22d 1866

Present

George S Christie Josiah Sowers B M Rice } Gents
Madison Moore E B Dolly } Justices

Joseph T Logan Deputy for S R Allebaugh Sheriff of this County presented in Court a list of delinquents in the land tax for the year 1865 which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Ordered that Abraham Grile be appointed surveyor of precinct No 88. in place of Benjamin Bowman. resigned

Bushong Hess who has been duly summoned to appear as a witness on behalf of Wm Minnick vs of W N Phillips being solemnly called and not appearing it is ordered that he be summoned to appear ~~as a witness~~ here on tomorrow to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Timothy Cashman alias Timothy O'Neale who stands charged with a felony by him committed in this that he did. on the 16th day of February 1865 at the County of Rockingham. feloniously marry and take to wife one Caroline Moyerhoeffer. he the said Timothy Cashman alias Timothy O'Neale having before married and taken to wife one Mary Sheridan. and she the said Mary Sheridan. the lawful wife of the said Timothy Cashman alias Timothy O'Neale being then living. was led to the bar in custody of the Sheriff and the Court not having time to ~~examine the~~ fully hear the case the further examination of the prisoner is continued until to morrow and thereupon the prisoner was remanded to jail

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

G. S. Christie

Thursday August 23d 1866

Present

George S Christie Madison More B An Rice } Gent
Enoch B Dolly and Josiah Sowders } Justices

Timothy Cashman alias Timothy O'Neale who stands charged with a felony by him committed in this that he did on the 16th day of February 1865 at the County of Rockingham. "feloniously marry and take to wife one Caroline Moyerhoeffer. he. the said Timothy Cashman alias Timothy O'Neale having before married. and taken to wife one Mary Sheridan. and she. the said Mary Sheridan. the lawful wife of the said Timothy Cashman alias Timothy O'Neale being then living" was this day again led to the bar in custody of the Sheriff. and the Court having fully heard the evidence the arguments of counsel. 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 Rockingham County. on the first day of the next term thereof. and thereupon on motion of the prisoner he is admitted to give bail for his appearance before the said Circuit Court. in the sum of one thousand dollars for himself. and the like sum of one thousand dollars for his security which recognizance may be taken before any justice of the peace for Rockingham County. and thereupon the prisoner was remanded to jail

Be it remembered that John Fitzgerald and John O'Herron personally appeared in court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of One hundred dollars each lawful money of Virginia to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth. Yet upon the condition they shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof, then and there to give evidence on behalf of the Commonwealth against Timothy Callahan alias Timothy O'Neale 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

Alexander Berry who has been duly summoned to appear here as a witness on behalf of James Hartman's adm'r against Henry McDonnan. and being solemnly called and not appearing. it is ordered that he be summoned to appear here on tomorrow to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Zachariah Rowdabush who has been duly summoned to appear here as a witness on behalf of Henry McDonnan ad James Hartman's adm'r. being solemnly called and not appearing. it is ordered that he be summoned to appear here on tomorrow to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Commonwealth
vs
Elizabeth Terrill } Upon an Indictment for Petit Larceny

This day came as well the attorney for the Commonwealth as the attorney for the deft. and thereupon came a jury to wit George Arey. Conrad Long Peter Weise. Levi Weise Wm Keesley. A J Nicholas. Godfrey Brock. Jackson Rhodes Benjamin Miller. D H VanPelt. Jacob Tiffer and Isaac Archart who being elected tried and sworn the truth to speak upon issue joined and having heard the evidence and argument of Counsel retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find the the defendant Guilty as charged in the within indictment". Whereupon on the motion of the Attorney for the Commonwealth a writ of Capias is awarded against the defendant to be directed to the Sheriff of this County commanding him to take the said defendant if she be found within his bailiwick. and her safely keep so as to have her on the 1st day of the Nov Term next to shew if any thing she hath to say why the Court then should not proceed to pronounce judgment against her according to law

Commonwealth
vs
Jane Jarnes } Upon an Indictment

On the Motion of for reasons appearing to the Court it is ordered that this cause be continued until the next term at the cost of the deft

Commonwealth
vs No 2 } Upon an Indictment
Jane Jarvis

Same
vs No 3 } Upon an Indictment
Same

Same
vs } Upon an Indictment
James M Johnson

Same
vs } Upon an Indictment
Livingston Johnson

Same
vs } Upon an Indictment
Same

Same
vs } Upon an Indictment
James M Johnson
and
Same
vs } Upon an Indictment
John Rhodes

On Motion it is ordered that the aforesaid seven causes be continued until the next term

Commonwealth
vs } Upon an Indictment
Levi H Rinner

This day came as well the attorney for the Commonwealth as the deft by his attorney and thereupon came a jury to wit. Peter Wise Daniel H VanPelt Franklin Cherryhomes Jackson Rhodes Conrad Long Abner J Nicholas. Isaac Arehart Cyrus Rhodes Levi Wise. Wm Keesley Joseph M Hannsberger and Benjamin Bowman 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 considered that the said Levi H Rinner recover against Augustus Heller the prosecutor for this cause the costs in by him about his defence in this behalf expended

Commonwealth
vs } Upon an Indictment
Robert Rhodes } On Motion this Cause is continued until the next term

Commonwealth
vs
James Branham } Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft. and thereupon came a jury to wit George Arey. Jacob Tiffer Godfrey Brock. George Gowl. Samuel Rymer. Benjamin Miller. James Rowdcap. Jacob Zirkle. Elijah Minnick Henry McDaman. Henry Rhodes and John 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 some time returned into Court and upon their oaths do say "We the jury find the defendant not Guilty" and judgment accordingly

Commonwealth
vs
Isaac Brown } Upon an Indictment

Same
vs
Albert C Lincoln } Upon an Indictment
and
Same
vs
George Rimel } Upon an Indictment

On Motion & for reasons appearing to the Court it is ordered that the aforesaid three causes be continued untie the next term of the Cts. Court

Ordered that Rezen Bryan be exempted from the payment of County & Parish Levies

Commonwealth
vs
John Koontz } Upon an Indictment
Continued untie the next term

Wm E Deneale
vs
Melvin Smith } Unlawful Detainer

On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed and it is considered that the Pltff recover against the deft the Costs in this behalf expended

Ordered that the petitions of M Wittig &c, M D Coffman & R Gibbons &c Thos C Greiner & Levi Sager &c be continued untie the next term

Ordered that the petition of John Leonen for the establishment of a mill dam in the County of Rockingham be dismissed

M D Coffman &c	Pltff	Upon a writ of Ad Quod Dammum
v		
J A Lovenbach &c	Defts	
~~Wm~~ Scothorn's heirs	Pltff	Writ of Ad Quod Dammum
v		
David Kagy &c	Defts	
John Smith	Pltff	Writ of Ad Quod Dammum
v		
Same	Defts	
Curtis Yates	Pltff	Writ of Ad Quod Dammum
v		
Same	Defts	
J & S Mantz	Pltff	Writ of Ad Quod Dammum
v		
Same	Defts	
M Layton	Pltff	Writ of Ad Quod Dammum
v		
Same	Defts	
Milton J Carrier	Pltff	Upon an attachment
v		
Jesse Carrier	Defts	
Peter S Roller	Pltff	Upon an attachment
v		
Eli Trutwiler	Defts	
George W Stanley & wife	Pltff	Upon an attachment
v		
Jesse Carrier	Defts	
Wm Saufley	Pltff	Upon an attachment
v		
A J Baugher	Defts	
R H Yancey	Pltff	Upon an attachment
v		
Jesse Carrier	Defts	
and		
Daniel Huffman	Pltff	Upon an attachment
v		
David Sipe	Defts	

On Motion & for reasons appearing to the Court it is ordered that the aforesaid Twelve causes be continued until the next term

Wm Sawfley	Pltff	Upon a Suggestion
vs		
C S Weaver &c	Defts	
Peter Long	Pltff	Upon an Attachment
vs		
Jno M Kiser	Deft	
Samuel Barley	Pltff	Upon an Attachment
vs		
Same	Deft	
M J Meyerhoeffer	Pltff	Upon an attachment
vs		
Wm Woolfrey	Deft	
John C Woodson	Pltff	Upon an Attachment
vs		
S F Showalter &c	Deft	
Davis Mineshring	Pltff	Upon an attachment
vs		
Wm M K Fishback	Deft	
Michael Carman	Pltff	Upon an Attachment
vs		
John K Lawrence	Deft	
Solomon Garber	Pltff	Upon an Attachment
vs		
C C Garber	Deft	
Bushrod Rust	Pltff	Upon an Attachment
vs		
John K Lawrence	Deft	
Andrew Clayton	Pltff	Upon an attachment
vs		
Jesse Carrier	Deft	
Christian Sites	Pltff	Upon an attachment
vs		
Christian Showalter	Deft	
Robert Ruffner	Pltff	Upon a Suggestion
vs		On Motion & for reasons appearing to the Court
Isaac Wenger	Deft	

It is ordered that the aforesaid 12 cases be continued until the next term

Wm Sackie	Pltff	Upon a Motion
vs		
O J A Perkey et al	Deft	

Samuel Barley	Pltff	Upon an attachment
vs		
Jacob Shaver	Deft	

Jas H Wolfley	Pltff	In Case
vs		
Randolph Turk et al	Defts	

Geo W Stanley trustee	Pltff	In Covenant
vs		
Jesse Carrier	Deft	

John L Wevason	Pltff	In Case
vs		
Jonette Harry	Deft	

Jno W Davelson	Pltff	In Case
vs		
Daniel D Dove	Deft	

Peachy Wine	Pltff	In Case
vs		
John K Moore	Deft	
and		
John F Lewis	Pltff	In Case
vs		
Addison Royer	Deft	

On Motion and for reasons appearing to the Court it is ordered that the apresaid eight causes be continued untie the next term

G W Fraley for	Pltff	Upon an attachment
vs		
Rauenbaum & Loeb	Defts	

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

Jno Burke	Pltff	In Case
vs		
Samuel Funkhouser's admrs	Deft	

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

G. S. Christie

Friday August 24th 1866

Present

George S Christie Madison Moore B M Rice } Gent
Josiah Saunders & Enoch B Dolly } Justices

Wm W Hooke & others Pltffs
vs
Sarah J Williams Deft } In Chancery

This cause came on to be ~~further heard upon the papers filed~~ finally heard this 24th day of August 1866 upon the papers filed, the proceedings heretofore had and the report of Commissioners Edward S Kemper, Joseph Beery and Harvey Wise to which there is no exception, and the same is hereby adopted and confirmed. The Court doth further adjudge order and decree that said report and accompanying paper containing the bearings and distances of the several lots embraced in the partition be with a plan and recorded in the deed book of this County as evidence of the title of the several shares allotted among the heirs. The Court doth further order that the costs of this suit and expenses attending the partition be equally paid by the parties, one seventh by the guardian of the minor defendant, and one seventh by each of the Complainants

On the motion of Jesse Burkholder and Peter Shaver the executors of George ~~Shaver~~ named in the last will and testament of George Shaver deceased admitted to record at the present term, who made oath thereto according law and together with William Phillips, Levi Shaver, Anthony Burkholder, Silas Henton, Henry Shaver and George W Shaver their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifty thousand dollars conditioned as the law requires, a certificate is granted the said Jesse Burkholder & Peter Shaver for obtaining a probate of the said will in due form

Ordered that Christy Brunk, Samuel Bowman, Henry Beery and Silas Henton or any three of them being first duly sworn for that purpose do appraise the estate of George Shaver dec'd and report thereon to the Court according to law

Jacob Byerly & John Shoaltter who have been duly summoned to appear here as witnesses on behalf of Abraham Painter and John Rhodes, being 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

Noah W Beery Pltff
vs
A H Johnson Deft } In Case

This day came the parties by their Attornies and thereupon came a jury to wit Jackson Rhodes, Peter Wise, Benjamin Bowman, Levi Wise, Cyrus Pence, Daniel H VanPelt, Wm Hellsey, Samuel Rymer, Benj Miller, George Arey, Isaac Archart and Conrad Long who being elected tried and sworn the truth to speak upon the issue joined & not having time to fully hear the case are adjourned until to-morrow morning at 9 o'clock

B F Walker assignee Pltff
vs
Jacob Miller &c Defts } In Debt

This day came the parties by their attorneys and the defendants by their attorney also pleaded payment to which the pltff replied generally and thereupon the issue joined judgment obtained in the office is set aside and the trial of the issue deferred until the next term

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

G. S. Christie

Saturday August 25th 1866

Present

George S Christie Madison Moore B M Rice } Gent
Enoch B Dolly and Josiah Sowders } Justices

Mayer & Bro Pltff
vs
Wm Sawley Deft } In Debt

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

George M Bowman's admr Pltff
vs
John Bowman &c Defts } In Debt
The Same order

Same Pltff
vs
John Bowman Deft } In Debt
The Same order

David Bowman Pltff
vs
Same Deft } In Debt
The Same order

Same Pltff
vs
Same Deft } In Db
The Same order

H & B Jones Pltff
vs
Wm K Gailey &c Defts } Upon a motion

On Motion and by consent of parties it is that this cause be continued until the next term

Christena McDaniel Pltff
vs } In Debt
Noah Meadows Deft

On Motion by consent it is ordered that this cause be continued until the next term

Maggie L Houston Pltff
vs } In Covenant
Timothy Shughrue &c Defts

On Motion of the plaintiff by her attorney and for reasons appearing to the Court it is ordered that this cause be dismissed

Noah W Beery Pltff
vs } In Case
N H Johnson Deft

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 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 & after some time returned into Court and not having agreed upon their verdict were adjourned until Monday morning at 9 O'Clock

James Hartman's adm'r Pltff
vs } In Case
Henry McDaman Deft

This day came the parties by their attornies and thereupon came a jury to wit. George Gowe, Joseph M C Hamsberger, Jacob Fifer, Godfrey Brock, Abner J Nicholas, Franklin Cherryholmes, Abraham B Lincoln, Franklin Hughes, Elijah Hooks, David M Huffman, Frederick Rhodes and William Miller who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel retired from the bar to consider of their verdict, and after some time returned into Court and not having agreed upon their verdict were adjourned until Monday Morning at 9 O'Clock

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

G. S. Christie

Monday August 27th 1866

Present

George S Christie, B M Rice, Enoch B Dolby, Madison Moore } Gent Justices

On the motion of Frances Campbell, and it appearing that more than three months have elapsed since the death of Charles P Campbell and no person having applied for administration upon his estate, it is ordered that his said estate be committed to the Sheriff for administration

George H Carpenter Pltff
vs } In Debt
Samuel Swartz &c Defts

On Motion of the plaintiff by his attorney and for reasons appearing to the Court it is ordered that this cause be dismissed

A Settlement of Jacob Lincoln Guardian of Fannie A Lincoln 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 Lahman & others Pltff
vs } In Chancery
Martha J Lahman & others Defts

This cause came on this day to be heard upon the papers heretofore read. former orders & decrees & the report of Madison Moore. George Marty and Lepus Rhodes commissioners appointed to make partition of the lands in the Bill & proceedings mentioned, to which Report no exceptions have been taken and being argued by counsel upon consideration whereof the Court approves and confirms said report & it is ordered that the same be withdrawn & recorded in the proper Deed book of this County as evidence of the title in the various parties aforesaid to the lots of land assigned to them respectively, and it is adjudged ordered and decreed that the title to each lot of land named in said Report do vest fully & exclusively in the party to whom the same has been assigned by said Commissioners in their Report aforesaid. and that the Complainants recover against each of the defendants their equal proportion of the costs herein expended

Noah W Berry Pltff
vs } In Case
A H Johnsen Deft

This day came the parties by their attornies and the jury sworn and empannelled on Friday 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 the consent of the parties Jackson Rhodes one of said jurors was withdrawn and the balance from rendering a verdict ~~the~~ discharged and the trial of the issue defendant unto the next term

The Court doth appoint William Saufley Guardian for Marianna Buttner & Louisa Buttner children of Ezra Buttner who are under the age of 14 years and thereupon the said ~~Elijah Banta~~ Saufley appeared in Court and together with Amos Scott 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

On the Motion of W^m McGahey & ~~David Scott~~ and it appearing to the Court that Thomas L Yancey who executed as a deed of trust executed on the day of

February 1856 by said McGahey, has departed this life, it is ordered that John M Welborn appointed trustee in the place of, and with all the powers that were vested in the said Thomas L Yancey

Jonathan Bateman who has been duly summoned to appear here as a witness on behalf of William Minnick at the suit of W H Philips 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

James Hartman's adm'x Pltff
vs
Henry M Dorman Deft } In Case

This day came again the parties by their attornies and the jury sworn and empannelled on Saturday 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 sometime returned into Court and not being able to agree, by consent of parties George Gowl one of the said jurors was withdrawn & the balance from rendering a verdict, discharged, and the cause is continued until the next term for a new trial to be had therein

Richard Jarrol's adm'x Pltff
vs
Silas Slick & Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Joseph Rhodes, Robert Cox, B F Armentrout, Abram Armentrout, George M Hogan, Robert Chandler, Garner Mefick, Joseph M Kratzer, Daniel H Gowl, Shelton Harner, Noah Burkholder and John Linneweaver 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 say say we the jury find for the plaintiff Sixty five dollars and eighty three cents part of the debt in the Declaration mentioned, to be paid in currency with interest from this date, and we find that the defendant does not owe the residue of said debt" It is therefore considered that the pltff recover against the Deft $65.83 the finding of the jury aforesaid, with legal interest thereon from this day and the costs by the pltff in this behalf expended

~~Samuel R Allebaugh who was on the 3d day of May 1855 duly elected by the qualified voters of the County of Rockingham Sheriff thereof to serve as such for the term of two years commencing on the first day of January 1856 and after the said term of office shall have expired until his successor is qualified & enters upon the discharge of the duties of said office appeared in Court and took the oath~~

W H Philips Pltff
vs
Wm Minnick Deft } In Detinue

This day came the parties by their attornies and thereupon came a jury

to wit George Gowe. Joseph M C Hoarnsberger. Jacob Tifer. Jackson Rhoades. Conrad Long. Daniel H VanPelt. George Arey. William Heelsley. Benjamin Miller Cyrus Pence. Isaac Archart and Levi Weise 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 untie to morrow morning at 9 O'Clock

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

G. S. Christie

Tuesday August 28th 1866

Present

George S Christie Madison Moore } Gent.
B M Rice and Enoch B Dolly } Justices

W H Philips Pltff
vs } In Detinue
William Minnick Deft

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 Court in pursuance to their adjournment and having fully heard the evidence and argument of Counsil 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 horse in the declaration mentioned of the value of $125.00" Therefore it is considered by the Court that the Plaintiff recover against the defendant the said Horse of the price aforesaid if said Horse may be had but if not then the price aforesaid of said horse together with with the costs by the pltff about his suit in this behalf expended

Garner Mefsick Pltff
vs } In Case
George Chrisman Jr Deft

This day came the parties by their attornies and thereupon came a jury to wit Peter Weise. Abner J Nicholas. Benjamin Bowman. Samuel Rymer Pendleton Bryan. D M Kauffman. John S Effinger. John McShowalter. William Sandy Martin Sisley Jacob W Zirkle and Wm E Webster who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of Counsil retired from the bar to consider of their verdict and after some time returned into Court and not being able to agree are adjourned untie to Morrow morning at 9 O'Clock

Eli Summers &c Pltff
vs } In Case
A H Brewer & Defts

On Motion & for reasons appearing to the Court it is ordered that this cause be continued untie the next term at the costs of the pltff

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

G. S. Christie

Wednesday August 29th 1866

Present

George S Christie. B M Rice. Madison Moore } Gent
Enoch B Dolly } Justices

William L Grandle who was on the 24th day of May in the year 1866 duly elected constable for the 7th Magesterial District of Rockingham County to serves as such for the term of two years commencing on the 1st day of July 1866 and after said term of office shall have expired until his succesor is qualified to enter upon the discharge of the duties of said office appeared in Court and together with William W Carpenter & John H Berry 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 and thereupon the said William L Grandle took the several oaths required by law

John Rhodes Pltff } In Trespass
vs
Abram Painter Deft }

This day came the parties by their attornies and thereupon came a jury to wit William Keesley. Isaac Riehart. Conrad Long. George Gowe. Joseph M L Harrisberger Godfrey Brock. Daniel H VanPelt. Jacob Fifer. Franklin Cherryhomes. George Arey Cyprus Pence and Levi Wise 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 considered that the defendant recover against the ~~defendant~~ Pltff the costs by him about his defence in this behalf expended

Gasner Mefsick Pltff } In Case
vs
George Chrisman Jr. Deft }

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 Court ~~and having fully~~ and retired from the bar to consider of their verdict and after some time returned into Court and not being able to agree upon their verdict Peter Wise one of said jurors was withdrawn by Consent of parties and the balance from rendering a verdict discharged and the cause is continued until the next term for a new trial to be had therein

John Rhodes Pltff } In Trespass
vs
Robert Allen Painter Defts }

This day came the parties by their attornies and thereupon came a jury to wit Jackson Rhodes. Benjamin Miller. John H Ralston. Christian Grandle George Chrisman. Abraham Armentrout. George Lee Hogan. Augustin Armentrout. Benjamin F Armentrout. Noah Burkholder. Adam H Brewer and Shelton H Garner who being elected tried and sworn the truth to speak upon the issue

joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say "We the jury find the defendant not Guilty" It is therefore considered that the defendants recover against the plaintiff the costs by them about their defence in this behalf expended

Absent George S Christie Present Wm S Miller Gent Justices

John L Woodson Pltff
vs } In Case
Jacob L Silbert &c Defts

This day came the parties by their attornies and thereupon came a jury to wit Conrad Long. Jacob Tifer. Wm Keesley. George Gowe. Cyrus Pence. Levi Wise. Isaac Arehart. Franklin Cherryhomes. Garner Mefsick. John Coare. Daniel H Gowe and Henry Bennet who being elected tried & sworn the truth to speak upon the issue joined and not having time to hear all the evidence are adjourned until to morrow morning at 9 O'Clock

G W C Stanley for &c Pltff
vs } In Debt
Isaac Miller &c Defts

This day came the parties by their attornies and the Defts by their attorney filed special Pleas to which the Pltff replies generally and thereupon the judgment obtained in the office is set aside.

Noah M Beery Pltff
vs } In Case
A H Johnson Deft

On the Motion of the defendant and it appearing that this cause has been depending in this Court for more than twelve months without having desicion therein. it is ordered that the same be removed to the Circuit Court of this County

James Hartman's adm'r Pltff
vs } In Case
Henry McDonman Deft
The same order

Abraham Earley Pltff
vs } In Case
Robert Sanders &c Defs

This day came the parties by their attorneys and the defts by their attorney pleaded "Not Guilty" to which the Pltff replies generally and thereupon the writ of enquiry and judgment obtained in the office is set aside. and leave is reserved to the defts to file special pleas within sixty days from this date

D. J. Foley & Bro — Pltffs
v
John S Brownlee — Deft } In Case

This day came the parties by their attornies, and the defts by their attorney pleaded "non assumpsit" to which the pltffs replied generally and thereupon the judgment obtained in the Office is set aside and the trial of the issue deferred until the next Term

John P Swank — Pltff
v
Joseph Weaver — Deft } In Case

The Same order

Mathias Snyder — Pltff
v
G & Ammon — Deft } In Case

The Same order

W H Lam & J W Elliott — Pltff
v
Jeremiah Dove — Deft } In Covenant

This day came the parties by their attornies, and the Deft by his attorney said that he hath well and truly performed the condition of the covenant in the pltffs declaration mentioned to which the pltffs replies generally, and leave is reserved to the deft to file special pleas. and thereupon the judgment & Writ of enquiry obtained in the Office is set aside and the Trial of the issue deferred until the next Term

Wm White — Pltff
v
James H Cook & — Deft } In Debt

This day came the parties by their attornies, and the Deft by their attorney who pleaded payment to which the pltff replied generally and thereupon the judgment obtained in the Office is set aside & the trial of the issue deferred until the next term, and leave is reserved to the defts to file special pleas in this cause

Wm P Richards — Pltff
v
Lewis J Gaither — Deft } In Case

This day came the parties by their attornies, and the deft pleaded Not Guilty to which the pltff replied generally and thereupon the judgment obtained in the Office is set aside

John Hearick — Pltff
v
David Steinespring — Deft } In Case

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

Wm Trunk Pltff
vs
Benjamin Trumbo Deft } In Covenant

This day came the parties by their attorneys and the deft by his atto. saith that he hath well and truly performed the conditions of the Covenant in the pltffs declaration mentioned. and thereupon the writ of enquiry and judgment obtained in the office is set aside. and leave is reserved to the deft to file special pleas. & the trial of the issue is deferred until the next term

Mayer & Bro Pltffs
vs
John S Brown & Co Defts } In Case

This day came the parties by their attorney and the defts by their attorney pleaded non assumpsit and also filed special pleas denying the partnership between John S Brown & Mary Brown to which pleas the pltffs replied generally and thereupon the judgment obtained in the office is set aside and the trial of the issue deferred until the next term

J Leopold Pltff
vs
Same Defts } In Debt

This day came the parties by their attorneys and the defts by their atty pleaded Nil Debit. and also filed special pleas to which the pltff 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

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

Thursday August 30th 1866

Present
William S Miller B M Rice. Madison Moore & Enoch B Polly } Gent Justices

Stuart B Bowles Pltff
vs
Levi Shaver Deft } In Case

This day came the parties by their attorneys and by consent. all matters in dispute in this cause is submitted to the final award and determination of Daniel Byerly and Warren S Lusty whose award or the award of their Umpire shall be entered up and made the judgment of this Court

W H Karicofe for Pltff
vs
Jacob J Frank Deft } In Debt

This day came the parties by their attorneys on motion it is considered that the pltff recover against the deft the sum of $75.00 part of the debt in the

declaration mentioned with legal interest thereon from the 4th day of June 1866 till paid. and the deft pleaded payment as to the residue of the debt in the declaration mentioned and leave is given to deft to file special pleas. & continued until the next term

Joseph Moyers Pltff
vs
Henry Miller 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 leave is reserved to the deft to file special pleas. and the trial of the issue is deferred until the next term

James A Campbell Pltff
vs
Franklin Whitmore Deft } In Debt
The Same order

Same Pltff
vs
Same & others Defts } In Debt
The Same order

R H & G W Yancey Pltff
vs
R H & G W Yancey Defts } In Debt
The Same order

Adam Rader for Pltff
vs
Abraham Staph's admr. Deft } In Debt
The Same order

Same Pltff
vs
Same Deft } In Debt
The Same order

J M Smith Pltff
vs
A R Blundell Deft } In Debt
The Same order

Wm Minnick for Pltff
vs
G W Showalter Deft } In Debt
The Same order

Jacob Price Pltff
vs
John Bowman Deft } In Debt
The Same order

Jesse Carrier Pltff
vs
Wm L. Harrison Deft } In Case

This day came the parties by their attornies and the deft by his attorney pleaded non assumpsit & 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 deferred until the next term

James A Campbell Pltff
vs
C J Sullivan Deft } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded non est factum to which the pltff 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

Henry Michael's admr Pltff
vs
Christian Kyger & Defts } In Debt

The Same Order

James McStout Pltff
vs
R H Humbert's admrs Deft

This day came the parties by their attornies and the deft by his atto pleaded payment to which the pltff replied generally, and leave is reserved to the deft to file special pleas in this cause, and thereupon the judgment obtained in the Office is set aside and the trial of this issue is deferred until the next term

C Clinton Clapp Pltff
vs
William Loel Deft } In Case

This day came the parties by their attornies and the deft by his atto pleaded non assumpsit. to which the pltff replied generally & thereupon the judgment obtained in the Office is set aside and leave is reserved to the said Deft to file special pleas and the trial of the issue is deferred until the next term

John L. Morrison Pltff
vs
William E Deneale & Deft } In Covenant

This day came plaintiff by his attorney and it being suggested that the deft Wm E Deneale has departed this life which is ordered to be entered on record and the cause is discontinued as to the other defendants is continued until the next term

Jno P Brock pltff vs Geo W Ronaldson Deft. On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed

Frech S Duff — Pltff
vs
Jacob Dinkee — Deft
} In Covenant

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

Joseph Randall — Pltff
vs
Abraham Armentrout — Deft
} In Cause
The Same Order

Catharine Kirtley — Pltff
vs
Aly Sigler &c — Defts
} In Debt

This day came the parties by their attornies and the defendant by their attorney pleaded Nil Debit to which the pleff by her attorney replies generally and thereupon the judgment obtained in the office is set aside and the trial of the issue is deferred untie the next term. and leave is reserved to the defts to file special pleas in this cause

Coffmans & Bruffy — Pltffs
vs
Joshua Jennings &c — Defts
} In Debt
The Same order

Seenara Pasano — Pltff
vs
John S Brown — Deft
} In Debt
The Same order

Morehead & Nitze — Pltff
vs
Same — Deft
} In Debt
The Same order

Dunaway & Kegler — Pltff
vs
Joseph D Price &c — Defts
} In Debt
The Same order

Maggie L Houston — Pltff
vs
Wm C Deneale — Deft
} In Covenant

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

Weller & Bro — Pltff
vs
Wm Sawfley — Deft
} In Debt
The Same order

Larkins & Carlow — Pltffs
vs
Wilson Carrier & — Defts
} In Case

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

John Evers' admrs — Pltffs
vs
Philip D Turtuiler & — Defts
} In Debt

This day came the parties by their attorneys and the defts by their attorney pleaded payment to which the pltff replied generally and leave is reserved to the defts to file special pleas and thereupon the judgment obtained in the office is set aside and the trial of the issue is deferred until the next term

Same — Pltff
vs
A M Peale — Deft
} In Debt
The Same order

Same — Pltff
vs
Samuel Good & — Deft
} In Debt
The Same order

Same — Pltff
vs
James McBryan & — Defts
} In Debt
The Same order

R H Miller & Co — Pltff
vs
P S Roller & — Defts
} In Debt
The Same order

Newman Ware for — Pltff
vs
Jeremiah Dovel — Deft
} In Debt
The Same order

Thomas Shumate — Pltff
vs
C A Sprinkle — Deft
} In Debt
The Same order

Maggie L Houston Pltff
vs
David Landes &c Defts } In Covenant

This day came the parties by their attornes and the defts by their Attorney who said that they have well and truly observed and performed the condition of the writing obligatory in the declaration mentioned to which the plaintiff replied generally and thereupon the writ of enquiry & judgment obtained in the Office is set aside & the trial of the issue is deferred until the next term

Same Pltff
vs
W Brannum &c Defts } In Covenant

The same order

Abraham C Simmons Pltff
vs
Richard H Yancey 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 judgment obtained in the Office is set aside and the trial of the issue is deferred until the next term

Henry Dennis's adm'r Pltff
vs
Julia Ann Dennis &c Defts } In Case

The Same order

Maggie L Houston Pltff
vs
George W Fawcett &c Defts } In Covenant

This day came the parties by their attornies and the defts by their attorney saith that they have well and truly observed and performed the condition of the writing obligatory in the declaration mentioned to which the plaintiff 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

George Fawcett Pltff
vs
John Shumaker Deft } In Case

This day came the parties by their attornies and the defendant pleaded "Not Guilty" to which the pltff replied 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

Jacob Turner Pltff
vs
Henry McDaman Deft } In Trespass

The Same order

Henry Bull Pltff
vs
James Mooberry Deft } In Case

This day came the parties by their attornies and the defendant pleaded "Not Guilty" to which the plaintiff replied generally, and thereupon the judgment Nisi of enquiry obtained in the Office are set aside and the trial of the issue is deferred until the next term.

Wm E Deneale for Pltff
vs
Martha Mefferly &c Defts } In Debt

It appearing to the satisfaction of the Court that the plaintiff in this suit is dead, it is ordered that the same be certified

G W & C Stanley for &c Pltff
vs
Isaac Miller &c Deft } In Debt

This day came the parties by their attornies, and the deft files certain special pleas 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.

Carrol Adams & New Pltff
vs
William Saufley Defts } In Debt

This day came the parties by their attornies, and the defendant pleaded "payment" to which the pltff replied generally, the deft also files an account of offsets which he avows 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 deferred until the next term.

R W & G McGarvey Pltffs
vs
Strother Bright Deft } In Debt

This day came the parties by their attornies, and the deft by his attorney files his plea of usury 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.

R S Hannsberger &c Pltff
vs
Wm B Garvey's adm'r Deft } In Debt

This day came the parties by their attornies and the defendant saith that he hath fully administered all and singular the goods and chattels, rights and credits of the said testator, to which the plaintiff 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.

Peter Koontz Pltff
vs
George W Sanford &c Defts } In Covenant

This day came the parties by their attorney and the deft by his attorney pleaded Covenants performed & not broken & to issue in 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

Samuel Shacklett Pltff
vs
Samuel Wright &c Defts } In Detinue

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

Jacob J Frank Pltff
vs
George W Hogan Deft } In Case

This day came the parties by their attornies and the defendant by his attorney pleaded Not Guilty and filed a general demurrer to which the pltff replied generally, and thereupon the judgment in obtained in the office is set aside and the trial of the issue is deferred until the next term

John C Woodson Pltff
vs
Jacob L Silbert &c Defts } In Case

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 Court in pursuance to their adjournment and not having time to hear all the evidence were adjourned until to morrow morning at 8 O'Clock

Ordered that the Court be adjourned until to morrow morning at 8. O'Clock

P S Miller

Friday August 31st 1866

Present

Wm L Miller. Madison Moore B M Rice and Enoch B Dolly } Gent Justices

Reuben P Sowman Pltff
vs
George W Berlin Deft } Upon a warrant removed from before a Justice of the peace

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

The Court doth appoint Peter Heil guardian for George W Shawalter Maggie Shawalter Emma Shawalter & John C Shawalter orphans of John F Shawalter who are under the age of 14 years. and thereupon the said Peter Heil appeared

in Court and together with John N Hill his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars conditioned as the law requires which bond is ordered to be recorded

On the motion of Mr Long and it appearing that more than three months have elapsed since the death of John H Long and no one having applied for administration upon his estate, it is ordered that his estate be committed to the Sheriff for administration according to law

Ordered that Dr S M Dold, Peachy Rice John C Morrison and L W Gamble or any three of them being first duly sworn for that purpose do appraise the estate of John H Long dec'd and report thereon to the Court according to law

John C Woodson Pltff
vs
Jacob L Sibert &c Defts } In Case

This day came again the parties by their attornies and the jury sworn and empannelled on Wednesday last for the trial of this cause appeared in Court in pursuance to their adjournment & not having time to fully hear the parties were adjourned until to morrow morning at 8 O'Clock

Ordered that the Court be adjourned until to morrow morning at 8 O'Clock

Wm S Miller

Saturday September 1st 1866

Present

Wm S Miller, Madison Morris, B M Rice and Enoch B Dolby } Gent. Justices

Ordered that Isaac Stone be appointed Surveyor of precinct No in the place of Wm H Rodiffer resigned

Benjamin H Ralston's adm'r
vs
Barbara Neff's adm'r } Upon an award

This day came the parties by their attornies and by consent of parties it is ordered that said award be entered up as the judgment of this Court as follows to wit. "First that the interest of Daniel Bowman in the $2000 which was willed by Henry Neff to his wife during her life & at her death to his children shall be paid to the estate of Benjamin H Ralston and that the interest of Jacob Neff, Henry Neff & Henry Reynolds & wife in said $2000 shall be first applied to the payment of the sum of $300.00 with interest thereon from the 25th day of March 1857, which said sum we also find to be due from said Daniel Bowman to the estate of said Benjamin H Ralston dec'd and that the remainder of the interests of said Jacob Neff, Henry Neff & Henry Reynolds and wife in said $2000 shall be paid to Joseph Burkholder adm'r of the estate of Barbara Neff deceased, and further that the costs of this

award amounting to $7.50 shall be paid equally by Joseph Burkholder admr of aforesaid and Dana R Hopkins executor as aforesaid

Robert L Robert Pltff
vs
Frederick Hillyard Deft
} In Case

This day came the parties by their attornies, and on the Motion of the defendant by his attorney, and it appearing to the satisfaction of the Court that the pltff is not an inhabitant of this state, it is ordered that this suit be dismissed at the next Nov term, unless security for the payment of such costs and damages as may be awarded the Deft and also of the fees which have & may become due from the pltff to the Officers of this Court, be given with the Clerk within sixty days from this time

Fannie E Lincoln Pltff
vs
Jacob Lincoln Deft
} On a Motion

The defendant Jacob Lincoln this day moved the Court to set aside a judgment rendered against him in favour of the plaintiff on the 1st day of this term of the Court for $175 and costs, and the Court not having time to hear the same it is continued until the next term

Ordered that the following allowances be made to jurors for service during the present term to be paid by the Commonwealth viz
Frank Cherryhomes 50cts, Geo Arey $1.00, Jno M C Hannsberger 50 cents
Peter Wise 1.00, Cyrus Pence 50c, Benj Miller $1.00, D H C VanPelt $1.00
A J Nicholas $1.00, Godfrey Brock $1.00, Geo Gowe 50c, Isaac Archart $1.00
Saml Rayman 50c, Conrad Long $1.00, Levi Wise $1.00, Wm Heelsley $1.00
Jackson Rhodes $1.00, Benj Bowman of Jacob 50c, Jacob Fifer $1.00, James
Roadcap 50c, Jacob W Zirkle 50c, Elijah Minnich 50c, Henry McDorman 50c
Henry Rhodes 50, Jno M Huffman 50c and it is ordered that the Sheriff pay the above named sums to the several persons entitled to the same

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

			Frak Cherryhomes	$	1	25	Geo Arey	$ 1	25
Jno M C Hannsberger	$	9	50	Martin Brenneman		1	25	Peter Wise	9	00
Peter Wise		8	00	Cyrus Pence		1	75	Benj Miller	9	00
D H C VanPelt		9	00	Wesley Espshade		1	25	Jno P Brock	1	25
A J Nicholas		9	00	Godfrey Brock		9	00	Geo Gowe	13	25
Isaac Archart		13	75	Saml Rayman		9	50	Jno G Cootes	1	25
Levi Reedy		1	25	Conrad Long		12	75	Levi Wise	12	75
Wm Heelsley		12	75	Jackson Rhodes		12	75	Benj Bowman of Jacob	9	50
Jacob Fifer		12	75	Jas Roadcap			75	Jacob W Zirkle		75
Elijah Minnich			75	Henry McDorman			75	Henry Rhodes		75
Jno M Huffman			75	Joseph Rhodes		1	25	Robert Carr	1	25
B F Armentrout		2	50	Abm Armentrout		2	50	Geo W Keagan	2	50

Robt Chandler	✓	1	25	Garner Mefrich	✓	6	[redacted]	[redacted]atzer	✓	✓	1 25
Danl H Grove	✓	6	25	J H Garner			[redacted]	Bryan	✓		2 50
Noah Burkholder		2	50	Jno Sineweaver	✓	2	50	[redacted]	Showalter	✓	2 50
D M Huffman	✓	5	00	Jno S Effinger	✓	2	50	[redacted]	Zirkle	✓	2 50
Wm Sandy	✓	2	50	Martin Sisney		2	50	Wm L Webster		✓	2 50
A B Lincoln		2	50	Frank Hughes	✓	2	50	Wm Miller			2 50
Elijah Hooks	✓	2	50	Fred Rhodes	✓	2	50	Jno H Ralston		✓	1 25
Chris Granade		1	25	Geo Chrisman	✓	1	25	Aug Armentrout		✓	1 25
Adam H Brewer		1	25	John Conner		5	00	Hy Bonnett		✓	5 00

And it is ordered that the Sheriff of this County pay the above named sums to the persons respectively entitled to the same

W H Phillips Pltff
vs
William Minnick Deft } In Case

This day came again the parties by their attornies and the deft by his attorney tendered a bill of exceptions to opinions & actions of the Court had & done upon the trial of this cause which was signed sealed and enrolled by the Court & made a part of the record

John C Woodson Pltff
vs
Jacob L Sibert &c Defts } In Case

This day came again the parties by their attornies and the jury sworn and empannelled on Wednesday last 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 upon their oaths do say "We the jury find for the plaintiff and assess his damages at one thousand dollars" and thereupon the defendants by their attorney moved the Court to set aside the said verdict and grant them a new trial on the ground that the finding of the jury was contrary to the evidence and the instructions of the Court which Motion the Court doth sustain ~~said motion~~ and set aside the said verdict and grant the defendants a new trial to be had therein at the November term next of this Court upon the payment of the costs of this trial. Memorandum upon the trial of this cause the defts excepted to opinions and actions of the Court had & delivered upon the trial of this cause which exceptions being signed sealed and enrolled by the Court and ordered to be made a part of the record

Adam H Brewer Pltff
vs
Joseph D Price &c Defts } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment to which the pltff replies generally and leave is reserved to the deft to file special Pleas & thereupon the judgment obtained in the office is set aside & the trial of the issue is deferred until the next term

Ordered that the Court be adjourned until the next term

W S Miller

State of Virginia

At a Court held for Rockingham County at the Court House on Monday the 17th day of September 1866

Present

Wm S Miller R M Rice Peter S Roller } Gent 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 August 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 Zachariah Taylor & wife To Wm Merica
Same from A S Gray & others to Charles B Hancock
Same from A C Rohr & wife & E F Hancock
Same from S H Carrier & wife To Jesse Carrier Trustee
Same from Henry Miller & wife To George W Miller
Same from Philip Pharis Jr & wife to Joseph D Price
Same from George Chambers & to Joseph Chambers
Same from Margaret & M Wright to M A & L Chambers
a Power of Attorney from M A & L Chambers to T B Wigfall
a Survey of Daniel & Henry Stover
A Deed of Bargain & Sale from Henry Miller to Stover Gibbons & Stover
Same from Jacob Miller Senr to Grafton Bell
Same from Wm Merica & wife to D & H Stover
Same from George Shepard to Same
Same from Ambrose Huffman & wife to Same
Same from J Shawalter & to Elizabeth Bright
A Deed of Trust from G W Berlin & wife to Wm Heard In Trust for Thomas J Heard
A Deed of Bargain & Sale from E Powell & wife to Wm E Marshall
Same from J C Conrad & others to John T Harris
Same from H C Braithwaite & wife & to S W Gamble
Same from J L Sibert & to Marquis & Kelley
A Deed of Trust from Levi Minnick to S W Bauman In Trust for Wm Minnick
A Deed of Bargain & Sale from John Miller & wife to Abraham H Rankin
Same from Samuel Carpenter & wife To Daniel Stover
Same from A L Baugher to Frances Shiflett
Same from J C Winfield & wife to Morgan C Chapman
Same from C B Hancock & wife & to John S Lewis
Same from Franklin Barger & wife to Cyrus Pence
Same from George W Denton & wife to John Hedrick
Same from Wm H C Rarricofe & wife To H R Denton
Same from Wm H Herner & wife to Sufferey W Patterson

A Settlement of the estate of Jacob Lantz decd 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 the estate of Samuel Shank decd

The Same order

~~Same of the estate of Wm Fetzwater decd~~

~~The Same order~~

Same of the estate of Isaac Thomas

The same order

Same of the a/c of the Committee of A J Strickler

The Same order

Same of the Guard of John Baker

The same order

Same of the Guard of Benj Wampler's heirs

The Same Order

Smith Sampsen & others Ptffs
vs
Mathias Kersh Defts } In Chancery

This cause came on finally to be heard this 17 day of September 1866 upon the papers heretofore read the proceedings heretofore had and the report of Henry Bree W T McGahey J J Bent and Z D Gilmore Commissioners appointed by a former decree in this cause of the partition of the lands in the Bree and proceedings mentioned and was argued by Counsel on consideration whereof it appearing to the Court that in the partition made by said Commissioners they have assigned to Mathias Kirsh A 103 R 3 P.O. as his share of said land that Lot No 1 on the plat accompanying said report containing A 17¾ and 11 poles fell to the share of Henry A Johnson and wife Lot No 2 containing A 10 2 and 16 poles fell to Smith Sampsen and wife Lot No 3 of A 13 fell to Elicous Michael and wife, Lot No 4 containing 4 4/4 acres fell to Frank Alder and James Haynes children of Julia Haynes deceased Lot No 5 containing A 23¾ and 13 poles fell to William Haynes and wife Lot No 6 containing 2 2 acres fell to Sarah E Haynes infant daughter of Christena Haynes deceased and Lot No 7 containing 2 2 acres fell to Belinda Haynes. It is adjudged ordered and decreed that the report of said Commissioners be confirmed (including the right to all the said Lots or Shares to get water for family use out of the Spring near the Maysanville road on the land herein assigned to Mathias Kersh) and that the partition in manner and form aforesaid made be held and stable and that the same be ~~and that the same be~~ recorded in the Clerks office of this Court and it is further ordered that the costs of this suit and partition including two dollars per day to each of said Commissioners be proportionably between the parties according to their interest in the land

Joseph A Mitchell who has been heretofore appointed a Notary Public for this County appeared in Court and together with John L Sprinkel his security entered into and acknowledged a new bond in the penalty of $250. conditioned as the law requires

Ordered that Samuel Driver surveyor of Precinct No in place of Sam'l B Good

Upon the petition of Curtis Yates who has paid the tax imposed by law a License is granted him to keep a house of Private Entertainment in this County until the 1st day of May next

S P Reamer jailor of this County presented in Court an account against the Commonwealth amounting to thirty three dollars and fifty cents which being sworn to in Court was examined allowed and ordered to be certified to the Auditor of Public accounts

Charles Rutherford orphan of Archibald Rutherford dec'd being upwards of 14 years of age, by an instrument of writing made choice of Joseph A Mitchell as his guardian and thereupon the said Joseph A Mitchell appeared in Court and together with John L Sprinkel & Jackson A Shoemaker his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of one hundred and twenty five dollars conditioned as the law requires

The last will and testament of William E Deneale dec'd was presented in Court and proved by the oaths of Wm Eiler & R Chandler two of the subscribing witnesses thereto and ordered to be recorded. and there being no executor appointed by said On the motion of Robert M Money who made oath thereto according to law and together with Peter Hoil his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $2500 conditioned as the law requires. a certificate is granted him for obtaining letters of administration with the will annexed upon the estate of the said William E Deneale deceased in due form

Ordered that William Eiler, David Eiler & Thomas Washington after being first duly sworn for that purpose do appraise the estate of William E Deneale dec'd and report thereon to the Court according to law

Ordered that John R Kagy be appointed guardian for Jacob Stinebuck, Mary V Stinebuck & Rosaline Stinebuck orphans of Frederick Stinebuck dec'd who are under the age of 14 years. and thereupon the said John R Kagy appeared in Court and together with Samuel Tutwiler his security who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Nine hundred dollars conditioned as the law requires

On the motion of Henry A Showalter who made oath thereto according to law and together with Martin Garber his security (who justifies 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 Joseph Sanger dec.d

Ordered that Jacob Thomas. Joseph Miller. Joseph Click & Isaac Click or any three of them being first duly sworn for that purpose do appraise the estate of Joseph Sanger dec.d and report thereon to the Court according to law

On Motion of George W Yancey it is ordered that the plat this day filed be recorded in the Clerks Office of Rockingham County in lieu of the original report of Commissioners Peter Neff Jacob Bowman and Samuel R Allebaugh which was destroyed with the burnt records in June 1864. it being shown that this plat is a true copy of the plat accompanying the original report

Elenor Marshall Pltff
vs
Wm E Marshall & Deft } In Chancery

This cause came on this 17th day of September 1866 to be heard upon the bill and exhibits filed and the proceedings formerly had and was argued by counsel. and it appearing to the Court that the process was duly executed upon the defendants William E Marshall. Agathe Marshall and George Herring more than thirty days before the sitting of this Court and the defendants not having answered, the bill is taken for confessed Upon consideration whereof the Court doth adjudge. order and decree that Jacob Herring. Franklin Davis Dana Bryant and Turner Shiflett who are hereby appointed commissioners for the purpose any three of whom may act. do proceed to lay off and assign to the complainant Elenor Marshall one fifth share of the tract of land mentioned in the bill and described as containing 132 or 133 acres. having reference to quantity and quality. and they report their proceedings to this Court

Noah A Royer & others Pltffs
vs
Henrietta Royer & others Defts } In Chancery

This cause came on this 17th day of September 1866 to be heard upon the bill answer and exhibits filed. upon the summons returned executed upon the defendants Henrietta Royer. Frances Royer and Columbia Royer more than thirty days before the sitting of this Court and they still failing to appear and answer the bill as to them is taken for confessed and it appearing to the Court from the joint answer of Wm Maiden and Elizabeth his wife and Joseph Stover and Samantha his wife and Jacob Royer and Frances his wife that of a former term of this Court by decree regularly awarded their shares in the real estate of Samuel Royer deceased were laid off and assigned as was also the widows dower. and that they have no further interest in said estate save as the undivided interest of Joseph Royer infant heir deceased. and upon the answer of Wm D Frost Guardian ad litem for Jno Vincent Royer. & Emma Delilah Royer and Joseph Royer. Whereupon the Argument of Counsel being heard the Court is of opinion that the real estate of Samuel Royer yet undivided should be divided among his heirs according to their legal rights. It is therefore

adjudged ordered and decreed that Zebulon D Gilmer Whitfield Mauzy Robert Burke and G C Ammon or any three of them who are hereby appointed Commissioners for that purpose do go upon the premises and divide and lands in the bill mentioned of which Samuel Royer died seized and divide the residue among the heirs of the said Samuel Royer (who have not already received their shares) equally and finally their share of Joseph Royer deceased among the heirs living to be equally divided and report in writing to this Court at its next term

Robert Conner who has been duly licensed to practise as an attorney at law upon his motion he is permitted to practise in this Court and thereupon he took the oath required by law

Ordered that Morgan Deane be appointed surveyor of precinct No in the place of James Deane deceased

On the motion of Granville Eastham who made oath thereto according to law and together Philip Eastham his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires a certificate is granted the said Granville Eastham for obtaining letters of administration upon the estate of John Eastham in due form

Ordered that Joseph Funkhouser Samuel Sheets Peter Armentrout Jr Wm Huffman and Solomon Burtner or any three of them being first duly sworn for that purpose do appraise the estate of John Eastham dec'd and report thereon to the Court according to law

On the Motion of Granville Eastham who wishes to obtain a license to practise as an attorney at law the Court doth certify that he is a person of good character, upwards of twenty one years of age, and has resided in this County for the last twelve months

On Motion of J Henry Berry guardian for Sarah E Haynes, he is permitted resign his trust as such guardian

On Motion & it appearing that more than three months have elapsed since the death of J Calvin Sharpe and no one having applied for administration upon his estate. it is ordered that his said estate be committed to the Sheriff of this County for administration according to law

Julia Ann Denver Pltff
vs
Augustin Armentrout Deft } Upon a Motion to quash an execution issued in the name of the deft as the pltff in this No

On Motion of the plaintiff it is ordered that this cause be placed upon the docket and by consent of parties it is ordered that this cause be removed to the Circuit Court of this County for trial

Upon the petition of Jacob S Fry who has paid the tax imposed by law a license is granted him to keep a Public Ordinary in this County until the 1st day of May 1867. and the Court doth certify that the applicant is a person of good character. not addicted to drinking or gaming and probably keep a house orderly. useful and such as the law requires

Upon the petition of Margaret Miller setting forth that she is dependant on the principal & interest of certain debts due her &c. It is ordered that her said petition be referred to one of the Commissioners of this Court to be acted and reported on according to law

Moses Joseph Appellant
vs
Banheba Joseph Appellee } Upon an appeal from the judgment of a Justice of the peace

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

Samuel R Allebaugh who was on the 4th day of May in the year 1866 duly elected by the qualified voters of the County of Rockingham Sheriff thereof to serve as such for the term of two years commencing on the first day of January 1867. and after the said term of office shall have expired until his successor is qualified to enter upon the discharge of the duties of said Office. appeared in Court and together with Nelverton L Ammon Henry Neff Richard A Stephens Madison Moore M D Coffman S W Gamble Joseph T Logan Abraham Anders Jacob Mayers John W C Houston and William M Carpenter his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Ninety thousand dollars conditioned for the faithful execution of the duties of his office which bond is ordered to be recorded by the Clerk of this Court. who is also directed to transmit a Copy of said bond and a copy of this order to the Auditor of Public accounts. and thereupon the said Samuel R Allebaugh took the several oaths required by law

Ordered that Joshua Pence be appointed surveyor of Precinct No in place of J Strayer

Present Wm M Carpenter Gent Justice

Zebulon D Gilmore appellant
vs
Reubin Bonas appelle } Upon an appeal from the judgment of a justice of the peace

This day came the parties by their attorneys and summons witnesses being sworn and examined touching the premises the Court upon mature deliberation are of opinion that there is no error in the judgment aforesaid. it is therefore considered that the said Reubin Bonas recover against Zebulon D Gilmer & John H Berry his security in said appeal $18.18 with legal interest from the 26th day of Sept 1864 till paid and five dollars and twenty two cents the amount of the judgment aforesaid with damages thereon at the rate of ten per centum per annum from this day. and the costs by the Reubin Bonas in this behalf expended

A H Rankin Pltff
vs
Joshua Ritchie Deft } Upon a Writ of Unlawful Detainer

This day came the parties by their attornies and the deft appeared in Court and with the consent of the pltff confessed judgment for the real estate mentioned in the writ. It is therefore considered that the pltff recover against the deft the possession of a certain tract of land containing 60 acres near North mountain adjoining the lands of John Stinespring & others this costs in this behalf expended And on the motion of Pltff a writ of Possession is awarded him to have his possession of said land. but said writ shall not be issued until the expiration of 17 days from this day

William Robinson Pltff
vs
N T Hatfield Deft } Upon a Writ of Unlawful Detainer

This day the parties by their attornies and the deft by his atto pleaded "Not Guilty" to which pltff replied generally and thereupon came a jury to wit Henry McDonnan. David Linneweaver. Emanuel Suters. John Linneweaver William V Webster George Webster. Adam H Brewer. George W Yancey. Solomon Burtner. Abraham Lisbey. John Rhodes and Joseph Baker who being elected tried and sworn the truth to speak upon the issue joined upon their oaths do say "We the jury find for the plaintiff the tract of land described in the proces" It is therefore considered that the pltff recover against the deft the tract of land aforesaid and the costs in this behalf expended and on Motion of pltff a writ of Possession is awarded him to have his possession of the land aforesaid

Strother Bright Pltff
vs
William Webster Deft } Upon a writ of Unlawful Detainer

This day came the pltff by his attorney and the deft failing to appear and plead thereupon came a jury to wit Henry McDonnan David Linneweaver. Emanuel Suters. John Linneweaver. William V Webster George Webster. Adam H Brewer Solomon Burtner. Abraham Lisbey John Rhodes. Joseph Baker and John H Ralston who were sworn the to well & truly try whether the deft unlawfully withheld from the pltff the premises in the proceedings mentioned. and having heard the evidence upon their oaths do say "We the jury find for the pltff the tract of land mentioned in the within proces" It is therefore considered that the pltff recover against the deft the tract of land aforesaid. and the costs in this behalf expended. and on Motion of the pltff a writ is awarded him to have his possession of the land aforesaid

Ordered that the Court be adjourned until the next Term

A S Miller

At a Court held for Rockingham County at the Court-house there of on Monday the 15th day of October 1866

Present

Wm S Miller Madison Moore
Bramwell M Rice

The Clerk of this Court presented in Court a list of deeds and other writings admitted to record in the Clerk's Office of this Court during the month of Sept 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 Michael H Harris to Geo F Brunkhouser
Same from Henry Shaver & wife to Wm M K Mantzmann trustee
Same from Wm M K Mantzmann trustee &c to A M Newman
Same from Lavenia H Lambert's ex'tor &c to Jackson A Shoemaker
A Deed of Trust from A M Peale to Robert Cox In Trust for Jonathan Peale
A Deed of Bargain & Sale from George Shaver's ex'ors to Peter S Shaver &c
Same from Henry C Rhodes & wife to Frederick Rhodes
Same from Thomas M Dice to Philip H Dice
Same from Andrew Turner & wife to Christian Burkholder
Same from Peter S Roller & wife to Henry B Jones
Same from Josiah Fink & wife to Isaac Fink
Same from George W Smiley & wife to John R Kagy Trustee
A Deed of Trust from Jno C Beard to Henry Cromer In Trust for
A Deed of Bargain & Sale from Sarah Dean &c to Solomon Dean
Same from Same to John Dean
Same from Same to Morgan Dean
Same from Jno C Shrinker &c to Jno & Jacob Turner
Same from Abraham Rife & wife to John Rife
Same from Samuel Rife & wife to Same
Same from George Armentrout to Daniel B Armentrout
Same from Martin Fogle & wife to James O Roark
Same from Joseph Cromer & wife to Adam Ritchie &c
Same from Jacob Lee & wife to George Philips
Same from Elizabeth Rife & wife to Charles B Roof
A Deed of Trust from Levi Minnick to Ed Minnick In Trust for S H Hinkle
A Deed of Bargain & Sale from A H Johnson & wife to Mary C Kyle
Same from Richard Robinson to Richard T Robinson
A Deed of Trust from Ed Minnick to Wallace West for Lycia M Minnick
A Deed of Bargain & Sale from Geo Shaver's ex'ors to Geo W Shaver
Same from Richard Robinson to Jno J Detrick
Same from Wm A Vaden & wife to John R Koogler

A Settlement of the estate of Peter Brenneman dec'd having been filed in the Clerk's Office 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 John Comsuiller 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 & ordered to be recorded

Same of the accounts of the Guardian of Hellena Knopf.
The Same order

Same of Amanda Knopf.
The Same order

Same of Michael Knopf.
The Same order

Same of the estate of Peter Henton dec'd
The Same order

Same of the estate of Henry Neff dec'd
The Same order

Same of the Guardian of Daniel H Rhodes &c
The Same order

Same of the estate of Joseph Swank dec'd
The Same order

Same of the Guardian of Elizabeth Weaver
The Same order

Same of Margaret Weaver
The Same order

Same of Susanna Weaver
The Same order

Same of Abraham Weaver
The Same order

Same of Frances Weaver
The Same order

Robert J Wise who has been heretofore appointed commissioned & qualified as a Notary Public in & for the County of Rockingham appeared in Court and together with Philip Keller his security entered into and acknowledged a bond in the penalty of $250. conditioned as the law requires

Samuel J Price who has been heretofore appointed commissioned & qualified as a Notary Public in & for the County of Rockingham & together with J. D Price & Nelson Shrinkel his security entered into & acknowledged a bond in the penalty of $300. conditioned as the law requires

On Motion of Michael H See. it is ordered that the estate of Samuel Hanson dec^{d} be committed to the Sheriff for administration. it appearing that more than three months having elapsed since the death of the said Samuel Hanson. and no one having applied for administration upon his estate

Ordered that Jackson A Shoemaker be appointed guardian for Robert Lambert and Martha Lambert orphans of Lavenia Lambert dec^{d} who are under the age of 14 years. and thereupon the said Jackson A Shoemaker appeared in Court and together with Abraham Hoover 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

Ordered that Lewis Argabright be appointed surveyor of precinct No 15 in the place of Henry Beahm

On the Motion of John Dinkel who made oath thereto according to law and together with Benjamin Hauffman and John Thuma, Allen Floyd his securities (who justified as 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 John Dinkel for obtaining letters of administration in due form upon the estate of Magdalene Thuma dec^{d}.

Ordered that Emanuel Wise. Samuel Wise. Peter Wise. John D Wise or any three of them being first duly sworn for that purpose do appraise the estate of Magdalene Thuma dec^{d} and report thereon to the Court according to law

The last will and testament of Joseph Miller dec^{d} was presented in Court & proved by the oaths of Wm VanDear & Hannon D Carman the subscribing witnesses thereto and ordered to be recorded. and there being no executor appointed by said will. on the Motion of Elizabeth Miller who made oath thereto according to law, and together with William N Jordan and William VanDear her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires. a certificate is granted her for obtaining letters of administration with the will annexed upon the estate of said Joseph Miller dec^{d} in due form

Ordered that Enos Whitzel. Samuel Slusser. Jacob P Slusser. Wm Carman and R M Mooney or any three of them being first duly sworn for that purpose do appraise the estate of Joseph Miller dec^{d} and report thereon to the Court according to law

Stuart Sitle for Pl vs Brother Bright Def upon a delivery bond Notice proved and execution awarded in special

Ordered that ~~the Sheriff of~~ Elias D Poyer ~~this~~ County & Davis Levy for the year 1866. as prayed for his son it appearing that his said son is under the age of 16 years

On the Motion of John A Earman who made oath thereto according to law and together with William Silley Samuel Earman and Thomas Washington 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 him for obtaining letters of administration with the will annexed upon the estate of Michael Earman dec'd in due form

Ordered that Robert Cox, Wm Eiler, John Kites and Samuel Bowman or any three of them being first duly sworn for that purpose do appraise the estate of Michael Earman dec'd and report thereon to the Court according to law

Ordered the Caroline Kite be appointed guardian for Sidney C Kite and Emma Kite orphans of Conrad H Kite dec'd who are under the age of 14 years appeared in Court by her attorney in fact J C Walker and together with John C Walker & Peter S Roller her 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

John P Brock — Appellant
vs
Morrison Jones — Appellee
} Upon an appeal from the judgment of a Justice of the Peace

On Motion and by consent of parties it is ordered that this cause be dismissed and that the appellee recover against the appellant his costs in this behalf expended

D O Maupin — Pltff
vs
J W Pennington — Deft
} Upon an Attachment

This day came again the pltff by his attorney and the defendant being solemnly called and not appearing, and the Court being satisfied of the justness of the pltffs demand, it is considered that the pltff recover against the deft $35.00 with interest thereon from the 19th day of Sept 1866 till here and the costs in this behalf expended and J W Basore who has been duly summoned as a garnishee in this case appeared and was examined on oath and it appearing from such examination that he is indebted to the deft the sum of $2000 with legal interest thereon from this day

David Scott — Pltff
vs
A J O Baker — Deft
} Upon a Notice

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

Samuel M Pollock Sergeant & Constable of Rockingham County presented in Court an account against the Commonwealth amounting to Seven dollars which being sworn to in Court was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

R M Mooney one of the Commissioners of the Revenue for this County presented in Court an account against the Commonwealth amounting to two dollars & eighty five cents which being sworn to in Court 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 223 Births and 23 Deaths. that the said returns are accurately & fully made and returned within the time prescribed by the law regulating the same

H A Chrisman one of the Commissioners of the Revenue for this County presented in Court an account against the Commonwealth amounting to four dollars and eighty nine cents. which being sworn to in Court 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 122 Births & 41 Deaths. that the said return are accurately & fully made and returned within the time prescribed by the law regulating the same

Samuel Long Appellant
vs
Henry Forrer Appellee
} Upon an Appeal from the judgment of a Justice of the peace

This day came the parties by their attorneys and the cause being argued by counsel. the Court upon mature deliberation are of opinion that the said appeal was improperly granted it is ordered that the same be dismissed and that the appellee recover against the appellant & Abraham Earman his security in said appeal the costs in this behalf expended and on motion of the appellant he has leave to with-draw the papers filed in this cause upon leaving attested copies

Benjamin F Spitzer Pltff
vs
Michael Flynn Deft
} Upon an award

This day came the parties by their attorneys and by consent that the award returned in this cause in these words "We &" shall be entered up and made a part of the record It is therefore in pursuance to said award ordered that Benjamin F Spitzer recover against Michael Flynn the costs of said award and the costs in this behalf expended

On the motion of Catharine Miller & William Miller who made oath thereto according to law. who appeared in Court and entered into and acknowledged a bond in the penalty of five hundred dollars conditioned by according to law. (no security being required for reasons appearing to the Court) a certificate is granted the said Catharine Miller & William Miller for obtaining letters of administration de bonis non with the will annexed upon the estate of Mary E Maupin dec'd in due form

Ordered that John Bryan be appointed Surveyor of precinct No 80 in place of Geo W Berlin that the following hands be assigned & processioned B S Brown D W Byerly J C Byerly J R Young Wm VanPelt Wm VanPelt Jr Benj Bryan J Thurma Ed Phelps Harvey Kinsely Chas Thurma Peter Long Geo White & Christian Sheets

Henry B Jones Pltff
vs
Samuel C Spitzer Deft } upon an award

This day came the parties by their attornies and by consent of parties it is ordered that the said award be entered up as the judgment of this Court as follows to wit "Having &c" and that the pltff recover against the deft his costs in this behalf expended

Christian Niswander Appellant
vs
John Pence Appellee } upon an appeal from the judgment of a Justice of the peace

This day came the parties by their attornies and by consent of parties the decision of the justice below is reversed and annulled and that the appellant recover against the appellee his costs in this behalf expended without prejudice to the institution of another suit for same matter or involving the same subject

On the Motion of Wm Crawford it is ordered that the estate of John Miller be committed to the Sheriff of this County for administration it appearing that more than three months have elapsed since the death of the said John Miller and no one having applied for administration upon his estate

Ordered that the Court be adjourned until the next Term

P S Miller

In the Clerks office of the County Court of Rockingham October 30 1866
Benjamin Bowman adm'r of Henry Niswander Pltff
vs
John Niswander Deft } In Debt

This day the defendant personally appeared in the office aforesaid and confessed judgment for one hundred and ninety eight dollars and fifty six cents with interest and costs. It is therefore considered that the pltff recover against the deft $198.50 the debt aforesaid with legal interest thereon from the on $118.56 from the 2d day of January 1861 and on $80 the residue thereof from the 25 day of July 1862 till paid and the costs in this behalf expended subject to credit of $7.11 interest for one year on $118.56 and $38.33 of date Sept 12 1862
Given under my hand this 31 day of October 1866

Wm D Frank DC

In the office aforesaid October 30 1866
Abraham Sager adm'r of Daniel Yount Pltff
vs
John Niswander Deft } In Debt

This day came the deft personally appeared in the office aforesaid & confessed judgment for $550.00 with interest & costs. It is therefore considered that the pltff recover against the deft $330.00 the debt aforesaid with interest & cost thereon from the 16 day of Dec 1857 till paid and the costs by the pltff in this behalf expended

Test

Wm D Frank DC

In the Clerks office of the County Court of Rockingham Nov. 13th 1866

A C Smith Pltff
vs
Michael Flynn Deft } In Debt

This day the defendant appeared in the office aforesaid and confessed a judgment for three hundred and one dollars & fifty cents with interest and costs. It is therefore considered that the pltff recover against the deft the said sum of $301.50 with interest on $150.75 part thereof from 15th day of July 1866 and on $150.75 the residue thereof from the 15th day of October 1866 till paid and the costs by the pltff about his suit in this behalf expended

Test

Wm D Frost DC

Virginia

At a Court held for Rockingham at the Court House thereof on Monday the 19th day of November 1866

Present

O C Sterling P J Philander Herring Geo W Fawley } Gent
John Funk and Jackson Corn } Justices

The Clerk of this Court this day presented in Court a list of deeds and other writings admitted to record in his office during the month of October 1866 which being seen and inspected by the Court & ordered to be entered on the minutes as follows to wit

A Deed of Bargain & Sale from A M Newman & McGalis & Glaze
Same from Neve Rogers & wife to Same
Same from John & Beery & To Henry Beery
Same from J D Price & wife & to Mensle Kane & wife
Same from Christian Brunk to S Huffman
Same from S P H Miller & wife to S P H Miller & Co
Same from John Wampler to Daniel Flory
Same from Jacob Funkee to D B Deiner
Same from John Kline & ex to Daniel Flory
Same from Eleanor & To S P H Miller
Same from Jno C Wood & com. to Peter Paul
Same from Jno F Kline & wife to John Ritchie
Same from Richard Robinson to Lucy A Snyder
Same from Samuel Shacklett & wife to Joseph D Price
Same from Isaac Pane & wife to Robert A Coghill
Same from Isaac Hardesty To Theresa Heller
Same from Sarah Dean & to Thornton Dean
Same from H Jouette Gray & wife To A L Gray
Same from Samuel J Shank to G W Berlin in Trust for J Jennings
Same from A B Rohr & wife to Samuel R Sterling
Same from J A Mitchell to B F Mitchell
Same from A L Gray to Samuel R Sterling
Same from Peaby Rice & to L W Garnett
Same from Sarah Dean & to Wesley Dean

A Deed of Bargain & Sale from Peter Swank & wife to Geo W Adams
Same from Jacob R Stevens & wife to A Smith & trustees
Same from Jas B Eastham to D & G Forrer
Same from Samuel R Sterling & wife to A S Gray

A Settlement of the estate of Abraham Huff 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 not to be recorded

Same of the estate of Henry Hulvey dec'd
The Same order

Same of the estate of Isaac Miller dec'd
The Same order

Same of the estate of Adam Wise
The Same order

J W Gamble Pltff
vs
Jacob Hildebrand & Lyred for D & G Rhodes & Deft } Upon a Notice

The Pltff this day filed his petition asking to be relieved as the security of the deft in his official bond as guardian for D & G Rhodes & and thereupon the deft appears in Court and required to execute a new bond it is therefore ordered that the power and authority of the deft as such guardian be revoked and annulled

A & G Brewer Pltff
vs
Joseph D Price & Deft } In Debt

This day came the parties by their attornies and by consent of parties by their Attornies it is ordered that this cause be dismissed and leave is given to the Pltff to withdraw the bond upon which this action is founded

Marcofe for Pltff vs Frank & on D Bond Notice proved & Judgment awarded

Ordered that the Overseers of the Poor for this County bind to Peter Hile, John E Corair (white) aged 16 years the day of October 1846 to learn the business of a farmer upon these terms said Hile to furnish said boy with comfortable food and clothing to give him three months schooling during each year of his term of service and when he arrives at the age of 21 years to furnish him with a suit of clothing at the value of $25. and $25. in money

George Bruffy's adm'rs Pltff
vs
James Steele Deft } Upon a Notice
Same Pltff } upon a Notice
Same Deft
Same Pltff } upon a Notice On motion of the Pltff it is ordered
Same Deft
that these three causes be placed upon the docket

William Life who has paid the tax imposed by law a license is granted him to keep a Public Ordinary in the town of McGaheysville until the 1st 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 will probably keep a house orderly and such as the law requires

On the Motion of Reuben Huffman who made oath thereto according to law and together with William Carpenter 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. a certificate is granted the said Reuben Huffman for obtaining letters of administration in due form upon the estate Isaac Huffman dec'd

Ordered that Daniel Heuffman. Abraham Painter. John Whitmore and Daniel Sluss or any three of them being first duly sworn for that purpose do appraise the estate of Isaac Huffman dec'd and report thereon to the Court according to law

Whereas Allan B Bryan Esqr a distinguished lawyer and a worthy and honored citizen of the County of Rockingham has by the dispensation of Providence been removed from his probationary state and ast the varying shifting scenes of this to the solemn responsibilities of an Eternal world. We the members of the bar officers and Justices of the County Court of Rockingham, express the following facts in connection with the Character of the deceased. and order the same to be entered among the Minutes of this Court.

That in the death of Allan B Bryan the legal profession has been deprived of a member whose discriminating judgment extensive learning ~~and~~ urbane manners and underiating fidelity in the performance of all the delicate responsibilities of his Vocation. caused him to be justly esteemed one of its brightest ornaments. and the community of a citizen whose amiable temperament unsullied honor generous spirit. and determined vindication of the right and condemnation of the wrong exercised a ~~benificial~~ beneficent influence over all who came in Contact with him or watched the stern rectitude of his way. And in his death too his country Virginia mourns a patriot who in the darkest hour of her distress adhered with the tenacity of steel to the fortunes of his native State, and ministered by day and by night with a spirit that never flagged to the necessities of the travel worn. wearied sick and wounded soldiers of the South. In domestic, social and professional life Allan B Bryan measured up to the highest standard of a Father. Husband and citizen and lawyer. and we but echo the expression of a general public sentiment in asserting that no man in the County of his nativity has lived through the period of sixty seven years. who had so many friends and so few enemies and who was so deservedly popular with and more beloved by the people

The noblest work of God on earth an honest man beloved and dying left to his family the richest legacy which can be bequeathed to kindred or friends a reputation for honor and probity without one spot or blemish. and to society the remembrance of the most exalted virtues of humanity which his character so strikingly illustrated through all the vicissitudes of his life.

In reflecting upon this dispensation. we are afforded consolation in the knowledge that through our lamented friend has fallen under the scythe of that destroying

Angel under whose effacing finger all that is mortal must one day crumble into dust. Yet that so long as truth is cherished, justice respected or virtue revered his memory will be preserved fresh in the heart of all good men, for truth and justice and virtue are but the attributes of which he was the living personification.

Resolved that a copy of the proceeding memorial be transmitted by the Clerk of this Court to the family of the deceased, and published in the newspapers of Harrisonburg. That in further testimony of esteem for the deceased this Court will now adjourn its sitting for this day.

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

O. G. Sterling

Tuesday Nov 20' 1866

Present

O. G. Sterling PJ John Funk, Philander Herring, George W. Pawley } Gent Justices

On the motion of J. C. Pennybacker & Wm S. Rohr & Pendleton Bryan who wish to obtain license to practise as attorneys at Law in this Court, it is ordered to be certified that they are persons of honest probity and good character, and have resided in this County for the last twelve months.

On the motion of Wm Sanghurne and it appearing to the Court that more than three months have elapsed since the death of Timothy Sanghurne dec'd and no person having applied for administration upon his estate, it is ordered his estate be committed to the Sheriff of this County for administration.

Thomas Branham who stands charged with a felony appeared in Court in pursuance to his recognizance, and on motion of the Attorney for the Commonwealth the examination of the prisoner is continued until the next Term, and thereupon on motion the said Thomas Branham is admitted to give bail for his appearance at the next Term in the sum of $100. for himself & the like sum for his security, and thereupon the said Thos Branham appeared in Court and together with James Branham his security (who justified as to his sufficiency) ~~entered into and~~ acknowledged themselves to owe and be indebted to the Commonwealth of Virginia, viz the sum of $100. each to be levied of their respective goods and chattels, lands and tenements and for use of the Commonwealth. Yet upon this condition that the said Thomas Branham shall make his personal appearance before this Court on the first day of the next Term to answer the charge aforesaid, 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.

Be it remembered that Wm H. Hawkins personally appeared in Court and acknowledged himself to owe and be indebted to Commonwealth of Virginia viz the sum of $100 to be levied of his goods & chattels, lands & tenements and for the use of the Commonwealth. Yet upon this condition that the said Wm H. Hawkins shall make his personal appearance before this Court on the first day of the next term to give evidence on behalf of Thomas Branham who stands charged with felony and not to depart thence without the leave of said Court, then this recognizance

Jacob Hawkins & Jonathan Tutwiler who have been duly summoned as witnesses on behalf of Thomas Branhan at the suit of the Commonwealth being solemnly called and not appearing it is ordered that they be summoned to appear here on the first day of the Dec. Term next. to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Upon the petition of John R Bowman for an alteration of a public road in this County it is ordered that the said petition be referred to E S Kemper. Abraham Miller and Samuel Good who are appointed viewers to act and report upon the said petition according to law

Wm H Armentrout & Isaac Martz who have been duly summoned to appear here as witnesses on behalf the Commonwealth against Livington Johnson ~~charge~~ solemnly called and not appearing it is ordered that they be severally summoned to appear here on the first day of the July Term next to shew cause if any they can why they shall not be fined & attached for their failure aforesaid

On the Motion of Silom Sellers who made oath thereto according to law and together with Reubin Sellers & Jacob Bowman 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 him for obtaining letters of administration in due form upon the estate of Rebecca Bowman dec.d

Ordered that Peter Getty. Samuel Zigler John Harrison & Curtis Yates or any three of them being first duly sworn for that purpose do appraise the estate of Rebecca Bowman dec.d and report thereon to the court according to law

Upon the petition of Samuel J Shank for a change in a public road. it is ordered that John Bradley. D Preston Pagan and Robert Bryan are appointed viewers to act and report upon the said petition according to law

Granville Eastham who has been duly licensed to practise as an attorney at law in the Courts of this Commonwealth. on his motion he is permitted to practise in this Court. and thereupon the said Eastham took the oath required by law

Ordered that Robert Coy. Samuel Sheets. David Siler and Joseph Funkhouser or any three of them after being duly sworn for that purpose do appraise the estate of Mary Brofford dec.d and report thereon to the Court according to law

Wm H Hamrick Comr of the Rev. for the 2d dist of this County presented in Court an account against the Commonwealth amounting to $6.93 which being sworn to in open Court, was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts. and it is ordered to be certified that the said Commissioner returned a list of 175 births and 56 deaths. that the said returns are accurately and fully made and returned within the time prescribed by the law regulating the same

Joseph T Logan who has been duly appointed and commissioned as a Notary Public for this County. appeared in Court and produced his commission

and together with Wm H Rodiffer his security entered into & acknowledged a bond in the penalty of $250. conditioned as the law requires. and thereupon the said Joseph S Logan took the several oaths required by law

James H Lilley Pltff
vs
Smith Sampson Deft } Unlawful Detainer

This day came the parties by their attornies and the deft pleaded not guilty and thereupon came a jury to wit John Sanders. George F Funkhouser. Harvey Wise. Emanuel Rhodes. Christian Moyers. Wm H Sites. A J Blakemore. George W Mauzy. Ambrose Knopf. Jesse Summers. Jonathan Wampler and Charles A Sprinkle who being elected tried & sworn the truth to speak upon the issue joined and by consent of parties Harvey Wise one of the said juras was withdrawn and the balance from rendering a verdict were discharged. and the trial of the issue deferred until the next term at the Costs of the Pltff

T J Offett Pltff
vs } Unlawful Detainer
Henry Butler Deft

This day came the pltff by his attorney and the deft failing to appear. thereupon came a jury to wit Emanuel Rhodes Jonathan Wampler Geo F Funkhouser A J Blakemore. Ambrose Knopf. John Sanders. Thomas Lamphins. Jacob Sapp Christian Flook. Jesse Summers. Wm H Sites and Charles A Sprinkle who being elected tried and sworn to ascertain whether the deft unlawfully detaines the premises in the proceedings mentioned. 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 pltff the tenement in the summons mentioned. It is therefore considered that the pltff recover against the deft the premises aforesaid and the costs by him in this behalf expended

Wm Sandy Pltff
vs } Unlawful Detainer
George W Sanders Deft

This day came the pltff by his attorney and the defendant failing to appear thereupon came a jury wit George W Mauzy. Christian Moyers. Samuel Newham. Daniel Zetty. Silas J Edringer. Harvey Wise John S Effinger B F Thomas Abraham Early. B F Long. Branson Armentrout. and Peachy Rice who being elected tried and sworn to ascertain whether the deft unlawfully withholds from the pltff the premises in the proceedings mentioned. 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 premises in the summons demanded" It is therefore considered that the pltff recover against the deft the premises in the ~~proceedings~~ mentioned. and the costs by the pltff in this behalf expended

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

O. C. Sterling

Wednesday Nov. 21st 1866

Present

O.C. Sterling PJ John Sunk. Jackson Coon } Gent
Geo W Fawley Philander Herring } Justices

David Scott Pltff
vs
AJ O Bader Deft } Upon a notice

This day came the pltff by his attorney and deft still failing appear. and the Court being satisfied of the justness of the pltffs demand it is considered that the pltff recover against the deft $359 35/12 with legal interest thereon from the 12th day of February 1857 till paid and the costs by the pltff in this behalf expended

Gasner Mefsick Pltff
vs
George Eberisman Jr. Deft } In Trespass

This day came the parties by their attornies and thereupon came a jury to wit Christian Moyers Jesse Summers Jacob Sago Charles A Sprinkle Silas J Hoffmeyer Geo W Mauzy Geo H Humbhouser Jonathan Mampler John Landes Daniel Getty Emanuel Rhodes and Christian Bloch who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after some time returned into Court and upon their oath do say "We the jury find the defendant not guilty" It is therefore considered that the deft recover against the pltff his costs in this behalf expended

Commonwealth Pltff
vs
Montgomery Johnson Defs } Upon an Indictment

The Summons awarded in this cause being returned not executed it is ordered that a New Summons be awarded against him returnable here on the first day of the February term next of this Court

Joseph Randall who has been duly summoned to appear here as a witness on behalf of Jane Jarrold a/s Commonwealth being solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the Feby term next to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Wm Terry who has been duly summoned to appear here as a witness on behalf of John M Dowd's ex'tor vs Daniel D Dowd being solemnly called and not appearing it is ordered that he be summoned to appear here on the third day of February term next to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Commonth v. Jane Jarrold three cases on motion & for reasons appearing to the Court are continued over the next term

J W Burke Pltff
vs
Samuel Funkhouser's ad Deft } In Case

This day came the parties by their attorney and thereupon came a jury to wit Thomas Sampkins. John S Effinger Christian D Kirk. Emmanuel Rhodes. Wm O Sites John Landes. Daniel Getty. Andrew Kroff. Samuel Newham. A J Blakemore Wm S Byrd and A 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 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 six hundred dollars with interest from the 27th day of March 1863

Ordered that the court be adjourned until to morrow morning at 10 o'Clock

O. L. Sterling

Thursday Nov^r 22^d 1866

Present

O C Sterling P J. Philander Herring. Geo W Fawley } Gent
John Funk and Jackson Corn } Justices

Commonwealth
vs
Wm Furry } Upon a rule for failing to attend as a witness on behalf of
Jno W Dove's adm^r vs Daniel D Dove

On Motion of the deft and for reasons appearing to the Court it is ordered that the said rule be discharged

Wm R Flick who is over the age of 14 years. orphan of James H Flick deceased appeared in Court and with the approbation of the Court made choice of Brannwell M Rice as his guardian and the Court doth appoint the said Brannwell M Rice guardian for James H Flick Jennie Flick & Robert A Flick orphans of said James H Flick. who are under the age of 14 years and thereupon the said Brannwell M Rice appeared in Court and together with Jacob L Silbert and John H Wartmann 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

Wm H Armentrout Isaac Manly James Gray who have been duly summoned as witnesses on behalf of the Commonwealth against Isaac Brown & being severally called and not appearing it is ordered that they severally be summoned to appear here on the first day of the Feby Term next to shew cause if any they can why they should not be fined and attached for their failure aforesaid

Ordered that the Sheriff of this County purchase or caused to be purchased drapery to hang over the portrait of Peter Smith and cause the same to be properly put up and pay the same out of any funds in his hands not otherwise appropriated

Samuel Grim vs Wm M Silbert In Case This day came the parties by their attorneys & the deft by his atty pleaded non assumpsit to which the pltff by his attorney replied generally

John McBurke Pltff
vs
Samuel Funkhouser's adm Defts } In Case

This day came the parties by their attornies and the defendants moved the Court to set aside the verdict in this cause after hearing the evidence and argument of counsel are of opinion that the same verdict ought to be set aside. It is therefore considered that the same be set aside and a new trial be had therein at the July term next of this Court

John L Woodson Pltff
vs
Jacob L Silbert et al Defts } In Case

This day came the parties by their attorney and thereupon the defts moved the Court to continue the trial of the issue until the next term and not having time to fully hear the motion the same is continued for consideration

James M Stout Pltff
vs
R H Hammbert's adm's Defts } In Debt

This day came the parties by their attornies and the deft with drew his plea. It is therefore considered that the pltff recover against the deft $211.14 the debt in the declaration mentioned with legal interest thereon from the 18th day of June 1860 till paid and the costs in this behalf expended

Solomon Garber Pltff
vs
C C Garber Deft } In Case
Upon an Attachment

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

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

Friday November 23rd 1866

Present
O C Sterling J P John Funk Philander Herring } Gent
George W Farley & Jackson Dorn } Justices

Michael Beery Pltff
vs
Wm Herndon et al Defts } In Chancery

On motion of the pltff it is ordered that L W Garnett be hereby appointed guardian ad litem for the Infant defendants George W Beery and Benjamin F Beery in this cause

Mary C Hyde vs David Shenefelt. On a Notice On motion it is ordered that this cause be placed upon the docket

Ordered that Wm H Buntrer be appointed guardian ad litem for Abraham P. Ida F. Alice F & Etta Trunkhauser orphans of Samuel Trunkhauser & thereupon the said Wm H Buntrer appeared in Court & accepted such. Abraham Paul his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $4000 00 conditioned according to law

A Settlement of the accounts of Jackson Horn as Ex'r of William Fitzwater made by Comr Wm J Thompson, was this day returned to Court, and was examined with the exceptions thereto, made in writing by said Executor, upon consideration whereof it appearing to the Court, that the sale was made in 1863, for confederate notes. and that a part of said estate consists of gover Bonds and a part of ~~said~~ confederate notes It is ordered that said Settlement be recommitted to Comr. Wartmann with instructions to make out an account shewing what amount of Confederate money was received by said Executor in the due course of administration crediting him with the amounts paid out, and such as may have been lost without any fault of said Ex'r. together with any other matters he may deem pertinent, or any party may require

Mary C Kyle Pltff
vs
Michael Hoover Deft } Upon a Notice

This day came the pltff by her attorney, and it appearing that the deft has had due notice of this motion & the failing to appear, it is considered that the pltff recover against the deft $220.98 with legal interest thereon from the 20th day of August 1866 till paid, and the costs in this behalf expended. This judgment is subject to a credit of $89. paid Nov 21. 1865

A J Rosenberger Pltff
vs
Abram Seedy & others Defts } In Chancery

This cause came on to be further heard this 23d day of November 1866 upon the papers heretofore read, the proceedings heretofore had, and the report of Commissioner A R Allebaugh setting forth that in pursuance of a decree rendered in this cause at the January term 1866 he has sold the land in the Bill mentioned on the 31 of March 1866 as follows to wit, the tract of A 104, and A 30 at the price of $30 per acre, the undivided half of the tract of A 150. at 75 cts per acre. A 60 at $4. per acre and 5 acres in Bridleys Gap at $4.50 per acre all sold to A J Rosenberger and amounting in the whole to $2998.75 payable as provided in said decree, and returning the bonds of the purchaser, whereupon the argument of Counsel being heard, it is adjudged, ordered and decreed that said report & sales be and the same are hereby confirmed and it is ordered that this cause be referred to a Commissioner of this Court to ascertain and report the state of accounts between the complainant and Abraham Seedy and after applying to complainants debt and costs the proceeds of the sale above confirmed and all the credits to which he may be entitled, report the true balance due from the def't Abm Seedy to complainant

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

C. C. Sterling

Saturday Nov 24' 1866

Present

O C Sterling P.J. John Frank. Philander Herring } Gent
George W Fawley and Jackson Horn } Justices

Ordered that an election be held in the 5th Magesterial District in this County for a justice of the peace to fill the vacancy occasioned by the resignation of Charles S Thompson. which election is to be held on the 8th day of Dec next. and it is ordered that the Commissioners & Office appointed to superintend the last general election do superintend the election of said justice

Thomas K Harnsberger &c Pltffs
vs
George W Price &c Defts } In Chancery

This cause came on further to be heard this 24th day of November 1866 upon the papers heretofore read. the proceedings heretofore had and the report of Comr Martmann of the debts and demands against the estate of C B Yancey and the settlement of J K Harnsberger as admr of said C B Yancey and of the trust fund derived from the sale of trust property under the deed of trust executed by said C B Yancey to John C Woodson. to which report there being no exceptions. the same is confirmed by the Court. And it further appearing to the Court from the report of John C Woodson the Commissioner appointed by a former decree in this cause. to see the reversionary interest of Charles B Yancey in the land on the Shenandoah River in the bill mentioned and to ascertain the occupancy of Mrs Lucinda Yancey. and the affidavits filed therewith. that there is no likelihood of effecting a public sale of said reversionary interest, and Thomas K Harnsberger having made a ~~decree~~ private offer in writing filed with said report for said reversionary interest at the sum of ten thousand dollars. 1/4 " payable on the 1st of January 1867 the residue in three equal annual payments from that day with interest from that day, which appears from said affidavits to be a fair price for the same. the Court accepts said offer and confirms the sale of said reversionary interest to Thomas K Harnsberger at the price of $10,000. as above set forth. And said Commissioner John C Woodson. is directed to take the bonds of the purchaser with good security. for the purchase money. and report the same to this Court at its next Term

John C Woodson Pltff
vs
Jacob L Sibert &c Defts } In Case

This day came the parties by their attorneys and the Court having fully heard and considered the motion for continuance, doth overrule the same and thereupon came a jury to wit Jonathan Wampler. Thomas Lamphins George W Mauzy. Jacob Lago. Samuel Newhams John Landes. George F Fernkhouser Christian Flook. Harvey Miller. B F Thomas. Jesse Summers and Silas J Hollinger who being elected tried & Sworn the truth to speak upon the issue joined and not having time to hear the evidence are adjourned until Monday Morning

Ordered that the Court be adjourned until Monday Morning at 10. O Clock

O C Sterling

Monday Novr 26th 1866

Present

O C Sterling P J Philander Herring Jackson Horn } Gent
John Funk and George W Hawley } Justices

Ordered that John Wiant Jr be appointed surveyor of Precinct No 8 in the Summers Gap road in the room of Eli Burns

John H Berry presented in Court an account against the Commonwealth amounting to $5.89 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

John C Woodson Pltff
vs
Jacob L Silbert &c Defts } In Case

This day came again the parties by their attornies and the jury sworn and impannelled on Saturday last for the trial of this cause appeared in Court in pursuance to their adjournment and not having time to hear all the evidence are adjourned until to morrow morning

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

O. C. Sterling

Tuesday November 27th 1866

Present

O C Sterling. Jackson Horn. John Funk } Gent
George W Hawley & Philander Herring } Justices

J W Burke Pltff
vs
Samuel Funkhouser's admr Deft } In Case

This day came again the parties by their attornies. and the pltff by his attorney tenders a bill of exceptions to the action of the Court taken upon this trial in the words & figures following to wit "J W Burke vs Samuel Funkhouser's admr &c" which was signed and sealed by the Court & ordered to be made a part of the record the Deft also tenders a bill of exceptions to the action of the Court upon said trial which was signed and sealed and ordered to be made a part of the record

Mayer & Bro Pltff
vs
Michael H Lee Deft } In Debt

This day the defendant appeared in Court and confessed judgment for $96.56 the debt in the declaration mentioned with interest & costs

It is therefore considered that the plaintiff recover against the defendant the sum of Ninety six dollars and fifty six cents with legal interest thereon from the 10 day of August 1866 till paid and the costs by the plaintiff in this behalf expended

John L Woodson Pltff
vs
Jacob L Silbert &c Defts } In Case

This day came again the parties by their attornies and the jury sworn and impannelled on Saturday last for the trial of this cause appeared in Court and in pursuance to their adjournment and not having time to hear all the evidence, ~~was~~ adjourned until to morrow morning at 10 O'Clock

Ordered that Court be adjourned until to morrow morning at 10 O'Clock
C. L. Sterling

Wednesday November 28th 1866

Present
O L Sterling P J. Philander Herring Geo W Fawley } Gent
John Funk and Jackson Corn } Justices

Charles B Yancey's adm's Pltff
vs
J H Berry Deft } In Covenant

This day came the pltff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the amt to which the pltff is entitled to be $51.30 and the time from which interest thereon shall run to be 14th day of Sept 1865. It is therefore considered that the pltff recover against the Deft the said sum of $51.30 with legal interest thereon from the said 14th day of Sept 1865 till paid and the costs in this behalf expended

Wm McL Wartmann trustee Pltff
vs
Strother Bright Deft } In Case

This day came the parties by their attornies and the deft pleaded non assumpsit to which the pltff replied generally and thereupon came a jury to wit Charles A Sprinkel B F Thomas Thomas Lampkins Jacob Sago Harvey Wise Geo W Mauzy Geo F Frankhouser Silas J Hockensmith Christian Moyers A J Blakemore Jonathan Wampler and John S Effinger who being elected tried and sworn the truth to speak upon the issues joined do say We the jury find for the plaintiff and assess the damages at One hundred dollars It is therefore considered that the pltff recover against the deft $100. the damages aforesaid with legal interest thereon from this day and the costs by the pltff in this behalf expended

Christena McDaniel Pltff
vs
Neal Meadows Deft } In Detinue

This day came the parties by their attorneys and the deft pleaded Non Detinet to which the pltff replied generally and thereupon came a jury to wit John Sanders B F Thomas Samuel Newham Andrew Knopf Chas A Sprinkel Jno S Effinger Harvey Wise Jesse Summers Geo F Frankhouser Christian Flook A J Blakemore and Jacob Sago who being elected tried and

upon the truth to speak upon the issue joined and after hearing the evidence upon their oaths do say "We the jury find for the plaintiff the horse in the declaration mentioned & assess the value of said horse at Sixty dollars" It is therefore considered that the pltff recover against the deft the horse aforesaid & the value aforesaid, and the costs by the pltff in this behalf expended

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John C Woodson Pltff
v
Jacob L Sibert &c Defts } In Case

This day came again the parties by their attorneys and the jury summoned and empannelled for the trial of this cause on Saturday last appeared in Court in pursuance to their adjournment and it appearing that Jacob N Liggett counsel for the pltff has been taken ill and on the motion of the pltff. the deft not objecting thereto B F Thomas one of 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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Upon the petition of Samuel J Shank for a road in this County the viewers heretofore appointed to act upon said petition filed their report upon consideration whereof the Court doth ~~establish~~ direct that the change be made in the road aforesaid

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Upon the petition Caroline V Slite proceeding under the act of the General Assembly of Virginia passed 2d Mar 1880 entitled an act to stay the collection of debts for a limited period, On her motion it is ordered that the said petition be referred to Wm M Harrison to be acted and reported on according to law

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Same

The Same order

Henry Michael Pltff
v
Christian Kyger &c Defts } In Debt upon a judgment rendered at the July term last of this court

This day came the parties by their attorneys and it appearing that the pltff was dead before the institution of this suit it is therefore ordered that the same be reversed and annulled

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David H Moore Pltff
v
John W Glover Deft } In Covenant

This day came the pltff by his attorney and neither party requiring a jury the Court proceed to execute the writ of enquiry & doth ascertain the amount to which the plaintiff is entitled to be $108.00 with legal interest thereon from the 2nd day of ~~Feby~~ Dec 1865 till paid. It is therefore considered that the pltff recover against him & defendant the said sum of $108.00 with legal interest thereon from the 2d day of Dec 1865 till paid and the costs by the pltff in this behalf expended

Charles B Yancey's admrs Pltff
vs
Jacob Raines &c Defts } In Covenant

This day came the pltff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and do ascertain the damages to which the pltff is entitled to be $293.96 & the time from which interest thereon shall run to be the 14th day of Sept 1865. It is therefore considered that the pltff recover against the defts $293.96 the damages aforesaid with legal interest thereon from the said 14th day of Sept 1866 till paid and the costs by the pltff in this behalf expended

Samuel Grimm Pltff
vs
Wm M Sibert Defts } In Case

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

Hannah J Ralston Pltff
vs
Nathan Houston &c Defts } In Covenant

This day came the pltff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and do ascertain the damages to which the pltff is entitled to be $99.90 and the time from which interest thereon shall run to be the 19 May 1865. It is therefore considered that the pltff recover against the defts the said sum of $99.90 with legal interest thereon from the 19th day of May 1865 till paid and the costs in this behalf expended

George H Carpenter Pltff
vs
Samuel Swarts &c Defts } In Covenant

This came the pltff by his attorney and neither party requiring a jury the Court proceed to execute the writ of enquiry and doth ascertain the damages to which the pltff is entitled to be $278.87 & the time from which interest shall run to be the 11th day of October 1865 till paid and do It is therefore considered that the pltff recover against the defts $278.87 the damages aforesaid with legal interest thereon from the 11th day of October 1865 till paid and the costs by the pltff in this behalf expended

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

O C Sterling

Thursday Nov 29th 1866

Present

O C Sterling P J Philander Harris
George W Crawley Jackson Morris John Funk } Comrs
S Preston

Robert L Roberts — Pltff
vs
Frederick Hilly and — Deft
} In Lease

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

W H Lamb & c — Pltff
vs
Jeremiah Dovel & c — Defts
} In Covenant

The Same order

Thomas Shumate — Pltff
vs
Le A Shrinkel — Deft
} In Debt

The Same order

Robert H Spindle — Pltff
vs
John B Amis — Deft
} In Case

The Same order

Wm H Pearson — Pltff
vs
John Rhodes — Deft
} In Trespass

The Same order.

Jacob Barley Jr — Pltff
vs
A H Brewer — 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

~~Wm Sellers~~ — ~~Pltff~~
vs
~~Jacob Barley~~ — ~~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 costs of the Deft~~

Robert A Henton — Pltff
vs
Jonathan Peale — Deft
} In Debt

This day came the parties by their attorneys and the deft by his attorney waived his plea and confessed judgment for $110 00 the debt in the declaration mentioned with interest from the 2d day of February 1866 till paid and costs subject to a credit of $11.50 It is therefore considered that the plaintiff recover against the deft the sum of $110.00 the debt aforesaid with legal interest thereon from the 2d day of February 1866 till paid and the costs by the plaintiff in this behalf expended. This judgment is subject to a credit of $11.50

George Bruffy's admr Pltff
vs } In Case
George E Deneale Deft

This day came again the parties by their attornies, and the deft for a further plea pleaded Non assumpsit within two years and leave is granted to file special pleas

Wm Wolfrey Pltff
vs } In Case
M J Moyerhoffer Deft

This day came the parties by their attornies, and thereupon the deft pleaded non assumpsit to which the pltff replied generally

John W Bruffy &c Pltff
vs } In Trespass
A H Johnson & Deft

This day came the parties by their attornies, and the defts by their attorney pleaded not guilty to which the pltffs replies generally, and leave is reserved to the defts to file special Pleas, and thereupon the judgment and writ of enquiry obtained in the office is set aside and the trial of the issue deferred until the next term

Isreal Minnick Pltff
vs } In Ejectment
Henry McDorman Deft
The Same order

William Winkle Pltff
vs } In Trover
Joseph McKratzer Defts
The Same order

Jason N Bruffy Pltff
vs } In Case
Rudolph Nagy Deft

This day came the parties by their attornies and the deft by his attorney pleaded Non assumpsit to which the pltff replied generally & thereupon the writ of enquiry & judgment obtained in the office is set aside & the trial of the issue is deferred until the next term and leave is reserved to the deft to file special pleas in this cause

Samuel Ruebush Pltff
vs } In Debt
George Saufley Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment to which the pltff replied generally, and thereupon the judgment obtained in the office is set aside & the trial of the issue deferred until the next term & leave is reserved to the deft to file special pleas

Wm G Leakely &c Pltff
vs
E W Jones Deft } In AB

This day came the parties by their attornies and defendant by his attorney pleaded Not Guilty & Statutes of Limitation to which the pltff by attorney ~~pleader~~ replied generally and thereupon the judgment & writ of enquiry obtained in the office is set aside and the trial of the issue deferred until the next term and on motion of the defendant it is ordered that unless the pltff shall give security for all costs in this case on or before the 3dly term next of this Court. this cause shall be dismissed

Henry H Peck & wife Pltff
vs
Joseph Byrd Deft } In Debt

This day came the parties by their attornies and the defendant by his attorney pleaded payment to which the pltff replies generally and thereupon the judgment obtained in the office is set aside and the trial of the issue deferred until the next term & leave is reserved to deft to file special pleas

Hiram S Dever Pltff
vs
Peachy Wine &c Defts } In Debt

The same order

Whereas one of the Commissions of the Revenue for this County has assessed George Arey fifty dollars as a license tax to retail ardent Spirits alleging that he had commenced said sale without having first obtained a license as required by law. on the Motion of said Arey (the Attorney for the Commonwealth being present and defending said Motion) and for reasons appearing to the Court, it is ordered to be certified that the said assessment is erroneous and that one half of said sum of $50 be released to said Arey. $25 being the proper sum with which he ought to have been assessed

In the Case of James Payne

The Same order

Upon the application of George Arey & James Payne who have paid the tax imposed by law. license is granted them to retail Ardents Spirits at their houses in this County until the 1st day of May 1807 the Court being satisfied are persons of good character. not addicted to drinking or gaming. that their houses are proper places to retail ardent Spirits

Absent Philander Herring

On the motion of Jacob Dinkle who made oath thereto according to law and together with Philander Herring 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 Harriet S Dinkle

At Rules. Philander Herring

Stuart B Bowles Pltff
vs
Levi Shaver Deft } In Case

This day came the parties by their Attornies. and the arbitrators to whom this cause was referred at the last term this day filed their award in the words and figures to wit Stuart B Bowles vs Levi Shaver &c. by consent of parties said award is ordered to be entered up and made the judgment of the Court. It is therefore considered that the pltff recover against the deft the sum of eighty dollars with legal interest thereon from the 20th day of Nov. 1866 till paid and the costs by the pltff in this behalf expended

N W Switzer produced in Court a survey report and plat of 3¼ acres of land lying and being in the County of Rockingham and it appearing to the Court that the said N W Switzer had settled said land more than ten years and paid the tax as required by the 41 section of Chapter 112 of the Code of Virginia. which survey and plat is ordered to be recorded

William H Triplett (use of James Cootley) Pltff
vs
C C Strayer Cashier of the First National Bank of Rockingham Deft } Upon a suggestion that the deft has in his possession or under his control belonging to Robert A Gray and subject liable to the execution of said Triplett for use vs said Gray

This day came the pltff by his attorney and said C C Strayer appeared in Court on an inquiry that there was in the First National Bank of Harrisonburg under his control a sum more than sufficient to satisfy said execution It is therefore considered that the said C C Strayer pay to the Sheriff of Rockingham County the sum of $220. with legal interest thereon from the 13th day of August 1865. and $7.29 costs of the original suit and the costs in this behalf expended

Emily F Davis Pltff
vs
Peter Koontz's adm'r 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 deft

Richard Robinson Deft
vs
Henry McDaman Pltff } In Ejectment

This day came the parties by their attorneys and thereupon came a jury to wit Thomas Lamphins Newman W Cave Charles A Sprinkel John Landes. Samuel Newhams Abm. S Byrd A J Nicholas George Kavicofe David Blosser. Strother Wright James C Heatyes & Michael Ward. who being elected tried and sworn the to speak upon

the issue joined and not having time to hear all the evidence were adjourned until to morrow morning at 10 O'Clock

Josiah Conner Pltff
vs
David F Linneweaver & Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Daniel Fetty, Jimerson Karnes, Jesse Summers, Geo W Mauzy, Christian Flook, Christian Moyers, Jonathan Wampler, Geo F Trunkhouser, Jacob Lago, Silas J Holsinger, John S Effinger and B F Thomas who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict & 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

O. C. Sterling

Friday November 30th 1866

Present

O C Sterling PJ, John Trunk, Philander Herring, George W Fawley and Jackson Horn } Gent Justices

Upon the application of A S Byrd to be relieved from an erroneous assessment of a license tax. On Motion and for reasons appearing to the Court it is ordered that the said Motion be placed upon the docket & continued

S W Gamble clerk of this Court presented in Court an account against the Commonwealth amounting to one hundred and eighty two dollars and fifty cents which being sworn to in open Court was examined & allowed and ordered to be certified to the auditor of Public accounts

John Conner Pltff
vs
David F Linneweaver &c 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 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 that the defendants are entitled as a set off by reason of the matters set forth in the plea to the sum of $500. with interest thereon from the 18th day of September 1862 until paid an amount equal to the plaintiffs demand and that the plaintiff is not entitled to recover any thing in this action" It is therefore considered that the defendants [redacted] against the plaintiff & John T Harris his security their costs by them about their defence expended

Josiah Turner vs Jacob Shawhis adm's On Motion & for reasons appearing to the Court it is ordered that this cause be continued until the next Term

Richard Robinson Pltff
vs
Henry McDamarra Deft } In Trespass

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 Court in pursuance to their adjournment after having fully heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and not being able to agree, Charles A Sprinkel one of the said jurors was withdrawn and the balance from rendering a verdict a verdict were discharged, and the trial of the issue is deferred until the next term

Eli Summers Pltff
vs
A McBrewer Defts } In Case

This day the parties by their attornies and thereupon came a jury to wit John S Effinger Jacob Lago Christian Moyers, B F Thomas Daniel Getty George F Funkhouser, Jonathan Deampler A J Blakemore, Silas J Holsinger Ambrose S Kroff, George W Manzy and Christian Flook who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear all the evidence are adjourned until tomorrow morning at 10 O'Clock

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

Present Saturday December 1st 1866
Present

Old Sterling P.J. John Funk George W Fawley } Gent
Philander Herring & Jackson Corn } Justices

Ordered that the following named persons be allowed the sums affixed to their respective names, to be paid by the County viz

Emanuel Rhodes	$10 00	Saml Newham	✓	15 00	Ambrose Kroff	✓	12 50
Geo F Funkhouser	$15 00	Peter Blecker		1 25	Harvey Heise	✓	15 00
John Landes	✓ 15 0	Jonathan Deampler		15 00	Jacob Lago		15 00
W W Love	✓ 11 25	Thos Lamptkins	✓	15 00	H Hannsberger Jr		1 25
Geo W Manzy	✓ 15 00	A J Blakemore	✓	11 25	B F Thomas	✓	15 00
Jesse Summers	✓ 15 00	Silas J Holsinger		15 00	Wm H Sites	✓	7 50
Jno S Effinger	✓ 12 50	Daniel Getty		11 25	Christian Flook	✓	15 00
C A Sprinkel	✓ 11 25	Christian Moyers	✓	12 50	Alm Carley		1 25
B F Long	1 25	B Armentrout	✓	1 25	Peachy Rice	✓	1 25
Geo Kanicope	✓ 2 50	David Blosser	✓	2 50	Strother Bright	✓	2 50
Jacob Weltzel	✓ 2 50	Michael Ward	✓	2 50	David Frank	✓	1 25
R A Stephens	✓ 1 25	Jno W Keller	✓	1 25	Wm H Evans	✓	1 25

and it is ordered that the Sheriff of this County pay to the several persons the sums allowed to them

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

Henry Harnsberger Jr and A J Shorwalter who has been duly summoned as jurors to appear here as jurors being solemnly called and not appearing it is ordered that the sd summoned to appear here on the first day of Feby term next to shew cause if any they can why they shall not be fined and attached for their said contempt

Mary C Kyle Pltff
vs
David Steinespring Deft } Upon a

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

Rebecca Thompson &c Pltffs
vs
John C Walker &c Defts } In Chancery

This cause came on to be heard this 1st day of December 1866 on the bill taken for confessed as to the defendants they still failing to appear and and file plead answer or demur to said bill & was argued by counsel. on consideration whereof the court the court doth adjudge order and decree that the deft John C Walker late guardian of Rebecca and Sarah Powell do render an account of his transactions as guardian of Rebecca & Sarah Powell infant children of Hannias Powell dec'd before one of the Commissioners of this court, who is directed to examine state and settle the same and report the same to the court with any matters specially stated deemed pertinant by himself or which may be required by any of the parties to be so stated

George Bruffy's adm's Pltff
vs
Gid W Coursche adm's of Charlotte Smith Deft } Upon a notice

This day came the pltff by his attorney but the notice has not this cause being returned executed it is ordered that unless the deft give a new bond with other good security that his powers as such adm'r be revoked & annulled or unless the deft by attorney appear & in court & refuse to execute such bond it is ordered that his power & authority be revoked and annulled

Eli Summers Pltff
vs
A J C Brewer &c Deft } In Trover

This day came the parties by their attornies and thereupon came a jury to wit John S Effinger. Jacob Sago. Christian Moyers. Benjamin F Thomas. Daniel Zelty. George F Funkhouser's adm'r. Jonathan Wampler. A J Blakemore Silas J Holsinger. Ambrose Knosh. George W Mauzy and Christian Flook 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 on the issue joined for the plaintiff and assess the damages which the plaintiff has sustained by occasion of the matters in the declaration mentioned at $90 & 100. It is therefore considered that the pltff recover of the deft the $90 the damages aforesaid with legal interest thereon from this day and the costs by the pltff in this behalf expended.

Whereupon the deft moved the court to set aside this verdict on the ground that it was contrary to the evidence which motion the court doth overrule

Upon the petition of John R Bowman & others for a road. the Viewers heretofore appointed this day filed their report upon consideration whereof the Court doth establish said road according to said report ~~and the bond as recommended in~~ said report. be assigned to said road

John W Burke Pltff
vs
Samuel Trunkhouser's admr Deft } In Case

This day came again the parties by their attorneys. and on motion of the deft. and it appearing that this cause has been depending in this court for more than twelve months without any desposition being had therein. it is ordered that this cause be removed to the Circuit of this County for trial

Ordered that the Clerk of this Court give notice by publication in the papers of this County, to Counsel and suitors. that at the February Term 1867 of this Court. the most rigid rule will be observed by the Court in enforcing the trial of causes upon the docket. unless parties bring themselves within the strictness of the Court

Ordered that John R Bowman be appointed Surveyor of precinct No 5 on the road this day established upon his petition

Wm H Trisler for &c Pltff
vs } Upon a suggestion
C C Strayer Cashier &c Deft

On motion of the plaintiff the order entered in this cause on yesterday of this term directing C C Strayer Cashier of the First National Bank to pay plaintiffs debt is set aside and annulled

Joseph W Kratzer Pltff
vs } In Case
George W Adams Deft

This day came the parties by their attornies and thereupon came a jury to wit A J Nicholas. Jesse Summers. Harvey Wise. C A Sprinkel. Samuel Newham. John Landes N W Cave. Thomas Lamphins. David Frank. R A Stephens John W Keller and Wm A Evans 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 considered that the deft recover his costs in this behalf expended and the plff ~~hereupon~~ thereupon tendered a bill of exceptions to opinions of the Court delivered upon the trial of this cause which exceptions the Court refuses to sign and thereupon the plff moved the Court to grant a new trial on the grounds ~~that~~ specially reported to certify the facts which motion was overruled

John Cohner Pltff
vs } In Debt
David F Linneweaver & Defts

This day came again the parties by their attornies and the plaintiff by his attorney tendered a bill of exceptions to actions and opinions had and and delivered upon the trial of this cause which exceptions were signed and sealed by the Court & ordered to be made a part of the record

Wm Sanday Pelff
vs
Geo W Sanders Deft } upon unlawful detainer

This day came the parties by their attornies and the deft moved the Court to set aside the verdict and judgment rendered in this cause on consideration whereof the the Court refuses to sustain and doth overrule same motion

John C Worden Pelff
vs
Jacob L Silbert & Deft } In Case

This day came again the parties by their attornies and the defts by their attornies moved the Court to remove this cause to the Circuit Court of this County on the ground that this cause has been pending in this Court for more than twelve months without having a decision therein which Motion the Court doth overrulled

Adam W Brewer Pelff
vs } In Case
Same Deft

The Same order

Strother Bright Pelff
vs } In Case
Same Deft

The Same order

Wm Wolfrey Pelff
vs } In Case
M J Moyerhoeffer Deft

This day came the parties by their attornies and on motion of the deft it is ordered that unless the pelff shall give bond and security for all costs and damages that may be awarded against the pelff and all officers fees that may be due or hereafter to become due from him within ten days from this day the said cause shall be dismissed

Ordered that the Court be adjourned until the next term

O. C. Sterling

At a Court held for Rockingham County at the Court House thereof on Monday the 17 day of Dec 1866

Present

O H Sterling P J. Henry Beery Josiah S Roller } Gent 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 Nov 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 John Lerlinger & wife to Timothy Trunk
Same from Philip Strickler & wife to Emanuel Hoover
Same from Mary C Kyle to Henry Forrer
Same from George Williams To J & R F Williams
Same from C & S Strayer Comr to Wm P McCall
Same from John Kline's ex'tor to Curtis Yates
A Deed of Lease from Michael Minnigh & wife to Rhodes & Price
A Deed of Bargain & Sale from Mathias Leap & wife to J J Bent
Same from George Eshpard to Wm Miens & Co
Same from C Hall & others to Same
Same from Wm P McCall & wife to Jacob Shuckle
Same from John Stokes & wife to Elenor Campbell
Same from Isaac Reedy & wife & to Dilila Reedy
A Deed of Trust from R H Harrison to D C Moore In trust for P S Roller
A Deed of Bargain & Sale from J B Lozier & wife to Lumber & Lease Co
Same from G W Berlin Trustee to Mary Conner &c
Same from Richard Robinson to John W Robinson
Same from Henry Neff's ex'or to Jacob VanPelt
A Deed of Trust from R H Harrison to D C Moore In trust &c
A Deed of Gift from D Moore to E J H Warren Trustee for C Harrison
A Deed of Bargain & Sale from Peter Thomas & wife & to Ann Secrist
Same from Ann Secrist to Jacob B Burns
A Power of Attorney from Henry J Jones &c to Samuel B Snider
A Deed of Bargain & Sale from Same & to Jos Mauzy's adm'rs
Same from John Kline's ex'ors to Davis & Lewis Driver
A Power of Attorney from Polly Burner to Jacob B Burner
A Deed of Bargain & Sale from Sarah Fawley & wife to George W Fawley
Same from Josiah Frieh & wife to Stephen Fawley

An Appraisement of the estate of Jacob Miller dec'd was presented in Court and ordered to be recorded

Upon the petition of Magdaline McD Coffman setting forth that she is the widow of Isaac G Coffman dec'd and that she is dependant for her support upon the bonds and notes due her late husband it is ordered that the said petition be referred to one of the Commissioners of this Court to be acted and reported on according to law

On the Motion of Jacob Byerly who moves oath thereto according to law and together with George Bowman his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of fourteen hundred dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form upon the estate of Christopher Hoover dec^{d}

Ordered that Wm Bowman, Henry Hargadine, Samuel Chandler and Elijah Huffman or any three of them being first duly sworn for that purpose do appraise the estate of Christopher Hoover dec^{d} and report thereon to the Court according to law

Ordered that J. R. Harnsberger be appointed surveyor of precinct No 57 in place of Daniel Baugher

Ordered that Jacob E Harnsberger be relieved as surveyor of precinct No 48

King Huffman Pltff
vs
Franklin Pence Defts
} Upon an Attachment

This day came the pltff by their attorney and thereupon came Samuel M Ott who has been duly summoned as a garnishee appears in Court and upon oath rendered an account of claims in his hands belonging to the Defd Pence which account is marked as exhibit "B" and filed in the papers of this cause It is therefore ordered that the said Samuel M Ott deliver said claims to Samuel R Allebaugh Sheriff of this County who is hereby appointed a special receiver to collect said claims and hold the proceeds until further order of this Court

Michael H See Pltff
vs
Wm Hanson & others Defts
} In Chancery

This cause came on to be heard this 17th day of December 1864 upon the bill and exhibits filed and the order of publication duly made and executed more than thirty days before the sitting of this Court for four successive weeks, and it appearing to the satisfaction of the Court that the parties defendants are all non residents of the State of Virginia and that they have had due notice according to law and they still failing to answer the bill as to them is taken for confessed and was argued by counsel whereupon it is considered by the Court and adjudged ordered and decreed that the plaintiff recover against the defendants the sum of two hundred and fifty dollars with interest thereon from the 1st of March 1864 together with the costs of this suit and that unless the said defendants or some of them or some one for them do within sixty days from the date of this decree pay to the complainant the said sum of money with interest and costs of suit Isaac F Branner who is hereby appointed a commissioner for the purpose is directed to sell the tract of land with the improvements thereon in the bill mentioned on the premises to the highest bidder at public auction after first advertising the same for four weeks according to law in some newspaper published in Rockingham County Virginia

Notices of the same at two or more public places in the neighborhood of the property for the same period, the sale to be made on the following terms to wit. one half in hand or on the first day of the next term of this Court succeeding the sale: the balance in two equal half yearly payments with interest from the day of sale the purchaser giving bond and a lien retained on the land till the whole is paid, and the said Commissioner shall first pay the expenses of said sale including his compensation and shall apply the residue of the proceeds first to the payment of the said $250. to the complainant with interest thereon from the 1st day of March 1866 and the costs of this suit and if any balance remain then the same shall be paid to the defendants, and the said Commissioner shall report his proceedings to the next term of this Court succeeding the sale But before said Commissioner shall receive any money under this decree he shall execute his bond with security in the penalty of $1000.00 conditioned according to law

Michael Beery Pltff
vs
Herndon & others Defts } In Chancery

This cause came on to be further heard at this 17th day of December 1866 upon the bill and exhibits the process duly executed and the answer of the infant defendants George W Beery & Benjamin F Beery by their guardian ad litem replication and depositions and it appearing to the Court that the process has been duly served upon the other defendants more than thirty days before the setting of this Court and they still failing to answer the bill as to them is taken for confessed and was argued by Counsel. Whereupon it is considered by the Court that the plaintiff Michael Beery is entitled to a conveyance of the land in the bill mentioned he having purchased the same of and from the said Jacob T Beery in his life time, and having paid for it, and the said Jacob T Beery having departed this life, it is adjudged ordered & decreed that Wm A Trice who is hereby appointed a Commissioner for the purpose do execute to the Complainant Michael Beery a deed with a deed with Special warranty for the land in the bill mentioned describing the same and that the Complainant recover his costs in this suit expended together with the costs attending the execution of said deed, and that he do report his action to the next term of this Court

Jas H Lilley Pltff
vs
Smith Sampson Deft } Unlawful Detainer

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 defs

A H Brewer Pltff
vs
Jacob Barley Deft } Upon a Fraudulent

This day came the parties by their attornies and on motion of the said Barley it is ordered that the said execution be quashed

On the Motion of Samuel R Allebaugh Sheriff of this County
ordered with the consent of the Court
Wm H Rodiffer Henry Neff Robert G Coakley Christopher Miller
Joseph N Mauzy and Solomon P Reamer are admitted as his Deputies
and thereupon they took the several oaths required by law

Wm M K Hartman one of the Commissioners of this Court this day
filed his report upon the matter of the petition of Mrs Margaret Miller
It is ordered that the said report be confirmed and ordered to be recorded, and
it is ordered that Statement No 2 of said report be adopted as the judgment
of this Court

In the Case of the Commonwealth v Thomas Branham on Motion of the
Attorney for the Commonwealth, the Court without any examination into the
offence charged or facts of the Case doth hereby order the Prisoner to be discharged

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

O. G. Stickney

Tuesday December 18th 1866

Present

O. Sterling P.J. Henry Beery Geo S Christie
Josiah L. Roller Madison Moore } Gent Justices

Whereas one of the Commissioners of the Revenue for this County has assessed
Abraham S Byrd Forty Seven dollars 66⅔ as a license for selling personal property
alleging that he had commenced said sales without having first obtained license as required
by law On Motion of said A S Byrd (the attorney for the Commonwealth being
present and defending the said motion) and on motion and for reasons appearing
to the Court it is ordered to be certified that the said assessment is erroneous and that
one half of said sum of $47.66⅔ be released to said Byrd & $23.83⅓ is the proper sum
with which the said A S Byrd ought to have been charged

A S Rosenbarger Pltff
vs
Abraham Leedy & others Deff } In Chancery

This cause came on to be further heard this 18th day of December in the
year 1866 upon the papers heretofore read, the proceedings heretofore had, and it appearing to
the Court that the order which was made at the last term in this cause directing a
Commissioner of this Court to ascertain and report the true balance due upon the deft
Abm Leedy to the Complainant, it is ordered that the said matters be reported upon
at the next term of this Court, and the argument of Counsel being heard it is further
adjudged ordered and decreed that Samuel R Allebaugh who is hereby appointed a
Commissioner for the purpose shall make to the purchaser A S Rosenbarger a deed or deeds
with special warranty for the land sold by him under a former decree in this
cause retaining a lien thereon and report his proceedings to the next term
of this Court

Charles Morgan who stands charged with a felony by him committed by him ~~a burglarious~~ the said breaking into the office of Dr J B Amis and stealing therefrom one pocket book and valuable papers and fifty dollars in current money of the U S was led to the bar in custody of the Sheriff on motion it is ordered that the examination of this case be continued until the next term

William Kyle alias _____ who stands charged with a felony by him committed in this that he did on the night of the 8th day of Dec 1866 the dwelling house of Mrs Harriet Warren feloniously and burglariously break enter and two hundred and fifty pounds of pork of the value of $20 of the goods and chattels of said Harriet Warren did then and there feloniously and burglariously take steal and carry away was led to the bar in custody of the the Sheriff and sundry witnesses being sworn and examined touching the premises the Court upon mature deliberation are of opinion that there is not probable cause to charge the prisoner with the offence aforesaid. It is therefore ordered that the prisoner be discharged from custody

Upon the petition of Geo Caroline Pitts the Commissioners to whom the this case was referred this day filed his report which is confirmed and ordered to be recorded

Ordered that David Giles Jonathan Peele John Roberts & Joseph Frankhauser or any three of them being first duly sworn for that purpose do appraise the estate of Timothy Shughrue decd and report thereon to the Court according to law

Ordered that the Court be adjourned until the next term

O. C. Sterling

Clerk's Office of the County Court of Rockingham Dec'r 20' 1866

John R Kergler Pltff
vs
Philip Pharis Jr Deft
} In Debt

This day came the defendant and confessed judgment for $1400. the debt in the writ mentioned with interest and costs. It is therefore considered that the pltff recover against the deft $1400.00 with legal interest thereon from the 26 day of June 1866 till paid & $2.04 charges of protests and the costs by the pltff in this behalf expended

Teste

Wm D Frank DC

In the Office aforesaid December 21' 1866

James F Lemman Pltff
vs
Jacob J Frank Deft
} In Debt

This day came the defendant and confessed judgment in the office aforesaid for $380.56 the debt in the writ mentioned with interest and costs. It is therefore considered that the pltff recover against the deft $380.56 the debt aforesaid with legal interest thereon from this day and the costs by the pltff in this behalf expended

Teste

Wm D Frank DC

In the Office aforesaid December 24' 1866

C B Hancock (use of J L Smith) Pltff
vs
J H Taylor & J D Price Defts
} In Debt

This day came the pltff by his attorney and thereupon the defts personally appeared in the office aforesaid and confessed judgment for $130.00 the debt in the writ mentioned with interest and costs. It is therefore considered that the pltff recover against the defts $130.00 the debt aforesaid with legal interest thereon from the 21' day of September 1866 till paid and the costs by him in this behalf expended

Teste

Wm D Frank DC

Virginia

At a Court held for Rockingham county at the Court-house thereof on Monday the 21st day of January 1867

Present

O. Sterling P J Madison Moore. Joseph Funkhouser Henry Beery } Gent 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 Dec. last which being seen and inspected by the Court is ordered to be entered on the minutes as follows viz

A Deed of Bargain Sale from Jno E Woodson Comr to Michael W Bowman
Same from Jonas A Lowenbach wife to The Overseers of the Poor
Same from the Overseers of the Poor to Jonas A Lowenbach
Same from Jacob N Liggett wife to Solomon & Wm Buttner
A Deed of Trust from Abraham Carman to Robert Cox & Trust for D Flook &
A Deed of Bargain Sale from Joseph Bryce to Wm Shacklett
Same from Wilson Harper to John Harper Trustee
Same from John Sincden wife to Joseph Weaver
Same from A E Henneberger to Frances Wood
Same from Jno Funkhouser wife & N A Funkhouser
Same from Mary Boone to Harvey Kyle
Same from D M Switzer wife & M D Coffman
Same from Jacob A Swank wife to David Swank
Same from Peter Haynes wife to James E Kelley
Same from A E Henneberger to Mary E Kyle
Same from Peter Haynes wife to P N E Pickering
Same from Wm Corder wife & to Reuben Kisling
Same from John Wampler to Joseph Wampler
Same from Philip Pharis Jr wife to Joseph D Price
Same from Peter Brenneman Exr to James Ritchie
Same from David Heatwinger Exr to G W Saltzgiver
Same from Adam Rader wife to James B Dickson
Same from Jas B Dickson wife to Wm M Williams
Same from E Miller Dep Shff to James Walker
Same from David Fry wife to David Spitzenmaier
Same from Wm D Frost Comr to Rebecca J Campbell
Same from Allen M Baugher Exr to Wm Harper

A Settlement of the estate of Samuel Shank 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 Jacob Armentrout dec'd
The same order

Same of the estate of Jacob Strayer dec'd
The same order

A Settlement of the accounts of the Guardian of David Kline 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 accounts of the Guardian for Emma & Sidney Kite
The Same order

Same of the accounts of the Guardian for Parker Worth Strayer
The Same order

Same of the accounts of the Guardian for Joseph S Strayer
The Same order

Same of the accounts of the Guardian for Geo G Strayer
The Same order

Upon the petition of Alice Winfield under the act of March 2d - 1868 it is ordered that Commissioner Wm McClearnann ascertain the amount necessary for the annual support of said Alice Winfield & how much of such amounts should be assessed upon his debtors and whether the same shall be of principal or interest and how much each should pay, the assessment being ratably on all and report to the next Court

Upon the petition of Louisa Winfield
The Same order

The Last will and testament of Benjamin Rice dec'd was this day presented in Court and proved by the oaths of James G Heltzel and John H Simmers the subscribing witnesses thereto and ordered to be recorded and on motion of James G Heltzel the executor therein named who made oath thereto according to law and together with Elias Holland and Robert G Coakley 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 him for obtaining a probate of said will in due form

Ordered that Christian Frank Philip Keller & John Swartz after being duly sworn for that purpose do appraise the estate of Benjamin Rice and report thereon to the Court according to law

Upon the petition of John H Palmer & George W Entzler setting forth that they are the owners of the lands on both sides of the North River near Port Republic that the propose to erect a dam across said River for the purpose of propelling such machinery as may be hereafter erected thereat It is therefore ordered that a writ of Ad Quod damnum be awarded the said petitioners according to law. To be executed on the 28th day of the present month

On the motion of M Harvey Effinger and it appearing that more than three months has elapsed since the death of Jack alias John Robinson and no one having applied for administration upon his estate it is ordered that his said estate be committed to Sheriff for administration

On the Motion of Isaac F Brenner who made oath thereto according to law & together with Henry Neff 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, a certificate is granted the said Isaac F. Brenner for obtaining letters of administration in due form upon the estate of William Kenner dec'd

Ordered that George Fulk, Adam Fulk & William Filzwater after being duly sworn for that purpose do appraise the estate of William Kenner and report thereon to the Court according to law

Jonas A Lovenbach Pltff
vs
Abraham Carman Deft
} Upon an Attachment

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

Daniel Miller & Co Pltff
vs
Franklin Pence Deft
} Upon an Attachment

The same order

In the matter of the petition of Mr Sally Allebaugh &c against Jacob Byerly, it is ordered that this cause be continued

Matilda Carman & others Pltff
vs
Mary Sager & others Defts
} In Chancery

This cause came on to be heard this 21 day of January 1857 upon the bill and exhibits, upon the answer of of the three infant heirs Julia F. Carman Christian Carman and Peter Carman by their guardian ad litem Wm D. Trout and it appearing to the Court that the order of publication against the non-resident defendants Mary Sager, LaFayett Kirby and Lucy his wife Charles Staubush and Jane his wife, John Carman and the unknown heirs of Oliver Carman has been duly executed more than one month this case is heard as to them. Whereupon the argument of Counsel being heard the Court is of opinion that the real estate of William Carman should be divided between his widow and heirs according to their legal rights. It is therefore adjudged ordered and decreed that George Bowman William Eiler, Samuel Chandler and John Dillon are any three of them who are hereby appointed Commissioners for that purpose do go upon the lands in the bill mentioned of which said William Carman died seized and assign to the Widow Matilda as her dower therein one third in value

of said lands. and divide the residue among the heirs of said William Carman equalify and fairly laying off the three shares of the three infant heirs as nearly together as practicable and as near to the portion allotted to the widow as her dower. and report in writing to this Court at its next term

C Q Sanford who has paid the tax imposed by law a license is granted him ~~Attorney~~ to keep a public ordinary in this County until the first day of May next the Court being of opinion that he is a person of good character not addicted to drinking or gaming. and will probably keep a house well ordered and such as the law requires

Upon the petition of M J Mayerhoffer who has paid the tax imposed by law a certificate is granted him to retail ardent Spirits at his Store in this County until the 1st day of May next. the Court being of opinion that he is a person of good character not addicted to drinking or gaming. & that his house is a proper place to retail ardent Spirits

Benjamin Miller executor of Isaac Burner dec'd ~~at the~~ upon the Motion of Jacob Miller & John Cromer his securities in his official bond resigns his position as such executor. It is therefore ordered that the power & authority of the said Benjamin Miller as such executor be revoked and annulled

Hodges Brothers Pltff
vs
Franklin Pierce Deft } upon an attachment

This day came the pltffs by their attorney and the attachment in this cause being returned executed and Sammee M Ott who was duly summoned as a Garnishee in this cause filed an account of Claims held by him as agent for deft. It is ordered the said Claims be placed in the hands of the Sheriff of this County who is hereby appointed a Special receiver to collect the said claims and hold the proceeds subject to the order of this Court

Carroll, Adams & Neer Pltffs
vs
Same Deft } upon an attachment
The Same order

William Siskey's adm'rs Pltffs
vs
Abraham Carman & ~~A H Beale~~ Deft } upon an attachment

On Motion of the pltffs. it is ordered that this cause be docketed and continued until the next term

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

On the Motion of Sarah Smith who made oath thereto according to law and together with Andrew Espard acting by S W Gamble his attorney in fact and John C Walker her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned as law requires. a certificate is granted her for obtaining letters of administration in due form upon the estate William S Smith dec'd

Ordered that John P Huffman. Wesley Espard. William Keesley and Joseph Manger or any three of them being first duly sworn for that purpose do appraise the estate of William S Smith dec'd and make report thereon to the Court according to law

A Power of Attorney from Andrew Espard to S W Gamble. was presented in Court and being duly acknowledged by the Grantor is to gether with the certificate hereon endorsed, admitted to record

Present Josiah S Roller Cont Justice

John Brigler who stands charged jointly with John Philips with a felony by them committed in this ~~that they~~ did on the night of the 11th day of Dec 1866 in this County feloniously & burglariously break and enter the Store house of ~~the said~~ Rude & Harris ~~then and there feloniously~~ with intent the goods and chattels of the said Rude & Harris then and there feloniously & burglariously to steal take and carry away. Two pieces of cotton cloth (35 yds). Ten yards of Satinet. three pair of boots. twenty pounds of tobacco. one glass jar of cloves. Seven buck combs. four hats. four pocket knives. one box of collars. one box of awls Two bottles Sweet oil. two bottles Caster oil. Two pictures all of the value of Ninety dollars of the goods and chattels of the said Rude & Harris in the said Store-house then being found feloniously and burglariously did steal and carry away was led to the bar in custody of the Sheriff 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 a probable cause to charge the prisoner therewith. it is therefore ordered that he be remanded for trial before the Circuit Court next Term of this Court. and thereupon the prisoner was remanded to jail

John Philips who stands charged jointly with John Brigler with a felony by them committed in this that they did on the night of the 11th day of Dec 1866 in this County feloniously and burglariously break and enter the Store house of the said Rude & Harris with intent the goods and chattels of the said Rude & Harris then and there feloniously & burglariously, to steal take and carry away Two pieces of cotton cloth (35 yds) ten yards of Satinet, three pair of boots, twenty pounds of tobacco one glass jar of cloves. Seven buck combs. four hats. four pocket knives one box of collars one box of awls. Two bottles sweet oil. two bottles Caster oil. Two pictures all of the value of Ninety dollars of the goods and chattels of the said Rude Harris in the said Store house then being found feloniously and burglariously did steal and carry away. was led to the bar in custody of the Sheriff of this County

and Sunary witnesses being sworn and examined touching the premises. the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. it is therefore ordered that the prisoner be remanded for trial before the Circuit Court of this County on the first day of the next term thereof. and thereupon the prisoner was remanded to jail

Ruth Ann Lowman who stands charged with a felony by her committed jointly with Sarah Frances Thomas, in this that they did on the night of the 11th day of Dec 1866 in the County of Rockingham ~~did~~ receive and secrete Two pieces of cotton cloth (35 yds) ten yards satinet, three pair of boots, twenty pounds Tobacco, one glass jar of cloves, seven tuck combs, four hats, four pocket ~~knives~~ knives, one box of collars, one box awls, Two bottles sweet oil, two bottles castor oil, ~~two~~ pictures, all of the value of ~~the~~ ninety dollars of the goods and chattels of ~~the said~~ Rude & Harris by John Philips & John Kerigler proving the same to have been stolen, was led to the bar in custody of the Sheriff and Sunary witnesses being sworn and examined touching the premises the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. it is therefore considered that she be remanded for trial before the Circuit Court of this Court at the next term thereof. and thereupon on motion of the prisoner she is admitted to give bail for her appearance before the said Circuit Court in the sum of one hundred dollars for her self and the like sum of one hundred dollars for her security

Sarah Frances Thomas who stands charged jointly with Ruth Ann Lowman with a felony by them committed in this that they did on the night of the 11th day of December 1866 in the County of Rockingham receive and secrete Two pieces of cotton cloth (35 yds), ten yards satinet, three pair of boots, twenty pounds of Tobacco one glass jar of Cloves, seven tuck combs, four hats, four pocket knives one box of Collars one box awls, Two bottles sweet oil two bottles Castor oil, two pictures all of the value of ninety dollars of the goods and chattels of Rude & Harris knowing the same to have been stolen by John Philips & John Kerigler, was led to the bar in custody of the Sheriff, and Sunary witnesses being sworn and examined touching the premises. the Court upon mature deliberation are of opinion that no felony has been committed by the prisoner it is therefore ordered that she be discharged from Custody

Be it remembered that Ruth Ann Lowman together with Abner Kennedy and Giles Dever her security personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Ruth Ann Lowman in the sum of one hundred dollars, and the said Abner Kennedy and Giles Dever jointly in sum of one hundred dollars to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Ruth Ann Lowman shall make her personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof. then and

there to answer an Indictment for a felony of which she was this day examined and sent to the said Circuit Court for trial. 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

John Phillips & John Crigler who have been sent to the Circuit Court of this County for trial. moved the Court to be admitted to bail for their appearance before said Circuit Court. which on motion the Court doth overrule

Be it remembered that Wm S Rude. Joseph S Pennybacker Harry Catharine Soffin and John J Bowman 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 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 shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof. then and there to give evidence on behalf of the Commonwealth against John Phelips. John Crigler & Ruth Ann Bowman 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

Solomon P Reamer jailor of this County presented in Court an account against the Commonwealth amounting to One hundred and fifty seven dollars. which being sworn to in Court. was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

~~Ordered that the Court be adjourned until to morrow morning at 10 O'Clock~~
Joseph Burkholder who was on has been duly elected a Justice of the Peace for the 5th Magesterial District of this County to fill the vacancy occasioned by the resignation of Charles S Thompson. produced in Court his Commission and took the several oaths required by law

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

O. C. Sterling

Tuesday January 22d 1867

Present

O C Sterling P J Henry Beery Joseph Funkhouser } Gent
Madison Moore & Josiah S Roller } Justices

Nelson Sprinkel Pltff
vs } Upon a Notice
Charles A Sprinkel adm'r of R W Thurmond Deft }

This day came the Pltff and the deft having acknowledged the legal service of the said Notice & refused to give a new bond and new security as adm'r de bonis non of R W Thurmond it is ordered that his power & authority as such adm'r be revoked & annulled a

On the Motion of John G Coates. and it appearing to the Court that more than three months having elapsed since the death of Adam C Tuck and no one having applied for administration upon his estate. it is ordered that his said estate be committed to the Sheriff of this County for administration

Z D Gilmer Pltff
vs
A P Nicholas Deft
} upon an appeal

On Motion it is ordered that this cause be continued until the next term at the costs of said Z D Gilmer

Absent O C Sterling. Present Wm McK Wartmann

William Peters appellant
vs
Thompson Steele appellee
} upon an appeal from a judgment of a justice of the peace

This day came the appellee by his attorney and the appellant being solemnly called and not appearing. and witnesses being sworn & examined the Court upon mature deliberation are of opinion that there is no error in the judgment of the justice below it is therefore ordered that that the judgment aforesaid be confirmed and that the appellee recover against the appellant & Jno McFerrell his security $50.00 with legal interest thereon from the 1st day of Decr 1866. till the 31st day of Decr 1866 subject to a credit of $5 C paid Aug 9. 1866. and $4.00 costs with interest thereon ~~upon the amount~~ of said judgment at the rate of ~~Ten~~ per centum per annum upon the whole amount from the said 31st day of Decr 1866 till paid and the costs by the appellant in this behalf expended

Absent Wm McK Wartmann Present O C Sterling

Charles Morton (Colored) who stands charged with a felony by him committed in this that he did on the night of the 20 day of October 1866 in the County of Rockingham in the night time of that day feloniously and burglariously break and enter the office of Dr J B Amiss with the intent the goods and chattels of the said Dr J B Amiss then and there feloniously and burglariously to steal take and carry away and did steal one pocket book containing valuable papers and fifty dollars in current funds of the United States the property of the said Dr J B Amiss. was led to the bar in custody of the Sheriff of this County. and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith it is therefore ordered that he be remanded for trial before the Circuit Court of this County for trial on the first day of the next term thereof. and thereupon the prisoner was remanded to Jail Robert T Collins & Jno B Amiss entered into a recognizance for his appearance before the Circuit Court at its next term as witnesses on behalf of the Commonwealth vs Charles Morton

Present Wm McK Wartmann — Absent Josiah S Roller Gent Justices

Josiah S Roller a Justice of the Peace for this County this day returned an examination of Mary Elizabeth Lanares of this County single woman taken before him in writing upon oath upon which examination the said Mary Elizabeth Lanares charged Joseph Wingo with being the father of her bastard child

and divers witnesses being sworn and examined and the said Joseph Winegord fully heard this Court upon the whole circumstances of the case doth adjudge the said Joseph Winegord to be the father of the said bastard child and that the said child is likely to become chargable of this County. Therefore it is ordered that the said Joseph Winegord be charged with the annual payment of $25.00 the overseers of the Poor of this County for the space of six years from the birth of the said child to wit from the 9th day of August 1866 in case the said child shall live so long and that the said Joseph Winegord pay the same to them accordingly at the end of every year until the expiration of the said six years. ~~and thereupon the said~~ and that he be committed to jail until he shall enter into bond with good security in the penalty of $300.00 conditioned as required by law and thereupon the said Joseph Winegord together with A J Longacre his security who acknowledged as to his sufficiency entered into & delivered the bond in the penalty of $300. and condition as aforesaid

On the petition of Nancy Rader an unmarried female over 21 years of age. It is ordered that Commissioner Wm M^c Kartzman proceed to ascertain the amount necessary for her annual support from debts due her specifying the amount notably upon all accounts due her from her various debtors and report thereon to the Court at the next term

Upon the petition of Susan & ~~Amanda~~ Amanda Rader The same order

Thomas W Basford & others Pltffs
vs
Mary Secrist & others Defts } In Chancery

This cause came on to be heard this 22d day of January 1867 upon the bill and exhibits filed and the process duly executed upon the defendants and the answer of the infant defendants by their guardian ad litem replication thereto. and it appearing to the satisfaction of the Court that more than one month has elapsed since the service of the process upon the other defendants and they still failing to answer. the bill as to them is taken for confessed. and the cause was argued by counsel. whereupon it is considered by the Court and adjudged ordered and decreed that William Eiler. Jonathan Beale John Hedrick and George E Deneale who are hereby appointed Commissioners for the purpose. any three of whom may act. shall lay off and assign to the widow of George Secrist dec^d her dower interest in the land in the bill and proceedings mentioned. and shall lay off and partition the remainder of said land equally among the seven heirs of said George Secrist dec^d having reference to quantity & quality. and report their proceedings to the next term of this Court

Ordered that the Court be adjourned until the next term.

D. C. Sterling

In the Clerk's office of the County Court of Rockingham Janry 27th 1867

Dennis Stephens & Thomas Pltff
vs
David Link Deft } In Debt

This day the defendant and confesses judgment for $838.10 the debt in the writ mentioned with interest and costs. It is therefore

Considered that the pltffs recover against the deft the sum of $838.10 the debt aforesaid with legal interest thereon from the 20 day of September 1865 till paid, and the costs by them in this behalf expended

Teste

S W Gamble CCC

To March 1866

E Minnich ads Magers — D 1 sha & 1/2
Aug. Armentrout ads Armentrout D 1 " & 1/2

Feby 1866

Wm Sellers for a Barley — D 2 & 1/2
Linewearer ads Conner — D 1
R & D Painter ads Rodes — D 1
Brewer ads Barley — D 1
Phillips a Minnich — D 1
~~Hiatt a Holler~~ — D 1
McDorman ads Robinson — D 1 & 1/2
Nave ads Enoch — D 1 & 1/2
Kratzer a Adams — D 1 & 1

April 1866

Harriet Effinger a Fletcher D 1 sha & 1/2

May 1866

Geo W Adams a Kratzer — 1
Wm Sellers a Barley — 1
J R Miers — ads Miller — 1 — 5
Minnich ads Phillips — 3
Pearson a Rhodes — 1
Hogan ads Bradley — 4
Kenney a Effinger — 2
McDorman ads Robinson — 1
Phillips a Minnich — 1
~~Woodson a Silbert &~~ — ~~1 & 2~~
Silbert & ads Woodson — 1 & 2
A Painter ads Rhodes — 1
Rice a Fishback — 1
Silbert & ads Woodson — 6 — 6

Aug

Rhoades a Bloe 1 & 3
Summers a Brewer & 1 & 1
L Johnson ads Combs 1
Brewer a Silbert 1 & 2
Snider a Arnold 1 & 1
Flick ads Arnold's ad 1
Miller & ads Stanley 1 & 2
Beem a Johnson 1 & 1
Hartman's ad a McDorman 1
Brewer ads Barley — 1 & 5
Phillips a Minnich 1
Fuller's ad ads Snider 1 & 1
Bright a Silbert & 1
Woodson a Silbert & 1
Arnold's adm's a Flick 2 &
Flick ads Arnold's adm's 1
Silbert ads Woodson D 2
Brewer a Silbert 1