ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

MINUTE BOOK

1868-1869

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CLASSIFICATION OF THE JUSTICES OF THE COUNTY OF ROCKINGHAM, MADE AUGUST 21, 1835.—O. C. STERLING, Presiding Justice.

1ST CLASS,

August Term.—Wm. S. Miller, Wm. H. Hudlow, Peter S. Roller and Bramwell M. Rice.

September and October Terms.—Martin Garber, George S. Christie, Madison Moore, John J. Bowman, and Josiah Sowders.

2D CLASS.

November Terms.—Asa S. Baugher, Wm. S. Showalter, Josiah S. Roller and Henry Beery.

December and January Term.—John Fulk, Thos. Moore, Jackson Horn, Philander Herring and Adam H. Fulk.

3D CLASS.

February Term.—Wm. McK. Wartmann, Warren T. McGahey, Isaac Wright and Geo. W. Kemper, jr.

March and April Term.—Lewis Will, George W. Fawley, Wm. W. Carpenter, Peter Paul and George Wittig.

4TH CLASS.

May Term.—John B. Amiss, Edward S. Kemper and Gideon Rosenberger.

June and July Terms.—Wm. Beard, J. A. Hardin and Enoch B. Dolly.

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

By the Justices

Aug 25.--3t WM D. TROUT, D. C.

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1868	Sund.	Mon.	Tues.	Wed.	Thurs.	Frid.	Sat.
July 7th Mo.				1	2	3	4
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Aug. 8th Mo.							1
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Sep. 9th Mo.			1	2	3	4	5
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Oct. 10th Mo.					1	2	3
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Nov. 11th Mo.	1	2	3	4	5	6	7
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1869	Sund.	Mon.	Tues.	Wed.	Thurs.	Frid.	Sat.
Jan. 1st Mo.						1	2
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	31						
Feb. 2d Mo.		1	2	3	4	5	6
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	28						
Mar. 3d Mo.		1	2	3	4	5	6
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Apr. 4th Mo.					1	2	3
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May 5th Mo.							1
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	23	24	25	26	27	28	29
	30	31					
June 6th Mo.			1	2	3	4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30			

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At a Court held for Rockingham County at the Court-House there of on Monday the 21st day of September 1868

Present

Wm S Miller P S Roller Jos Brumbaugh } Gent
Isaac Wright & A H C Zirkle } 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 August 1868 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 H Ruffner & wife to Henry L Shoupe
Same from Lawrence Keenton to B F Armentrout. (copy)
Same from M Harvey Effinger & wife to Frances Geary & (Re-recorded)
Same from George Heisey & to Joshua Coffman
Same from Mathias Snyder to Wm J Miller
Same from Jacob Neff & wife to John H Neff
Same from Philip Keller & wife to John R Kiogler
Same from Hugh A Brumbaugh wife to Same
Same from Simeon Keatley & wife to Same
Same from Jacob Dinwoodie & wife to Same
Same from Algernon S Gray to Ora K & Annie D Gray
Same from David Armentrout's Exors to Samuel A Coffman
A Marriage Contract Rebecca Shoewalter & Eli Shoemaker
A Deed of Bargain & Sale from Wm Peters & wife to Henry Ott
A Deed of Trust from John H Wartmann to A M Newman In Trust for W S Perry
Same from David S Jones to J W G Smith In Trust for Robert M Kyle (Re-recorded)
A Deed of Bargain & Sale from Jackson Martz & wife to John B Smith
Same from Same to Samuel Thomas
Same from Archibald Hopkins to Jacob Miller
Same from Elizabeth Sowers to Robert A Gibbons
Same from John T Harrison Comr to Reubin Armentrout
Same from George W Calhoun to Peter Whitzel
Same from John J Martz & wife to Cyprus Rhodes
Same from Wm Beard & wife to John H Baker
Same from John H Frank & wife to Noah W Beery
Same from John Wisner & wife to John H Baker
Same from John Baldwin & wife & to Jacob Shank
Same from Robert A Gibbons & wife to Edward S Kemper & c
Same from John Heinegardner to David Bowman
An Agreement from Same to Same
A Deed of Bargain & Sale from Samuel Miller & wife & to S S Reed
Same from Edward S Kemper to Joseph P Wright
Same from Samuel Coffman & wife to Wm H Hamrick
Same from John W Rivercomb & wife to Mansfield Marshall
Same from Rebecca Baker to Same
Same from James Cummins & wife to Ephraim P Huff
Same from Daniel P Gove & wife to Annie Saypman
Same from John G Cortes & wife to Wm Peters
Same from Sarah Orebaugh to John H Harman

Ordered that Jacob B Nicholas. Amos Scott and O J A Perkey be appointed Commissioners to assign and lay off to James K Murry his interest in the real estate of Daniel Murry decd

Ordered that Wm H Effinger Attorney for the Commonwealth be allowed $10. for one case of Felony over $30.00 for six cases of misdemeanor prosecuted and tried at the last term of this Court

Ordered that the order appointing Robert Liskey surveyor of Precinct No 121. in place of Abraham Krontz be rescinded

Upon the petition of Cynthia Whitmore & others for a road in this County the viewers to whom this petition was referred this day filed their report which report is confirmed and said road established agreeable to the report aforesaid

The Sheriff of this County presented in Court an account amounting to $13.50 which being sworn to in Court was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

The Commissioners heretofore appointed to assign dower to Sarah Heaban widow of H B Heaban this day filed their report which was examined and allowed by the Court and ordered same to be recorded

Hoffmans & Bruffy vs L R Mayers & others on a Mo for the delivery of property on the day of sale. Notice proved and execution awarded

The Commissioners heretofore appointed to act and report upon a change in the public road known as the old Friedens Church road. this day made their report which was received and the road established agreeably to report of said viewers

Harrisonburg Lumber Manufacturing & Merchandize Company } Pltff
vs
J D Price & } Deft } In Chancery

This cause came on to be heard on this the 21. day of September 1888. upon the bill and exhibits filed in the cause. the answer of Guardian ad litem of infant defendants & bill taken for confessed as to other defendants & order of publication made against the non residents. and argument of Counsel being heard thereupon, it is adjudged ordered and decreed that the property in the bill mentioned belong according to purchase to the Harrisonburg Lumber Manufacturing Company: and it is further ordered that Wm D Trout be and is hereby appointed a special Commissioner who shall transfer and convey by deed the interest belonging to the heirs William Green. in his lifetime to the Harrisonburg Lumber Manufacturing & Merchandize Company. in the property in bill mentioned

Present

Wm S Miller . Peter S Roller . George S Christie
Madison Moore . Henry Beery . John Funk . Philander
Herring . Adam H Fuck . Wm M K Wartmann . Isaac
Wright . George W Fawley . Peter Pence . Ed Kemper . Wm Beard
Joseph Funkhouser and Wm Bayley Wm M Carpenter

The Court having been summoned for that that purpose proceeded to elect a presiding Justice in the place of of O C Sterling deceased which resulted in the election of Wm M K Wartmann as the president justice of this Court and thereupon took his seat as such justice

Ordered that the authorities of the town of Harrisonburg have the privilege to erect an engine house upon the Court House square

Ordered that Wm M K Wartmann County agent be appointed proxy to represent this Court in the meetings of the Island Bridge company Riverton Bridge company & the Mt Crawford Toll Bridge company and that Hiram A Kite & Henry Miller be appointed alternate to represent this Court in the meetings of the Island Bridge company. Erasmus H Heistan & James H Parkins alternates in the meeting of the Riverton Bridge company and Peter S Roller & George Kiger in the Mt Crawford Toll Bridge company

H A Chrisman Commissioner of the revenue for this County presented in Court an account against the Commonwealth amounting to Twenty 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 and it is ordered to be certified that said Commissioner returned 169 Births & 31 Deaths for the year 1867 which returns are accurately made and returned within the time prescribed by law

Whereas this Court has been informed that Stuart Buchanan & Co are preferring claims against the County of Rockingham alleged to be for salt purchased during the war Now it is ordered that John L Woodson D A M Neuman & Wm H Effinger be appointed a special committee to confer with the above named parties or their counsel and to ascertain the character and nature of such claim or claims and to report the result of their conferance to the next June Term of this Court and also to report in addition whether in their opinion the County of Rockingham is legally bound to pay the said claim or claims

Upon the application of William E Webster who wishes to keep a house of Public Ordinary in this County it is ordered to be certified that he is a person of good character not addicted to drinking or gaming and that his house is a proper place to keep such ordinary and that he will probably keep a house useful orderly and such as the law requires

Ordered that Georges S Christie and Joseph Trunkhouser be appointed a committee and are authorized to confer with competant workman in regard to the present condition of the Court House and report forthwith

John C Woodson Pltff
vs
Samuel F Showalter Deft } Upon an Attachment

This day came again the Plaintiff by his attorney and the defendant was solemnly called but came not, whereupon it being proved that the said Samuel F Showalter is indebted to the said plaintiff in the sum of twenty five dollars, it is therefore considered by the Court that the Plaintiff recover against the said Samuel F Showalter the said sum of twenty five dollars, with interest thereon from this day and his costs by him in this behalf expended, the said Plaintiff having appeared in Court and said Bond with approved security in the penalty of fifty dollars, with conditions as prescribed by the 24th Section of Chapter 181 of the Code of 1860, it is ordered that the officer who levied the said attachment, do out of the proceeds of the sale of the property levied upon by him under this attachment, pay and satisfy this judgment

Ordered that the Classification of the Justices as now arranged be and the same is hereby confirmed and adopted by this Court

M J Mayerhoeffer Pltff
vs
R S R Beard Deft } upon an Attachment

This day came the plaintiff by his attorney and the Deft being solemnly called and not appearing, and Wm M Martin one of Justice of this County, that Robert S R Beard his debtor, intended to remove and was removing his effects out of this State, so that there will not probably be therein sufficient effects of the said Robert S R Beard to satisfy their claim when judgment is obtained therefor should only the ordinary process of law be used to obtain such judgment, and the said Justice having granted an attachment against the estate of said Beard returnable to this Court, which is returned levied upon All of land of said Beard's, the said Plaintiff this day appeared by Attorney and the said Robert S R Beard was solemnly called but came not, whereupon it being proved that the said Robert S R Beard is indebted to the plaintiff in the sum of one hundred and forty six dollars and 99 cents, with interest on $30.63 part thereof from the 24th day of March 1859 on $58.19 an other part thereof from the 11th day of May 1859 on $25.17 an other part thereof from the 3d day of September 1859, on $7.28 an other part thereof from the 2d day of March 1860, on $12.00 an other part thereof from the 2d day of Sept 1860 and interest on the residue thereof from the 12th day of January 1864 subject to credits of $100 paid Oct 3d 1860 and $50 paid about the 1st day of July 1864. It is considered by the Court that the Pltff

recover of the said Robert S R Beard the sum of $146.99 with legal interest on on $30.63 part thereof from the 24 day of May 1859. on $58.19 an other part thereof from the 11 day of May 1859. on $25.17 an other part thereof from the 30 day of September 1859. on $7.28 an other part thereof from the 1st day of March 1860 on $12.00 an other thereof from the 2d day of September. and interest on the residue thereof from the 12th day of January 1864. subject to credits of $100 paid Oct 3d 1860 and $50.00 paid August the 1st day of July 1864. and their costs in this behalf expended. and it is ordered that the officer who levied this attachment make sale of so much of the said land as will pay this judgment giving three weeks notice at the Court-House door and three public places in the neighborhood of the land. one half of the purchase money to be paid on confirmation of the sale by the Court. the residue in 6 Months all with interest from the day of sale taking from the purchaser bonds with good security and report to this Court at its next term.

Woodson & Compton Pltffs
vs
Robert S R Beard Deft } Upon an attachment

The Plaintiffs having made complaint to Wm M K Wartmann a justice of this County, that Robert S R Beard their debtor, intended to remove and was removing his effects out of this State. so that there not probably be therein sufficient effects of the said Robert S R Beard to satisfy their claim when judgment is obtained therefor should only the ordinary process of law be used to obtain such judgment and the said Justice having granted an attachment against the estate of said Beard returnable to this Court, which is returned levied upon All of land of said Beards the said Plaintiffs this day appeared by Attorney, and the said Robert S R Beard was solemnly called but came not. Whereupon it being proved that the said Robert S R Beard is indebted to the plaintiffs in the sum of one hundred dollars with interest from the 11th day of Sept 1868. it is considered by the Court that the Plaintiffs recover of the said Robert S R Beard the sum of $100. with legal interest thereon from the 11th of Sept 1868 till paid. and their costs in this behalf expended And it is ordered that the officer who levied this attachment make sale of so much of the said land as will pay this judgment. giving three weeks notice of the time terms and place of sale by notice at the Court House door and three public places in the neighborhood of the land one half of the purchase money to be paid on the confirmation of the sale by the Court, the residue in 6 Months. all with interest from the day of sale. taking from the purchaser bonds with good security and report to this Court at its next term.

Absent all the Justices except
Wm M K Wartmann P.J. Joseph Frantzhausen Gent
Peter S Roller. Isaac Wright & Philander Herring } Justices

On the Motion of Samuel R Allebaugh Sheriff of Rockingham

County, and with the consent of the Court. John D Scott is permitted to qualify as his Deputy Sheriff. and thereupon the said said John D Scott appeared in Court and took the several oaths required by law

On the Motion of Maria Taylor and it appearing that more than three months have elapsed since the death of Americus Bull. and no person having applied for administration upon his said estate. it is ordered that his said estate be committed to the Sheriff of this County for administration according to law

Ordered that Joseph Tripsell Thomas Lamplains John Mason and John Rinnel or any three of them being first duly sworn for that purpose do appraise the estate of America Bull dec'd and report thereon to the Court according to law

The Commissioners heretofore appointed to assign Dower to the widow of Joseph Senger dec'd in the lands of which he died seized. made their report which was examined by the Court and confirmed and ordered to be recorded

Ordered that Augustin Armentrout be appointed surveyor of precinct No 111 in place of Elijah Dudley resigned

Ordered that John B Ammon be appointed surveyor of precinct No 46. in the place of Christian Neel

Wm H Hamrick Commissioner of the revenue for this County presented an account against the Commonwealth amounting to thirty dollars and sixty 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. and It is further ordered to be certified that the said Commissioner returned a list of 256 Births and 50 Deaths that said lists are fully and accurately made and returned within the time prescribed by law regulating the registration of Marriages. Births and deaths

Dorrich Pennybacker Pl'ff
vs
Jacob P Effinger Def't
} Unlawful Detainer

This day came the parties by their attorneys and the defendant moved the Court to dismiss this cause on the ground that it was instituted in this Court it not being a Court of Competant jurisdiction which motion the Court overrules and requires the defendant to go into trial. and the cause is continued until to morrow morning

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

It appearing to the Court that the estate of George Rader decd was erroniously apesed with taxes on land for the year 1866 to $1.18 and for the year 1867 for $3.80 and that this amount charged was paid by the Sheriff of Rockingham County into the treasury of the Commonwealth. On application made for relief against such apesment, the attorney for the Commonwealth defending such application, and the Commissioner making the apesment being examined touching the application and the facts required to be certified, it is hereby ordered by the Court that the above amount of $4.98 be refunded, the Court hereby certifying that such erroneous apesments of the taxes above mentioned are proved to have been properly apesed against D Pennybacker and the same paid by him and that the application is made within two years from the delivery of land books to Sheriff. The Court on application the same being defended by the attorney for the Commonwealth and the Commissioner making the apesment being examined touching the application & facts certified, hereby certify that the land in the name of John Morris was erroneously apesed with taxes for the years 1866.67 ($1.27, $4.10/100 that the same was apesed against D Pennybacker properly and that the Sheriff of Rockingham County paid the same into the treasury of the Commonwealth on such erroneous apesment, and the Court order that the same be refunded to the Sheriff. It is further certified that the application is made within two years from the delivery of the land books to the Sheriff

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

Wm. McK. Wartmann

Tuesday September 22d 1868

Present

Wm McK Wartmann P.J. Philander Herring } Gent
Joseph Funkhouser, Isaac Wright } Justices

John L Woodson Trustee Pltff
v
Hoaleston Morris Deft } Upon a writ of Unlawful Detainer

This day came the parties by their attornies and by consent of parties, it is considered that the pltff recover against the Defendant the House, Garden & Truck patch in the writ mentioned, whereupon the Plaintiff prays a writ to the Sheriff of Rockingham to be directed to cause him to have his possession of the House Garden & Truck patch aforesaid, and to him it is granted &c. but no costs is awarded to the plaintiff

Henry Compsville & others Pltff
v
Samuel Compsville & others Deft } In Chancery

This cause came on this 22d day of September 1868

upon the Bill and exhibits. when the summons returned executed as to said Empaneller as to him the bill being taken for confessed whereupon the arguments of counsel having been heard the Court is of opinion that the lands belonging to John Empaneller in the bill mentioned ought to be divided therefore the Court doth adjudge order and decree that the said Commissioners or any three of them in bill named do go upon the said lands and divide the same according to the legal rights of the parties laying off to each party his shares together if so that either party own more than one share and report their action to this Court

David A Plecher Pltff
vs
John Silcraun Deft } On a Petition to erect a dam across Hooks Creek and to erect a machine shop.

This day came again the said David A Plecher by his counsel and the defendant John Silcraun by his counsel and the Sheriff of this County pursuant to a writ in the nature of a writ of ad Quod Dammum awarded at the last July Term of this Court returned an Inquisition in the words and figures following to wit. This day came the parties aforesaid and thereupon divers witnesses being sworn and examined the said David A Plecher and John Silcraun by their Attornies fully heard and all circumstances weighed the Court is of opinion and doth accordingly order that leave be given the said David A Plecher to erect said dam eight feet high and build said Machine shop and excavate said Creek upon his paying to said John Silcraun the sum of $15.50 to said George Kiser the sum of $300. and to said John Silcraun the further sum of five dollars the damages found by the Jury in said Inquisition. And it is further ordered that said David A Plecher shall keep in good travelling order the ford across Hooks Creek leading from McCrawford to the Friedens Church road either by filling it up or bridging it. and that his dam shall be so constructed as not to obstruct ordinary navigation or the passage of fish or the convenient dredging of said water course

Wm B Compton who has been heretofore appointed a Notary Public in and for this County appeared in Court & together with Solomon P Reames. John Henderson & Wm D Brant his securities entered into and acknowledged a new bond in the penalty of $500 conditioned as the law requires which bond is ordered to be recorded & a copy thereof certified to the auditor of Public accounts

The Committee appointed on Yesterday by the Court to examine into the condition of the Court House reported to be very unsafe whereupon it is ordered by the Court that the said Committee proceed at once to have such repairs done as in the estimate of the Committee will render the building safe

On the Motion of John E Bryan, the following Jurors are ordered to this road District No 80. to wit Jacob P Byerly. Joseph E Byerly. B.F. Bryan. John S Corbin. George W Kinsely. Jack Thurman. Samuel Keller. F.A Berlin. George W White. Wm S VanPelt. Dock — VanPelt & Sheets. Thales Johnson. Strawder Clark. Samuel S Miller. Reuben Long. Joseph Whitmore. Abraham Williams and Erasmus Williams

David A Plecker Pltff
vs
John F Brown Deft
} Upon a Petition to erect a dam &c

This day came again the parties by their attornies and the defendant John F Brown excepted to the action and opinion of the Court had upon the trial of this cause this day. and tendered his bill of exceptions, which was received, signed and sealed by the Court and ordered to be made a part of the record

Derrick Pennybacker Pltff
vs
Jacob P Effinger Deft
} Upon a writ of Unlawful Detainer

This day came the parties by their attornies and the deft appeared in Court and pleaded "Guilty". and by consent of parties it is considered that the Pltff recover against the defendant his possession of the premises in the writ mentioned and upon the prayer of the Pltff a writ is awarded him to be directed to the Sheriff of this County and made returnable according to law to cause him to have his possession of said property. and by consent of parties the Pltff is not to sue out said writ until after the 1st day of November next. and that neither party recover any costs

~~Ordered~~ David A Plecker Pltff
vs
John F Brown Deft
} Upon a petition to erect a dam across Cork's creek

This day came again the parties by their attornies and the defendant stating that he thinks himself aggrieved by the judgment rendered in this cause on this day and that he desires to appeal therefrom to the Circuit Court of this County and moves to be allowed an appeal pursuant to law. the Court doth fix sixty days as the time within which the said John F Brown may apply for such appeal and doth order that the execution of said judgment be suspended for that time provided the said defendant or some responsible person shall enter into bond with sufficient security in the penalty of $100 00 with a condition according to law. which bond may be executed before the Clerk of this Court

Ordered that the Court be adjourned until the next term

Wm McK Watkins

Virginia

At a Court held for Rockingham County. held at the Court. House thereof on Monday the 19th day of October 1868

Present

Wm McK Wartmann PJ John Funk. Peter S Rolleny Gent
Joseph Funkhouser Henry Beery } 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 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 John Zigler & wife to Samuel Garber
Same from Abram Keenton to Abraham Miller
Same from Brannell M Rice & wife to Jonathan Funk
Same from Samuel Dinkle & wife to Andrew B Rogers
Same from John Vaught & wife to Josiah P Vaught
Same from John Smith & wife &c to Heavrey Site
Same from Daniel Link & wife to Wm L Jones
Same from Henry B Harnsberger & wife to John Roadcafer
Same from Richard L Wood to Harrison Bateman
Same from Andrew S Keenton & wife to Andrew Hogan
Same from Michael Earey & wife to John Bowman
Same from Jacob Shank to John Heavely
Same from Susannah Thomas to Mary Miller
A Deed of Trust from Benjamin Bowman & to Jno Bowman In Trust for Simon Bowman
A Deed of Bargain & Sale from Susannah Nisewander & to Isaac Stone

J M Perry & others Pltffs
vs
Wesley Beck & others Defts } In Chancery

This Cause came on to be finally heard this 19th day of October 1868 and it appearing that all matters in Controversy in this Cause have been adjusted it is ordered that the same be dismissed

Joseph A Mitchell who has been duly appointed Commissioned and qualified as a Notary Public in and for this County. appeared in Court and together with E S Mitchell his security entered into and acknowledged a new bond in the penalty of $250 conditioned as the law requires which bond is ordered to be certified to the Auditor of Public a/c's

Pendleton Bryan who has been heretofore appointed. Commissioned and qualified as a Notary Public in and for the County of Rockingham appeared in Court and together with Charles E Hoge as his security entered into and acknowledged a new bond in the penalty of $250. conditioned as the law requires. a Copy of which bond is ordered to be certified to the Auditor of Public accounts

Ordered that Daniel Miller be appointed Surveyor of Precinct No. in place of Robert Wright

Ordered that John Eastham be appointed surveyor of precinct No in the place of Philip Miller resigned

Ordered that John Bowman Jr be appointed surveyor of precinct No in the place of Isaac Arehart resigned

On the Motion of Susan Whitsell widow of George Whitsell decd Edward S Kemper Wm Moyerhoeffer. Lewis Argabright and Simon Whitsell are appointed Commissioners to assign dower to said Susan Whitsell in the lands of her deceased husband, any three of whom may act. and report their proceedings to this Court

Ordered that Peter Willhite be appointed surveyor of precinct No in the place of Jacob Argenbright decd

Sml Crawford Pltff
vs
Jno D Kogler late Shff Deft
} Upon a Notice

This day came the Pltff by his attorney and the Defendant being solemnly called and not appearing. it is ordered that this cause be placed upon the docket

Jacob Miller Pltff
vs
Benjamin Miller Extor of Isaac Burner Deft
} Upon a Notice

This day came the plaintiff by his attorney and the deft appeared and refused to give 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 deft his costs in this behalf expended

On the Motion of William H Sites & Henry H Sites who made oath thereto according to law and together with William B Harrison & Henry Neff their 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 Wm H Sites & Henry H Sites for obtaining letters of administration in due form upon the estate of George Sites decd

Ordered that Jacob Rhodes. Jacob Silfoose. Daniel Miller and John Pence. or any three of them being first duly sworn for that purpose do appraise the estate of George Sites decd and report thereon to the Court according to Law

John P Brock Pltff
vs
Isaac Skinners Deft
} Upon an Attachment

This day came the pltff by his attorney. and the deft

being solemnly called and not appearing, and the said Attachment being Returned "Levied" &c. It is considered that the Pltff recover against the Deft the sum of $105.00 with legal interest thereon from the 30th day of April 1868. till paid. and the costs 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 and report his proceedings to this Court

The Court doth appoint Wm Henry King Guardian for Jacob Miller Bull orphan of Americus Bull dec'd who is under the age of 14 years. appeared in Court and together with John F. Kline his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned as the law requires. which bond is ordered to be recorded

On the Motion of Jackson Rhodes. and it appearing that more than three months have elapsed since the death of Eli Tutwiler. and no one having applied for administration upon his estate. it is ordered that the estate of the said Eli Tutwiler be committed to the Sheriff of Rockingham County for administration according to law

George W Kratzer Pltff
vs
Isaac Simmers Deft
} Upon an Attachment

This day came the pltff by his Attorney. and the Deft 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 the sum of thirty dollars and 80 cents with interest thereon from the 30th day of September 1868 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 and report his proceedings to this Court

Wm Strother's adm'r Pltff
vs
John O'Conner Deft
} Upon an Attachment

Wm H Rodiffer Deputy Sheriff of Rockingham County this day made return that under an order of this Court made in this cause at its last April term he sold to Elizabeth James all of the lot directed to be sold under said order except 25 feet on the West side of said lot. on the 11th of May 1868 for the sum of $457.50. of which $180.00 has been paid, the residue in two equal annual payments from the day of sale with interest which sale is confirmed by the Court. and it is ordered that Wm H Rodiffer who is hereby appointed a Commissioner for that purpose. do convey by deed with Special warranty to said Elizabeth James the land so sold to her

and acknowledge the same for record in the Clerk's Office of Rockingham County reserving a lien to secure the deferred payments

Mayer Bros Pltff
vs
John Brown & Mary B Brown Deft } In Debt, upon a suggestion that Jno J Lemman is indebted to the deft Jno Brown Upon motion it is ordered that this cause be placed upon the docket

It is ordered to be certified that satisfactory proof has been adduced before the Court establishing the fact that George Rader now dec'd resided with Great Britain died in the year 1883 in the year 1883, in said County without any will leaving his widow Nancy Rader & 7 children his heirs at law, viz A J Rader Dennich Rader, Peter Rader, Susan Rader, Nancy Rader who intermarried with James Kettel, Catharine Rader who intermarried with William Kettel & Amanda Rader who intermarried with Joseph Spitzer & that Peter Rader qualified as his administrator in this Court

Upon the application of John W Lee who wishes to keep a house of Private Entertainment in this County, it is ordered to be certified that he is a person of good character, not addicted to drinking or gaming and will probably keep a house useful orderly and such as the law requires

Jonathan Bateman Pltff
vs } In Chancery
A B Erick Trustee Deft

It appearing that at the last term of this Court, the injunction in this cause was dissolved, and this being the second term since such order of dissolution was made, and no sufficient cause being shewn against such order, It is considered that this cause be dismissed and that the Deft recover against the Pltff his costs about his defence in this behalf expended

On the Motion of John R Keagler who made oath thereto according to law & together with James L Heltzel & Philip Keller his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three thousand dollars conditioned as the law requires, a certificate is granted him for obtaining letters of administration in due form upon the estate of Bernard S Brown, dec'd

Ordered that Philander Herring, Thomas Kite, John Dinkel & David Link or any three of them being first duly sworn for that purpose do appraise the estate of Bernard S Brown dec'd and report thereon to the Court according to law

On the Motion of Jacob Byrd who made oath thereto according to law and together with David Bloser & Peter Rader his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of

Six thousand dollars conditioned as the law requires a certificate is granted them for obtaining letters of administration in due form as administration de bonis non with the will annexed of Isaac Bunner decd

Ordered that Anthony Burkholder John Burkholder John Gisle and John H Ralston or any three of them being first duly sworn for that purpose do appraise the estate of Isaac Bunner decd and report thereon according to law

A G Lincoln Pltff
vs
Shelton H Garner & Moses E Garner Defts } Upon a bond taken for the delivery of property on the day of sale. This day came again the parties by their attornies and the defendants objected to the jurisdiction of the Court which objection the Court overruled. It is therefore considered that the pltff have execution against the defts for $1055.32 the penalty of the bond aforesaid and the costs by the pltffs in this behalf expended. but the said execution may be discharged by the payment of $500.00 with legal interest thereon from the 15th day of April 1868 till paid and the costs

Ordered that the Overseers of the poor for this County bind out according to law Evaline Kinnare aged 13 years to George McCamey the said George McCamey to pay the said Evaline Kinnare $25. at the end of her apprenticeship

Upon the petition of John H Thomas for the establishment of a road in this County. on consideration whereof it is ordered that the said road be established according to the said petition and that Isaac F Brammer be appointed surveyor thereof

Peter Hile Pltff
vs } Upon an Attachment
William Altoffer Deft

This day came the parties by their attornies and the deft still failing to appear. and the Court being satisfied that the pltffs demand is just. it is therefore considered that the pltff recover against the Deft the sum of $65.00 with legal interest thereon from the 13th day of May 1865 till paid. and the costs by the pltff in this behalf expended subject to a credit of $4.50 paid 20th August 1866. and Calvin Argabright who has been summoned as a garnishee in this cause appeared in Court and answered on oath that he was indebted to the Deft Wm Altoffer in an amount more than sufficient to satisfy the judgment aforesaid. It is therefore considered that the pltff recover against the said Calvin Argabright the said sum of $65.00 with interest from the said 13th day of May 1865 till paid and the costs in this behalf expended subject to the credit of $4.50 as of date the 20th day of August 1866

Jacob Strayer's adm'r Pltff
vs
W D Covington Deft } Upon a Notice to recover interest under the several acts of the General Assembly of Virginia staying the collections of debts for a limited period

This day came the parties by their attornies, and the parties being fully heard. It is considered that the Pltff recover against the Deft $134.24 that being equal to two years interest on debt due from the Deft to Pltff, with legal interest thereon from this day and the costs by the Pltff in this behalf expended

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On Motion of James Mason the attorney for the Commonwealth of Rockingham County being present and defending the interest of the Commonwealth, it is ordered that he be exonorated from the payment of fifteen dollars erroneously assessed against him on the 1st May 1808 by Wm H Hamrick one of the Commissioners of the Revenue for said County (who was present at the hearing of the motion (and the Court asked to examine him, but did not because he did not descent from the facts proved (as detailed below) for the privilege of selling Goods wares and other merchandize in the Corporation of Harrisonburg to any amount less than $1000. from the 30th day of April 1808 to the first day of May 1809. it appearing to the Court that the said Mason was merely a vendor of Cakes and small beer all of his own manufacture, and that his sales at home and on Public days from his cart did not exceed the sum of $500 00

Ordered that the Court be adjourned until the next term

Wm. McK. Hartmann.

Virginia

At a Court held for Rockingham County held at the Court House thereof on Monday the 16th day of November 1868

Present

Wm M'K Wartmann, John Funk, Thomas Moore, Philander Herring, Adam H. Fuck & Jackson Moore } 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 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 John Young & Wife To Peter S Heatwole
A Deed of Trust from R. F. Kemp To I. F. Branner In Trust for Samuel Coates &c
A Deed of Bargain & Sale from Jacob W Bowle To Samuel Flower
A Deed of Bargain & Sale from A S Williams & Wife To Phebe Bradley [illegible]
A Deed of Bargain & Sale from Allen C Bryan & Wife to Peter Showalter [illegible]
A Deed of Bargain & Sale from Jesse Burkholder & Wife To George W Shaver
A Deed of Bargain & Sale from George Sites To William Sites
A Deed of Bargain & Sale from L W Gambill & Wife To B F Grove renewed
A Deed of Bargain & Sale from Benjamin F Grove & Wife To George McPherson etc
A Deed of Bargain & Sale from William Andes Executor To Joseph Sowers
A Deed of Bargain & Sale from Martin Brenaman & Wife To Michael Bowman
A Deed of Bargain & Sale from George W Kemper Jr & Wife To Jacob Nicholas
A Deed of Bargain & Sale from James Mitchell & Wife To Wm Rebecca Trustee for Amanda J Kite
A Deed of Bargain & Sale from Henry A Heatwole & Wife To Andrew J Showalter
A Deed of Bargain & Sale from Solomon Burtner & Others To Charles E Nicholas
A Deed of Bargain & Sale from Joseph Funkhouser To William Chester Curtis &
A Deed of Bargain & Sale from John Herring & Wife To Andrew J Blakemore
A Deed of Bargain & Sale from Diana Heatwole To The Same
A Deed of Bargain & Sale from Diana S Heatwole To The Same
A Deed of Bargain & Sale from Barnet S Kibler & Wife To The Same
A Deed of Bargain & Sale from Lucius A Herring & Wife To The Same
A Deed of Bargain & Sale from John T Harris & Wife To L S Reed
A Deed of Bargain & Sale from Adam Thomas & Wife To Henry L Shoupe
A Deed of Bargain & Sale from Jacob Bloser & Wife To Jacob Geil
A Deed of Bargain & Sale from Michael W Bowman & Wife To George W Lineweaver
A Deed of Bargain & Sale from Anthony Roads To Henry J Showalter &
A Deed of Bargain & Sale from J. J. Jackson & Wife & To Reuben W Moore

A Settlement of the Estate Accounts of Diana Armentrout Deceased having been filed in the Clerks office of this Court for the time prescribed by Law was presented in Court and no exceptions being offered thereto the same was examined and confirmed by the Court and ordered to be recorded

Same of the Estate of Alexander Holsinger Deed

The Same

Order that Wm Miller be allowed the sum of thirty one dollars & 36 cents for repairs upon Court House to be paid by the Sheriff out of any Money in his hands not otherwise appropriated

J Ed Pennybacker Pltff
vs
Jos S Pennybacker & Derrick Pennybacker & Dofts } Upon a Notice to recover interest under the several acts of the General Assembly of Virginia staying the collection of debts for a limited period

This day came the plaintiff by his attorney, and it appearing that the defendants have had legal notice of this motion and not appearing, it is considered that the plaintiff recover against the defendants $385.29 that being equal to two years interest on a debt due from defendants to the plaintiff, and such legal interest thereon from this day and the costs in this behalf expended

Arther Stevens vs Wm Minnick & on Delivery Bond Notice prayed and execution awarded

Upon the petition of Andrew Hoff & others for the establishment of a road in this County, It is ordered that the said petition be referred to John A Hoffman, Jonathan Speck & Alex Glick to be acted on and reported on according to law

The last will and testament of John Purkey dec'd was presented in Court and proved by the oaths of A S Rosenbarger & Thomas Cummins the subscribing witnesses thereto and ordered to be recorded, and on the motion of David Purkey the executor therein named who made oath thereto according to law and together with A S Rosenbarger his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars conditioned as the law requires, a Certificate is granted the said David Purkey for obtaining a probate of the said will due form.

Ordered that Lewis Heire, A S Rosenbarger & David Zirkle after being first sworn for that purpose, do appraise the estate of John Purkey and report thereon to the Court according to law

On the Motion of Jacob Thomas who made oath thereto according to law and together with A J Blakemore, Abraham Click and Daniel Miller his securities (who justified as to their sufficiency) entered into and 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 upon the estate of Daniel Thomas dec'd

Ordered that A J Blakemore, Abraham Click & Daniel Miller after being first duly sworn for that purpose do appraise the estate of Daniel Thomas dec'd and report thereon to the Court according to law

Wm Beard & tr Pltff
vs
Maria Dever & Defts } Upon an Attachment
On Motion it is ordered this cause be placed upon the docket

Ordered that Wm H. Armentrout be exempted from the payment of County & Parish levies

Commonwealth
v
Edward Shay
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendant in person. and with the consent of the Court confessed judgment for thirty fine and the costs of this prosecution. It is therefore considered that the Commonwealth recover against the defendant $30.00 the fine aforesaid and the costs in this behalf expended

Same
vs
Same
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendant. and by consent it is ordered that this cause be dismissed. and the Commonwealth recover against the defendant her costs in this behalf expended

Same
v
Same
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as as the defendant and by consent it is ordered that this cause be dismissed. and that the Commonwealth recover against the defendant her costs in this behalf expended

Ordered that Smith Sampson be appointed guardian for Charles C Ammon orphan of Wm Ammon dec'd who is under the age of 14 years and thereupon the said Smith Sampson appeared in Court and together with Wm J Sampson 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. which bond is ordered to be recorded

Commonwealth
v
Erasmus Neff
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the deft by his attorney & tendered Not Guilty. to which the Attorney for the Commonwealth replied generally

Commonwealth
v
Thomas Branham
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the deft by his attorney and thereupon came a jury to wit Lewis Argabright James Bagwell John Moyerhoeffer Adam Thomas Henry Kisnaider. Henry Mason. George Brunk David Pence. Noah Flory

Daniel Coakley, Samuel Slusser Jr and John S Bannan who being elected tried and sum the truth to speak upon the issue joined and having heard the evidence upon their oath do say "We the jury find the Defendant Not Guilty" and judgment accordingly

Commonwealth
vs
Amos Scott
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the defendant by his attorney who pleaded Not Guilty and filed a general demurrer to the indictment in this cause to which the ~~Pltff~~ attorney for the Commonwealth replied generally

Same
vs
John Scanlon
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the defendant by his attorney who pleaded not guilty to which the attorney for the Commonwealth replied generally, and the trial of the issue is deferred until the next term

Same
vs
Al Lincoln &c
} Upon an Indictment

The Same order

Same
vs
Robert Painter
} Upon an Indictment

The Same order

Same
vs
Richard Randall
} Upon an Indictment

The Same order

Same
vs
Elizabeth Tennel
} Upon an Indictment

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

Same
vs
James Paine
} Upon an Indictment

It appearing from the suggestion of the Deft. that Daniel Good the prosecutor in this cause is insolvent, it is ordered that unless he give security for all costs that have or may accrue to the Deft & officers of this Court, this prosecution shall be dismissed, and thereupon Franklin Whittmore appearee

in Court (who justified as to his sufficiency) undertook and bound himself for all the costs that may accrue as aforesaid

Commonwealth
vs
David B Sites } Upon an Indictment

This day came as well the Attorney prosecuting for the Commonwealth as the Defendant and thereupon came a jury to wit George Brunk, Isaac Niswander, James Bagonne Henry Niswander Samuel Sluser Jr. Noah Flory, David Pence, David Shoemaker, John Moyerhoeffer, John S Bowman, Adam Thomas and Levis Argabright who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say "We the jury find the defendant Guilty and assess his amusements at Ten dollars" It is therefore considered that the Commonwealth recover against the Defendant Ten dollars the fine aforesaid and the costs in this behalf expended

On Motion of Richard Thurston it is ordered that the Indenture binding Thornton son of said Richard to George W Adams be transferred from George W Adams to his father Richard Thurston

C & J Thruma vs D D Dever & Co Delivery bond Notice prayed and execution awarded

A M Neumann & Co Pltffs
vs } In Debt
Benjamin F Berry Deft

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

Commonwealth
vs } Upon an Indictment
Jas Heirkell Shifflett

The Summons awarded in this cause not being returned executed it is ordered that a Capias be awarded against the Deft. to be directed to the Sheriff of this County and made returnable here on the 1st day of the July term next of this Court

H Jonette Gay Pltff
vs } Upon a Motion to appoint a Trustee
J W G Smith, David S Jones Deft } in place of J W G Smith who has
and Dewitt C Jones removed from the State of Virginia

This day came Plaintiff H Jonette Gray by his Counsel and it appearing to the Court that the defendants have had legal notice of this motion and that notice that this motion would be this day made has been given to the non-residents defendants J W G Smith and Dewitt C Jones

by publication in the Rockingham Register a newspaper published in Harrisonburg Va once a week for four successive weeks, as prescribed by Statute. On motion of H Jouette Gray, who is proven to be the assignee of the debt secured in the hereinafter mentioned deed of trust, it is ordered that William B Compton be and he is hereby appointed trustee in place of said J W G Smith in a deed of trust executed on the 11th day of November 1856 by David S Jones and wife to said J W G Smith upon the "Cockeville farm" near Harrisonburg and duly admitted to record in Rockingham County to secure the payment to Robert M Kyle of a Bond for $5000 executed to him by said David S Jones on the 11th of December 1856, the said J W G Smith having removed from this State

Commonwealth
vs
William E Webster } Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the defendant by his attorney and thereupon came a jury to wit John Burkholder, Daniel Coakley, Henry Mason, Adam Thoms, Samuel Shuler Jr, David Pence, Lewis Argabright, Henry Niswander, John Moyerhoeffer, John S Bowman, James Bagwell and David Shoaltter 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 defendant be discharged from the offence and charge aforesaid

Solomon P Reamer jailer of this Court presented in Court an account against the Commonwealth amounting to eighty four dollars, 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 9½ O'Clock
Wm. M K. Hartmann.

Tuesday November 17th 1868

Present
Wm M K Hartmann PJ. John Funk. Philander Herring. Thomas Moore. Adam H Funk } Gent Justices

Jacob Shoaltter. Harry Bateman. Madison Bare. Samuel Bowman (of B) A J Johnson and John H Hollrook having been duly drawn and summoned to appear here as jurors to serve during the present term being solemnly called and not appearing, it is ordered that they be summoned to appear here on tomorrow to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Commonwealth
vs
Vincent Smith
} Upon an Indictment

The Attorney for the Commonwealth with the consent of the Court saith that he will not further prosecute the defendant under the Indictment aforesaid. It is therefore ordered that this cause be stricken from the docket

Same
v
Dawson Fox
} Upon an Indictment

The Same order

Commonwealth
vs
James D Rutherford
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendant by his attorney, and thereupon came a jury to wit Samuel Slusser Jr Lewis Argabright. John Niswander James Bagoone Henry Mason. Adam Thomas. John Moyerhoeffer. John Burkholder. Daniel Coakley. Henry Niswander. John S Bowman and George Brunk 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 James D Rutherford the defendant Not Guilty". it is therefore considered that the defendant be acquitted and discharged from the offence aforesaid

Commonwealth
vs
Jarrott L Rutherford
} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendants and thereupon came a jury to wit. Samuel Slusser Jr. Lewis Argabright. John Niswander. James Bagoone. Henry Mason Adam Thomas. John Moyerhoeffer. John Burkholder. Daniel L Coakley Henry Niswander John S Bowman and George Brunk who being elected tried and sworn 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 Jarret L Rutherford Guilty and affix his fine at twenty five dollars". It is therefore considered that the Commonwealth recover against the defendants twenty five dollars the fine aforesaid and the costs by the Commonwealth in this behalf expended

Commonwealth
vs
Martin L Rutherford
} Upon an Indictment

This day came as well the Attorney for the Commonwealth

as the Defendant and thereupon became a jury to wit Samuel Slusser Jr. Lewis Argabright. John Niswander. James Bagome. Henry Mason. Adam Thomas. John Moyerhoeffer. John Burkholder. Daniel Coakley Henry Niswander. John S Bowman and George Brunk 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 a Martin L Rutherford guilty and affix his fine at five dollars". It is therefore considered that the Commonwealth recover against the Defendant five dollars the fine aforesaid and the costs by the Commonwealth in this behalf expended

Harvey Kyle Pltff
v. } Upon a Notice
John N. Beery &c Defts

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

Ordered that one of the Overseers of this County bind out according to law James R D Crawford to Newman W Cave to learn the trade of a blacksmith. the said Newman W Cave to furnish the said apprentice with a freedom suit at the end of his apprenticeship

Commonwealth
vs } Upon an Indictment
Robert Newman

The Summons last awarded against the Defendant being returned Not executed. it is ordered that a new Summons be awarded. to be directed to the Sheriff of this County and made returnable to the first day of the February term next of this term

Same
vs } Upon an Indictment
Robert S R Beard

This day came as well the attorney for the Commonwealth as the Defendant by his attorney who pleaded not guilty to which the attorney for the Commonwealth replied generally and the trial of the issue is deferred until the next term

Same
vs } Upon an Indictment
Wm Huffman &c

This day came the parties by their attornies and the defendants pleaded not guilty. to which the attorney for the Commonwealth replied generally and thereupon the issue is deferred until the next term

Catharine Lynn vs Andrew J Baugher — Pltff / Deft — Unlawful Detainer

This day came the parties by their attornies and by consent and for reasons appearing to the court it is ordered that this cause be dismissed. and that the pltff recover against the Deft her costs in this behalf expended

Frances Blain vs Satterburg Maria — Pltff / Deft — Unlawful Detainer

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

W L Houston vs Peter Sipe — Pltff / Deft — Unlawful Detainer

The Same order

Carroll Adams & Meer vs Franklin Pence — Pltffs / Deft — Upon an attachment

The Same order

James Turner's admrs vs George McDowell & — Pltff / Defts — Upon a Suggestion

The Same order

John H Moore vs B S Kilmer — Pltff / Deft — Upon an Indictment

The Same order

Christian Sites vs Christian Showalter — Pltff / Deft — Upon an attachment

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 his costs in this behalf expended

Adam M Long vs John McDowell's extors — Pltff / Defts — Upon an Award

This day came the parties by their attornies and by consent it is ordered that the award filed in this cause be set aside and the cause be placed upon the docket. and the trial of the issue is continued until the next term

Commonwealth Pltff
vs
Robert Painter Deft } Upon an Indictment

This day came again as well the attorney for the Commonwealth as the defendant by his attorney and thereupon came a jury to wit Noah Flory. David Shoemaker Madison Bare. Isaac Niswander. David Pence. Jacob Grimes John Neff. Peter Long. Wm Minnich. John Moore. John H Ralston and John H Beery 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

Same Pltff
vs
Robert Savage & Deft } Upon an Indictment

This day came as well the attorney for the Commonwealth as the Defendants their attorneys and thereupon came a jury to wit John S Bowman John Mayerhoeffer. Henry Niswander. Daniel Coakley Henry Mason James Bagonne. Lewis Argabright. John Burkholder. Adam Thomas. Samuel Shuler Jr. John Niswander and George Brunk 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 Defendants Not Guilty" and judgment accordingly"

Ordered that the Court be adjourned until to morrow morning at 9 Oclock

Wm McK. Wartmann

Wednesday Nov 18' 1885

Present

Wm McK Wartmann PJ. John Funk. Philander Henry Thomas Moore Adam H Fuck [redacted] Gent Justices

On the Motion of John H Rhodes. and it appearing Basheba Rhodes has departed this life more than twelve months ago and no one having applied for administration upon his estate. and thereupon his said estate is committed to the Sheriff of this County for administration according to law

B F Armentrout who has been duly summoned to appear here as a witness on behalf of Robert Bryan prosecution against Frazier being solemnly called and not appearing it is ordered that the said B F Armentrout be summoned to appear here forthwith to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Adam M Long Plff
vs
John M Daveisex Deft } Upon an award

This day came the parties by their attornies and upon Motion and by consent of parties it is ordered that the order made on Yesterday setting aside the award in this cause be rescinded and the cause upon said award be reinstated upon the docket

John M Abbott Plff
vs
John C Morrison Deft } In Trespass upon Assault & Battery

This day came the parties by their attornies and thereupon came a jury to wit David Pence. John Burkholder. Noah Silvey John Niswander John S Bowman. Henry Niswander Henry Mason. Lewis Argabright. Madison Bare George Brunk Isaac Niswander and Samuel Bowman who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear all the evidence and argument of Counsel are adjourned until to Morrow morning at 9½ Clock

Ordered that Wm S Effinger Attorney for the Commonwealth be allowed forty five ($45) dollars for seven cases of Misdemeanor prosecuted and tried at this term

Commonwealth
vs
Jacob Showalter } Upon a rule for failing to attend as a juror

On Motion and for reasons appearing to the Court it is ordered that the said rule be discharged

Ordered that the Court be adjourned until to Morrow Morning at 9½ Oclock

Wm McK. Hartmann,

Thursday November 19th 1868

Present

Wm McK Hartmann PJ. John Funk Thomas Mosey Gent
Philander Herring & Adam Oberlick } Justices

On the Motion of J M Irvine who made oath thereto according to law and together with Joseph S Logan and L W Gamble his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires. a certificate is granted the said J M Irvine for obtaining Letters of administration in due form upon the estate of Benamin Irvine decd

Coffmans & Bruffy Pltffs
vs
Asher Argabright & Defts } In Chancery

This cause came on to be further heard this 19th day of Nov. 1868 upon the papers heretofore read and the report of the Commissioners to lay off and assign the widow Polly Argabright her dower in the lands of which John Argabright died seized and to partition the remainder between the defendants Asher Argabright & H M Argabright to which report of said Commissioners Thomas K Miller, H A Kite & H Harnsberger and A L Bear there are no exceptions, whereupon argument of Counsel being heard upon consideration whereof the Court doth adjudge order and decree that the said report be confirmed and that the said Commissioners be discharged. And it is further adjudged ordered and decreed that A M Newman who is hereby appointed a Commissioner for that purpose offer at public sale to the highest bidder after advertising the time terms and place of sale for four weeks in one of the newspapers published in Town of Harrisonburg for four weeks, the interest in said land assigned to the defendant Asher Argabright, also the interest of the said Asher Argabright in the dower assigned in said report to the widow of John Argabright subject to the contingent dower interest of the wife of said Asher Argabright upon the following terms to wit, enough in hand to pay the costs of suit and sale. One third of the remainder at the time of confirmation of the sale by this Court, and the balance in two equal annual payments from the date of sale with interest from the time of sale. The purchaser to give bond with approved personal security and a lien retained on the land as further security for the purchase money the Commissioner to make sale before proceeding to execute this decree shall give bond before the Clerk of this Court in the penalty $3000.00 conditioned as the law directs, and that he make report of his proceedings to this Court

John W. Abbott Pltff
vs
John C Morrison Def } In Trespass Assault & Battery

This day came again the parties by their attornies and the jury sworn and impannelled on yesterday for the trial of this cause appeared in Court in pursuance to their adjournment and having fully heard the evidence and argument of Counsel retired from the bar to consider of their verdict and after some time returned into Court and not being able to agree are adjourned until to morrow morning as 9 1/2 Clock

Ordered that George H Ishisman Senr. H B Harnsberger Col A Gray Peter Shaver, Peter S Roller, Warren S Lucky, H G Hartmann, J M Erwine S McGarvick, J G Minor, Dr G Heatwole, Wm McGibert, W G McGahey, Geo S Ishisticr, Henry Shackleford & Wm M Hartmann be appointed proxies to represent the County of Rockingham in the next meeting of the Stockholders of the Orange Alexandria & Manassas Gap Rail Road Company

Eli Miller Pltff
vs
Joshua A Mains Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit. Samuel Shuler Jr. James Bagoone Edward Mize Daniel Coakley Moses Eleanor. Jno Moyerhoeffer Adam Thomas Jacob Shawalter. C H D Huffman John G Beery George W Moyers and Robert Bryan who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear all the evidence were adjourned until tomorrow morning at 9 O'Clock

Commonwealth
vs
John G Holbrook } Upon a rule for failing to attend as a juror

On Motion and for reasons appearing to the Court it is ordered that the said rule be discharged

Wm M Malery Pltff
vs
Joseph Hammer Deft } In Case

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

John G Beery Pltff
vs
John G Martin Deft } Upon a warrant

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

Ordered that the Court be adjourned until to morrow morning at 9 O'Clock
Wm M'K. Wartmann

Friday November 20 1868

Present
Wm M'K Wartmann P.J. John Frank Philander Herring } Gent
Thomas Morris & Adam G Fleck } Justices

Charles F Mayer &c Pltff's
vs
John S Brown Deft } Upon attachment, upon a suggestion that James F Lowman was indebted to John S Brown or had money notes &c in his profession belonging to John S Brown. The said James F Lowman appeared in Court & delivered the following claims. to Miss Susan Wright a/c due Feby 15. 1866 for $1.50 Mc Lewis a/c due March 12 1866 for $1.55. Wm Robinson a/c due Jany 1 1866 for $7.21. Mrs Mary Keaton a/c due Jany 1. 1866 for $1.41. John G Hilbert a/c Jany 1. 1866 for $8.61 Lorenzo Sandy a/c Jany 1st 1866 for $6.15

John A Kerring S^r due Janry 1. 1866 for $20.71. George Planger a/c due Janry 1. 1866 for 50 cents. Samuel Simmons a/c due Feby 3^d 1866 for $1.38 John A Weise a/c due Janry 1. 1866 for $5.50. Samuel Eglick a/c due Janry 1. 1866 for $4.93. George White a/c due Janry 20^th 1866 for $5.58 same a/c due Janry 1. 1866 for $2.73. L A Dever a/c due June 20^th 1866 for $14.72 John T Hillert a/c due June 19^th 1866 for $7.78. John C Miller a/c due Janry 20^th 1866 for $6.38. Wm Knight a/c due Janry 1. 1866 for $2.00. Catharine Hilbert execution due June 30^th 1866 for $19.59. F S Duff execution due June 30^th 1866 for $7.30. and R A Oakes execution Feby 23^d 1866 for $2.48 and it is ordered that James F Lowman & Andrew Lindsey are hereby appointed receivers in this cause either of whom may act shall proceed to collect the foregoing accounts and turn over to Mayer & Bro the amounts so collected after deducting the costs of this proceeding

David Hoffinger Pleff
vs
Samuel J Shank & Anthony Roads Defts } In Debt.

This day came the parties by their attornies and by consent it is considered that the plaintiff recover against the defendants $136.43 with legal interest thereon from the 19^th day of March 1862 till paid and the costs in this behalf expended

Eli Miller Pleff
vs
Joshua R Mines Deft } In Debt

This day came again the parties their attornies and the jury sworn and impannelled on yesterday for the trial of this cause appeared in Court and in pursuance to their adjournment and having fully heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say "we the jury find for the Plaintiff $100. the debt in the declaration mentioned with interest from the 6^th day of May 1861. It is therefore considered that the Plaintiff recover against the Deft one hundred dollars the debt aforesaid with legal interest thereon from the 6^th day of May 1861 till paid and the costs by the pleff in this behalf expended

John W Abbott Pleff
vs
John C Morrison Deft } In Trespass Assault and Battery

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 retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "we the jury find the defendant guilty and assess the damages at one hundred and fifty dollars" and thereupon the pleff moved the Court to set aside the said verdict and grant him a new trial. which motion the Court takes time to consider

Commonwealth
vs
A J Johnson } upon a rule for failing to attend as a juror

On the Motion and for reasons appearing to the Court. it is ordered that the said rule be discharged and that the Commonwealth recover against the deft the costs by her in this behalf expended

Robert Bryan Pltff
vs
Jacob Zirkle & Deft. } In Debt

This day came the parties by their attornies and thereupon by consent of parties came a jury of seven viz David R Hopkins. John McClelland Isreal Minnich Wm Minnich A J Johnson David B Shawalter and John Ripley who being elected tried and sworn the truth to speak upon the premises and not having time to hear all the evidence and argument of Counsel. are adjourned until to morrow morning at 9½ O'Clock

Ordered that the Court be adjourned until to morrow morning at 9½ O'Clock
Wm. M'K. Wartmann.

Saturday November 21. 1868

Present

Wm M'K Wartmann PJ. John Frank. Philander Herring } Gent
Thomas Morre Adam McCleck } Justices

U H Lamm who has been duly summoned to appear here as a witness on behalf of John Pfoffenmoyer at the suit of U H Lamm for a debt 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 and attached for his failure aforesaid

J Hinegardner &c Pltff.
vs
Deborah Bowman's admrs Deft } Upon a Notice

This day came the plaintiffs by their attornies and it appearing that the deft had legal notice of this motion. it ordered that the same be placed upon the docket and continued until the next term

John M Abbott Pltff
vs
John C Morrison Deft } In Trespass Assault & Battery

This day came again the parties by their attornies and the Court having fully heard the Plaintiffs motion to set aside the verdict rendered in this cause and grant him a new trial therein. and the same Motion. it is therefore considered that the plaintiff recover

against the Defendant the sum of One hundred and fifty dollars the amount found by the jury in their verdict aforesaid with legal interest thereon from the 20th day of November 1868 till paid and the costs by the Pltff in this behalf expended

Sallie Holland against whom a rule was awarded at the August term last of this Court for failing to attend as a witness on behalf of Hiram K Dever the said rule being returned executed and she being solemnly called, and not appearing: on the motion of the said Hiram K Dever said rule is made absolute and it is ordered that an attachment be issued against the said Sallie Holland for her said contempt returnable here on Monday next

Lafayette Lee & Hough Lilley who have been duly summoned to appear here as witnesses on behalf of A J Warfield against Leigler & Miller being solemnly called and not appearing it is ordered that they be summoned to appear here on Thursday next to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Robert Bryan Pltff
vs
Jacob W Zirkle Jr Defts
} In Debt

This day came again the parties by their attornies and thereupon the jury summoned empannelled on Friday 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 not being able to agree are adjourned until to-morrow morning at 9½ O'Clock

Ordered that the Court be adjourned until Monday morning at 9½ O'Clock
Wm McK. Wartmann

Monday November 23d 1868

Present
Wm McK Wartmann PJ. Philander Herring } Gent
Adam H Brick Jackson Coan & John Funk } Justices

Ordered that Noah Flory be appointed surveyor of precinct No 26 in the place of Samuel Flory deceased

Jenning & Wife Pltffs
vs
Gabriel Wood Jr Defts
} In Covenant

This day came the parties by their attornies and it appearing from the records of this Court that at the August term last of said Court that a verdict was rendered in favour of the Pltffs for $87.05 with interest

from May 1st 1865: and that judgment was not entered up by reason of the ~~plaintiff~~ Defendants giving notice that they intended to ask that said verdict should be set aside, and they having failed to make such motion. it is therefore considered that the Pltffs recover against the Defendants the sum of 87.05 the amount of the verdict aforesaid with legal interest thereon from the 1st day of May 1865 till paid and the costs in this behalf expended

Upon the petition of J W Allemong for a new road in this County, it is ordered that the said petition be referred to John A Herring Sen. James Davis & Joseph Elrick to be acted and reported thereon according to law

Robert Bryan Pltff
v
Jacob McZinkeon Defts } In Debt

This day came again the parties by their attornies and the jury from 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 consent were discharged and the trial of the issue is deferred until the next term

An Attested Copy of the last will and testament of Samuel Miller dec'd was presented in Court and it appearing that the original and record thereof have been destroyed. on the motion of interested parties the said Copy is admitted to record

Ordered that Wm S Miller Bernard Peel Joseph Leach Henry Brill and Thomas K Hannsberger or any three of them. are hereby appointed to ascertain whether the Ireland Bridge Company have completed their Bridges according to their Charter

Hiram K Derrer Pltff
v
Peachy Moine & Defts } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Samuel Sleiser Jr. John S Bowman Adam Thomas. Madison Bare. Isaac Niswander Daniel Coakley. Jacob Shawalter. Noah Flory. John Meyerhoeffer. Samuel Bowman James Bagonne and John 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 10 o'clock to morrow Morning at 9½ Oclock

Joseph Longley v Andrew Fentchenberger. By consent of parties it is ordered that this cause be dismissed

John C Walker Pltff
vs
Noah W Shuler Deft } In Slander

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed, and that the plaintiff recover against the deft his costs in this behalf expended

Ordered that the Court be adjourned until to morrow morning at 9½ O'Clock

Wm McK. Wartmann

Tuesday November 24th 1868

Present

Wm McK Wartmann PJ. Philander Herring } Gent
John Funk Adam H Fleek & Jackson Deem } Justices

Philip Depoy Pltff
vs
George W Yancey &c Defts } In Debt

This day came the parties by their attornies and by consent of parties it is considered that the Pltff recover against the Defts $444.00 with legal interest thereon from the 2nd day of Sept 1866 till paid also $2.40 charges of protest and the costs in this behalf expended. this judgment is subject to the following credits viz $195.00 of date Sept 12th 1866. $55.00 of date Oct 5th 1866. $148.50 of date the 5th day of October 1866 and $40.00 of date the 16th day of Dec 1867

Christian Sites Pltff
vs
Christian Shoualter Deft } Upon an Attachment

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 his costs in this behalf expended

Hiram K Dever Pltff
vs
Peachy Deine &c Defts } In Debt

This day came the parties by their attornies and the jury sworn and impannelled on yesterday for the trial of this cause appeared in Court in pursuance to their adjournment and not having time to fully hear the cause are adjourned until to morrow morning at 9½ O'Clock

Ordered that the Court be adjourned until to morrow Morning at 9½ O'Clock

Wm McK. Wartmann.

Wednesday November 25th 1868

Present

Wm McK Wartmann PJ. Phleander Herring
Adam H Fuller Jackson Horn
} Gent Justices

Archibald Broch Pltff
vs
Levi Shaver Deft
} Upon a Notice to recover interest under the several acts of the General Assembly of Virginia staying the collection of debts for a limited period

This day came again the parties by their Attornies and the defendant still failing to appear it is considered that the pltff recover against the Deft $816.12 with legal interest thereon from the 21st day of November 1868 till paid, and the costs in this behalf expended

Richard Jarrold's admrs Pltff
vs
Henry Webster's admrs Defts
} In Chancery

This cause came on to be further heard this 25th day of November 1868. upon the papers heretofore read the proceedings heretofore had and the report of sale made by John L Woodson Commissioner under a former decree in this cause. to which there being no exceptions the same is approved and the sale of the lot specified in said report to Joseph D Price and Henry Turner at the price of $300. is confirmed And said Commissioner John L Woodson is directed to convey by Deed with special warranty, the said lot of land to the purchasers reserving a lien for the deferred payment and acknowledge the same for record

John L Woodson Surviving partner of Bryan & Woodson
vs
George W Hogan
Pltff
Deft
} Upon an Attachment

This day came the plaintiff by his attorney and it appearing to the Court that the attachment issued of Wm McK Wartmann a Justice of this County against the goods and chattels of the said George W Hogan has been served on James Steele and Frederick Wampler as Garnishee and the said George W Hogan being solemnly called came not. Whereupon it being proven to the Court that the said George W Hogan is indebted to the plaintiff in the sum of thirty dollars with interest thereon from the 1st day of May 1859 till paid. It is considered by the Court that the Plaintiff recover against the said George W Hogan his debt aforesaid with interest from the 1st day of May 1859 till paid and his costs. Whereupon the said James Steele came into Court and being sworn declared that he is indebted to said George W Hogan in an amount greater the the pltffs judgment and it is therefore ordered that the said James Steele pay to the plaintiff the amount of his judgment above rendered in satisfaction thereof. and this cause is continued as to the Garnishee Frederick Wampler

Hiriam K Dever Pltff
vs
Peachy Moore &c Defts } In Debt

This day came the parties by their attornies and the jury sworn and empannelled on Monday last for the trial of this cause appeared in Court in pursuance to their adjournment and not having time to hear all the argument of counsel are adjourned until to morrow morning at 9½ Oclock

Ordered that the Court be adjourned until to morrow morning at 9½ O'Clock
Wm. McK. Hartmann.

Thursday November 26th 1868

Present
Wm McK Hartmann PJ. John Funk. Philander Herring } Gent
Adam H Funk Jackson Kerr } Justices

George Summers Pltff.
vs
Adam Thomas &c Defts } Upon a notice to recover interest under the several acts of the General Assembly of Virginia staying the collection of debts for a limited period

This day came the plaintiff by his attorney and it appearing that the defendants hath had legal notice of this motion and they being solemnly called and not appearing. it is considered that the pltff recover against the defendants $52. 80 (that being equal to two years interest on debt due from Defts to Pltff) with legal interest thereon from this day. and the costs by the pltff in this behalf expended

Peter Dinkel for John Early Pltff
vs
Robert Painter Deft } Upon a notice to recover interest under the several acts of the General Assembly of Virginia staying the collection of debts for a limited period

This day came the plaintiff by his attorney and it appearing that the Defendant hath had legal notice of this motion and he being solemnly called and not appearing it is considered that the pltff recover against the Deft $53 40 (that being equal to two years interest on debt due from Deft to Pltff) with legal interest thereon from this day and the costs by the pltff in this behalf expended

Ordered that N L Greiner be allowed the sum of three dollars for work done upon the jail. to be paid out of any money in the hands of the sheriff not otherwise appropriated

N W Leave for &c Pltff
vs
Jeremiah Dovel Deft } On Trespass

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

Elizabeth Koontz Pltff
vs
B C Long Deft
} In Case

and

Same Pltff
vs
B S VanPelt Deft
} In Case

On Motion and for reasons appearing to the Court it is ordered that the aforesaid two causes be continued until the next term at the costs of the defendants

Selina A Coleman Pltff
vs
Wm D Covington Deft
} In Case

This day came the parties by their attornies and it appearing that the Pltff in this Cause has departed this life by consent of parties it is ordered that this Cause be revived and proceed in the name of Newman M Coale Administrator of the said Plaintiff and the trial of the issue is deferred until the next term

Hiram K Dever Pltff
vs
Peachy Wine &c Defts
} In Debt

This day came the parties by their attornies and the jury sworn and empannelled on Monday last for the trial of this Cause appeared in pursuance to their adjournment and hearing fully heard the parties retired 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 eighteen hundred dollars Current funds" and thereupon the Pltff moved the Court to set aside the said Verdict and grant a new Trial in this Cause, which motion the Court takes time to consider

David S Jones Pltff
vs
Orange Alexandria & Manassas Gap Rail Road Co Deft
} Upon a Motion

This day came the parties by their attornies and the Pltff moved the Court to appoint five Commissioners to assess the damages to which the Pltff is entitled by reason of the construction of the defts road through the Pltffs land, which motion the Court doth overrule

Ordered that the Court be adjourned until to morrow morning at 9½ O Clock

Wm M K. Waitman

Friday November 27th 1868

Present

Wm M'K Hartmann PJ. John Funk. Philander Gent
Herring. Adam H Funk & Jackson Horn } Justices

Henry Niswander's admr Pltff
p
John K Moore & Defts } Inclosure

This day came the plaintiff 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 $100.95 and the time from which interest thereon shall accrue to be the 8th day of May 1866. subject to a credit of $20.00 of date May 1st 1867 It is therefore considered that the pltff recover against the Defts $100.95 the damages aforesaid with legal interest thereon from the said 8th day of May 1866 till paid and the costs by the pltff in this behalf expended subject to the credit aforesaid of $20.00 of date May 1st 1867

John B Funk Pltff
p } Unlawful Detainer
Michael Hoover Deft

This day came the plaintiff by his attorney and thereupon came a jury to wit A J Johnson. Adam Thomas. David Pence. John S Bowman. Lewis Argabright. Henry Niswander Samuel Slusser Jr Samuel Bowman. Madison Bare. Henry Mason. David Showalter and John Burkholder who being elected tried and sworn well and truly to ascertain whether the Deft unlawfully withholds from the pltff the possession of the premises in the writ mentioned and having heard the evidence upon their oath do say We the jury find that the Defendant unlawfully detains from the Plaintiff the house & lot being a part of the tract of land of about 144 acres lying in the County of Rockingham on the road leading from Harrisonburg to Turleytown adjoining the lands of C Burk G Hoover & others & that the Plaintiff is entitled to the possession thereof It is therefore considered that the pltff recover against the Defendant the premises aforesaid. and the costs in this behalf expended

Ordered that Christian Shank (of Jacob) be appointed surveyor of precinct No in the place of N Houston

Commonwealth Pltff
p } Upon a rule for failing to attend as a juror
Harry Bateman Deft

On Motion and for reasons appearing to the court it is ordered that the said rule be discharged. and that the Commonwealth recover against the Defendant her costs in this behalf expended

U H Lann Pltff
vs
John D Offlemayer Deft } In Debt

This day came the parties by their attornies and thereupon the defendant plead a payment. and leave is reserved to the Deft to file special pleas. to which plea 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

Archibald S Rutherford's adm'r Pltff
vs
S Carson Bowers Deft } In Debt
The same order

Francis Maybe Pltff
vs
Wm Peters Deft } In Debt
The same order

Same
G C Ammon's adm'r Pltff
vs
F M Layton Deft } In Debt
The same order

U H Lann Pltff
vs
James H Offlemayer & Co Defts } In Covenant

This day came the parties by their attornies and the defts by their attorney pleaded Condition Performed and not Broken to which the pltff by his attorney 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

John Woods Pltff
vs
John Bowman Jr Defts } In Covenant
The same order

Christian Eakle Pltff
vs
A Woodson Deft } In Covenant
The same order

Francis Frost & Crumpecker Pltff
vs
David Stinespring Deft } In Covenant
The same order
Wade & Turner Pltff
J W Zirkle Defts } In Covenant
The same order

David Reedy Pltff
vs
John P Brock Deft } In Assumpsit

This day came the parties by their attornies and thereupon came a jury to wit A G Johnson. Adam Thomas. David Pence. John S Bowman. Lewis Argabright. Henry Miswander Samuel Shuler Jr Samuel Bowman. Madison Bare. Henry Mason David Showalter and John Burkholder who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict. and after sometime returned into court and upon their oaths do say "We the jury find for the Plaintiff ninety dollars with interest from the 9th day of April 1855. and thereupon the Deft moved the court to set aside the said verdict and grant him a new trial. which motion the Court takes time to consider

J H Berry Constable of this County presented in Court an account against the Commonwealth amounting to two dollars and ninety cents which being sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Thomas Rutherford Pltff
vs
Henry Puse Deft } In Slander

This day came the parties by their attornies and thereupon the defendant pleaded Not Guilty to which the Pltff replied generally and thereupon the writ of Enquiry obtained in the office is set aside & trial of the issue is deferred until the next term ~~At the same time~~ the Deft also filed a general Demurrer to the Pltffs Declaration in this cause

John E King Pltff
vs
Samuel A Coffman Deft } AB

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 his costs in this behalf expended

J S Roller Pltff
vs
G H Carpenter Deft } In Assumpsit

This day came the parties by their attornies and thereupon the defendant pleaded Non Assumpsit to which the Pltff replied generally and thereupon the writ of enquiry obtained in the office is set aside and the trial of the issue is deferred until the next term

Enoch Bennett Pltff
vs
Wm K Abbott Deft } In Assumpsit

The same order

A H Johnson vs J D Price & Co — Pltff / Defts — In Assumpsit

This day came the parties by their attornies and the defendants pleaded "non assumpsit" to which the pltff replied generally and thereupon the writ of Longquiry obtained in the office is set aside and trial of the issue is deferred until the next term

Straus, Hartman, Hofflin & Co vs Charles A Shrinkel & Co — Pltff / Defts — In Assumpsit — The same order

Jacob Watermeyer vs John Mefferly — Pltff / Deft — In Assumpsit — The same order

Francis Stailing vs A R Whipsen — Pltff / Deft — In Assumpsit — The same order

A B Frick vs Abraham Earnant & George Fawcett — Pltff / Defts — In Covenant

This day came the parties by their attornies and thereupon The Defendants tendered three special pleas (1)(2) & (3) in addition to the plea of Mid debit heretofore filed, the 1st and 2d of which were rejected by the Court and the third received to which the Plaintiff replied generally and thereupon came a jury to wit John Moyerhoffer, Daniel Coakley, George Brunk, Edward Wise, James Bagwell, Noah Flory, Isaac Swartz, Robert Lear, John C Berry, Moses Hollinger John B Carley and John O Pierce who being selected tried and sworn the truth to Speak upon the issue joined and having time to fully hear the parties are adjourned until to morrow morning at 9½ O'Clock

Ordered that the Court be adjourned until to morrow morning at 9½ O'Clock

Wm M K. Hartmann.

Saturday November 28' 1868

Present.

Wm M K Hartmann, P J Philander Herring, Adam K Finck, John Frank & Jackson Horn } Gent Justices

R H Miller & Co vs Michael J Zirkle — Pltff / Deft — In Covenant

This day came the pltffs by their attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the pltffs are entitled to be $79.56 and the time from which interest thereon shall run to be 3rd day of September 1866 It is therefore considered that the pltffs recover against the Deft $79.56 the damages with legal interest thereon from the 3rd day of September 1866 till paid and the costs by the pltff in this behalf expended

The Commissioners heretofore appointed to assign Dower to Susan Whitesel in the lands of her deceased husband George Whitesel this day returned their report which was examined and approved by the Court and ordered to be recorded

Enoch Bennett Pltff
vs } In Assumpsit
Monk Abbott Deft

On the motion of the plaintiff it is ordered that this cause be dismissed

Henry Niswander's ad Pltff
vs } In Covenant
David Stinespring Deft

This day came the parties by their attornies and thereupon the defendant by his attorney pleaded "Covenants performed and not broken" to which the pltff replied generally and thereupon the writ of Enquiry obtained in the Office is set aside and the trial of the issue is deferred until the next term

Wm J Parris Pltff
vs } In Assumpsit
Jacob D Effinger Deft

This day came the parties by their attornies and thereupon the defendant withdrew his plea, it is therefore considered that the pltff recover against the Deft $32.62 with legal interest thereon from the 7th day of November 1867 till paid and the costs by the plaintiff in this behalf expended

J R Jones & Co Pltffs
vs } In Assumpsit
Wm L Anderson Deft

This day came the parties by their attornies and by consent it is considered that this cause be dismissed and that the pltff recover against the Deft their costs in this behalf expended.

Upon the petition of S W & Emma Kite for an allowance out of debts that are stayed the Commissioner to whom the said report was referred this day filed his report which was examined by the Court and ordered to be recorded and it is considered that the said

W H Ammon & Kite recover against Henry Miller &c $366.39 with legal interest thereon from the 17 day of October 1868. against C A Yancey admr of G W Ammon dec'd the sum of $210.26 with legal interest thereon from the 17 day of October 1868. against Wm C Covington $11.42 with legal interest from the 17th day of October 1868 and against Jacob Carman & John P Carman $11.92 with legal interest from the 17 day of October 1868 till paid according to the report aforesaid, and the costs by the petitioners in this behalf expended

Upon the petition of G W Berlin for a change in a public road in this County, it is ordered that the said petition be referred to George H Kinsley, John C Bryan & Wm H VanPelt who are hereby appointed viewers for that purpose, to act and report upon the same according to law

Upon the petition of G W Berlin for a change of a public road in this County, it is ordered that the said petition be referred to John S Brown, D A Pleck & George Kiser who are appointed viewers to act and report upon said petition according to law

Andrew B Brick Pltff } In Covenant
vs
Abraham Carriant & George Fawcett Defts.

This day came again the parties by their attornies and the jury summoned & impannelled on yesterday for the trial of this cause appeared in Court in pursuance to their adjournment and having fully heard the parties retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find that George Fawcett does not owe the debt in the declaration mentioned" And thereupon the plaintiff moved the Court to set aside the said Verdict and grant him a new trial touching which motion the Court takes to consider

David Reedy Pltff } In Assumpsit
vs
John P Brock Deft

This day came again the parties by their attornies and the Defendants motion to set aside the Verdict rendered in this cause and grant him a new trial therein, which motion the Court doth overrule. It is therefore considered that the Pltff recover against Deft $90.00 with interest from the 9th day of April 1865 till paid and the costs by the Pltff in this behalf expended

Hiram K Derrier Pltff } In Debt
vs
Peachy Wine & Defts

This day came again the parties in this cause by their attornies and the having fully heard the Pltffs motion to set aside the

Verdict and grant him a New Trial herein which Motion the Court doth sustain and grant him a New Trial upon his paying the costs of the trial at the present Term.

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

Jacob Shawalter Sop.		$ 1	50	David Pence	✓	$ 1	00	Lewis Argabright	✓	$ 2	00
Noah Flory	✓	1	00	Jno Niswander	✓	1	50	Jas Bagosse	✓	2	00
David Shawalter		1	50	Madison Bare		50		George Brunk	✓	2	50
Sam'l Slusser Jr	✓	2	50	Isaac Niswander	✓	1	00	Jno S Bowman	✓	2	50
Jno Burkholder	✓	2	00	Henry Niswander	✓	2	50	Jno Moyerhoeffer	✓	2	50
Henry Mason	✓	2	50	Adam Thomas		2	50	Daniel Oakley	✓	2	50
John Neff			50	Peter Long			50	Jacob Grile	✓		50
John Moore			50	John O Ralston	✓		50	Wm Minnich	✓		50
								John H C Berry	✓		50

Which allowances are ordered to be certified to the auditor of Public accounts. And the Sheriff of Rockingham County, is ordered to the above named 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 the County of Rockingham viz

Lewis Argabright	✓	$ 13	00	Jacob Shawalter Sop.		$ 8	00	David Pence	✓	$ 15	00
Jas Bagosse	✓	13	00	Noah Flory	✓	14	00	Jno Niswander	✓	6	00
George Brunk	✓	12	50	David Shawalter		13	00	Madison Bare		14	50
Sam'l Bowman of B	✓	12	50	Jno S Bowman	✓	12	50	Sam'l Slusser Jr	✓	12	50
Isaac Niswander	✓	13	75	Jno Moyerhoeffer	✓	11	25	Jno Burkholder	✓	13	00
Edward Bare	✓	11	25	A J Johnson		8	75	Henry Niswander	✓	10	00
Daniel Oakley	✓	12	50	Henry Mason	✓	12	50	Adam Thomas	✓	12	50
Jacob Grile	✓		75	John Neff			75	Peter Long			75
Wm Minnich	✓	5	75	John Moore		2	00	John O Ralston	✓	2	50
John H C Berry	✓	5	75	Moses Carrier	✓	5	00	E H O'Huffman	✓	2	50
Geo W Moyers		2	50	Robert Bryan		2	50	D R Hopkins		3	75
John C Gray	✓	3	75	Isaac Minnich	✓	3	75	Isaac Swaty	✓	2	50
Robert Lee		2	50	John B Carey		2	50	John D Pence		2	50

Ordered that the Sheriff of this County pay above mentioned sums to the several persons entitled thereto.

Ordered that the Court be adjourned to Monday morning at 9½ O'Clock

Wm McK. Hartmann.

Monday November 30th 1868

Present

Wm K Hartmann PJ. John Funk Philander Herring } Gent Justices

John W Pence for John Woods Pltff
vs
John Bowman Jr Deft } In Covenant

This day came the parties by their attornies and by consent of parties it is considered that the pltff recover against the deft of one hundred dollars with legal interest thereon from the 7th day of December 1867 till paid and the costs by the pltff in this behalf expended

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

Margaret Ann Evers Pltff
vs
Anthony Roads Jr. Anthony Roads Sen and Martin Brenneman Defts } In Debt

This day came the parties by their attornies and thereupon the Defts withdrew their plea and confessed judgment for $100. with legal interest from the 2d day of January 1862. It is therefore considered that the pltff recover against the Defendants $100. the debt aforesaid with legal interest thereon from the said 2nd day of January 1862 till paid and the costs in this behalf expended

D B Wick Pltff
vs
George Fawcett Deft } In Debt

This day came again the parties by their attornies and Adam H Frederick & Jackson Hoon two justices of this having absented themselves from the bench. On the motion of the Pltff it is ordered that they be summoned to appear here on tomorrow morning to answer their said Contempt

Augustine Cline Pltff
vs
Plunket Morris Deft } In Detinue

This day came the parties by their attornies. and on motion of the pltff it is ordered that this cause be continued until the next term at the costs of the Pltff

Wm H Rodiffer Deputy Sheriff having returned to this Court. that he has in his hands money made against under executions against D J VanPelt & R M Money, which is claimed by John Ebbrodson B F Byerly R P Fletcher and Jerel B Bunner, it is ordered that said parties be summoned to appear on the first day of the next term of this Court. in order that their claims may be decided

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

Wm. McK. Wartmann

Tuesday December 1st 1868

Present

Wm M'K Hartman Pj. John Frank. Philander Herring Jonathan Horn } Gent Justices

Jacob Demaree Pltff
vs
Jacob Dimmick Deft } In Debt

On Motion of the Defendant and it appearing that this cause has been pending in this Court more than twelve months without decision being had therein. it is ordered that the same be removed to the Circuit Court for the trial

Upon the petition of W S Baugher for a change in a public road in this County it is ordered that his said petition be referred to George W Kemper. George W Entzler and John W Palmer to be acted and reported on according to law

Mary Miller Pltff
vs
John F Lewis &c Defts } In Assumpsit

This day came the parties by their attornies and by consent of parties it is ordered that this cause be dismissed and that the Pltff recover against the Deft John F Lewis her costs in this behalf expended

James Millin's admr Pltff
vs
George W Berlin Deft } In Assumpsit

This day came the parties by their attornies and thereupon Charles A Yancey appeared in Court and acknowledged himself security for all costs and damages as may be awarded against the Pltff. and all costs and fees now due or that may hereafter accrue to the Officers of this Court from the Pltff

David Ettinger Pltff
vs
Jacob Shank &c Deft } In Debt

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 Defendants his costs in this behalf expended

James A Wilson & Co Pltffs
vs
Samuel M Bowman Deft } In Assumpsit

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed. and that the Defendant recover against the plaintiffs. his costs about his defence in this behalf expended

Present Adam H Fisk Gent Justice

A B Frick Pltff
vs
George Sawcett &c Defts
In Debt

This day came the parties by their attornes. and the plaintiffs Motion to set aside the verdict and grant him a new trial in this cause being argued and fully considered. it is ordered by the Court that the said Verdict be set aside. and a new trial is granted him upon the payment of the Costs of the trial at the present term. and the trial of the issue is deferred until the next Term

Commonwealth
vs
James Heiskell Shifflett
Upon an Indictment for Treshass Assault & Battery

This day came as well the Attorney for the Commonwealth as the defendant who pleaded Not Guilty. to which the attorney for the Commonwealth replied generally. and thereupon the issue is deferred until the next term

Ordered that the Court be adjourned until the next term

Wm McK. Hartman.

In the Clerks Office of the County Court of Rockingham Dec 3d 1868

James H Burgess & Bazel B Burgess late partners doing business under the firm name of J H & B B Burgess Case of John H Erwine
Pltffs
vs
John Binkee
Deft
In Covenant

This day the defendant John Binkee appeared in the Clerk's Office aforesaid and confessed judgment for $3000.00 Damages with interest on $1000.00 part thereof from the 1st day of May 1861. on $1000.00 another part thereof from the 1st day of May 1862 and on $1000.00 the residue thereof from the 1st day of May 1863. It is therefore considered that the Pltffs recover against the Deft $1000.00 the damages aforesaid with legal interest on $1000.00 part thereof from the 1st day of May 1861 on $1000.00 on other part thereof from the 1st day of May 1862 and on $1000.00 the residue thereof from the 1st day of May 1863 till paid and the costs by the Pltffs in this behalf expended. this judgment is subject to the following credits as endorsed on bonds, on 1st Bond by One hundred and twenty five dollars paid Nov 17th 1864. Interest to 1st Oct 1865 ($140.00) Interest to the 1st day of February 1867. by Interest to 1st day of August 1867. by $55.50 paid Augt 20th 1867. by $200.00 paid Sept 15th 1868 2nd Bond by interest paid up to 1st of May 1864. by Interest to 1st of May 1864. by Interest to 1st May 1867 and on 3d Bond by Interest paid up to 1st May 1864 by Interest to 1st May 1866 by Interest to the 1st May 1867. and by interest to the 15th June 1868 and $197.50 on the principal

Teste Wm D Frank DC

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 21st day of December 1868

Present — Wm McK Wartmann P.J. Wm S Showalter, 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 of November 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 Jacob Blosser To James W Blosser

Same from Wm Bloomfield Commissioner To Abraham Blosser Jr

Same from Richard H Garrett to James Layman

Same from John N Falls & Wife to Lewis Price

Same from Timothy Funk & Wife To Samuel Adams

Same from Joseph Beverley Exor To J W Allemong

Same from John W Kagey Commissioner To Abraham Miller

Same from Harrison Bateman & Wife To Abbott Iron Company

Same from Ephraim Reubush & Wife To William Roudabush

Same from Alexander Kyger & Wife J M Mayhoffer Trustee for Amanda J Madden

Same from Frances Clary & others To James A Campbell

Same from John Kline To George Myers Deed of Release Recorded

Same from Wm H Ruffner & Wife To S M Yost

Same from John P Swank & Wife To Timothy Funk

Same from Ephraim Reubush & Wife To Timothy Funk

Same from Wm W Hooke & Wife To Wm Penn Deed of Release recorded

Same from Ann Davison To Laurence Crawford

A Deed In Trust from Samuel Sandy To Daniel Bowman In Trust for Mary Ann Sandy

A Deed of Bargain & Sale from Jacob Shank To Ann Rhodes

Same from Abraham Wenger & Wife To Samuel M Yost

A Settlement of the Estate accounts of Catharine Kratzer Deceased having been filed in the Clerks office of this Court for the term prescribed by Law was presented in Court and no exceptions being offered thereto the same was examined and confirmed by the Court and ordered to be Recorded

Ordered that Peter Yancey be allowed the sum of Seven dollars and fifty cents for Plastering done in Clerks office. To be paid out of any money in the hands of the Sheriff not otherwise appropriated

Ordered that the sum of Thirty dollars be appropriated & to be expended upon repairs on precinct No 77 of public roads in this County which sum is to be expended under the superintendance of Daniel Miller surveyor of said precinct

Charles Phillips &c Pltffs
vs
John K Beery Deft } upon a Notice to recover interest under the several acts of the General Assembly of Virginia staying the collection of debts for a limited period. This day came the plaintiffs

by their Attorney, and it appearing that the defendants has had legal notice of this Motion and he being solemnly called and not appearing it is considered that the Pltffs recover against the Defts $81.08 that being equal to one years interest on debt due from Defts to Pltffs with legal interest thereon from this day, and the Costs by the Pltffs in this behalf expended

J D Price &c Pltff
vs
James Magalis & Defts } Upon a Delivery Bond

Notice proved and Execution awarded

P W & H Dickering & appellant
vs
Reubin Bonas Defendant } Upon an appeal from a Justice of the Peace

This day came the parties by their attornies & thereupon this cause is placed upon the docket

Richard Jarrad's admr Pltff
vs
Henry Webster's admr & Defts } In Chancery

This day John L Woodson Commissioner in this cause reported to the Court that J J Miller has agreed to take the lot belonging to the estate of Henry Webster, near the Railroad Depot adjoining the lot of John Kelly at the price of $135. one half payable in six months, the other in 12 months from this day which sale is approved & confirmed by the Court and said Commissioner required to take Bonds of the purchaser with good security and report to this Court, and if said Miller desires it, said Commissioner shall execute to him a deed with Special Warranty of title, upon said Bonds and security being given reserving a lien for the purchase money

Wm H Rodiffer Deputy Sheriff for S R Allebaugh Sheriff of Rockingham County presented in Court a list of Delinquents of Insolvent Licenses amounting to forty eight dollars and thirty nine cents which being sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of public accounts That is was proved that part of the insolvents mentioned in said list are entirely insolvent have removed from the County before the Sheriff received their certificates and that Robert Johnson whose name appears upon said list was erroneously placed

Catharine Robinson orphan of John Robinson dec'd being upwards of 14 years of age, appeared in Court and with the approbation of the Court made choice of James L Heltzel as her guardian and thereupon the said James L Heltzel appeared in Court and 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

Present. Henry Beery Gent Justice

An Instrument of writing purporting to be the last will and testament of John Beery Senr. dec'd. Was presented in Court and proved by the oaths of James P Ralston & George H Chrisman two of the subscribing witnesses thereto and ordered to be recorded: and Peter Beery one of the ~~executors therein~~ named appeared in Court and refused to take upon himself the burthen of the execution thereof. and thereupon John H Ralston Jr one of the executors therein named who made oath thereto according to law and together with James P Ralston and Peter Beery his securities (who justified as to their sufficiency) entered into and acknowledged a bond into 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 Wm R Hopkins, Samuel Swank, George H Chrisman Peter Swank or any three of them being first duly sworn for that purpose do appraise the estate of John Beery Sr dec'd and report thereon to the Court according to law

On the Motion of John E Makey. and it appearing that more than three months have elapsed since the death of John B Nash 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.

E Jones Armstrong who has been duly licensed to practice as an attorney at law in the Courts of this Commonwealth, on his motion is permitted to qualify as such in this Court, and thereupon he appeared and took the several oaths required by law

Ordered that A J Johnson D K Hannelberger, John Werner Emanuel Armentrout & Joseph N Mauzy be appointed Commissioners to view the river Bank Briage & report thereon to the Court at its January Term next.

Ordered that Cyprus Rhodes, George Mantz, Gideon Rosenberger and Christian Fultz or any three of them being first duly sworn to that purpose do appraise the estate of Bathsheba Rhodes dec'd and report thereon to the Court according to law

D S Jones Pltff
v.
O C & M G R R Co Defts } Upon a Notice

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

Upon the petition of John W F Allemong for a change in a road from Davis' ~~Turnpike~~ to Harrisonburg Turnpike. the viewers heretofore appointed. having made and filed their report on the motion of

the petitioner it is ordered that the said road be established agreeably to the report aforesaid and upon the conditions set forth in said report
Present E S Kempfer. Absent J S Roller & Henry Reeny Gent Jrs
Ordered that Jacob P Bryerly be appointed surveyor of precinct No 80 in the place of John Bryan

James H Moore Pltff
vs
Michael H Lee & (Deft) } Upon a delivery bond
On Motion Notice proved and execution awarded

The Last will and testament of Conrad Long dec'd. together with two codicils thereto annexed was presented in Court and it being proved by the oath of Edward S Mowrey one of the subscribing witnesses thereto, and it appearing that Edward H Smith another subscribing witness thereto has departed this life and that John Mellard the other subscribing witness thereto has removed from this Commonwealth it was proved to the satisfaction of the Court the signatures of the said Edward H Smith and John Mellard to the said will are genuine it is ordered that the same be recorded as the true last will & testament of the said Conrad Long. and the first Codicil was proved by the oaths of Diana S Conrad & Annie R Bryan now Annie R Wartmann the subscribing witnesses thereto and ordered to be recorded and the second Codicil was proved by the oath A G Sigler a subscribing witness thereto and continued for further proof

Ordered that Daniel B Reed be appointed guardian for Leonora Layman, Wm T Layman & Ida Ellen J Layman, who are under the age of 14 years, and Philip Franklin Layman & Lucinda Margaret Layman who are upwards of 14 years of age at their own instance all orphans of Adam Layman dec'd and thereupon the said Daniel B Reed appeared in Court and together with Jason N Brumbach and Uriah Harrison his securities (who justified as to their sufficiency entered into and acknowledged a bond in the penalty of $2500 00 conditioned as the law requires, which bond is ordered to be recorded

On the Motion of Michael J Mayerhoeffer who made oath thereto according to law and together with Charles A VanLear his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned as the law requires
a certificate is granted him for obtaining letters of administration in due form upon the estate of Jacob Argenbright dec'd it is ordered that Jacob Klopfer Abraham Flory, Henry Henkel & Samuel Klopfer dec'd ~~do appraise~~ as heretofore appointed ~~that purpose do appraise~~ said estate & report thereon to the Court

A J VanReet & George K Mayers who have been duly summoned to appear here as witnesses on behalf of R P Fletcher against J B Bunner & being solemnly called came not appearing it is ordered that they be summoned to appear here on the 1st day of the next term to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

George W Yancey Pltff
vs
Abraham Eannon Dft } upon an attachment

Ordered that John Glover & Aaron G Brown pay to George W Yancey the sum of $180.00 directed by a former order of this Court made at February Term 1867 to be paid to the Sheriff of Rockingham as receiver, which amount they owe the Deft Eannon

James G Hahn orphan of Hannon D Hahn who is upwards of 14 years of age, with the approbation of the Court made choice of George F Sherman as his guardian and thereupon the said George F Sherman appeared in Court and together with Joseph A Whitmore 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

Ordered that Joseph A Whitmore be appointed guardian for Lucy D Hahn orphan of Hannon D Hahn who is under the age of 14 years of age who appeared in Court and together with George F Sherman 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

Ordered that ~~Noah Arigabright~~ be allowed the sum of $40 for ten loads of wood furnished the Clerk's office which is directed to be taken out of any money now in the hands of the Sheriff of this County not otherwise appropriated

Ordered that the Court be adjourned until the next Term

Wm M K Waltman

In the Clerks Office of the County Court of Rockingham Dec 23rd 1868

Jacob S Hoff. Tolbert M Rogers David W Chambers & Noble Smith trading under the name & style of Hoff. Rogers & Chambers } Pltffs
vs } In Debt
T. Z. Offutt } Deft

This day came the plaintiffs by their attorney and thereupon the Defendant appeared in the Clerk's office aforesaid and confessed judgment for $464.00 the debt in the declaration mentioned with interest from the 13th day of October 1868 and costs It is therefore considered that the pltffs recover against the Deft the said sum of $464.00 with legal interest thereon from the said 13th day of October 1868 till paid and the costs by the pltffs in this behalf expended

Test S W Garnett CC

In the Clerk's Office of the County Court of Rockingham Dec 28. 1868
John & Noah Bowman admrs of Abraham Bowman
use of Annie Bowman admx of Noah Bowman } Pltff
vs
Samuel Good & Samuel Cline Defts } In Debt

This day came the parties by their atts and by consent the Deft Samuel Good confessed judgment for $86.41 part of the debt in the declaration mentioned with interest from the 5th day of January 1863 and the costs. It is therefore considered that the pltff recover against the said Samuel Good the said sum of $86.41 with legal interest from the 5th day of January 1863 till paid and the costs in this behalf expended

Teste

Wm D Frost DC

In the Office aforesaid December 31st 1868

Same Pltffs
vs
Same Defts } In Debt

This day came the pltffs by their attornies and thereupon Samuel Cline appeared in the office and by consent of the pltffs by their attorney confessed judgment for $86.41 part of the debt in the declaration mentioned with interest from the 5th day of January 1863 and the costs. It is therefore considered that the pltff recover against the said Samuel Cline $86.41 the amount aforesaid with legal interest thereon from the said 5th day of January 1863 till paid and the costs by the pltffs in this behalf expended

Teste

Wm D Frost DC

Vacation

Whereas a Vacancy has occurred in the office of Clerk of the County Court of Rockingham County Virginia by the removal of Maj. S.W. Garnett by a Military order from General Stoneman commanding the Military District of Virginia Now therefore I Wm McK Wartmann Presiding Justice of the County Court of said County Court of said County by virtue of the authority vested in me by the 21. Section of Chapter 8 of the Code of Virginia of 1860 have appointed and by these presents do appoint Robert A Gray as Clerk pro tempore to hold the office of Clerk of said County Court of Rockingham until the next regular meeting of said Court and to discharge the duties of said office until a Clerk is elected or appointed and qualified

Given under my hand this 7th day of January in the year 1869 and in the 93rd year of the Commonwealth

Wm McK Wartmann PJ.

I Wm McK Wartmann Presiding Justice of the County Court

of Rockingham do hereby certify that Robert Algray personally appeared before me this day and took the following oaths pursuant to law before entering upon the duties of the Office of Clerk of the County Court pro. tem by virtue of the within appointment. to wit. the oath of fidelity to the Commonwealth - the anti-duelling oath and the oath of Office as prescribed by section 1.2.&3 of Chapter 13 of the Code of 1880 & also the oath prescribed by the act of Congress of July 19th 1867

Given under my hand this 7th day of January 1869

Wm M K Hartmann PJ

Copies

Teste

R Algray Clk P T

Clerk's Office of the County Court of Rockingham January 12th 1869

Jacob N Cowen admr of John Allebaugh Pltff } In Debt

vs

David Link Deft }

This day the Defendant appeared in the Office aforesaid and confessed judgment for $350.00 the Debt in the declaration mentioned with legal interest thereon from the 28th day of October 1882 and the Costs

It is therefore considered that the Pltff recover against the Defendant the said sum of $350.00 with legal interest thereon from the 28th day of October 1882 till paid and the costs in this behalf expended. This judgment is subject to the following credits, viz 1883 Janry 16th by one years interest. 1886 Dec 14th by thirty dollars & 94 cents by order of Court. 1887 Aug 19th by one years interest

Teste

R. A. Gray Clerk P. J.

Virginia At a Court held for Rockingham County on Monday the 18th day of January 1869

Present

Wm McK Wartmann P J Henry Beery, Wm S Gent
Showalter. Philander Herring & Jno Funkhouser 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 December last which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

A Deed of Bargain Sale from Wm L Harrison & wife to Samuel Shackelford
Same from Samuel Flory to William Rodeheaffer
Same from Jacob Miller Senr & wife to Samuel Petry
Same from Jacob Kiogler to A S Williams
Same from Jacob Lincoln & wife & to Jacob H Leedy
A Deed of Trust from Edward A Heiskell to R H Harrison Jr Trust for Jacob S Sellers
A Deed of Bargain & Sale from H B Hannberger & wife to Robert A Gray
Same from William Bull & wife to Isaac Heatwole
Same from Amanda Krupp to Alexander Krupp
Same from Daniel B Reed & wife to Same
Same from Simon Whitsell & wife to Wm Sandy
Same from Shipwith Wilmer to Sam'l P H & J G H Miller
A Mortgage from S P H Miller & wife & Jos P B Wilmer & Wm G Jackson
A Deed of Bargain & Sale from John Kline & wife to Eli Spitzer
Same from Josiah S Roller & wife to Thomas Cook
Same from Jacob P Effinger & wife to A M Reamer
Same from John M Bowman & wife Valley Turnpike Company
Same from Same to John Conner
A Bill of Sale from Shotwood S Atkinson to Mary A L Atkinson
A Deed of Trust from Robert Coberly & wife to Wm Bloomfield Jr Trust &c
A Deed of Bargain & Sale from H J Gray & wife to Robert Liskey
Same from Stephen Roadcap to Jacob M Roadcap
Same from A W Knupp & wife to Wm L Bateman
Same from Wm Peters to Wm L Harrison Trustee for Harriet Peters
A Deed of Trust from Wm Peters & wife to Wm H Harrison Jr Trust for Harriet Peters
A Deed of Bargain & Sale from David A Heatwole & wife to A G Fishback
Same from Same to Jacob Brunk
Same from G W Effinger & wife to Wm H Pearsall
Same from Wm R Keane & wife to Wm & B Lasher
Same from A J Johnson & wife to Same
Same from Ann Babcock to John F Lewis
Same from Gideon Shirey & wife & to John Royer
Same from Rebecca Royer to James M Poole

A Settlement of the estate of John Hannberger 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 Same
The Same order

A Settlement of the Same estate
The Same order

A Settlement of the Same estate
The Same order

Same of the estate of C M Keezle
The Same order

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

Same of the estate of John Hannberger
The Same order

Same of the Same estate
The Same order

O F A Perkey &c appellants
vs
Amos Scott 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

Josel Wright appellant
vs
Wm Peterson appellee
} Upon an appeal &
The Same order

Alexander Knopp appellant
vs
Edmonds Minnick appellee
} Upon an appeal
The Same order Continued until the next term at the costs of the appellee

Charles H Lewis who has been appointed Attorney for the Commonwealth in place of Wm H Effinger removed by Military Authority appeared in Court and took the several oaths required by law

18 Jany 1869

Robert Algray who was on the 30th day of December appointed by Geerge Stoneman Brevet Major General United States Army Clerk of the County Court of Rockingham, in place of S.W. Garnett removed, to fill the vacancy occasioned by such removal, 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, and thereupon the said Robert Algray appeared in Court and together with John H. Wartmann and Algernon S. Gray, S.W. Garnett & John L. Roberson 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 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 to deliver the original bond to the Clerk of the Circuit Court of this County, and thereupon the said Robert Algray took the several oaths required by law

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1st National Bank of Harrisonburg Pltff
vs
S.T. & C. Roberts & Deft
} Upon a Notice upon a bond taken for the delivery of Prop.

entry on the day of Sale
Notice proved and execution awarded

David Armentrout's ex'tor's Pltffs
vs
Julia A. Washington & Defts
} Upon a Notice upon a bond taken for the delivery of Property

on the day of sale

The same order

On the petition of George S. Haulett and Jacob Meserole E. S. Kemper, John Leedy, Wm Rebera, A.L. Byrd or any three of them are appointed to view the ground on which it is proposed to establish a County road, commencing on the Rockingham Turnpike near the land of John Leedy, thence through the said John Leedy's lands of George S. Haulett, Jacob Meserole and the Shugarne land to the Brock's Gap road, & report to the Court the conveniences & inconveniences that will result as well to individuals as the public if the road be opened as proposed, and especially whether any yard, garden or orchard or any part thereof will have to be taken; also whether any of the land owners claim damages and what they ought to have

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John Allen &c Pltffs
vs
Martha Shands adm'x of E.A. Shands Deft
} Upon a Notice to require the Defendant to give new bond & security as such adm'x or have her power as such revoked & annulled

This day came the pltffs by their attorney and on their motion it is ordered that the said Martha Shands be summoned

to appear here on the first day of the next term to shew cause if any she can why she shall not be required to give a new bond with security or have her power as admx of C A Shamas revoked & annulled &c

The Court doth appoint John C Miller guardian for Barbara Alice Pence orphan of Peter Pence, dec'd who is under the age of 14 years, and thereupon the said John C Miller appeared in Court and together with John P Long his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Six hundred dollars conditioned as the law requires, which bond is ordered to be recorded

Frederick K Speck who has been heretofore appointed a Notary Public in and for Rockingham County appeared in Court and together with George W Berlin his security appeared in Court and entered into and acknowledged a new bond in the penalty of five hundred dollars conditioned as the law requires, which bond is ordered to be recorded and a Copy thereof certified to the Auditor of Public accounts

Upon application of Collier widow of Chapman Collier to appoint Commissioners to assign to her a Homestead in the land of which Chapman Collier died seized which Motion was resisted by John Lawson executor of said Chapman Collier, which being argued by Counsel, the Court upon Consideration whereof the Court doth overrule the same

On the Motion of John Lawson executor of Chapman Collier it is ordered that David Gilmer, Chapman Nayler, Hiram Kite, Wm C Kite or any three of them being first duly sworn for that purpose do assign dower to Collier, in the lands of which her late husband Chapman Collier died seized and report thereon to the Court according to law

The Court doth appoint Henry Kiger guardian for John Kiger orphan of Christian Kiger dec'd who is under the age of 14 years and thereupon the said Henry Kiger appeared in Court and together with James H Carrico and Daniel W Shiflett 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, which bond is ordered to be recorded

David Armentrout's ex'rs vs Robert Cox &c on a delivery bond
Notice proved and executed and order

George Beland for vs J N Duffy &c On a delivery bond
The same order

18 Jany 1869 On the Motion of John & Jacob Harshbarger the executors named in the last will and testament of John J Harshbarger dec'd. who made oath thereto according to law and together with Abraham Early Jonas Early & Noah Early 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 probat of said will in due form

Ordered that Jacob B Bruner be appointed surveyor of precinct No leading from the River Bank Bridge to McGaheysville

On the Motion of Dan'l Keller and it appearing that more than three months have elapsed since the death of Ann Keller. and no one having applied for administration upon her estate. it is ordered that the said estate be committed to the Sheriff of this County for administration

On the Motion of Wm M West it is ordered that Wm G Thompson Jno J Bowman, Henry Neff & Abraham Arnold or any three of them be appointed Commissioners to assign and lay off and divide the lands of which Harvey West dec'd died seized among his heirs

On the Motion of William Sandifer Guardian of Alice G and John R Fiddler the Court doth appoint Edward S Kemper Joseph Beery David Bear and Samuel Petty any three of whom may act. to lay off and Partition the Real estate of which Samuel Fiddler died seized among the heirs or to lay off and assign to said Alice G and John R Fiddler their interest in said land

On Motion of Benjamin Kerlin who made oath thereto according to law and together with Jacob Thomas & Joseph Heatwole 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 Benjamin Kerlin for obtaining letters of administration in due form upon the estate of Christian Garber dec'd

Ordered that Daniel Bowman, Hiram Hoffman & Abraham Guile after being duly sworn for that purpose do appraise the estate of Christian Garber dec'd and report thereon to the Court according to law

On Motion of Jacob N Bowman & others for a Road in this County it is ordered that Jacob Mayers James White & John J Bowman do act and report upon the said petition according to law the said

proposed Public Road commencing at a Public Road on Daniel Showalter's land thence by the nearest and best route until it intersects the Turnpike Road on the land belonging to the heirs of Hiram Mantz dec'd

A Power of Attorney from James A Austin to John le Woodson was presented in Court and being duly acknowledged by the said James A Austin, is together with the certificates thereon endorsed ordered to be recorded

The last will and testament of Conrad Long dec'd was this day again presented in Court and the second codicil thereto fully proved by the oath of L D Gaither a subscribing witness thereto and ordered to be recorded, and it appearing that Merinda Long the executrix and Conrad Long the executor named in the said will refuse to take upon himself the burthen of the execution of the said will, and upon the motion of Robert D Kennley who made oath thereto according to law and together with James A Austin who acts by his attorney in fact John le Woodson, his security 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~~ with the will annexed upon the estate of Conrad Long dec'd

Order that Christian Hartman, Rob Ripetoe J Perkey and Daniel Bonn or any three of them being first duly sworn for that purpose do appraise the estate Conrad Long, dec'd and report thereon to the Court according to law

On the Motion of Robert Alpray Clerk of this Court, L W Garnett & Wm D Bent are permitted to qualify as Deputy Clerks and thereupon they took the several oaths required by law

The last will and testament of Susan Huffman dec'd was presented in Court and proved by the oaths of P S Roller & Ephraim Bowman the subscribing witnesses thereto and ordered to be recorded and on the Motion of James D Whitzel one of the executors therein named who made oath thereto according to law and together with George S Trunkhouser his security who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires a certificate is granted him for obtaining a probate of the said will in due form

Ordered that Henry Fleming John McCullough, Pleasant M Rice and Benjamin G Hawkins or any three of them being first duly sworn for that purpose do appraise the estate of Susan Huffman dec'd & report thereon to the Court according to law

18 Jany 1869 On the Motion of John L Woodson who made oath thereto according to law and together with Jacob M Liggett 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 Charlotte Scott. dec'd

Benjamin H Altaffer orphan of Benlin Altaffer dec'd being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Samuel H Brown as his guardian. and thereupon the said Samuel H Brown together with J M Altaffer & M J Altaffer his securities (who justified as to his sufficiency entered into and acknowledged a bond in the penalty of Six hundred dollars conditioned as the law requires, which bond is ordered to be recorded

On Motion of Benjamin Miller who hath been duly ordained as a Minister of the Gospel of Dunker Church. a license is granted him to celebrate the rites of Matrimony between all persons legally applying to him. and thereupon the said Benjamin Miller together with Jacob Miller his security entered into and acknowledged a bond in the penalty of $500.00 conditioned as the law requires, and thereupon the said Benjamin Miller took the oath of fidelity to the Commonwealth

John Crawford Pltff
vs
John R Kogler Deft } Upon a Notice

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

John N Henson who has been duly summoned to appear here as a witness on behalf of John R Kogler at the suit of John Crawford. being solemnly called and not appearing. it is ordered that he be summoned to appear here on the first day of the next term to shew cause if any he can why he shall not be fined and attached for their failure aforesaid

Solomon P Reamer Jailer of this Court presented in Court an account against the County each amounting to Sixty three dollars and twenty five 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

Henry S Shoupe Pltff
vs
Peter Rader admr of Geo Rader dec'd Deft } Upon a Notice
This day came the pltff

his attorney. it is ordered that the deft be summoned to appear here on the 1st day of the next Term to shew cause if any he can why he shall not be required to give a new bond with new security or have his power revoked as adm'r of George Radeder

Trustees of the Rockingham Union Lodge Pltff
vs
John Scanlon Deft } Upon an Attachment

This day came the parties by their Attornies, and by consent it is considered that the pltff recover against the Deft $400.00 with Interest from the 1st day of April 1867 till paid and the Costs by the pltff in this behalf expended

The Commissioners heretofore appointed to examine to Bridge at River Bank in this County, this day filed their report which was examined adopted and ordered to be filed

Upon the petition of James H. Larkins, it is ordered that J. Garrison Bateman, Wm B. Mauzy, Peter S. Roller, George F. Bumgardner and Wm Eiler Jr be appointed Commissioners for the Purpose of laying out one or more roads from the East Bank of River Bank Bridge to intersect the roads leading to Skins Gap and Port Republic Roads

Elias Perkey Upon the application Elias Perkey to keep a Public Ordinary at his house in this County, upon consideration whereof the Court doth refuse said application

Ordered that the Court be adjourned until the next Term

Wm M. K. Kaufmann

Clerk's Office of the County Court of Rockingham January 21. 1869

Erasmus Taylor Pltff
vs
Harvey Taylor Deft } In Debt

This day the defendant appeared in the Office aforesaid and confessed judgment for $400.00 the debt in the writ mentioned with legal interest thereon from the 10th day of March 1868 and the costs. It is therefore considered that the pltff recover against the Deft $400 the debt aforesaid with legal interest thereon from the 10th day of March 1868 till paid and the costs by the pltff in this behalf expended

Teste

Wm D Frank Cl

In Vacation
Feby 1869

Clerks Office of the County Court of Rockingham February 2nd 1869

R R Dearthat Pltff } In Debt
vs
T J Burke & A T Grooves late partners trading under the firm and Style of T J Burke & Co } Defts

This Day the Defendant T J Burke appeared in the Office aforesaid and confessed judgment for $60 88 the debt in the writ mentioned with interest and costs. It is therefore considered that the pltff recover against the Deft T J Burke $60. 88 the debt aforesaid with legal interest thereon from the 1st day of Feby 1869 till paid and the costs in this behalf expended

Teste

Wm D Frost DC

Clerks Office of the County Court of Rockingham February 12th 1869

Josiah S Roller (use of Peter S Roller) Plaintiff } In Debt
vs
Nevel Rogers Defendant

This day the Defendant appeared in the Office aforesaid and confessed Judgment for $375 the Debt in the writ mentioned with interest and costs It is therefore considered that the Plaintiff recover against the Defendant $375 the Debt aforesaid with legal interest thereon from the 18th day of July 1860 till paid and the costs in this behalf expended Subject to a credit of One Hundred Dollars by a Negotiable note at Thirty days March 1861 and by $46.62 Cents January 1st 1866

Teste
L W Chambers DC R C

In the Clerks Office of the County Court of Rockingham February 13th 1869

Perthena Speck Pltff } In Debt
vs
J S Speck Deft

This day the defendant personally appeared in the office aforesaid and confessed judgment for $336 Cts the debt in the declaration mentioned with interest and costs It is therefore considered that the pltff recover against the Deft $336 Cts the debt aforesaid with legal interest thereon from the 9th day of May 1860 till paid and the costs by the pltff in this behalf expended. (Costs $6.96)

Teste
Wm D Frost DC

In the Clerks Office aforesaid February 13th 1869

Wm Robinson (who sues for the use of Abraham Earley) Pltff } In Debt
vs
Jonathan S Speck Deft

This day came the defendant in the Office aforesaid and confessed judgment for $250 Cts with interest and costs It is therefore considered that that pltff recover against the deft the said sum of $250 Cts with legal interest thereon from the 8th day of April 1860 till paid and the costs by the pltff in this behalf expended

Teste
Wm D Frost DC

(Cost $6.96)

Virginia fs

At a Court held for Rockingham County on Monday the 15th day of February 1869

Present

Wm McKWartmann Joseph Funkhouser } Justices Gent
Moore & George Slebrister & Geo Hawley } Jus

The Clerk of this Court presented in Court a list of Deeds & 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 George Wiley & wife to Sarah Heatsley
A Deed of Trust from Joseph G Johnson to Jno E Wasson In Trust for Lucy Johnson
A Deed of Bargain & Sale from B S Wilmer & wife to Lucius A Dever
Same William M Silbert to Jacob D Williamson
Same from James A Wood by Attorney to Abbott Iron Company
Same from J B Baldwin Trustee to Smith & Crawford
Patent Commonwealth of Virginia to Mathew Gamble
A Deed of Bargain & Sale from Isaac Pane & wife to Wm J & Robert J Pane
Same from Martin Brenneman & wife to Jacob & Jas H C Kagey
Same from Thomas R Sinclair to Philip H C Dice
Same from Anthony Showalter & wife to Adam Turner
a Bill of Sale from Jeremiah Dove to George Eastham
A Deed of Bargain & Sale from Martin Brenneman & wife to Ellen & Callen &c
Same from Same to Elizabeth Bowman &c
Same from George W Showalter & wife to Erasmus D Coffman
Same from Isaac Niswander & wife &c to Isaac Stone
A Deed of Trust from Garner Mefick & wife to A C Bryan In Trust for A Kyle
A Deed of Bargain & Sale from Peter Wilhite & wife to John Carpenter
Same from Joseph Wilhite & wife to Same
Same from Samuel Carpenter to Same
Same from George W Majors & wife to John Sigler
Same from Same to John W Spitzer
Same from Same to Eli Spitzer
Same from Charles Nicholas & wife to Peter W Armentrout
Same from Jacob Rymer's Exr to Same

An Appraisement of the estate of Basheba Rhodes dec'd was presented in Court and ordered to be recorded

A Sale Bill of the same estate

The Same order

Ordered that Joseph C Brathwaite be allowed the sum of eighteen dollars & fifty cents for work done to Clerk's Office to be paid out of any funds in the hands of the Sheriff belonging to the County not otherwise appropriated

15 Feby 1869

James Hovey presented in Court an account against the Commonwealth amounting to thirty six 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

The Last will and testament of Sinnon Miller dec'd was presented in Court and was proved by the oaths of Wm McKee Waitmann & Eliza J Dixon two of the subscribing witnesses thereto and ordered to be recorded and thereupon Pleasant A Whitlock the executor therein named who made oath thereto and according to law, and together with John Leedy his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three hundred dollars conditioned as the law requires a certificate is granted him for obtaining a probate of said will in due form

Ordered that Joseph Moyers, John Carman & William Webster who being duly sworn for that purpose do appraise the estate of Sinnon Miller dec'd, and report thereon to the Court according to law

On the Motion of Elias Perkey, it is ordered that the Sheriff summon the Justices of this County to appear here forthwith to consider his application as a Liquor Merchant

Genetta Riddle orphan of Jackson Riddle being upwards of 14 years of age by an instrument of writing made choice of Harvey Algeir as her guardian and the Court doth appoint the said Harvey Algeir guardian for Cornelius Riddle orphan of said who is under the age of 14 years and thereupon the said Harvey Algeir appeared in Court and together with George Brunk his security (entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires and which bond is ordered to be recorded

On the Motion of Elora Riddle and Harvey Algeir guardian for the infant children of Jackson Riddle — John J Bowman, George Brunk Benjamin Trumbo & Jonathan Branner or any three of them are appointed Commissioners to assign Dower to Sarah Riddle & divide the real estate to George Riddle among his heirs & report to this Court at its next term

On the Motion of Leonedas Triplett who has been duly licensed to practise as an attorney at Law in the Courts of this Commonwealth. on his Motion he is admitted as such attorney in this Court and thereupon he took the oath required by Law

The Court doth appoint John B Kline guardian for George H and John H Kline children of the said John B Kline, who are under the age of 14 years and thereupon the said John B Kline appeared in Court and together with Michael B C Kline his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires which bond is ordered to be recorded

Samuel R Allebaugh Sheriff of this County presented in Court presented in Court an account against the Commonwealth amounting to two hundred and eighty two dollars & Sixty Six cents for the arrest and conveying to the jail of this County from the City of Baltimore of two prisoners Charles Jones and William Raines charged with horse stealing distance each way 238 Miles. two guards. incidental expences $135.95. Milage $136 80 Aggregate $282. 66. which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Upon the petition of Samuel Cline & others for a road in this County. it is ordered that their said petition be referred to Abraham Glick . Daniel Miller & Jeff Blakemore be appointed Viewers to act and report upon the said petition according to law

On Motion of Wm Sanfley Guardian for Alice and John Filler he is permitted to resign his trust as such guardian

Ordered that J R Mofers be appointed Surveyer of precinct No in place of Lewis Shiver. resigned (New Erection. Dayton & Turley Road)

Ordered that Robert G Coakley be appointed Surveyer of New road ordered to be established at Sept 1858 term of this Court, leading from near John Senger to Swope's Mill & Jacob Frankhouser is appointed a Commissioner to assign hands from the roads of which Conrad Sanger & Abraham Spitzer are surveyors

On Motion between Shem S Heaton one of the overseers of the poor for this County of the one part and William Robinson of the other part binding to said Robinson Henry Adason. (Colord) which was received and ordered to be filed

Upon the petition of G S Hewlett & others for the establishment of a road in this County. came the parties by their attornies and the viewers heretofore appointed to act and report upon the said petition. this day filed their report. and on motion it is ordered that Widow Faught & Mefers Hewlett & Mefers be summoned to appear here on the 1st 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 aforesaid

Edward S Kempher Deputy Surveyor of this County this day filed his report that he had in pursuance to law survey 5 3/4 Acres of land charged upon the Commissioners Books of this County the Henry T Clifton in Browns Gap. and sold for the non payment of taxes due thereon. on the 17th day of September 1859 at which sale Joseph Ramsell became the purchaser. which report was examined. and approved and ordered to be recorded

Absent Joseph Frankhouser Gent Justices

Present Lewis Wise Gent Justice

15 Feby 1869

This day came John F Lorraun who alleges that he is aggrieved by an entry in the Property book made by R M Mooney Commissioner of the Revenue for this County in the year 1868. whereby he is charged with $50cc taxes for the year 1868. upon $1000. income at 5 percent.. and thereupon the said John F Lorraun moved the Court to exonorate him from the payment of $50cc all of the taxes afresaid. erroneously charged ~~him~~ against him said year which motion was defended by C H Lewis the Attorney for the Commonwealth for said County. and on the Motion of the said John F Lorraun the Commissioner of the revenue being sworn. 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 the County Court of this County on the ~~day~~ of 1868. and that application for redress against the erroneous entry was made on this day for the first time and it appearing that the said John F Lorraun was erroneously afessed with said tax that he was not liable ~~for~~ or to be afessed with such income all of which the Court certifies as facts proved upon the application afresaid on consideration whereof and upon such facts so proved the Court is satisfied that the said John F Lorraun is erroneously charged on said book with taxes amounting to $50cc whereupon it is ordered that the said John F Lorraun be exonorated from the payment of $50cc taxes so erroneously charged if not already paid & if paid that it be refunded to him

Henry Crossweiler who has been duly summoned to appear here as a witness on behalf of the Commonwealth against Erasmus Neff. 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

This day came Andrew Lago who alleges that he is aggrieved by an erroneous assessment in the property book of R M Mooney Comr of revenue for this County for the year 1867 with $3.49 and for the year 1868 for $4.28. which property was charged to the said Andrew Lago & as Trustee of the Sons of Temperance and C H Lewis the Attorney for the Commonwealth being present and defending the said motion. and the Commissioner of the revenue being ~~present~~ examined as a witness touching the said application. and it appearing that the said Andrew Lago was erroneously afessed with said amounts. for the reason that property belonging to the Sons of Temperance are not liable to taxation whereupon the it is ordered that the said Andrew Lago be exonorated from the payment of the sums afresaid. the taxes so erroneously charged if not already paid. if paid that it be refunded to him

Eli Arnes Pltff
vs
George W Showalter Deft } In Debt upon

On Motion and for reasons appearing to the Court it is ordered that this cause be peremptorily docketed and continued ~~to~~ to tomorrow morning

Henry Shaver Pltff
vs } In Debt upon an Attachment
George W Showalter & Defts

On Motion & for reasons appearing to the Court it is ordered that this Cause be placed upon the Docket and continued until to morrow morning.

Wm Drummond & Revd John Howe who being duly summoned to appear here as witnesses on behalf of the Commonwealth against William Saufley Jr being solemnly called and not appearing it is ordered that they be summoned to appear here on the first day of the August term next to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

John H Grady who have been duly summoned to appear here as witness on behalf of the Commonwealth against Wm H Cuffman & being solemnly called and not appearing it is ordered that he be summoned to appear here on the 1st 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

Ordered that Jackson Shumaker be appointed surveyor of Precinct No 203 in place of Michael Kline

Wm Eiler Pltff
vs } In a Notice to recover ~~Interest~~ Money
W D C Covington Deft collected by Deft as a Constable

This day came the plaintiff by his attorney and it appearing ~~that the Deft hath had Legal notice of this motion and he failing to appear it is considered that the pltff recover against the Deft~~ $87.25 with legal interest thereon from the 14th day of April 1856 to the 18th Nov. 1857. and then interest on the whole amount due at the rate of 15 per centum per annum from the the said 18th day of November 1857 till paid and the Costs by the pltff in this behalf expended

Ordered that John H Roller be appointed guardian for Alice S Filler orphan of Samuel Filler decd who is under the age of 14 years of age. and thereupon the said John H Roller appeared in Court and together with John M Saufley & Martin J Altaffer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two hundred and fifty dollars conditioned as the law requires

Ordered that John H Roller be appointed guardian for John R Filler orphan of Samuel Filler decd. who is under the age of 14 years. & thereupon the sd John H Roller appeared in Court & together with John M Saufley & Martin J Mayerhoffer his security (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of Two hundred & fifty dollars conditioned as the law requires

15th Feby 1869

On the Motion of Augustine Holler and it appearing that more than three months have elapsed since the death of Nicholas Heesley and no one having applied for administration upon his estate it it ordered that the same be committed to the Sheriff for administration

An Article of Agreement between Eliza Whitlock (wife of Pleasant A Whitlock and Hannah Miller wife of Simon Miller dec'd. was presented in Court and proved by the oaths of A J VanPelt & Henry Rockiffer two of the subscribing witnesses thereto and ordered to be recorded

John W C Houston (foreman) Richard A Stephens. Gideon Kratzer Eli Keeran Asher Mefsick. Henry Pulse. Samuel Wise Daniel Long Abel Whitescarver. Samuel Glick. Daniel Cupp. John D Heatwole. Henry Rhodes. Jacob Lam. Peter Stine. Richard B Heedrick & Robert Burke were sworn a Grand Jury of Inquest of and for the body of the County of Rockingham. having received their Charge retired from the bar to consider of their presentments and after sometime returned into Court and not being able to dispach all the business before them are adjourned until the next to morrow morning at 9 1/2 O'Clock

Commonwealth vs Wm Sanfley Jr — Pltff / Deft — Upon an Indictment

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

Same vs James H Shiflett — Pltff / Defts — Upon an Indictment — The Same order

Same vs Wm Huffman — Upon an Indictment — The Same order

Same vs Ames Scott — Upon an Indictment — The Same order

Same vs Robert S R Beard — Upon an Indictment — The Same order

Same vs John Scanlon — Upon an Indictment — The Same order

Commonwealth
vs
McSincolr &c } Upon an Indictment

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

Same
vs
Richard Randall } Upon an Indictment
The Same order.

Commonwealth
vs
James Paine } Upon an Indictment

This day came as well the Attorney for the Commonwealth as the deft by his his attorney and the security given by the prosecutor heretofore being deemed insufficient it was ordered that the said prosecutor Daniel Good give new security, and thereupon Ephraim Wenger appeared in Court and and acknowledged himself bound for all such costs as have been incurred by the deft or may hereafter be incurred by him or damages to him or any other person by reasons of the said Indictment & all all Officers fees now due or hereafter to become due from the said Daniel Good to the Officers of this Court. and thereupon the Cause is continued until the next Term at the cost of the prosecutor Daniel Good

R P Fletcher Pltff
vs } Upon a Motion
J B Burner &c Defts

This day came the parties by their attornies and summary witnesses being sworn and examined and the Court not having time to hear all the evidence the further examination of the cause is continued until tomorrow morning 9 o'clock

Ordered that the Court be adjourned until tomorrow morning at 9½ O'Clock
Wm. McK. Hartmann.

Tuesday February 16th 1869

Present
Wm M'K Hartmann PJ Madison Moore
Lewis Will. George Bawley George S Christie

Wm Wirt Bird who has been duly licensed to practice as an attorney in the Courts of this Commonwealth on his motion is permitted to practice in this Court and thereupon he took the oath required by law

Daniel Kuhn who was duly summoned and sworn as a Grand Juror on yesterday, and adjourned until this morning and being

16 Feby 1869

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 and attached for so absenting himself from the Court

R P Fletcher Pltff
vs
Jacob B Brunner &c Deft
} Upon a Motion

This day came again the parties by their attornies and the Court having fully heard the parties. the Court upon deliberation are of opinion that Robert M Mooney has no interest in the Machine in Controversy it is therefore ordered that this cause be dismissed

Commonwealth
vs
Daniel Cupp
} Upon a rules for absenting himself as a menaber of the Grand Jury now in Sefsion

On Motion of the Deft and for reasons appearing it is ordered that the said rule be discharged

Upon the petition J K Bowen & others for the establishment of a road in this County. the viewers heretofore appointed to report in this cause this day filed their report. and thereupon D H & L Martz & others presented a Counter petition and by their attorney. and moved the Court to quash the said report which Motion the Court doth refuse to entertain. and the said report is ordered to be filed and that I J Brunner. Daniel Showalter. J B Kline. D Sherky. Henry Showalter. Joseph Rhodes Mr ——— Gochenour. J M Bowen. —— Ettinger D B Rust. Anthony Rhodes. Derick Pennybacker. Gideon Reed and Joseph Lemon Jacob Silvius Jacob & A Lincoln & Daniel G Martz. Adaline Martz. Michael Martz. Julia Martz D H Lee Martz. Jackson Martz executor of Hiram Martz and Elvira Martz adm[x] of B F Martz. dec[d]. the land holders along the line of said proposed road be summoned to appear here on the ~~26th~~ day of the ~~next term~~ present Month to shew cause if any then can why the said road shall not be opened & established agreeably to the report aforesaid

Commonwealth
vs
~~Erasmus~~ Neff
} Upon an Indictment

This day came as well the Attorney prosecuting for the Commonwealth as the Attorney for the Deft and on Motion of the Deft and for reasons appearing to the Court it is ordered that Henry Compsmiller be endorsed as the prosecutor in this Cause. and thereupon the Attorney for the Commonwealth saith that he will not further prosecute the said Erasmus Neff under the indictment aforesaid it is therefore considered that the said Indictment be stricken from the docket. and that the said Erasmus Neff recover against Henry Compsmiller the prosecutor in this cause the Costs about his defence in this behalf expended

On the Motion of George Lohr Sr. and it appearing that more than three Months have elapsed since the death and no person 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

The Grand Jury sworn and empannelled on yesterday 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 presented the following indictments to wit. An Indictment against Charles West for Petit Larceny. a true bill" an Indictment against Emmanuel Royer for Lewd & Lacivious Cohabitation a true bill. an Indictment against Albert Coalias Ale Lincoln for an Assault & battery a true bill. an Indictment against John Schmitt alias John Peter Schmitt alias Joseph Schmitt for Petit Larceny a true bill. an Indictment against John Schmitt alias John Peter Schmitt for Petit Larceny a true bill. an Indictment against The Orange Alexandria & Manassas Rail Road Company for Obstructing a public road a true bill. and the said Grand Jury not having dispatched all the business before them are adjourned until to morrow.

Robert Bryan Pltff
vs
Jacob W Zirkle & Deft } In Debt

This day came the parties by their attornies and thereupon on the motion of the Defts. and it appearing that this cause has been pending in this Court for more than twelve month without a decision being had therein. it is ordered that the same be removed to the Circuit Court of this County for trial

John Woolfe Pltff
vs
Alfred Shrinkel's ex'rs Deft } In Case

This day came the parties by their attornies. and thereupon the ~~pltff~~ the Deft pleaded that he had fully administered all the assets of his Testators estate that has come to his hands to be administered to which the pltff replies generally. and on the motion of the Pltff it is ordered that this Cause be continued until the next Term at the costs of the Pltff.

Henry L Shoupe Pltff
vs
Peter Rader adm'r of Geo Rader dec'd Deft } Upon a Motion by the Pltff to be relieved as the security of the said Peter Rader in his official bond as administrator of Geo Rader The Summons last awarded in this cause not being returned properly executed it is ordered that a new summons be awarded against him returnable here on Saturday the 27th day of the present Month (July)

Newman W Cave for Pltff
vs
Jeremiah Dovel Deft } In Trespass On Motion and for reasons appearing to the Court it is ordered this Cause be continued until the next Term at the costs of the Deft

17 Feby 1869

Jacob W Pirkle. Wm Eiler. Wm Mc Interf. Franklin Strickler who have been duly summoned to appear here on Monday last to serve as Grand Jurors being solemnly called and not appearing it is ordered that they be summoned to appear here on Friday the 26th day of the present month to shew cause if any they can why they shall not be fined and attached for their contempt aforesaid

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

Wm McK. Hartmann

Wednesday February 17th 1869

Present

Wm McK Hartmann P.J. Georges S Christie. Georges } Gent
Fawley Madison Moore. Lewis Will } Justices

Valetine Bolton Pltff
vs
James Bolton Deft
} In Case

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

Ordered that the Justices of this Court be summoned to appear here on Monday the 22d. day of the present Month (Feby) to act upon the petition of Elias Perkey for ~~License for~~ Merchant Liquor License or ordinary license

Sally Holland who has been duly summoned to appear here as a witness on behalf of Hiram N. Dever against Peachy Kirne & Peter Long. being solemnly called and not appearing it is ordered that she be summoned to appear here ~~on to morrow to shew cause~~ if any she can why she shall not be fined and attached for her failure aforesaid

The Grand Jury sum on Monday last appeared in Court in pursuance to their adjournment and retired from the bar to consider of their presentments and after sometime returned into Court and presented the following Indictments an Indictment against Charles Jones & John Reines for Grand Larceny a true bill an Indictment against John Bazel and David Lincoln for a disorderly Breach of the "a true bill." and an Indictment against Albert C Lincoln for carrying concealed weapons. "a true bill" and the said Grand Jury not having any further business before them were discharged

George W Stanley & wife Pltff
&
Jesse Barnier Deft
} In Covenant

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

Joseph N Riddle Pltff
vs
Daniel S Baker Deft } Upon an attachment

This day came the parties by their attornies and on motion and for reasons appearing to the Court it is ordered that this cause be dismissed. and that the pltff recover against the deft his costs in this behalf expended

Elizabeth Koontz Pltff
vs
B E Long 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 the Pltff

Same Pltff
vs
B S VanPelt Deft } In Case

The Same order

Hiram K Dever Pltff
vs
Peachy Heine & Defts } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Wm S Downes, Solon Bowman, George W Adams John W Bowers, John Sellers, Samuel Steels, Henry Carpenter Charles S Weaver, James Anthony, Abraham Shank, George J Kisling and Joel Wright 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
Wm M K Hartmann.

Thursday February 18th 1869

Present
Wm M K Hartmann PJ. Geo W Fawley Lewis Weil } Gent
Madison Morse & George S Christie } Justices

Samuel R Allebaugh Shff. Pltff
vs
Silas Flick Deft } Upon a suggestion that the pltff has a lien by reason of taxes fee bills &c against the estate of Richard Jarrolds. and that there is a liability on Silas Flick

The Suggestion issued this cause being returned executed and the said Silas Flick appeared in Court and was examined on oath and admitted that he was indebted to the estate of Richard Jarrolds in an amount more than sufficient to satisfy the plaintiffs demand It is therefore considered that that the pltff recover against the Deft Silas Flick the sum of $64.99 the amount of taxes fee bills &c in his hands, with legal interest thereon from the 15th day of February

18 Feby 1869 1809 till paid and the costs by the Pltff in this behalf expended

Hiram K Dever Pltff
vs
Peachy Laine & 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 not having time to fully hear the parties are adjourned until to morrow morning at 9 O'Clock

Ordered that the Court be adjourned until to morrow morning at 9 O'Clock
Wm. McK. Hartmann

Friday February 19th 1869

Present
Wm McK Hartmann PJ. Madison Moore. George } Gent
Christie George McTawley } Justices

John R Kogler Pltff
vs
Abraham Spitzer Deft } In Debt

This day came the parties by their attornies and by consent of parties it is ordered that this cause be dismissed

John N Heenaron who has been duly summoned to appear here to shew cause if any he could why he should not be fined and attached for his contempt in failing to appear attend the said Court at the Feby Term last as a witness on behalf of John R Kogler at the suit of John Crawford was this day solemnly called but came not. Whereupon on the motion of the said John R Kogler the rule aforesaid against the John N Heenaron is made absolute and an attachment is accordingly awarded against him returnable here on the 1st day of the March Court next

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

Silas S Moyerhoeffer Orphan of Andrew J Moyerhoeffer dec'd being upwards of fourteen years of age appeared in Court and made choice of Michael J Moyerhoeffer as his guardian, and the Court doth appoint the said Michael J Moyerhoeffer guardian for Wm H & Samuel K Moyerhoeffer Orphans of same who are under the age of 14 years and thereupon the said Michael J Moyerhoeffer 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 one thousand dollars conditioned as the law requires -

The Court doth appoint William Saufley Guardian for Peter M Moyerhoeffer orphan of Andrew J Moyerhoeffer dec'd who is under the age of 14 years. and thereupon the said William Saufley appeared in Court and together with Michael J Moyerhoeffer his 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

On Motion of the Commonwealths Attorney and for reasons appearing to the Court. it is ordered that Henry B Harnsberger. John J Bowman and Jacob Funkhouser who are hereby appointed for the purpose shall immediately. or as soon hereafter as may. proceed to re-district the County Roads and when it may be necessary re-assign the hands on the said road. It is further ordered that the said Commissioners shall report their proceedings to this Court at its April Term 1869. The said Commissioners will report also what changes if necessary may be expedient in the Surveyors of said roads

Hiram K Dever Pltff
vs
Peachy Milne & Peter Long Defts
} In Debt

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 not being able to agree upon a verdict are adjourned until to-morrow morning at 9 O'Clock

Ordered that the Court be adjourned until to-morrow morning at 9 O'Clock
Wm M'K. Wartmann

Saturday February 20' 1869

Present
Wm M'K Wartmann P.J. George S Christie Lewis Weel
Madison Moore George W Fawley
} Gent Justices

Coffmans & Buffy Pltffs
vs
Asher Argabright & Defts
} In Chancery

This cause came on this 20 day of May 1869 upon the papers heretofore read and the report of the Commr to whom the interest of Asher Argabright in the lands of John Argabright dec'd to which report there is no exceptions whereupon on Argument of counsel being heard upon consideration whereof the Court doth adjudge order and decree to A M Wartmann who is hereby appointed a special receiver for that purpose have leave to sue for and the notes given for the purchase of said interest and collect the same and that the proceeds after paying the costs of said and sale be by him paid to Daniel Miller & Co in discharge of the debt in the bill mentioned so far as the said proceeds will discharge said debt, and it is further adjudged and

29 Feby 1869 ordered and decreed that the pltffs in this cause recover from the Deft Henry M Argabright one half of the costs of the partition of the lands of John Argabright Decd and it is further ordered that said Special receiver will make report to this Court

James A Patterson Comr Pltff
vs
Zachariah Raines & Defts } In Covenant

This day came the plaintiff by his Attornies 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 $896.92 Damages and the time from which interest thereon shall run to be the 23d day of November 1867 It is therefore considered that the pltff recover against the Defts $896.92 the damages with legal interest thereon from the said 23d day of November 1867 till paid and the costs by the pltff in this behalf expended

Same Pltff
vs } In Covenant
Same Defts

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 $896.92 and the time from which interest thereon shall run to be the 23d day of November 1867 It is therefore considered that the pltff recover against the Defendants $896.92 the damages aforesaid with legal interest thereon from the said 23d day of November 1867 till paid and the costs in this behalf expended

John D Brock Pltff
vs } In Assumpsit
David S Jones Deft

This day came the plaintiff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the Pltff is entitled to be $51.50 and the time from which interest thereon shall run to be the 20th day of July 1868 It is therefore considered that the pltff recover against the deft $51.50 the damages aforesaid with legal interest thereon from the said 20th day of July 1868 till paid and the costs by the pltff in this behalf expended

Joseph Funk Pltff
vs } In Assumpsit
Woodson & Washington Deft

This day came the plaintiff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the pltff is entitled to be $15.00 and the time from which interest thereon shall run to be the 15th day of October 1868 It is therefore considered that the pltff recover against the Defts $15. the damages aforesaid with legal interest thereon from the said 15th day of October 1868 till paid and the costs by him in this behalf expended

James M Lewis Pltff
vs
Jacob Byerly 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 damages to which the pltff is entitled to be $1227.50 and the time from which interest thereon shall run to be the 1st day of May 1808 It is therefore considered that the pltff recover against the Deft $1227.50 the damages aforesaid with legal interest thereon from the said 1st day of May 1865 till payment and the costs by the pltff in this behalf expended Subject to a credit of $227.00 paid July 18th 1868

McDowell & Robinson Pltffs
vs
Isaac Pauetons Deft } In Assumpsit

This day came the pltffs by their Attorney and neither party requiring a jury the Court proceeded to execute the writ of Enquiry and doth ascertain the damages to which the pltffs are entitled to be $525.02 ~~with interest~~ the time on which interest thereon shall run to be on $281.57 part thereof from the 25th day of February 1868 and on $243.45 with interest from the 13th day of March 1868 It is therefore considered that the pltffs recover against the Deft $525.02 the damages aforesaid with legal interest on $281.51 part thereof from the 25th day of February 1868 and on $243.45 the residue thereof from the 13th day of March 1868 till paid and the costs by the pltff in this behalf expended

Andrew J Jones Pltff
vs
Philip Pharis Deft } In Assumpsit

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 $99.20 and the time from which interest thereon shall run to be the 1st day of November 1858. It is therefore considered that the pltff recover against the Deft $99.20 the damages with legal interest thereon from the said 1st day of November 1858 till paid and the costs by the pltff in this behalf expended

Jno Horn & Bro Pltff
vs
Henry A Borey Deft } In Debt

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

W H Lam who has been duly summoned to appear here as a witness on behalf of John Doffermoyer at the suit of W & C Lam pltffs being solemnly called and not appearing it is ordered that he be summoned to appear here on the 8th day of this term to shew cause if any he can why he shall not be fined and attached for their failure aforesaid

20 Feby 1849

Samuel S Miller — Pltff
vs
Joseph Holcome — Deft
} In Asumpsit

This day came the parties by their attornies, and thereupon the Deft pleaded Non Asumpsit, and ~~at the same~~ leave is reserved to the Deft to file special pleas, to which the pltff replies generally, and thereupon the visit of enquiry are awarded in the Office is set aside and trial of the issue is deferred until the next Term

John Showalter — Pltff
vs
John Roller's ex'rs — Deft
} In Asumpsit
The same order

Riley & Pharis — Pltff
vs
Philander Herring — Deft
} In Asumpsit
The same order

John P Brock — Pltff
vs
Joseph Holcome — Deft
} In Asumpsit
The same order

Hugh B Silley — Pltff
vs
Richard B Engenbrights — Deft
} In Asumpsit
The same order

L B Myers — Pltff
vs
Wm Miarnick — Deft
} In Asumpsit
The same order

Solomon Kingree — Pltff
vs
George Rollers — Deft
} In Asumpsit
The same order

Jacob Detrich — Pltff
vs
John Scanlon — Deft
} In Asumpsit
The same order

Jr G Logan — Pltff
vs
Robert Bowmans ex'rs — Deft
} In Asumpsit
The same order

Coffmans & Bruffy — Pltff
vs
John D Pennybacker — Deft
} In Asumpsit
The same order

Jackson Rhodes — Pltff
vs
Samuel Tutwiler — Deft
} In Trespass

This day came the parties by their attornies and the Deft pleaded "Not Guilty" to which the pltff replied generally, and thereupon the writ of enquiry obtained in the Clerks office is set aside and the trial of the issue is deferred until the next Term

James Kavanaugh — Pltff
vs
Adams, Hammer & Co — Defts
} In Trespass
The same order

Henry Jordan — Pltff
vs
Alpheus M Bowman — Deft
} In Covenant

The day came the parties by their attornies and the Deft pleaded Covenants performed & Not broken to which the pltff replied generally, and thereupon the writ of enquiry obtained in the office is set aside and the trial of the issue is deferred until the next term
Leave is reserved to Deft to file the like pleas

Solen Hoenkel — Pltff
vs
A R Whiffen — Deft
} In Covenant
The same order

George Kiser — Pltff
vs
James Alexander — Deft
} In Covenant
The same order

S O Cunningham — Pltff
vs
Wm Carpenter's admr — Deft
} In Covenant

This day came the parties by their attornies and the Deft pleaded Covenants performed and Leave is reserved to the Deft to file special pleas, to which the pltff replied generally, and thereupon the writ of enquiry obtained in the Office is set aside, and the trial of the issue is deferred until the next term

Bell, Pace & Lavender — Pltff
vs
Samuel Bailey — Deft
} In Debt

This day came the parties by their attornies and thereupon the Defendant by his attorney, and file a a general Demurrer to the Plaintiffs Declaration

20 Feby 1869

Hiram K Dever Pltff
vs
Peachy Wine & Peter Long Defts } In Debt

This day came again the parties by their attornies and the jury sworn and empannelled on Thursday last for the trial of this cause appeared in Court in pursuance to their adjournment and after some time returned into Court and upon their oaths do say "We the Jury find for the Plaintiff Twelve hundred and seventy two dollars and seventeen cents part of the debt in the declaration demanded with interest on $52.17 thereof from the 1st day of April 1864 till paid and on $20 cc another part thereof from the 1st day of April 1865 till paid and on $1200 cc the residue thereof from the 1st day of April 1866 till paid

Andrew B Brick Pltff
vs
Abraham Earman + Deft } In Debt

This day came the parties by their attornies and it appearing that this cause has been pending in this Court for more than twelve Months without a decision being had therein and on Motion of the Plaintiff It is ordered that this cause be removed to the Circuit Court of Rockingham County for a trial

Benjamin L Byerly Pltff
vs
George Harnsell + Defts } In Covenant
The Same order

Elizabeth Thomas Pltff
vs
H M Walton Deft } In Debt

This day came the parties by their attornies and the deft pleaded payment to which the pltff replied generally and leave is reserved to the deft 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

George L Patterson + Pltffs
vs
Maria Dever + Defts } In Debt
The Same order

Wm H Batterton + Pltff
vs
John Applegate + Deft } In Debt
The Same order

Wm Harden Pltff
vs
L B Dovel + Defts } In Debt
The Same order

John Allebaugh's admr Pltff
vs } In Debt
Adam Rader Deft

This day came the parties by their attornies and the deft by his attorney pleaded Payment to which the deft replied generally and leave is reserved to the deft 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

Henry Gilmer's exr Pltff
vs } In Debt
Isaac Glick &c Defts

The same order

Alle Brown's admrx Pltff
vs } In Debt
Abraham Earley Deft

The same order

Josephine M Sites Pltff
vs } In Debt
Michael Herman's ad Deft

The same order

J M Rhodes' admr Pltff
vs } In Debt
Emanuel Rhodes Deft

The same order

John Swartz Pltff
vs } In Debt
John A Fishback Deft

The same order

Samuel McLyard Pltff
vs } In Debt
John McAllister &c Defts

The same order

Jesse Morris Pltff
vs } In Debt
Edward S Yancey Defts

This day came the parties by their attornies and the Defendants by their attorney pleaded payment and also filed an account of Off sets which they desire to have upon the trial of this cause 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

20 Feby 1869

Wm Peters for — Pltff
vs
Robert Shiflett &c — Defts } In Debt

This day came the parties by their Attornies and it appearing that this cause is improperly on the Office judgment docket, it is ordered that the same be remanded to Rules to be proceeded in according to law

Jonas A Keller for — Pltff
vs
Wm Peters &c — Defts } In Debt

This day came the parties by their attornies and it appearing that the deft filed his at the January rules 1869. and that the issue was not made up at Rules. On the motion of the defendants by their attorney it is ordered that this cause be remanded to rules to be proceeded in according to law

A M Newman & Co — Pltff
vs
S M Yost — Deft } In Debt

The same order

E J Sullivan for — Pltff
vs
Same — Deft } In Debt

The same order

George Kiser — Pltff
vs
James Alexander — Deft } In Debt

The same order

Emanuel Sipe — Pltff
vs
Virginia Express Company — Deft } In Case

This day came the parties by their Attornies and it appearing that the order of Publication awarded at Rules in this cause has not been fully executed when the Rules were taken, it is ordered that the same be remanded to rules to be proceeded in according to law

Daniel Stickley — Pltff
vs
Derrick Pennybacker — Deft } In Covenant

This day came the plaintiff by his attorney and it appearing that the process in this cause was executed improperly & therefore ought not to be upon the office judgment docket, it is therefore ordered that the same be remanded to rules to be proceeded in according to law

Samuel Bailey who has been heretofore appointed a Notary Public in and for the County of Rockingham appeared in Court and together with Peter Long his security entered into and acknowledged a new bond in the penalty of five hundred dollars conditioned as the law requires, which bond is ordered to be recorded and certified to the Auditor of Public accounts

Emanuel Sipe Pltff
vs
Perry H Baugher Deft
} Upon an Attachment

This day came the pltff by his attorney and on his motion it is ordered that this cause be dismissed

Absent Wm M K Hartman

Abraham Simmers Pltff
vs
John Shuttlers' admr Deft
} In Debt

Writ 20 days

This day came the parties by their attornies and defendant offered a special plea of Non est factum to the filing which the Pltff by his counsel objected which objection the Court doth overrule and thereupon came a jury to wit Henry McDorman, Joseph H Shue, Thomas J Butler, David M Huffman, Joseph Heenton, Shelton H Carrier, Abraham Pickering, Preston Rhodes, Christy Kratzer, Wm H Maricofe, Thomas Deane and Abraham Whitmore who being elected tried and sworn the truth to speak upon the issue joined and not having time to fully hear the parties are adjourned until Monday morning next at 9 O'clock

Same Pltff
vs
Same Deft
} In Covenant

Writ 20 days

This day came the parties by their attornies and the deft by his attorney pleaded covenants performed and not broken, and also tendered a special plea of Non est factum to the filing of which the Pltff by his attorney objected, which objection the Court doth overrule and thereupon came a jury to wit Henry McDorman, Joseph H Shue, Thomas J Butler, David M Huffman, Joseph Heenton, Shelton H Carrier, Abraham Pickering, Preston Rhodes, Christy Kratzer, Wm H Maricofe, Thomas Deane and Abraham Whitmore who being elected tried and sworn the truth to speak upon the issue joined and not having time to fully hear the parties are adjourned until Monday morning next at 9 O'clock

It appearing to the Court from the testimony of William H Hamrick Commissioner of the Revenue for the second district of Rockingham County Va and other evidence that Jacob W Zirkle was charged by said Hamrick upon the personal property book of said district for the year 1888 with taxes at the rate of five per cent on $1500 the excess over $500 of Net

22 Feby 1869

income or profits arising from the purchase and sale of a tract of land in said district within the year preceding the 1st day of February 1868, whereas in fact the purchase by said Zirkle was made long anterior to the beginning of said year and the sale only made within said year a part of the price for which the said Zirkle purchased said tract of land is still unpaid and that the greater part of the price for which he sold the same is unpaid and that the erroneous assessment was not caused by the failure or refusal of Jacob Zirkle to furnish a list of his property real and personal, as the law requires to the Commissioner on oath, On Motion the said Jacob Zirkle the attorney for the Commonwealth being present and defending the application for the Commonwealth, that the said Jacob Zirkle be exonerated from the payment of said sum of $225.12 erroneously assessed against him

Present Wm McK Hartmann PJ

Ordered that the Court be adjourned until to Monday Morning at 9 Oclock
Wm. McK. Hartmann

Monday February 22nd 1869

Present
Wm McK Hartmann PJ. Madison Moore Georges Fawley, George Christie & Lewis Mill } Gent Justices

Isaac McIntosh, Michael Knopf, Jonathan Tintsler, Daniel Eiler Jacob Hinegardner and John Dunnivant Jr who having been duly summoned to appear here as jurors to serve during the present term, being solemnly called and not appearing, it is ordered that they be summoned to appear here on the first day of the May Term next of this Court to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Present
Wm Saufley Adam H Fleck, Wm Showalter Joseph Funkhouser, John Funk Henry Beery Thomas Moore and Peter Pane } Gent Justices

Upon the petition of Perkey & Logan for a certificate to obtain license as Liquor Merchants at their House in this County (the justices having been summoned for that purpose) it is ordered that the certificate to the Commissioner of Revenue that the house of said Perkey & Logan is a house of persons of Sobriety and good character, and the Commissioner grant them such license, and it is ordered that the said Perkey & Logan pay the costs of summoning the justices and their per diem

Wm Kerr's admr vs Derrick Pennybacker. by Consent of parties it is ordered that this cause be continued until the next term

Hiram K Dever Pltff
vs
Peachy Meine &c Defts
} In Debt

This day came again the parties by their attornies, and thereupon the Plaintiff moved the Court to set aside the verdict rendered in this cause on Saturday last on the ground that it was contrary to the evidence which motion the Court doth overrule. It is therefore considered that the pltff recover against the Defts $1372.11. with legal interest on $52.17 part of the debt thereof from the 1st day of April 1864. on $20.00 another part thereof from the 1st day of April 1865. and on $1200.00 the residue thereof from the 1st day of April 1866 till paid and the costs by the pltff in this behalf expended

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Elias H Hershey Pltff
vs
A D & J I Potter Defts
} In Assumpsit

This day came the parties by their attornies and thereupon came a jury to wit Henry Carpenter, Joel Dwight, James Anthony Abraham Shank, George W Adams, George J Kisling, Silas Bowman John W Bowers, Samuel Sheets, Henry McDonnah, George Hannsberger and John Sellers who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find for the Plaintiff and assess his damages at Twenty dollars" It is therefore considered that the pltff recover against the Defts $20 Cts the damages aforesaid and the costs by the pltff in this behalf expended

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Ordered that the Sheriff of this County pay to John Fleraun the sum of $25.00 being the amount erroneously assessed upon property for County purposes, out of any money in his hands not otherwise appropriated

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Alice S Fuller & c's Guard Pltff
vs
John W Roller & Defts
} Upon an Award

This day came the parties by their attornies and by consent it is ordered that the award made and filed in this cause be entered up and made the judgment of the Court It is therefore considered that John Fuller Alice Fuller, Elizabeth C Roller & Sally J Fuller recover against the said Wm Saufley the sum of five dollars with legal interest thereon from the 6th day of February 1869 till paid, and the costs by the Defts in this behalf expended

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A M Newman & Co Pltff
vs
Lucius A Dever Deft
} In Assumpsit

This day came the parties by their attornies and the Deft pleaded non assumpsit to which the pltffs replied generally & thereupon the writ of Enquiry awarded in this cause is set aside and the trial of the issue is referred until the next term

23 Feby 1869 Abraham Simmers Pltff } In Debt
vs
John Shutters admr Deft }

This day came again the parties by their attornies and the jury summoned 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 the parties were discharged and the trial of the ifsue deferred until the next term

Same Pltff } In Covenant
vs
Same Deft }

This day came the again the parties by their attornies and the jury summoned 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, were discharged by consent of parties and the trial of the ifsue is deferred until the next Term

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

Wm M'K. Hartman

Tuesday February 23rd 1869

Present

Peter Dare, Madison Moore, George W. Fawley, Gents
Lewis Weil, George W. Frick } Justices

George W. Sites who has been duly summoned to appear here as a witness on behalf of George Fawcett at the suit of George W. Hoffmansperger being solemnly called and not appearing, it is ordered that he be summoned to appear here on the 26th day of this Month, to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Jacob Miller's admrs Pltff } In Debt
vs
Anthony Rhodes & Jacob W. Zirkle Defts }

This day came the parties by their attornies, and the Defendant Jacob W. Zirkle files a plea of Non Est factum to which the Pltffs replies generally, and thereupon the judgment obtained in the Office is set aside and the trial the ifsue is deferred until the next term

Jacob W. Zirkle for Pltff } In Covenant
vs
Gasner Mefick & Defts } This day came the Pltff

by their Attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the Pettffs are entitled to be $56 25 and the time from which interest thereon shall run to be the 24th day of February 1866 subject to a credit of $20.00 paid 6th of March 1866. It is therefore considered that the Pettffs recover against the Defts $56 25 the damages aforesaid with legal interest thereon from the 24th day February 1866 till paid, and the costs by the Pettffs in this behalf expended. Subject to a credit of $20 00 paid March 6th 1866

V H Lam for &c Pettff
vs } In Debt
John Dofflemoyer Deft

This day came the parties by their attornies and thereupon came a jury to wit Joel Wright, Charles S Weaver, Joseph Hoshue, Solon Bowman, John W Bowers, George J Kisling, Henry McDonnan, Samuel Sheets, James Anthony, John Sellers, David M Huffman and Adam Koontz who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say we the Jury find for the Defendant. It is therefore considered that the Defts recover their costs in this behalf expended

Jacob Beam Pettff
vs } In Debt
George W Moyers 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 dismissed and that the Defts recover against the Pettff his costs in this behalf expended

V H Lam for &c Pettff
vs } In Debt
John Dofflemoyer Deft

This Day came again the parties by their attornies and on motion of the Plaintiff he has permission to withdraw the original bond upon which this suit was formerly upon leaving an attested copy filed with the papers of this cause

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

Lewis Mill

Wednesday February 21st 1866

Present

Wm M'K Wartmann PJ. George W Powley. Adam H. Gent.
Jacob Madison Moore. Lewis Mill } Justices

Allen Paine vs Jacob Cline ainst. On motion it is ordered that this cause be continued until the next term

24 Feby 1869 Jacob E Hoamsberger Pltff
vs
W H Lamm &c Defts } In Debt

This day came the parties by their attornies and it appearing that this cause has been pending in this Court more than twelve months without any trial being had therein, it is ordered that this cause be removed to the Circuit Court of this County for trial

B F Meacker for Pltff
vs
George W Miller &c Defts } In Assumpsit

The same order

Hiram K Diver Pltff
vs
Peachy Milne &c Defts } In Debt

This day came again the parties by their attornies and the Pltff by his attorney tendered a bill of exceptions to the action of the Court had upon the trial of this cause which was signed, sealed and enrolled and ordered to be made a part of the record

Absent Wm Whitmarsh Mastermann . Present Peter Paine Gent Justices

George Shank Pltff
vs
Perry N Hoof Deft } In Lease

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 Deft

William H Maesche Pltff
vs
William Peters Deft } In Lease

This day came the parties by their attornies and thereupon came the jury to wit Solon Bowman, George J Risling, Joel Wright, Charles S Weaver, Samuel Sheets, Joseph H Shue James Anthony Henry Carpenter, Geo W Adams John Sellers, John W Bowers and D M Kauffman who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say "We the jury find for the Pltff and assess the damages at $19.20 It is therefore considered that the Pltff recover against the Deft $19.20 the damages aforesaid with legal interest thereon from this day, and the costs by the Pltff in this behalf expended

Thos K Hamsberger vs Joseph Stover On Motion and for reasons appearing to the Court it is ordered that this cause continued until the next term at the costs of the Deft

Samuel Swinkhouser's admr. Pltff
vs
E S Huffman Deft } In Covenant

This day came the parties by their attornies and by consent it considered that the pltff recover against the Deft $300.00 with interest from the 19th day of July 1864 till paid and the costs by the Pltff in this behalf expended

Wm Snow Pltff
vs
Abraham Grove Deft } In Debt

This day came the parties by their attornies and by consent a jury of seven persons was selected viz Robert Cox. D Branson Armentrout. Henry McDonnan. A J Hanbest. James Long. Lewis Powell & Adam Koontz who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and not being able to agree are adjourned until to morrow Morning at 9 O'Clock

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

Peter Paul

Thursday February 25. 1869

Present

Wm M'Vicar Hartman P J George W Fawley Lewis Hill } Gent
Madison Moore Morgan H Frick } Justices

On the Motion of Wm O'Hill and it appearing that more than three months have elapsed since the death of Milley Shangler and no one having applied for administration upon her estate. it is ordered her estate be committed to the Sheriff of this County for administration

J M Bradford & Co Pltff
vs
Peter Rader Deft } In Debt

This day came the parties by their attornies and the Defendant by his attorney withdrew his plea and confessed judgment for the debt in the declaration mentioned. It is therefore considered that the Pltff recover against the Defendant $211.71. with legal interest thereon from the 10th day of October 1867 and the costs in this behalf expended

Peter Fahrney Pltff
vs
George W Logan Deft } In Debt
On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed

25 Feby 1869

George Mc Hogan Pltff
vs
Isreal Caplinger Deft } In Assumpsit

This day came the parties by their attornies and it appearing that the Pltff is not a resident of this state. it is ordered that unless the Pltff or some one for him give security for all costs & damages as may be awarded against him. and all fees now due or may hereafter become due to the officers of this court within sixty days from this time then this cause shall be dismissed at the next term of this court

Christian Kyger Pltff
vs
Wm N Jordan &c Defts } In Ejectment

This day came the defendants by their attorney and it appearing that the Pltff. has departed this life. it is ordered that this cause be abated

Wm Snow Pltff
vs
Abraham Good 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 not being able to agree upon a verdict by consent of parties they were discharged. and the trial of the issue is deferred until the next term.

Peter Mc Woodward Pltff
vs
Wm Williams Deft } In Trover

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 Pltff

Henry Smith Pltff
vs
Nelson Fell &c Defts } In Debt

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

George Mc Hannsberger Pltff
vs
George Fawcett Deft } In Covenant

The Same order

James Mullin's admr Pltff
vs
George W Berein Deft } In Trespass

This day came the parties by their attornies and thereupon came a jury to wit George W Adams. Samuel Sheets. Abraham Shank. Henry Carpenter. James Anthony Joel Wright. George J Kisling C S Weaver. Solon Bowman John W Bowers. Joseph H Shue and Branson Armentrout who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into court and upon their oath do say "We the jury find for the plaintiff and assess his damages at Two hundred and nineteen dollars and fifty eight cents with interest thereon from Aug 11th 1864 It is therefore considered that the pltff recover against the Deft $219.58 the damages aforesaid and the costs in this behalf expended

S M Yost Pltff
vs } In Debt
J H Eastmann & Deft

This day came the parties by their attornies and the with stipulations of payments and issue was joined on the plea
defts plea and payments and filed an accounts of offsets which they desires to prove upon the trial of this cause which account of
Set Offs with an affidavit the court allowed to be filed and thereupon came a jury to wit George J Kisling. Joseph H Shue. C S Weaver. Geo W Adams. Henry Carpenter. Joel Wright. Samuel Sheets Solon Bowman. Abraham Shank. James Anthony. John W Bowers & T J Butler who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say we the jury find for the Plaintiff fifteen hundred dollars the debt in the declaration Mentioned with interest thereon from the 15th day of July 1868 till paid and the costs in this behalf expended Memorandum. the defendants tendered two bills of exception which were allowed & signed. and the execution of the fi fa is suspended for thirty days upon defts giving bond in the penalty of $1500 00 conditioned according to law

Eli Andes Pltff
vs } In Debt upon an Attachment
George W Showalter Deft } returned executed

Eli Andes having sued out an attachment in this cause against Geo W Showalter upon complaint on oath in due form of law. returnable to this court. and the Sheriff of this county having made return upon said attachment. that he had summoned Franklin Lisky as garnishee this day came the plaintiff by his attorney and said George W Showalter being solemnly called. came not. Whereupon the said Franklin Lisky & others being examined on oath. it appears to the court that at the time of the service of this attachment upon said Lisky. he was indebted

25 Feby 1869 to said Geo W Shoemaker in the sum of fifty one dollars. it is ordered that the said F Kisley pay to the Sheriff of this County. who is hereby appointed receiver for that purpose said sum of $51.00 with interest from this day. subject to the future order of this Court in this cause

Eliza Ann Robinson Pltff
vs
John Robinson's admr Deft } In Case

This day came the parties by their attorneys and thereupon came a jury to wit George J Kisling. Joseph H Shue. Ephraim S Weaver. George W Adams Henry Carpenter Joel Wright. Samuel Sheets. Solon Bowman Abraham Shank. James Anthony. John W Bowers Thos J Butler who being elected tried and sworn the truth to speak upon the issue joined. and having heard the evidence upon their oaths do say We the jury find for the Plaintiff and assess the Damages at $324.00 It is therefore considered that the pltff recover against the deft $324.00 the Damages aforesaid with legal interest thereon from this day and the costs by the pltff in this behalf expended

Bell Pace & Lavander Pltff
vs
Samuel Bailey Deft } In Debt

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

G W & A M Effinger for Pltff
vs
Revel Rogers Deft } In Debt

It appearing that the process in this cause has been improperly executed it is ordered that the same be remanded to rules for new process

A M Effinger Pltff
vs
Same Deft } In Debt
The Same order

Wm & C Ruffner & c. Pltff
vs
William Peters Deft } In Assumpsit

This day came the parties by their Attornies came by consent. It is considered that the pltffs recover against the Deft $294.85 with legal interest on $281.75 part thereof from the 1st day of January 1862 and on $13.10 the residue thereof from 1st day of January 1863 till paid and the costs by the pltffs in this behalf expended

26 Feby 1869 D J Ritenour. John Seedy J B Dickenson. Thomas Washington & Irvine Hiell who being elected tried and sworn the truth to speak upon the issue joined and hearing the evidence upon their oath do say We the jury find for the Plaintiffs nineteen hundred dollars with interest from this day it is therefore considered that the Pltffs recover against the defts $1900cc the amount of the verdict aforesaid with legal interest thereon from this day and the costs by the pltffs in this behalf expended

S B Finley Pltff
vs
Larkins & Carlon Defts
} In Assumpsit

This day came the parties and by consent it is considered that the pltff recover against the Defts $33.22 with legal interest thereon from the 1st day of January 1868 till paid and the costs by the pltff in this behalf expended

J M Craven
vs
D H & L Martz &
} Upon a petition for a road

This day came the parties by their attornies and summary witnesses being sworn and examined and not having time to full hear the parties the further consideration of the cause is adjourned until to morrow morning

Josephine McSites Pltff
vs
Michael Hannan's adm'r Deft
} In Debt

This day came the parties by their attornies and by consent it is considered that the pltff recover against the Deft $2110cc with legal interest on $1760cc part thereof from 20 day of February 1862. and on $40cc the residue thereof from the 1st day of May 1860 till paid and the costs by the pltff in this behalf expended. this judgment is subject to a credit of $18 paid Oct 28. 1867

H J Wanderbaugh & Co Pltffs
vs
Wm S Showalter Deft
} In Case

This day came the parties by their attornies and by consent it is considered that the pltff recover against the Deft $58.46 with legal interest thereon from the 25 day of April 1865 till paid and the costs by the pltff in this behalf expended

1st National Bank of Harrisonburg Pltff
vs
Thornton Thomas & Wm McGibert & Defts
} In Debt

This day came the parties by their attornies and by consent it is considered that the pltff recover of Defts Thomas & Gibert

Nathaniel Britton Pltff
vs
Anthony Rhoades Deft } In Debt

This day came the parties by their attornies and by consent it is considered that the pltff recover against the Deft $50.00 with legal interest thereon from the 31st day of May 1842 till paid and the costs by the pltff in this behalf expended

Jacob Detrick Pltff
vs
John Scanlon Deft } In Assumpsit

This day came again the parties by their attornies and on motion and for reasons appearing it is ordered that the order made in this cause during the present term be set aside and the cause be reinstated upon the Office judgment Docket

James Mullins's adm't Pltff
vs
Geerse McBerlin Deft } In Trespass

This day came again the parties by their attornies and the defendant tenders three bills of exceptions to actions and rulings of the Court had and delivered upon the trial of this cause which were signed sealed and enrolled by the Court and made a part of the record

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

Wm M'K. Wartmann.

Friday, February 26th 1849

Present

Wm M'K Wartmann & J. Geerse Mc Farnsley } Gent
Lewis Will Madison Moore & Adam H Ruch } Justices

William Wise for Pltff
vs
John Pinkel Deft } In Debt

This day came the parties by their attornies and the deft pleaded payment to which the pltff replied generally and a leave is reserved to the deft to file special pleas and thereupon the judgment obtained in the Office is set aside and the trial of the issue deferred until the next term

Coffman & Duffy Pltffs
vs
Dever and Duffy Defts } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Henry McDorman. Mathias Shawalter. Daniel M Huffman. Thompson Steele John D Wise. Lewis Pence & J Shawalter

the sum of $910.00 with legal interest thereon from the 17th day of September 1867 till paid. but no costs

F M Layton for Pltff
vs
Peter Pare Deft } In Debt

This day came the parties by their attornies. and it is considered that the pltff recover against the Deft. $700.29 part of the debt in the declaration mentioned with legal interest thereon from the 14. day of Decr 1859 till paid and the costs up to the present term expended. and thereupon the Deft pleaded payment as to the remainder of the debt. to which the pltff replied generally. and thereupon the jury impannelled in the office to try the issue joined between the parties came into the court and upon their oaths do say that the Deft hath paid the pltff the sum of $700.29 in the declaration mentioned in manner and form as he the said Deft hath in his plea alleged. and they find for the Deft the costs of suit. Whereupon it is considered that the pltff take nothing by his writ and that the Deft go thereof without day and recover against the pltff his costs by him about his defence in this behalf expended

Commissioner Martinmann having made and filed a report upon the petition of Mrs Catharine Leline widow. for an allowance out of stayed debt. which was examined allowed and ordered to be filed. It is therefore considered according to said report that she recover against J K Berry $200 cts with legal interest thereon from this day. and costs by her in this behalf expended

Wm Eiler Pltff
vs } Upon a Notice to recover money
W D C Covington Deft } collected by deft as a Constable

This day came the pltff by his attorney and it appearing that the deft hath had legal Notice of this motion and he not appearing it is considered that the pltff recover against the deft $27.99 with interest on the same at the rate of 6 per centum per annum from the 26th day of August 1857 to the 16th day of November 1859. and interest on that sum from the last mentioned date at the rate of 5 per centum per annum until paid and the costs by the pltff in this behalf expended.

Ordered that the Court be adjourned until to morrow morning

Wm McK. Hartmann

Saturday July 27th 1861

Present

Wm McK Hartmann J. George Mc Farley } Govt
Lewis Merkle Abram C. Finch Madison Moore } Justice

J M Cowen & others
vs } Upon a petition for a road
D C & L Mantz & others

This day came again the parties by their attornies. and the Court having fully heard the parties. refuse to grant the prayer of their petition. and it is considered that the Defts. recover against the Pltffs their costs in this behalf expended

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27 Feby 1869 Henry L Shoupe Pltff
vs
Peter Rader Defts } Upon a Notice

This day came the plaintiff by his attorney and it appearing that the deft hath had legal notice of this motion and not appearing it is ordered that the power and authority of the deft as admr of George Rader decd be revoked and annulled and that the pltff recover against the deft his costs in this behalf expended

James J Miller Jun Pltff
vs
Robert Cox Defts } In Debt

This day came the parties by their attornies and thereupon came a jury to wit George McAdams, Saml Sheets, Abraham Shank, Henry Carpenter, James Anthony, Joel Meisha, George J Kisling, Charles S Weaver, Solon Bowman, John McBawers, Joseph C Shue & Branson Armentrout who being elected tried and sworn the truth to speak upon the issue joined and being unable to agree were discharged and the trial of the issue is deferred until the next Term

Charles M Steif Pltff
vs
John D Pennybacker & Defts } In Debt

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed as to the Defs M C Pennybacker and it is considered that the pltff recover against the Defs Jno D Pennybacker the sum of $350.00 the Debt in the declaration with legal interest thereon from the 1st day of Sept 1867 till paid and the costs in this behalf expended. This judgment is subject to a credit of $400.00 paid Janry 11. 1868

R J Wise & Co Pltffs
vs
Lewis Ridale Defs } In Debt

This day came the parties by their attornies and on motion and for reasons appearing it is ordered that this cause be dismissed that leave be given the pltffs to withdraw the one filed in this cause upon leaving an attested copy filed with the papers

Samuel Bailey Pltff
vs
Same Defts } In Debt

The Same Order

Upon the Petition of Isaac Turner & others for the establishment of a road in this County and it appearing from a paper filed with said petition that all the persons through whose land the proposed road will be conducted have consented that said road may be established It is considered that the said road be established and that Isaac F. Brannon be appointed surveyor of said road

Jesse Morris Pltff
vs
Edward S Yancey & Defts } In Debt

This day came again the parties by their attornies and by consent it is considered that the Pltff recover against the Defendants $20.77 part of Debt in the declaration mentioned with legal interest thereon from the 10th day of September 1867 till paid and the costs by the Pltff in this behalf expended and the Cause as to the remainder is continued until the next Term

J & D Ayer & Co Pltffs
vs } In Debt
Samuel Bailey Deft

This day came the parties by their attornies and the Deft files a Plea of Payment to which the Pltff replies generally and Cause is reserved to the Deft to file special pleas and thereupon the judgment obtained in the Office is set aside and the trial of the issue in the Cause until the next Term

Hood Bowright & Co Pltffs
vs } In Debt
Isaac Paul & Sons Defts

This day came the parties by their Attornies and by consent it is considered that the Pltff recover against the Defts $1087.18 the debt in the declaration mentioned with legal interest thereon from the 6th day of February 1866 till paid and the costs by the Pltffs in this behalf expended and this judgment is subject to the following credits, viz $197.79 paid 15th May 1866. $642.00 paid Jany 29 1867. $100.00 paid 31st May 1867 and $100.00 paid 5th Aug 1867

Christian Kryger Pltff
vs } Ft
Wm H Jordan & Defts

It appearing to the Court that the Pltff has departed this life it is ordered that this cause be abated

William P Byrne for Pltff
vs } In Debt
Peter Parker & Defts

This day came the parties by their Attorneys and the Defts by Attorney withdrew their plea and it is therefore considered the Pltff

27 July 1869

recover against the Defts $130.00 the debt in the declaration mentioned with legal interest thereon from the 17 day of September 1867 till paid and the costs by the Pltff in this behalf expended and this judgment is subject to a credit of $10.00 paid Nov 16. 1868

Corigler & Miller Pltff
vs
A J McCausland Deft
} In Covenant

This day came the parties by their Attornies and it appearing that this cause has been pending in this Court more than twelve month without a decision being had therein it is ordered that the same be removed to the Circuit Court of this County for a trial

A J McCausland Pltff
vs
Corigler & Miller Defts
} In Covenant
The Same order

Samuel Funkhouser's admr Pltff
vs
Peter S Roller Deft
} In Assumpsit
The Same order

Jacob Sipe's admr Pltff
vs
Anthony Roades et al Deft
} In Covenant
The Same order

David Rosefor Pltff
vs
Peter Whitzel Deft
} In Debt
The Same order

A H Johnson Pltff
vs
J D Price et al Deft
} In Assumpsit

This day came the parties by their Attornies and by consent it is ordered that this cause be dismissed

Jacob Miller's exors Pltffs
vs
Allen & Bryan's admr Deft
} In Debt

This day came the parties by their Attornies. It is therefore considered that the Pltff recover against the Defts $45.57 with legal interest thereon from the 19th day of January 1866 till paid & the costs in this behalf expended to be levied of the goods and chattels of the deceased hereafter to come to the hands of said defendant to be administered

Jacob Miller's exr &c Pltffs } In Debt
vs
Allan le Bryan's admr &c Deft }

This day came the parties by their attornies and the deft withdrew his plea, it is therefore considered that the pltffs recover against the deft $125.56 the debt in the declaration mentioned with legal interest thereon from 1st day of January 1860 till paid, and the costs by the pltffs in this behalf expended to be levied of the goods and chattels of the deceased hereafter to come to the hands of the deft to be administered the judgment is subject to a credit of $45.57 for interest &c from Janry 18th 1866

Ordered that the Court be adjourned until Monday Morning at 9 O'Clock
Wm McK. Wartmann

Monday March 1st 1869

Present

Wm McK Wartmann PJ George de Fawley } Gent
Geo S Christie Madison Moore & George de Finch } Justices

Upon the petition of William M[illegible]ger setting forth that he proposes to build on his own land on Pleasant Run near Mt Crawford in the County of Rockingham a Machine Shop and Manufactory useful to the public, and desires to erect a dam about seven feet high across said water course, and to cut a canal through certain lands below said dam for the use of said Machine Shop and manufactory, which dam and canal by overflow or by deprivation of water or in some other wise may slightly injure the lands of Daniel Shuff, Henry Mc Roller and Emmanuel Roller, and that a writ of Ad quod damnum be awarded him for the purpose of ascertaining the damages to which said parties will sustain and for other purposes. It is therefore ordered that a writ of Ad Quod damnum be awarded him according to law to be executed 5th day of March 1869, to be directed to the Sheriff of Rockingham County and made returnable here on the first day of the next term of this Court

Thos Phillips Adm Pltff } In Assumpsit
vs
Frank Mc Elliott Deft }

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 $80 & the time from which interest thereon should run to be the 1st day of Sept 1866 It is therefore considered that the pltff recover against the Deft $80 the damages aforesaid with legal interest thereon from the said 1st day of Sept 1866 till paid and the costs by the pltff in this behalf expended

Feby Ct 1869

J N Bowman vs Others
vs
D H & L Marty vs Others

Upon a Petition for a County Road

This day came again the parties by their Attornies and it is ordered that the order entered in this cause on Saturday last refusing to grant the prayer of the petitioners be set aside, and it appearing to the Court that the Summons awarded against the proprietors of the Lands through which the road will pass, has been duly executed, and that they do not claim damages, it is ordered that the road as prayed for in said Petition be opened and established according to the report of the viewers, beginning at the mouth of a lane on the Sinnitts Creek road, on the line between J F Brenner and Daniel Shoemaker and terminating on the Hampler Road, on or near the line between Joseph Lemon and Jacob Selvius, and that J N Bowman as surveyor Joseph Lamm, David Sherkey Anthony Rhodes & Noah Rhodes, J F Brenner Daniel Shoemaker, D Rush, John D Kline, George Kline, Henry Showalter and Joseph Rhodes open the same, and make it twenty five feet wide and report to Court

Ordered that Henry Neff be appointed a Commissioner to rearrange the road precincts in this County in the place of John J Bowman who declines to act

Henry Miswanger's admr Pltff
vs
John K Moore & Defts
Upon a Notice taken for the delivery of property on the day of sale
Notice proved and execution awarded

Isaac Pence & Sons Pltff
vs
Same Defts
Upon a Notice upon a bond taken for the delivery of property on day of Sale
The same order

John P Brock Pltff
vs
Joseph Hocomb Deft
In Assumpsit

This day came again the parties by their attornies and the Deft withdrew his pleas, and by consent it is considered that the Pltff recover against the Deft $34.85 Damages with legal interest from the 6th day of December 1867 till paid and the costs by the Pltff in this behalf expended

A J Warfield Pltff
vs
Edward S Yancey Deft
In Debt

This day came the parties by their attornies and by consent it is considered that the Pltff recover against the Deft $33.00 part of the debt in the declaration mentioned with legal interest thereon from the 2d day of June 1858 till paid and the costs

by the pltff sufs to this time expended. anon thereupon the defts. pleaded payment and also filed an account of offsetts which he desires to prove upon the trial of this cause to which the plaintiff replied generally and thereupon the judgment obtained in the Office aforesaid is set aside as to the remainder of said debt, and the trial of the issue is deferred until the next term

Henry Riswander's admr. Pltff
vs
David Stinespring & Defts } In Covenant

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 defts. his costs in this behalf expended

Jacob C Reedy Pltff
vs
Conrad Rodiffer Deft } In Assumpsit

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

Wm Minnich Pltff
vs
David B Sites Deft } In Trespass

This day came the parties by their attornies and thereupon came a jury to wit John M Bowers John C Ralston, John B Ralston Ely Shinkle, Wm Ott, Peter Pence, David M Heuffman, John M Heuffman, B F Miller Jos B Hoge & Wm Miller constituting a jury of eleven persons who selected by consent, who being so selected 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

Coffmans & Bruffy Pltffs
vs
John C Morrison Deft } In Assumpsit

This day came the parties by their attornies and thereupon came a jury to wit George J Kisling, Samuel Sheets John Sellers, Solen Bowman, Joseph C Shue, Abraham Shank Josel Wright, Henry Carpenter, Thomas Lamphins, George M Adams, Henry M Dorman and B F Shoemaker 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 being able to agree are adjourned until to morrow morning at 9 O'Clock

John C Morrison Pltff } In Assumpsit
vs
Jason M Bruffy Deft } This day came the parties by their

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jury to wit George J Kisling. Samuel Sheets John Sellers Solon Bowman Joseph H Shue Abraham Shank. Joel Wright Henry Carpenter. Thomas Lamphins. George W Adams Henry McDonnan and B F Shawalter 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 being~~ able to agree are adjourned until to morrow morning at 9 O'Clock

John C Morrison Pltff
vs
Samuel A Coffman Deft } In Assumpsit

This day came the parties by their attornies and thereupon came a jury to wit George J Kisling Samuel Sheets. Solon Bowman. Joseph H Shue. Abram Shank. Joel Wright. Henry Carpenter Thomas Lamphins George W Adams. Henry McDonnan John Sellers and B F Shawalter 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 being able to agree are adjourned until to morrow morning at 9 O'Clock

Same Pltff
vs
Coffmans & Bruffy Defts } In Assumpsit

This day came the parties by their attornies and and thereupon came a jury to wit George J Kisling. Samuel Sheets John Sellers. Solon Bowman Joseph H Shue. Abraham Shank Joel Wright. Henry Carpenter. Thomas Lamphins. Geo W Adams Henry McDonnan and B F Shawalter who being elected tried and sworn the truth to speak upon the issue joined and after some time returns into Court and not being able to agree are adjourned until to morrow morning at 9 O'Clock

Ordered ~~that the~~ Court be adjourned until to morrow morning at 9 O'Clock
Wm M'K. Hartmann.

Tuesday March 2nd 1869

Present
Wm M'K Hartmann P J. Lewis Wil. George W } Gent
Fawley Adam H Fruck Madison Moore } Justices

On the Motion of Mary Ann Bricker leave is granted to her to bind her son Luther J Bricker to Albert Wilhite as an apprentice according to the provisions of the Statutes in such cases

Coffmans & Bruffy Pltffs
vs
John C Morrison Deft } In Assumpsit

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 for the plaintiffs and assess their damages at one thousand eight hundred fourteen 14/100 Dollars. on the motion of the pltffs. to set aside said verdict on the ground that it was contrary to the evidence which motion the Court doth sustain & set aside said verdict & grant a new trial. upon the payment of costs by the pltff. and the trial of the issue is deferred until the next term

John C Morrison Pltff
vs
Jason M Bruffy Deft } In Assumpsit

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 retired from the bar to Consider of their verdict and after some time returned into Court and upon their oaths do say "We the Jury find for the defendant" and thereupon the Deft moved the Court to set aside the said verdict and grant a new trial which motion the Court doth sustain and grant him a new trial therein upon the payment of the costs of the present trial, and the trial of the issue is deferred until the next term

Same Pltff
vs
Coffmans & Bruffy Defts } In Assumpsit

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 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" & thereupon the defts moved the Court to set aside the said Verdict & grant them a new trial therein which motion the Court doth sustain & grant such new trial upon the payment of costs of the trial among the present term and the trial of the issue is deferred until the next term

Sprinkel & Gay Pltffs
vs
Wm Peters Deft } Upon a cause dismissed at a former term

This day came the parties by their attornies, and on motion. the parties Pltffs & Deft. they have leave to withdraw papers filed by them in said cause upon leaving attested Copies thereof filed

Amos Scott Committee Pltff
vs
Wm J Collier Deft } In Covenant
On the Mo of the pltff. and it appearing that this cause has been pending in this Court for more than twelve months and it being finally heard. it is ordered that this cause be removed to the Circuit Court

Same Pltff
vs
Same Deft } In Assumpsit
The same order

Feby Ct 1869

Wm W S Butler for — Pltff
vs
Wm C Pennell's admx — Deft } In Lease

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 Deft

C N Jordan by &c — Pltff
vs
George Sifer — Deft } T A B

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

Abraham Blosser's admx — Pltff
vs
Abraham Geil — Deft } In Debt

The same order

Henry Niswander's admx — Pltff
vs
David Steinespring — Deft } In Covenant

This day came the parties by their Attornies and on motion it is ordered that this cause be dismissed and that the Pltff recover against the Deft his costs in this behalf expended

William Minnick — Pltff
vs
David B Sites — 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 and having fully heard the parties retired from the Bar to consider of their verdict and after sometime returned into and upon their oaths do say "We the jury find for the plaintiff and assess his damages at Seventy two dollars and fifty cents" It is therefore considered that the Pltff recover against the Deft $72.50 the damages aforesaid with legal interest thereon from this day and the costs by the Pltff in this behalf expended

John L Morrison — Pltff
vs
Samuel A Coffman — 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 and retired from the bar to consider of their verdict & after sometime returned into Court and upon their oaths do say "We the jury find for the plaintiff & assess his damages at One thousand and eighty five dollars" and thereupon the Defendant moved the Court to set aside the said Verdict and a-

grant a new trial therein, upon consideration the Court doth sustain said Motion, and set aside the said Verdict & grant a new trial upon the deft paying the Costs of the present trial, and the cause is continued until the next term

Elizabeth Huffman Pltff
vs
Daniel Byerly Deft } In Covenant

This day came the parties by their attornies and thereupon came a Jury to wit Samuel Sheets John Sellers, Solon Bowman Joseph H Shue, Abraham Shank, Joel Knight, George W Adams Henry McDorman B F Showalter James Anthony Abner W Jones and Thomas Lamphins who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of Counsel retired from the bar to consider of their verdict and after sometime returned into Court and not being able to agree were adjourned until tomorrow Morning at 9 O'Clock

Ordered that the Court be adjourned until tomorrow morning at 9 O'Clock
Wm McG. Hartman

Wednesday March 3d 1869

Present
Wm McK. Hartman PJ. George W Dawley } Gent
Lewis Neill Madison Moore & George S Christie } Justices

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

Samuel Sheets	✓	$18 75	Henry McDorman		$18 75	C S Weaver	✓ $15 00
Wm S Downes		8 75	Solon Bowman	✓	17 50	John Sellers	✓ 15 00
Geo W Harnsberger		5 00	Joseph H Shue		17 50	Geo W Adams	✓ 18 75
Geo J Kisling		17 50	Jno W Bowers		17 50	Abm Shank	✓ 16 25
Joel Knight	✓	18 75	James Anthony	✓	18 75	Hey Carpenter	✓ 16 25
Thos J Butler	✓	2 50	D McHuffman	✓	8 75	Jos Heaton	2 50
S H Garber		2 50	Abm Pickering	✓	2 50	Preston Rhodes	2 50
Christian Kratzer		2 50	Wm H Kaniope	✓	2 50	Thomas Deane	✓ 3 00
Abraham Whitmore		2 50	Adam H Lowry	✓	5 00	Math Showalter	1 25
Thompson Steele	✓	2 50	J D Wise	✓	2 50	Lewis Pence	✓ 2 50
H J Showalter		2 50	B F Pickenour		2 50	John Leedy	✓ 2 50
J B Dickson		2 50	Thos Washington		1 25	Irvine Heiss	✓ 2 50
Brannon Armentrout	✓	5 00	Thos Lamphins		3 75	B F Showalter	✓ 3 75
Jno H Ralston	✓	2 50	Jno B Ralston	✓	2 50	J G Shrimbee	2 50
Wm Ott		2 50	Peter Pence	✓	2 50	J McHuffman	2 50
B F Miller		2 50	Jos B Hoyer		2 50	Wm Miller	2 50
A W Jones	✓	2 50	A J VanPelt	✓	2 50	James Long	✓ 2 50
Lewis Pence	✓	2 50	Robert Cox		2 50	and it is ordered	

Feby Ct 1869 the Sheriff pray said Several summs to the persons entitled thereto

James Powell Pltff
vs
Abraham Lincoln & Defts } In Debt

This day came the parties by their attornies and Court having entered a rule at a former term of this Court requiring security for costs rendered Lewis Powell as his security, who appeared in Court and undertook for the Plaintiff to pay all costs & damages that has or may accrue to the Defts and all fees now due or may hereafter become due to the officers of this Court

Elizabeth Huffman Pltff
vs
Daniel Byerly Deft } In Covenant

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 sometime returned into Court and upon their oaths do say "We the the Jury find for the plaintiff sixty dollars, part of the debt in the declaration mentioned" It is therefore considered that the Pltff recover against the Deft $60.00 the debt aforesaid with legal interest thereon from this day and the costs by the Pltff in this behalf expended

R P Fletcher Pltff
vs
Jacob B Bunner & Defts } Upon a Motion to try the rights of property

This day came the parties by their attornies and Robert M Mooney appeared in Court and claimed a portion of the proceeds of the sale of the property in controversy and on his motion all the parties being heard it is considered that the judgment and order made at a former day of this term in this cause be set aside and the cause placed upon the docket & continued until the next term

Michael Linaman Pltff
vs
Andrew Helms Deft } In Debt

This day came again the parties by their Attornies and the matters of law arising out of the Defts demurrer to the Pltff Declaration being argued the Court doth overrule the same

Ordered that Venire Facias issue to March Court next in the following cases, to command each of John Haynes & Charles Jones and summons John Schmitt alias John Peter Schmitt alias Joseph Schmitt on which process to be made returnable to be directed to the Sheriff of this County

Ordered that proper process issue against the several persons against whom Indictments were made during the present term to be directed to the Sheriff of this County and made returnable here on the 1st day of the May Term next

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

Ordered that the Court be adjourned until the next term

Wm M K. Wadmand

Clerk's Office of the County Court of Rockingham March 9th 1859

Robert H Miller. Elisha Miller & Thornton Ashby merchants & partners doing business under the name & Style of R H Miller. Son & Co } Pltff

vs } In Debt

Samuel M Bowman surviving partner of the late firm of S M & R Bowman late doing business under the name and style of S M & R Bowman } Deft

This day the defendant Samuel M Bowman appeared in the office aforesaid and confessed judgment for $104.17 the debt in the writ mentioned with legal interest from the 14th day of July 1850 the plaintiff's writ mentioned with legal interest from the 14th day of July 1850 the plaintiff's writ mentioned with legal interest from the 14th day of July 1850 till paid and the costs in this behalf expended

Test

Wm D Roop Dc

15 Mar 1869

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 15th day of March 1869

Present

Wm M. Wartmann P.J. Wm Sanger Joseph Gans
Frankhauser Isaac Wright & Geo 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 February last 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 Elias Perkey & wife to Conrad Long Senr
Same from John Kline to Jackson & Perry & Coon
Same from Benjamin Sifer & wife to Jackson & Coon
Same from Levi Yeakle & wife to Same
Same from Jacob A Mitchell & wife & to Same
A Deed of Trust from Henry E Sipe to A.C. Bryan Jr Trust for & Caroline Kyle
A Deed of Bargain & Sale from D Perry Lasher & wife to Conrad Sipe
Same from Samuel S Reed & wife to Thomas J Butler
Same from Daniel Stautzman & wife to Hezekiah B Keller
Same from Lucius A Dever & wife to David B Dever
Same from Jacob P Effinger & wife to J Madison Brine
Same from David Garber Comr to Daniel Bauman
Same from Bettie E Mauck & to Barbara Bauman
Same from A S Bryan to Jno W C Houston
A Deed of Trust from David A Rhodes to Jno Paul. In Trust for F A Rhodes
A Deed of Bargain & Sale from Jno A Showalter & wife to James D Brown
Same from John Spreaker & wife to James D Brown
Same from Thomas McGuire to John H Snyder
Same from Sylvenus Pence & wife to Godfrey Brock
Same from Daniel Shue & wife to Deborah Chapman
Same from Jacob Shank & wife to James L Kelly
Same from John Wampler to Adam Rhodes
Same from Jas M Lewis & wife to Daniel Byerly
Same from Robert Bryan & wife to B H Christman Trustee
Same from Adam H Brewer to Robert Bryan
Same from John G Heatwole & wife to Christian Good
Same from Jno W C Houston & wife to William J Paul
Same from Wm Peters & others to Samuel A Coffman
Same from Jno F Garnicose & wife to Samuel Frank Trustee
Same from Edward H Minnick to John W Minnick
Same from John Wenger & wife to A & J Long
Same from Margaret Tartwiler to C Huffman Trustee
Same from Michael Carman Trustee to Sarah J Leake

A Settlement of the accounts of the Trustee of Catharine Brenneman having been filed in the Clerks office of this Court for the term 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 Managers of the estate of George Brenner dec.d
The Same order

Same of the estate of Mary Rife dec.d
The Same order

Same of the estate of Maria Holsinger dec.d
The Same order

Same of the estate of David P Bowman dec.d
The Same order

Same of the estate of William Snoes dec.d
The Same order

Same of the estate of Noah Empfield dec.d
The Same order

Same upon Daniel Lowry dec.d
The Same order

Same of the estate of Frederick Kline dec.d
The Same order

Same of the Guardian of Delila Roder formerly Delila Baker
The Same order

Same of the estate of John Hannbergen dec.d
The Same order

Same of the estate of Le B Yancey dec.d
The Same order

Same of the same estate with his creditors
The Same order

Same of the guardian of Henry Shaffer
The Same order

Same of the guardian of Benjamin Heinegarner
The Same order

Same of the guardian of Elizabeth Peter formerly Elizabeth Baker
The Same order

A Settlement of the Guardian account of Jacob Ammon with his ward as George R Corsenbright &c, 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

On the Motion of Anthony Burkholder and it appearing that more than three months has elapsed since the death of Jacob Burkholder and no one having applied for administration upon his estate it is ordered that his said estate be committed to the Sheriff for administration

On the Motion of Albert Wilhite & Elizabeth J Shank who made oath thereto according to law and together with John Gongwer and Peter Wilhite their 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 them for obtaining letters of administration in due form upon the estate of Martin L Shank decd

Ordered that Andrew L Lindsey, Granderson Rogers and John Jacobs after being first duly sworn for that purpose do appraise the estate of Martin L Shank decd and report thereon to the Court according to law

Charles Jones & John Raines who stand indicted for Grand Larceny and being thereof arraigned, refused to plead, and moved the Court to remand them for trial before the Circuit Court of this County upon consideration whereof the Court doth sustain the said motion, and order that the said prisoners be remanded for trial before the Circuit Court of Rockingham on the first day of the May Term next, and the said indictment be certified to the Clerk of said Circuit Court, and thereupon the prisoners are remanded to jail

O H Heester & J Johnson for his wife Mary A Johnson

Be it remembered that Lafayette Breedlove and Pro Breedlove and Lorenzo Yeager 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 they shall make their personal appearance before the Circuit Court of Rockingham on the 11th day of May next, to give evidence on behalf of the Commonwealth against Charles Jones & John Raines and not to depart thence without the leave of said Court, then this recognizance to be void or otherwise to remain in full force and virtue

It appearing that Mary Miller is a person of unsound mind, it is ordered that Peter K Pence be appointed Committee to take charge of the person and property of the said Mary Miller and thereupon

the said Peter K Ponce appeared in Court and acknowledged a bond in the penalty of two thousand dollars conditioned as the law requires. which bond is ordered to be recorded

The Court doth appoint Permelia J Good guardian for Reubin Good orpham of William M Good decd who is under the age of fourteen years and thereupon the said Permelia J Good appeared in Court and together with Jackson Horn her 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

On the Motion of D J Haynes. it is ordered that all the acting justices of this County be summoned to appear here on the first day of the April term next to consider a Motion to revoke a license granted to Messrs Elias Perkey & Thomas G Logan at the February Term last as liquor merchants

Commonwealth
vs
John Schmitt. alias John Peter Schmitt. alias Joseph Schmitt } Upon an Indictment

This day came as well the Attorney for the Commonwealth as the deft by his Attorney who filed a general demurrer to the indictment which the Court doth overrule. and thereupon the prisoner was remanded to jail

Same
vs
Same } Upon an Indictment
The Same order

Daniel Miller & Co Pltffs
vs } Upon a bond taken for the delivery of
G W Moesche & Co Defts } property on the day of sale
Notice proved and execution awarded

The Last will and Testament of John Shumaker. decd was presented in Court and proved by the oaths of John Adam Armentrout & P K Argabright two of the subscribing witnesses thereto and ordered to be recorded and on the Motion of Elizabeth Shumaker the executrix therein named who made oath thereto according to law and together with Philip Miller and Strother Sheets her securities (who justifies 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 her for obtaining a probate of said will in due form.

Ordered that Nathaniel Flack. John Saught. Jacob Hafler & Michael Armentrout or any three of them being first duly sworn for that purpose do appraise the estate of John Shumaker decd & report thereon to the Court according to law

Rule & New Suit
to Chuse Ex 1809
Dent

Coffmans & Bruffy Pltffs
vs
Ewing Dever Defts } Upon a Suggestion

This day came the pltffs by their attorney, and it appearing that the deft has had legal notice of this motion, and he failing to appear and answer it is ordered that this cause be placed upon the docket, and on motion the pltffs it is ordered that the deft be summoned to appear here on the first day of the April term next, to shew cause if any he can why he shall not be fined and attached for his failure to appear as aforesaid

Addison Harper & Michael B Eckhart this day produced credentials of their ordination, and also of their being in regular communion with the Church called the "German Baptist" took the oath of allegiance to the Commonwealth, and entered into bonds as required by the law regulating the solemnization of Marriage &c, and that they are hereby authorized to celebrate the Rites of Matrimony according to the forms and customs of said Church between any person to them regularly applying therefor within this state

Charles West who stands Indicted for Petit Larceny, was led to the bar in custody of the Sheriff, and thereupon the Attorney for the Commonwealth with the consent of the Court, saith that he will not further prosecute the prisoner under the indictment aforesaid. It is therefore ordered that the same be stricken from the docket, and the prisoner released from custody

William Monger Pltff
vs
Daniel Sluss & others Defts } Upon a petition to build a Machine Shop & Manufactory to erect a dam across Pleasant Run and cut a canal

This day came the parties by their attornies and the Sheriff of this County, in pursuance of a writ of Ad Quod Damnum awarded the said petitioner William Monger, on the 13th day of the last February term of this Court returned an inquisition ~~in the case~~ upon consideration whereof and no objections being made by any person to the application the Court is of opinion that it is proper and doth accordingly order that leave be granted the said William Monger, to build said Machine Shop and Manufactory, to erect said dam seven and one half feet high, and to cut said canal upon paying to said Daniel Sluss the sum of $150.00, to said Henry & Roller the sum of $150.00 and to said Emanuel Roller the sum of fifty six dollars and twenty five cents, the said amounts being the damages found by the jury in said inquest, and it is further ordered that the said William Monger shall trunk the said canal over or under the public road leading from Mount Crawford to Friedens Church, in such manner as not to obstruct said road

Commonwealth
vs
John N Heneron } Upon a Rule & Attachment for failing to attend as a witness
The defendant being examined, and the Court being satisfied that his excuse is sufficient, it is ordered that the said rule and attachment be discharged

Joseph N Marzy presented in Court two accounts against the Commonwealth amounting together to the sum of $76.42 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts.

The Court doth appoint Adam H Funk guardian for Sarah Hatterman Permelia Hatterman & Jacob J Hatterman orphans of Jacob J Hatterman dec'd who are under the age of 14 years and thereupon the said Adam H Funk appeared in Court and together with William Hatterman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $150 &c conditioned as the law requires

Be it ordered that hereafter prosecutions for misdemeanors may be prosecuted and tried at the monthly terms of the County Court of this County. to wit at its April, June & July, September October, December & January terms. it is also directed that Juries be summoned to attend such terms of the Court whenever there may be prosecutions for misdemeanors pending therein

J R Jones &c Pltffs
vs
James H Larkins & Defts } upon a Notice upon a bond taken for the delivery of property on the day of sale

Notice proved and execution awarded

Upon the application of Isaac Riddle who alleges himself aggrieved by an assessment made by H A Ebrisman Commissioner of the Revenue for this County upon a tract of 235 acres of land the Attorney for the Commonwealth appeared and defended said motion, and the said Commissioner being examined on oath, it is ordered to be certified from the evidence that the said Isaac Riddle has been erroneously assessed for the year 1808 with 235 acres of land at the price of $2350 - when said land was and ought to have been assessed at the price of $1441.23 It is therefore ordered that he be released from the payment of Two dollars & Seventy three cents. that being the amount of taxes erroneously assessed. which is ordered to be certified to the auditor of Public accounts

On the Motion of Warren S Lucky who made oath thereto according to law and together with David H Landes his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three hundred dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration in due form upon the estate of John Landes. dec'd

S M Crawford Pltff
vs
John R Kougler late Sheriff Defts } upon a Notice &

This day came the parties by their attornies and sundry witnesses

being sworn and examined and the parties being fully heard & the
upon mature deliberation it is considered that the pltff recover against
the defendant $29.44 with interest at the rate of 6 per centum per annum
from the 15th day of December 1860 until paid. and the costs in this behalf
expended. this judgment is subject to a credit of $30 cts paid May 21. 1868
Memorandum the plaintiff by his attorney tendered a bill of exceptions
to the action and opinion of the court. had and delivered upon
the trial of this cause had and delivered upon the trial of this cause
which was signed sealed and enrolled by the court and ordered
to be made a part of the record

Alexander Krumph appellant
vs
Edmond Minnick appellee
} Upon an appeal from the
judgment of a justice of the peace

This day came the parties by their attornies and the
parties being fully heard the court upon mature deliberation
are of opinion that there is no error in the judgment aforesaid
it therefore is considered that the same be confirmed, and
that the appellee recover against the appellant his costs in this
behalf expended

Ordered that the Court be adjourned until the next term

Wm M.K. Waltmann

At a Court held for Rockingham at the Court House Thereof
on Monday the 19th day of April 1869

Present
[redacted] John Funk. Henry Beery. A.C. Long

The Clerk of this court returned into Court a list of deeds
and other writings admitted to record in his office during the
month of March 1869. which being seen and inspected by the
Court is ordered to be entered on the Minutes as follows to wit
A Deed of Bargain & Sale from David Garber & wife to Abm Shank
Same from James A. Dever & wife to Saml & Noah Wine
A Contract between R.P. Fletcher & U.H. Miller &c
A Deed of Bargain & Sale from John Flick & wife to Hugh B. Pence
Same from Michael M. Bowman & wife to C.S. Mitchell
Same from Jacob M. Zirkle & wife to Same
Same from Wm D. Covington & wife to John B. Smith
Same from Samuel Carpenter & wife to George Pence
Same from James Taylor & wife to Rebecca Taylor
Same from John Riddle & wife to Benjamin Saunders
Same from Elizabeth Roadcap to Steven Roadcap
Same from Savinus Tutwiler to Wm Tutwiler
Same from Adam Baker & wife to S.C. Collier

A Deed of Bargain & Sale from Jno McAlston & wife to Jos McSwank
Same from Rebecca Miller to Anna Mayer Koeffer
Same from Daniel Flory & wife &c to Peter McCaughen
Same from Emanuel Roller & wife to Daniel Mengle
Same from Joshua Pence & wife to Cyrus Pence
Same from Wm James & wife to John James
Same from Christian Wine & wife to Daniel Miller
Same from Jacob Baker &c to Samuel Brown
Same from Wm & Harrison & wife to Morgan Layton
Same from Jno G Heaton & wife to Samuel Coffman
Same from G B Oder & wife to Noel B Blakemore
Same from Martha Loeb to Jacob J Thomas
Same from Adam Shank & wife to Same
Same from Samuel Allenbaugh & wife to Sherm Bowman
Same from Wm Carman & wife to Same
Same from G W Haensberger & wife to Daniel Hilbert
Same from John Bushnell & wife &c to Charles W Haensberger
Same from John A Switzer to James M Foley
Same from John B Funk to Daniel Layman
Same from Elijah Hauffman & wife to John B Fisher
Same from Jonathan S Speck & wife to Hester A Corman
Same from Samuel Sheets & wife to Lucy Eastham
Same from Jacob Driver & wife to Daniel Garber

A Settlement of the estate of Abraham Diehl 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

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Same of John A Kline's estate
The Same order

Same of C W Stitt's estate
The Same order

Same of the estate of P R Pickering
The Same order

Same of the estate of Christian Funk
The Same order

Same of the estate of John Empsweiler
The Same order

Settlement of the Guardian a/c of Jno Bauman Guard for Mary Garber
The Same order

Same of Ephraim Menger Guard for Susannah Menger
The Same order

A C Long ~~and~~ Christian F Shank. Granville M Rogers. Adam R Gladden. David Gilmore George W Skelton who have been duly appointed and commissioned as Justices of the Peace in and for the County of Rockingham. appeared in Court and took the several oaths required by law

Present

Christian F Shank. Adam R Gladden. A C Long } Gent
George W Skelton. David Gilmer & M Rogers } Justices

The Court doth appoint William E Woodell Guardian for William H Hemming & Mary Susan Hemming orphans of John Hemming dec'd and thereupon the said William E Woodell appeared in Court and entered into and acknowledged a bond in the penalty of Two hundred dollars conditioned as the law requires

On the Motion of Benjamin Hoover it is ordered that Wm M Silbert. Henry Neff John Zigler and John John J Bowman be appointed Viewers to act and report the proposed change of the _____ from a point in the road leading from New Market to Linvilles creek a short distance above Henkel's Fulling Mill to Timberville on the East side of the river passing by Hoovers Mill

On the Motion of John G Coster. Wm Shawalter. M H See Michael J Moyerhoeffer J J Garber. Wm E Webster. who wish to obtain license as Ordinary keepers ~~in the County~~ of Liquor Merchants Rockingham. it is ordered to be certified that they are persons of good character not addicted to drinking or gaming. and will probably keep a house useful or orderly and useful as such the law requires

On the Motion of Charles R Rush who made oath thereto according to law and ~~together and thereto according to law~~ together with Joseph M Mauzy his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires. a certificate is granted the said Charles R Rush for obtaining letters of administration in due form upon the estate of David Scott. dec'd

Ordered that James M Weaver. B F Thomas. J D Gilmer and Jacob Armentrout or any three of them being first sworn for that purpose do appraise the estate of David Scott dec'd and report thereon to the Court according to law

On the Motion of John G Herring who made oath thereto according to law and together with George F Pinkel. George W White. David S

Derrier and Philander Herring his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration in due form upon the estate of John Dinkle deceased

Ordered that ~~E J Armstrong~~ John Williamson & Sol Speck after being first duly sworn for that purpose do appraise the estate of John Dinkel dec'd and report thereon to the Court according to law

Nancy Reed Pltff
vs
Potter & Bro & Defts } Upon an award

This day came the parties by their attornies. it is ordered that ~~A D & J J~~ A Potter be summoned to appear here on the first day day of the May Term next of said to shew cause if any they can why the said award shall not be entered up as the judgment of the Court

S P Ramer jailor of this Court presented in Court an account against the Commonwealth amounting to Seventy five dollars and twenty five cents which being sworn to in Court was examined and allowed by the Court and ordered to be certified to the auditors of Public accounts

The Court doth appoint Albert Wilhite Guardian for William L Shank & George L Shank orphans of Martin L Shank and thereupon the said Albert Wilhite appeared in Court and together with Peter Wilhite (his security who justified as to his sufficiency) entered into and acknowledged in the penalty of Three thousand five hundred dollars conditioned as the law requires

On the Motion of Harvey Wise who made oath thereto according to law and together with Peter Wise his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires. a certificate is granted the said Harvey Wise for obtaining letters of administration in due form upon the estate of Samuel A Wise dec'd

Ordered that Benjamin Huffman Samuel Wise & John D Wise after being first duly sworn for that purpose do appraise the estate of Samuel A Wise dec'd and report thereon to the Court according to law.

On the Motion of Peter W Roller & William B Roller who made oath thereto according to law and together with George Sanford Jacob Byerly Wm T Carpenter and Peter Wise their securities (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

them is granted them for obtaining letters of administration in due form upon the estate of Josiah S Roller dec'd

Ordered that Mathias Showalter. Peter Wise and Peter S Roller do appraise the estate of Josiah S Roller dec'd and report thereon to the Court according to law

Otway C Sterling who has been duly appointed Sheriff of Rockingham County by an order dated the 20th day of March 1869 signed by George Stoneman Brevet Major General Commanding appeared in Court and together with S W Garnett. Nelson Shrimkee John Scanlon Benj F Armentrout. Henry Neff. John H Wartmann. Samuel R Allebaugh Joseph N Mauzy. Wm H Rodiffer. John N Hoff. Franklin Lisky and Samuel R Sterling his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Ninety thousand dollars conditioned as the law requires which bond is ordered to be recorded. and a copy of said bond and this order be ~~Certified~~ sent to the auditor of Public accounts

On the Motion of Otway C Sterling Sheriff of this County. Samuel R Allebaugh. Henry Neff. Christopher Miller. Abraham Keefs Joseph N Mauzy & William H Rodiffer are permitted to qualify as Deputy Sheriffs. and thereupon they appeared in Court and took the several oaths required by law

On the Motion of J C Grimm who together with Wm H Bustmen entered into and acknowledged a bond in the penalty of $1500 00 conditioned as the law requires. a certificate is granted him to celebrate the rites of Matrimony according to law

William L Anderson who has been duly appointed Commissioner of the Revenue for the 3d District of Rockingham County appeared in Court and together with Adam Shank 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 and thereupon the said Wm L Anderson took the several oaths required by law

Ordered that Isaac N Beery be appointed surveyor of precinct No 1 in the place of Levi Reedy.

The last will & testament of John Wampler was presented in Court and proved by the oaths of Jacob Miller & John Zigler two of the subscribing witnesses thereto. and the Codicil thereto annexed was proved by the oaths John Zigler and it appearing that John Kline the other witness thereto has departed this life. it was proved to the satisfaction of the Court that the signature to the said Codicil of John Kline as a witness was genuine which will & Codicil is ordered to be recorded. and thereupon John Wampler the executor therein named who made oath thereto according to law and

together with David Driver Lewis Driver and Daniel Flory 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 the said John Wampler for obtaining a probate of said will in due form

Ordered that Martin Wampler. Jonathan Wampler. Saml Wampler & Andrew J Dougherty. or any three of them being first duly sworn for that purpose do appraise the estate of John Wampler dec'd and report there on to the Court according to law

On the Motion of Winfield S Baugher who made oath thereto according to law and together with Jacob B Nicholas and James M Weaver his securities (who justified as to their sufficiency) entered into & 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 Mary Baugher dec'd

Ordered that Jacob B Yost. Samuel H Lewis & L T Wagner. appraise the estate of of ~~Mary~~ Baugher. dec'd and report thereon to the Court according to law

On the Motion of Winfield S Baugher who made oath thereto according to law and together with Jacob B Nicholas & James M Weaver 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 which bond is ordered to be recorded. a certificate is granted him for obtaining letters of administration de. bonis non upon the estate of Samuel Baugher dec'd in due form

The last will and testament of John Bowen. dec'd with a codicil thereto annexed was presented in court and the said will proved proved by the oaths of Wm W Carpenter & B F. Armentrout two of the subscribing witnesses thereto and ordered to be recorded and the codicil thereto annexed was proved by the oaths of Wm W Carpenter & John B Smith the subscribing witnesses thereto and ordered to be recorded. and thereupon Jacob A Bowen the executor therein named who made oath thereto according to law. 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 a probate of said will in due form. the testator by his will requested that no security should be required of his executor the Court accordingly require none

Ordered that John B Smith. Morgan Sayton. Jackson Mantz & Cyrus Rhodes or any three of them being first duly sworn for that purpose do appraise the estate John Bowen deceased and report thereon to the Court according to law

On the motion of Wm L Anderson Commissioner of the Revenue for the 9th Dist for this County. Wm H Hamrick is appointed a Assistant Commissioner and thereupon the said Hamrick appeared in Court & took the several oaths required by law

On the Motion of Anna E Whitescarver who made oath thereto according to law and together with Henry H Bryant 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. a certificate is granted her for obtaining letters of administration in due form upon the estate B F Whitescarver dec'd

Ordered that Dr Minor. Dr Jones. Samuel F Miller. Jno Shipsman or any three of them being first duly sworn for that purpose do appraise the estate of B F Whitescarver dec'd and report thereon to the Court according to law.

Upon the petition of John H Austin to keep a Public Ordinary which petition the Court doth refuse

Upon the petition of Peter D Zimmerman & others for a new road in this County it is ordered that the said petition be referred to Jacob Thomas. Daniel Miller & John H Moore to be acted and reported upon according to law

Ordered that George Argabright be appointed Surveyor of the precinct No 32 in the place of David Gilmer

Ordered that George McYancey be appointed overseer of precinct No. from the Keezletown to the Old Furnance road in the place of A Armentrout

The Commissioners who have heretofore been appointed to assign dower to the widow of Chapman Collier dec'd this day filed their report which was examined by the Court and ordered to be recorded

The Court doth appoint John Hedrick as guardian for Fanny F Sipe orphan of Archibald & Catharine Sipe. and thereupon the said John Hedrick appeared in Court and together with Robert Cox and Charles Chandler his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars conditioned as the law requires

The Last will and testament of Jacob Early dec'd was presented in Court and proved by the oaths of Daniel Huffman & William T Carpenter the subscribing witnesses thereto and ordered to be recorded and thereupon on Motion of Abraham Early the executor therein named who made oath thereto according to law. and entered into & acknowledged a bond in the penalty of Nine hundred dollars conditioned as the law requires a certificate is granted him for obtaining a probate of said will in due form from the Testator by his said will having requested that no security of his executor should be required. the Court accordingly require no security

George G Hewlett &c Pltffs
vs
Faught & others Defts } upon an application for a road

This day came again the parties, and none of them desiring a writ of ad quod damnum although summoned to appear and Mrs Faught being satisfied to receive the sum of $23.33 for the 98/100s of land taken from her by the Commissioners, it is ordered that upon the petitioners paying to Mrs Faught the said sum of $23.33 the said road shall be established and altered according to the report of Commissioners E L Kemper, A L Byrd and Wm Rehard and and for the purpose of opening and keeping in order the same Jacob Mesrole is appointed overseer of the same, with John Leedy J M Dixon and George Hewlett as his hands

John C Simmons by &c Pltff
vs
Phebe Armentrout &c Defts } In Chancery

This cause came on again to be heard this 19th day of April 1869 upon the papers formerly read and proceedings heretofore had in this cause & upon the report of Jo T Logan Commissioner whereupon the argument of Counsel being heard and there being no exceptions thereto the same is hereby confirmed, and the said Commissioner is hereby directed to collect the payments as they become due & after first paying the costs & expenses of this suit & Costs of sale including a fee of $30 to the Attorney for the plaintiffs & pay the remainder to the Guardian of the infants taking his receipt for the same & filing a duplicate of said receipts in the papers in this cause. But before the said Comr shall receive any money under this decree he shall execute bond before the Clerk of this Court with qualified security in the penalty of $1000. conditioned to pay over all moneys received under this decree according to the orders of this Court. Said Comr shall execute a deed to the purchasers with special warranty, retaining a lien for the deferred payments and file the bonds in the papers in this suit and it is further ordered that Phebe Armentrout be summoned to shew cause at the next Term of this Court why she shall not deliver possession of the premises to the purchasers

Peter W Hartman &c Pltff
vs
B F Altaffer Deft } In Chancery

This cause came on to be finally heard this 19th day of April 1869, upon the Bill and exhibits, the answer of B F Altaffer by S H Coffman his guardian ad liten, this day assigned him by the Court, and replication thereto, and was argued by Counsel upon consideration whereof, the Court is of opinion that the partition of land mentioned in the Bill among the heirs of Reuben Altaffer is just and fair & should be confirmed by the Court. It is

therefore adjudged, ordered and decreed that said partition be confirmed, and that Elizabeth A Hartman hold in fee and in severalty Lot No 5, Martin I Altaffer Lot No 2, Margaret F Altaffer Lot No 1, John M Altaffer the two lots No 4 and Benjamin F Altaffer the two lots No 3 according to the plat and report of E & S Kemper surveyor filed with the Bill. It is further adjudged ordered and decreed that said partition be recorded in the Clerk's Office of this Court and that the costs of this suit and partition be paid by the parties in proportion to their interests in the land

Ordered that George Shaver be appointed surveyor of precinct No 10 in the place of George Showalter

On Motion of B Huffman, Samuel Wise & John D Wise and it appearing that more than three months have elapsed since the death of Mary Michael and no person having applied for administration upon her estate it is ordered that her said estate be committed to the Sheriff of this County for administration according to law

On the Motion of John Bowman Jr. the Commonwealth Attorney being present, and the Commissioner of the Revenue being examined on oath, it is ordered to be certified that he should have been assessed with 58 days only as a Distiller and that the excess of the amount charged is $46.90 which amount is ordered to be certified to the Auditor of Public accounts, in order that the same be refunded, or the said John Bowman Jr be relieved from the payment of the same

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

John Funk

Tuesday April 20th 1869

Present.

John Funk, Henry Beery, A C Long
David Gilmore G M Rogers, G W Sheets } Gent Justices
A R Glasgow C F Shank

On the Motion of Reubin Bonds and Wm Life it is ordered that it be certified that they are persons of good character and that the Commissioner of the revenue issue to them license to keep public ordinaries in this County

On the Motion of John C Austin who furnishes to obtain license to keep a Public Ordinary in this County for the consideration of his application had over yesterday, which the Court refuses

Upon the application of Perkey & Logan for license to keep an Eating House in this County which application is refused

The Sheriff of this County presented in Court lists of delinquents in the property and capitation tax. which being sworn to was examined and allowed by the Court, and ordered to be certified to the auditor of Public accounts

A A Hess Deputy for S R Allebaugh late Sheriff of this County returned into Court a list of delinquents in real estate in hand of this County which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Commonwealth
vs
John Smith & } Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the attorney for the prisoner who pleaded Not Guilty. to which the attorney for the Commonwealth replied generally. and thereupon the prisoner was remanded to gaile and the trial of the cause is continued until the next Term

Same
vs
Same } Upon an Indictment

The Same order

Ordered that the Court be adjourned until the next Term

John Funk

Virginia

Clerk's Office of the County Court of Rockingham May 8th 1809

Henry L Baker William B Baker and
Camillus S Baker Merchants & partners } Pltffs
trading under the name & firm of Bakers & Bro } In Debt
vs
Davis Link Deft

This day came the parties by their attornies and thereupon the Defendant Davis Link confessed judgment for one hundred and thirteen dollars with interest from the 13th day of April 1808. It is therefore considered that the plaintiffs recover against the Defendant the said sum of $113.00 the Debt aforesaid with legal interest thereon from the said 13th day of April 1808 till paid and the Costs in this behalf expended. Subject to a credit of $2.29 paid January 1. 1802

Hale

Wm D Kerr D C

Virginia

At a Court held for Rockingham County on Monday the 17th day of May 1869

Present

John Funk, David Gilmer, Christian F. Shank
Christopher Kiser & Henry Beery

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

A Deed of Bargain & Sale from Richard C. Waterbuck & wife to Elijah J. Almon
Same from Robert H. Walton & wife to Jno Q. Winfield
Same from Valentine Sanders & wife to Daniel Kauffman
An Agreement between Henry Sowers & others to Wm Mines & Co
A Deed of Bargain & Sale from Benjamin Shunk & wife to Joseph D. Price
A Deed of Trust from Jos D. Price to Wm H. Effinger In Trust for R. Jarman
Same from John G. Riley to P. Herring for J. W. F. Allemong
Deed of Bargain & Sale from Michael Wine & wife to Daniel Wine
Same from M. J. Pence to M. J. Pense
Same from Abraham Beery & wife to Henry Price
Same from Same & others to Same
Same from J. S. Hannsberger Comr to Jacob R. Munger
Same from Joseph D. Price to Jacob Brunberger
Same from Levi Hulvey & wife to John W. Spitzer
Same from George W. Whitzel to Peter Bonas Trustee
A Deed of Trust from Isaac Whisen to John Paine In Trust for Dorothy Whisen
Same from Adam H. Brewer & wife to Wm H. Effinger for Building Assoc.
A Deed of Bargain & Sale from B. B. Thompson to Jacob Herring
Same from John G. Heatwole & wife to Philip Sinsabaugh
Same from Wm F. Pinkel & wife to Robert Herring
Same from John D. Long & wife to John T. Wright
Same from John Q. Winfield & wife to Wm H. Snyder
Same from H. B. Bowman & wife to Reuben Wacker
Same from John Zimmerman to Peter Zimmerman
Same from Peter & Jacob Zimmerman to John Wetsline
Same from Philo Bradley & wife to Mary McLaughlin
Same from Joseph D. Price to Benjamin A. Garlinger
Same from Same to Same
A Lis Pendens H. C. Blakemore vs Philip E. Lambert
A Lis Pendens Eli Andes vs George W. Showalter
Same Frank Ritchie vs Same
Same E. S. Mitchell vs Nathan Houston
Same Wm Minnick vs John Samphins
Same Henry Shaver vs George W. Showalter
A Deed of Bargain & Sale from Charles W. Hannsberger & wife to Jeremiah Hannsberger
A Deed of Trust from A. G. Sigler to Wm Sigler In Trust for W. S. Downes
A Deed of Bargain & Sale from John A. Coman's ex'tor to Mary C. Clarke Trustee

A Deed of Bargain & Sale from Sam'l Miller & wife &c to J A Loemenback
Same from James Vawters & wife to Lemuel Vawters
Same from Peter Shafer's adm'r to Jacob Arehart
Same from Daniel Miller & wife to Peter Nair
Same from Martin Wampler & wife to Jesse Moyers
Same from Same to Levi Hilbert
Same from Same to John Wampler
Same from Same " Andrew J Daugherty

Simmons &c Pltffs
a
Armentrout &c Defts } In Chancery

It appearing to the Court that notice has been served upon Phoeba Armentrout to shew cause by this term of the Court why she should not deliver profession of the land in question in this cause & she failing to appear. the Sheriff is directed to deliver profession to the purchasers under the decree of this Court

Upon the petition of Seneres Wooason & Michael Wagler & Wm Minnick & Al Lincoln it is ordered to be certified that they are persons of good character, not addicted to drinking or gaming, it is ordered that a certificate be granted them for obtaining License as Ordinary Keepers, & Liquor Merchants in this County.

Andrew J Newman &c Pltffs
vs
Jacob W Zirkle &c Defts } Upon a Delivery Bond
Notice proved and execution awarded

R R Dorthet Pltff
vs } Upon a Delivery Bond
T T Burke &c Defts
The Same order

Ordered that John P Ralston be appointed surveyor of precinct No in place of Archibald Hopkins resigned

Andrew J Life &d of Hey Michael Pltff
vs } Upon a notice
William Life &c Deft

This day came the pltff by his attorney, and it appearing that the deft hath had legal notice of this motion and it appearing that a deed of trust was executed by by George Life & wife to Henry Michael & Trust for Mary Michael dated the 31st day of August 1853 & that the said Henry Michael has departed this life, it is ordered that John E Roller be appointed Trustee in the place of the said Henry Michael, and vested with all the power and authority, vested in said Henry Michael by the deed aforesaid

Upon the petition of George S Hewlett This day came as well the petitioners as Mrs — Haught and on her motion it is ordered that the order made at the last term establishing the road petitioned for be set aside, and that a writ in the nature of a writ of ad Quod Damnum be awarded her According to law. to be executed on the 12th day of June next and made returnable here on the first day of the next term

Upon the Petition of Philip Strickler & others for the establishment of a road in this County. It is ordered that the J W Basore. J G Coates and John Thomas be appointed Viewers to act and report upon the said petition according to law

On the Motion of Daniel A Wine who made oath thereto according to law and together with Samuel McLambert his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of Seven 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 Lambert dec'd

Ordered that John Baker. John McClaricofe & Joshua Lemph after being first duly sworn for that purpose do appraise the estate of Samuel Lambert and report thereon to the Court according to law

Ordered that Henry Beery. John Beery Jr Henry Beery Jr and Henry Wenger. or any three of them being first duly sworn for that purpose do appraise the estate of Jacob Burkholder dec'd and report thereon to the Court according to law

Absent John Frunk

On the Motion of John Frunk who made oath thereto according to law and together with J Perry Swank ~~and Timothy Frunk~~ ~~his security who justifies 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 letters of administration upon the estate of Christian Burkholder dec'd in due form

Ordered that John Showalter. ~~John~~ Frunk. Timothy Frunk John Miller & Benjamin Driver or any three of them being first duly sworn for that purpose do appraise the estate of Christian Burkholder dec'd and report thereon to the Court according to law

Present John Frunk

Upon the petition the petition of Andrew Hess & others for a road in this County. the viewers heretofore appointed this day made their report which is ordered to be filed. and it is ordered that the land holders through

whose land said road is proposed to be conducted be summoned to appear here on the first day of the next term to shew cause if any they can why said road shall not be opened and established according to law

Ordered that A J Looker be exempted from the payment of County and Parish dues

Commonwealth
vs
Richard Black &c } Upon Notice upon a recognizance

This day came as well the attorney for the Commonwealth as the Defendants by their attorney and the parties being fully heard it is considered that the Commonwealth for the use of the Overseers of the Poor for Rockingham County recover against Richard Black and Thornton Thomas his security in said recognizance the sum of $30.00 with legal interest thereon from the 10th day of February 1869 till paid and the costs by the Pltff in this behalf expended, and thereupon the said Thornton Thomas surrendered in Court the said Richard Black in discharge of his recognizance and thereupon he was committed to jail upon failure to give the bond required by a former order of this Court

Ordered that the time for making the report by Commissioners Harnsberger, Brunkhouser & Neff to reapportion the hands on the different precincts in this County be extended until the July Court next.

Ordered that G W Mauzy B F Thomas, James M Weaver & Z Gilmer be appointed Commissioners to lay off and assign to Mrs Barbara Scott widow of David Scott dec'd her dower in the lands of said David Scott dec'd and report thereon to the Court according to law

James H Devier for &c Pltff
vs
D B Dever Deft } In Covenant

This day came the parties by their attornies and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the plaintiff is entitled to be $48.00 and the time from which interest thereon shall run to be the 1st day of October 1866. It is therefore considered that the Pltff recover against the Deft the said sum of $48.00 the debt aforesaid with legal interest thereon from the said 1st day of October 1866 till paid, and the costs by the Pltff in this behalf expended

Emanuel Sipe Pltff
vs
John Tamphins Deft } Upon an Attachment

The attachment issued in this cause being returned executed &c and the defendant not appearing, and it appearing that the Pltff has cause of action against the defendant, it is considered that the Pltff recover against the Defendant $49.90 with legal interest thereon from the 10th

of October 1808 till paid. and the Costs in this behalf expended

Upon the petition of M Hellert who wishes to obtain a license to keep a public Ordinary in this County, it is ordered that it be certified that he is a person of good character, not addicted to drinking or gaming and will probably keep a house in due orderly and such as the law requires

A M Newman & Co Pltffs
vs
Lucius A Dever Deft } In Assumpsit

This day came the plaintiffs by their attornies and neither party requiring a jury, the Court proceeded to execute the writ of enquiry and doth ~~execute the writ of enquiry and~~ ascertain the damages to which the pltffs are entitled is $49.56 and the time from which interest thereon shall run to be the 16th day of August 1867. It is therefore considered that the pltffs recover against the Deft $49.56 the Damages with legal interest thereon from the 16 day of April 1867 till paid and the Costs by the pltffs in this behalf expended

On the Motion of O C Sterling Sheriff of this County and with the consent of of the Court John D Scott is admitted as a deputy Sheriff of this County and thereupon the said John D Scott appeared in Court and took the several oaths required by law

Christopher Riser who has been appointed a justice of the peace for this County, appeared in Court and took the several oaths required by law

O F A Perkey who has been duly summoned to to appear here as a witness on behalf of the Commonwealth against Amos Scott it is ordered that he be summoned to appear here on Tomorrow to shew cause if any they can why she shall not be fined & attached for her failure aforesaid

Hettie Toller who has been duly summoned to appear here as a witness on behalf of Joseph Bare at the suit of H B O'Brien being solemnly called and not appearing it is ordered that she be summoned to appear her at the next term of this Court to shew cause if any she can why she shall not be fined and attached for her failure aforesaid

It appearing to the Court that from evidence of witnesses that the orders made at former terms of this Court releasing Jacob P Effinger from erroneous ~~taxes~~ assessment of license was copied and the copy thereof has been lost it is ordered that the Clerk make a duplicate thereof

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

John Funk

Tuesday May 18th 1869

Present

John Funk, Henry Beery, C F Shank, David Gilmer, Christopher Riser } Gent Justices

Samuel R Allebaugh Late Sheriff of this County. Presented in Court an account against the Commonwealth amounting to $282.66 which was allowed at the February Term last of this Court It is ordered to be certified that two Guards were necessary in removing the prisoners from Baltimore to Harrisonburg, Charles A Sprinkel & Joseph A Mauzy the Guards having made oath as to the justice of said account & the same is ordered to be certified to the auditor of Public accounts

J W Jenkins Pltff
vs
Jno A Keller Deft } In Assumsit

This day came the parties by their attornies 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 $61.98 and the time from which interest thereon shall run to be the 8th day of May 1869 It is therefore considered that the Pltff recover against the Defendant $61.98 the Damages aforesaid with legal interest thereon from the 8th day of May 1869 till paid, and the Costs in this behalf expended

Andrew L Lindsey &c Pltffs
vs
John A Fishback &c Defts } In Assumpsit

This day came the plaintiffs by their attorney and neither party requiring a jury, and the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the plaintiffs are entitled to be $650.00 and the time from which interest shall run to the 1st day of March 1865 It is therefore considered that the plaintiffs recover against the Defendants $650.00 the Damages aforesaid with legal interest thereon from the said 1st day of March 1865 till paid and the costs in this behalf expended

Henry Shaver Pltff
vs
George W Shawalter Deft } In Debt upon an attachment returned executed

This day came the Plaintiff by his attorney and it appearing to the Court that the order of publication awarded at the rules has been duly executed more than one month, and the the cause coming on to be heard on its merits, it is considered by the Court that the Plaintiff recover against the said George W Shawalter the sum of $60 with interest thereon from the 29th day of October 1859 till paid and his costs in this behalf expended and the Attachment awarded in this cause is continued until the next term

Eli Anders Pltff
vs
George W Shovalter Deft } In Debt upon an Attachment returned executed

This day came the Plaintiff by his attorney and it appearing to the Court that the order of publication awarded at the rules has been duly executed more than one month and the cause coming on to be heard on its merits, it is considered by the Court that the Plaintiff recover against the said George W Shovalter the sum of $70.00 with legal interest from the 3d day of December 1868 till paid and his costs in this behalf expended. and the Attachment awarded in this cause is to continued until the next Term

John R Long Pltff
vs
C W Boyd Deft } Upon a petition for an injunction

This day came the plaintiff by his attorney and on his motion who hath filed his bill and made oath thereto according to law an injunction is awarded him to ~~stay~~ restrain the said C W Boyd from selling or moving or disposing of a certain Brown mare in the bill mentioned until the right to said property shall have been tried and determined by law. But ~~before~~ the effect of this injunction is to be suspended until the said John R Long shall enter into bond with one or more sufficient securities in the Clerk's Office in the penalty of $200.00 conditioned according to law

Commonwealth
vs
Amos Scott } Upon an Indictment

This day came as well the attorney for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit William Ott N S Greiner, Levi Cromer John S Effinger George B Glover John McSerly, Thomas G Logan, John Leedy, D M Kauffman, Samuel Liggett Shelton H Clairer and Albert G Lincoln who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say "We the jury find the defendant Not Guilty"

Commonwealth
vs
Richard Black } Upon a recognizance

This day came as well the attorney for the Commonwealth as the Defendant by his attorney and on the motion of the Defendant it is ordered that the judgment & order committing the Defendant made Yesterday be suspended for ninety days upon the Defendant ~~giving~~ enters into bond in the sum of Two hundred dollars conditioned as the law in order to apply for a writ of Supersedeas which bond may be executed before the Clerk of this Court in his office

Basore. Pugh & Co Pltffs
vs
Michael H Lee Defts
} In Assumpsit

This day came the pltffs by their attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the pltffs are entitled to be the sum of $67.73 and the time from which interest thereon shall run to be the 26th day of May 1867 It is therefore considered that the plaintiffs recover against the Defendant the said sum of $67.73 with legal interest thereon from the said 26th day of May 1867 till paid and the costs in this behalf expended

John R Jones & Co Pltffs
vs
George M Wood Defts
} In Assumpsit

This day came the parties by their attornies and neither party requiring a jury, it is considered that the plaintiffs recover against the defendant $21.65 with legal interest thereon from the 3d day of July 1867 till paid and the costs by the plaintiffs in this behalf expended

H & S Straus Pltffs
vs
Jonas A Heller Deft
} In Assumpsit

This day came the plaintiffs by their attorney and neither party requiring a jury, the Court proceeded to execute the writ of inquiry and doth ascertain the damages to which the pltffs are entitled to be $310 00 and the time from which interest thereon shall run to be the 28th day of March 1869. It is therefore considered that the pltffs recover against the Deft the said sum of $310 00 with legal interest thereon from the 28th day of March 1869 till paid and the costs in this behalf expended

Clotworthey & Co Pltffs
vs
Jonas A Heller Deft
} In Assumpsit

This day came the plaintiffs by their attornies and neither party requiring a jury the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the plaintiffs are entitled to be $117.08 and the time from which interest thereon shall run to be the 14th day of April 1869. It is therefore considered that the pltffs recover against the Deft $117.08 the Damages aforesaid with legal interest thereon from the said 14th day of April 1869 till paid and the costs in this behalf expended

Ordered that Benjamin Hoover be substituted as Trustee in a Deed of Trust executed by Jacob Smokestine to John E Brown for the benefit of Isaacson ~~Bare it appearing~~ that the said John E Brown has departed this life

On the Motion of Samuel Bare. and it appearing that ~~the~~ Samuel Harman has departed this life more than three months and no person having applied for administration upon his estate it is ordered that the estate of the said Samuel Harmon decd be committed to the Sheriff for administration according to law

R P Fletcher Pltff
vs
J B Burner & Defts
} Upon a Motion

George K Moyers & A J VanPelt who have been duly summoned to appear here as witnesses in this cause being solemnly called and not appearing. it is ordered that they be summoned to appear here on the first day of June court next to shew cause if any they can be fined & attached for their failure aforesaid

T Williams Wise for Pltff
vs
John Dinkel Deft
} In Debt

This day came the parties by their attornies and it appearing that the defendant has departed this life. it is ordered upon motion that this cause be revived and proceed in the name of John L Herring administrator of the said John Dinkel decd

John Ettinger Pltff
vs
Wm Sellers Deft
} In Assumpsit

This day came the parties by their attornies and the defendant pleaded Non Assumpsit to which the plaintiff replied generally. and the writ of enquiry obtained in the office is set aside and leave is received to the deft to file special pleas. and thereupon the trial of the issue is deferred until the next Term

Wm Peters for use Pltff
vs
Robert Shiflett Deft
} In Assumpsit
The same order

Emanuel Sipe Pltff
vs
Virginia Express Company Deft
} In Case
The same order

Henry Shacklett Pltff
vs
Joseph H Conrad's adm'r Defts
} In Assumpsit
The same order

Same Pltff
Same Defts
} In Assumpsit
The same order

Jonas A Heller for Pltff
vs } In Debt
Wm Peters & Defts

This day came the parties by their attornies and the defendants pleaded Nil Debit & 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

John Sanders admr Pltff
vs } In Debt
W L Kennedy & Defts

This day came the parties by their attornies and the defts pleaded payment, to which the Pltff replied generally and thereupon the judgment obtained in the office is set aside and the trial of the issue is deferred until the next Term

W H Lamb & Bros Pltffs
vs } In Debt
D D Dovel's ex'rs & Defts

This day came the parties by their attornies and ~~the Defts filed a general demurrer to the Pltffs declaration to which the Pltff~~ Pltff replied generally

George W Shewalter for & Pltff
vs } In Debt
S M Yost & 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 dismissed

J G Sprinkel Pltff
vs } In Assumpsit
Riley & Pharis Deft

This day came the parties by their attornies and the defts pleaded "Non assumpsit" to which the Pltff replied generally & thereupon the writ of enquiry & judgment obtained in the office is set aside and the trial of the issue deferred until the next term

W Sloyd & Bro Pltffs
vs } In Assumpsit
Reuben Bonds Deft

The Same order

John Shaver's admr Pltff
vs } In Case
John Bowman Jr Deft The Same order

P M Custer Pltff
vs } In Assumpsit
S M Yost Deft The Same order

H. H. Denton Pltff
vs
Woodson & Compton Defts } In Debt

This day came the parties by their attornies. and the defendants pleaded payment to which the pltff replied generally and thereupon the judgment obtained in the office is set aside and the trial of the issue deferred until the next term

John Rudrush Pltff
vs
Samuel Hawkhouser's ad Deft } In Assumpsit

This day came the parties by their attornies and the defendant pleaded non assumpsit & fully administered to which the pltff 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

Same Pltff
vs
Same Deft } In Assumpsit

The Same order

George Kiser Pltff
vs
Wm K Gailey Deft } In Debt

This day came the parties by their attornies and the deft pleaded "payment" & leave to file 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

Forrest Clippinger Pltff
vs
John H McFall Deft } In Debt

The Same order

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

Wednesday May 19th 1869

Present
John Funk. Henry Beery & J Shank
David Gilmer & Christopher Kiser } Gent Justices

David N Nagey admr Pltff
vs
John A Fishback & others Defts. } In Chancery

This cause coming on to be heard

been regularly set for hearing came on to be heard this 19th day of May 1869 upon the Bill & Exhibits the answer of the infant Defendants by their guardian ad litem, replication thereto and upon the bill taken for confessed as to the Defendant John A Fishback on whom the process has been duly served and the bill filed more than one month before the sitting of this Court, and has also failed to appear and plead or answer and the answers of the Defendants A L & J H Lindsey, replication thereto and the cause was argued by counsel, upon consideration whereof it is adjudged, ordered and decreed that the compromise made by the Complainant John W Kagey with the Defendant Fishback on the 11 of December 1867 ~~being the interest~~ of all parties concerned be ratified and confirmed, and that the Complainant John W Kagey admr of D N Kagey recover of the Defendant John A Fishback the sum of six hundred and fifty dollars with interest thereon from the 1st day of March 1865 till paid, and the costs of this suit and unless the said John A Fishback or some one for him do within 30 days from this date pay to the Complainant John W Kagey the amount of this Decree & the costs, then John C Woodson who is hereby appointed Commissioner for the purpose shall proceed to sell the tract of land in the Bill & proceedings mentioned or so much thereof as may be necessary, on the premises on the following terms to wit one half in hand and the residue in two equal annual payments bearing interest from the day of sale, taking from the purchaser bond with good personal security, but not until the time, terms and place of sale shall first have been advertised for four successive weeks in some newspaper of Rockingham County & like notice posted near the land. And before receiving any money under this decree said Commissioner shall execute bond before the Clerk of the County Court in the penalty of $1300 00 conditioned according to law, and shall report his proceedings to the next Term of this Court succeeding the sale. But no sale shall be made under this decree until M Harvey Effinger shall first have filed in the papers of this cause a release to John A Fishback A L & J H Lindsey of any lien he may hold on said land, said release to be filed for 60 days before said sale

David Kagey's admr Pltff
vs
A L Lindsey &c Defts } In Chancery

This cause having been regularly set for hearing came on to be heard this 19th day of May 1869 upon the Bill & Exhibits, answer of the infant Defendants by guardian ad litem, replication thereto and upon the answer of the Defendants A L Lindsey & J H Lindsey & replication thereto and the cause being argued by counsel the Court is of opinion that the compromise made on the 12th day of October 1867 between the Complainant John W Kagey admr &c and the Defendants A L & J H Lindsey was to the interest of all parties concerned. doth therefore adjudge order and decree that the same be ratified and confirmed and it is further adjudged ordered and decreed that Complainant

John W Kagy admr of David A Kagy recover of the Defendants A & J H Lindsey the sum of five hundred dollars with interest thereon from the 1st day of March 1853 till paid and the costs of this suit and unless the said A & J H Lindsey or ~~any~~ one of them or some one for them do within 30 days from this date pay to the said complainant John W Kagey the amount of this decree and the costs then Wm B Compton who is hereby appointed for the purpose shall proceed to sell the two tracts of land in the Bill mentioned or so much thereof as may be necessary to satisfy this decree and the costs on the premises on the following terms viz. one half in hand and the residue in two equal annual payments bearing interest from the day of sale taking from the purchaser bonds with good personal security, and report to this Court. but not until said Commissioner shall first give 4 weeks notice of the time. terms & place of sale by advertisement in some newspaper published in Rockingham County and like notice posted near the land. and before receiving any money under this Decree said Commissioner shall give bond before the Clerk of this Court in the penalty of $1000 - Conditioned according to law But no sale shall be made under this Decree until M Harvey Effinger shall first have filed in the papers of this cause a release to A & J H Lindsey of any lien he may hold on said land. said release to be filed for 60 days before said sale

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Commonwealth

vs

John Schmitt alias John Peter Schmidt alias Joseph Schmidt } upon an Indictment

This day came as well the attorney for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit William Ott. N L Greiner. Levi Conner, John S Effinger. George Bleaver. John Meperly. Thomas G Logan John Leedy. D M Huffman Saml Liggett. Shelton H Garrier & Patterson Greiner who being elected tried and sworn well and truly to try and ascertain whether the the defendant is a person sane or insane mind having heard the evidence retired from the bar and after sometime returned into Court and upon their oaths do say "we the jury find the prisoner to be of sound mind" and thereupon the same jury was sworn to try the Defendant upon the issue of "Not Guilty" and having heard the evidence but not having time to hear the argument of Counsel are adjourned until to-morrow morning at 9 O'Clock

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Commonwealth } upon a recognizance

vs

Richard Black

This day came again as well the attorney for the Commonwealth as the deft by his attorney, he having been at a former day of this Court surrendered and committed to jail. on his motion he is ordered to be discharged upon entering into a recognizance in the sum of Two hundred dollars and thereupon the said Richard Black appeared in Court and acknowledged himself

to owe and be indebted to the Commonwealth of Virginia in the sum of Two hundred dollars to be levied of his goods and chattels, lands and tenements and for the use of the Commonwealth
Yet upon the condition that if the said Richard Black shall perform and abide by all orders heretofore and may hereafter be made by this Court in this cause, 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 9 O'Clock.
John Funk

Thursday May 20 1869

Present
John Funk, David Gilmore, Henry Berry & C F Shank & Christopher Kyger } Gent Justices

Emanuel Sipe Pltff
vs
John Tompkin Deft } Upon an attachment

This day came the plaintiff by his attorney, and it is ordered that the officer who levied this attachment make sale of the attached effects in the manner prescribed by law, and out of the proceeds of said sale pay and satisfy the judgment rendered in this cause on Monday last, and report his proceedings to this Court

Jebulon D Gilmore Pltff
vs
H M Lofland Deft } In Debt

This day came the parties by their attornies and the defendant pleaded payment to which the pltff replied generally, and leave is reserved to the Deft to file special pleas and thereupon the judgment obtained in the office is set aside and the trial of the issue deferred until the next Term

Same Guardian Pltff
vs
Same Deft } In Debt

The Same order

Commonwealth
vs
John Schmitt, alias John Peter Schmitt alias Joseph Schmitt } Upon an Indictment

This day came again the as well the attorney for the Commonwealth as the Deft by his attorney, and the jury sworn and empannelled on yesterday for the trial of this cause appeared in Court and having fully heard the evidence retired from the bar to consider of their verdict and after some time returned into Court, and upon

their oaths do say "We the Jury find the Prisoner Guilty" It is therefore considered that the said prisoner be imprisoned in the Jail of this County for the term of sixty days. and that the Commonwealth recover against the defendant his costs in this behalf expended. Thereupon the prisoner was remanded to Jail

Same Pltff
vs } Upon an Indictment
Same Deft

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

Ordered that all the acting justices of this County be summoned to appear here on the first day of the June (next) Court to ~~act upon application for order~~ lay the County levy and for other purposes

Commonwealth
vs } Upon a Rule for failing to attend as a
Daniel Bowman witness

Ordered that the said Rule be discharged

Ordered that the Court be adjourned until the next term

John Funkhouser

In the Clerks Office of the County Court of Rockingham June 15th 1869

Samuel A Coffman Pltff
vs } In Debt
J B Eastham Deft

This day the defendant J B Eastham appeared in the Office aforesaid and confessed judgment for $2250.00 Debt with interest and Costs. It is therefore considered that the Pltff recover against the defendant the said sum of $2250.00 with legal interest thereon from the 1st day of April 1869 till paid. and the costs in this behalf expended.

Teste

Wm O Smith Cc

Virginia ss

At a Court held for Rockingham County at the Court House thereof on Monday 21st day of June 1869

Present

Henry Beery, David Gilmer, John Funk, Gent
Christopher Kiser & George W Skelton } 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 May 1869 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 B Wolfe & wife to Isaac Long
Same from Jacob [redacted] to Peter Rebecca Davis
Same from John G Wisdom Comm'r to Henry Horner
Same from J M Liggett to Charles Eastham
Same from Henry Kisling Exr & G T Hopkins
Same from J M Liggett & wife to Charles Eshman
Same from John B Funk to Erasmus Pence
Same from Eli Spitzer & wife to Henry Sites
Same from James Baker & wife to Solomon B Huffman
Same from John F Rowhorf to Mary Rowhorf
Same from George W Berlin to Joseph Byrd
Same from Mathias Kesh to Peter Pickering
Same from Albert Long & wife to A B Long & others Trustees
Same from Anthony Burkholder & wife to Isaac N Bowers
Same from Mathias M Kesh to John Werner
Same from Mathias Leap to Joseph Leap
Same from Algernon S Gray to Rebecca W Gray
A Deed of Trust from Same to A B Dick Jr Trust for Darnell Miller

---

A Settlement of the accounts of Anthony Rhodes & Guardian for Mary Nave 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 same Guardian for Elias Nave
The Same order

Same adm'r of Sampson Nave dec'd
The Same order

Same of the guardian of Wm D Bowman
The Same order

Same of the Guardian of Louisa D Bowman
The Same order

Same of the Guardian of Virginia E & D P Bowman
The Same order

The Last will and testament of John G Heaturole deceased was presented in Court and proven by the oaths Henry G Heaturole & Henry L Rhodes two of the subscribing witnesses thereto and ordered to be recorded and on the motion Joseph Heaturole the executor therein named who made oath thereto according to law and together with Emanuel Suters Jacob Heaturole and Simeon Heaturole 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 said will in due form

Ordered that Hugh Swope, Abraham Pine & Benjamin Herring after being first duly sworn for that purpose do appraise the estate of John G Heaturole dec'd and report thereon to the Court according to law

Ordered that Henry Beery Sr. Henry Beery Jr. & Henry Wenger do appraise the estate of Jacob Burkholder dec'd. and report thereon to the Court according to law

Upon the petition of Joseph Miller who desires licence to keep a Public Ordinary at Rawley Springs in this County, it is ordered to be certified that he is a person of good character not addicted to drinking or gaming and will probably keep a house of reputable orderly and such as the law requires

Adam Mays adm'r   Pltff
vs
Henry M Argabright &c   Defts
} upon a notice upon a rule taken for the delivery of property on the day of sale
Notice proved and execution awarded

Joseph Beel   Pltff
vs
Isaac Pane &c   Defts
} Same
The same order.

A M Newman & Co   Pltff
vs
E S Huffman &c   Defts
} Same
The same order

M & Harvey Effinger & Bro   Pltff
vs
Abraham Koontz Jr   Defts
} upon a suggestion that John Flory is indebted to the defendant Abraham Koontz Jr

This day came the plaintiffs by their attornies and the said John Flory appeared in Court and confessed that he was indebted to the said Abraham Koontz Jr in a sum more than sufficient to satisfy the pltffs demand It is therefore considered that the pltffs recover against John Flory the sum of $146.45 with interest thereon from the 2d day of January 1858 on $36.08 another part thereof from the 2d day of Jany 1860. on $15 another part thereof from 1st day of February 1860 and $2.73 the residue thereof from the 2d day of January 1861 till paid and eleven

dollars and ninety one cents Costs of suit. and the costs in this behalf expended.

Upon the petition of Benjamin Hoover & others for a change in a road within this County the Viewers heretofore appointed this day made their report which is received and ordered to be filed. and it is ordered that Amos Pennybacker and D F Strickler land holders be summoned to appear here on the first day of the next term to shew cause if any they can why said road shall not be established according to law

Ordered that Reuben A Whitmore be appointed surveyor of precinct No in place of Emanuel Roller removed from the precinct

On the motion of Charles A Yancey who made oath thereto according to law and together with Joseph A Mauzy his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires. a certificate is granted him for obtaining letters of administration de bonis non upon the estate of Christian Argabright dec'd

Ordered that George W Moyers be appointed surveyor of precinct No in the place of John Zigler

Ordered That Jacob Burner surveyor of the road lately established from River Bank bridge to McGaheysville be authorized to call on the hands assigned to David Glemer. E S Yancey. Robert H Yancey. Henry Harnsberger. and Henry Sipe to work one day of said road in order that it be placed in repair

On the Motion of Jackson Martz who made oath thereto according to law and together with Richard A Thomas 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 letters of administration in due form upon the estate of Elizabeth Thomas deceased

Ordered that George Martz. Perry Rhodes. Thomas Bricker. Jo[illegible]n A Coiner & D Martz or any three of them being first duly sworn for that purpose do appraise the estate of Elizabeth Thomas dec'd and report thereon to the Court according to law

Ordered that Barbara Catharine Miller be appointed Guardian for John J D Miller orphan of John D Miller dec'd who is under the age of fourteen years and thereupon the said Barbara Catharin Miller appeared in Court and together with John D Miller and Henry Wenger 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. which bond is ordered to be recorded

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A Settlement of the estate Balzer Dingledine 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 account of the Guardian of Wm Leonard

The Same order

Same of the Guardian for Benjamin Mc Ampler's heirs

The Same order

Same of the estate of Isaac Thomas dec'd

The Same order

Same of the Guardian of Mc C Thomas

The Same order

Same of the estate of Wm Canman dec'd

The Same order

On the Motion of Abraham S Rosenberger who made oath thereto according to law and together with Joseph M Chapman and Robert D Hanley his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand five hundred dollars conditioned as the law requires a certificate is granted him for obtaining letters of administration de bonis non upon the estate of Samuel Hanley dec'd

Ordered that John Shader be appointed Surveyor of precinct No. in place of R Huffman

Ordered that R H Spindle be appointed surveyor of precinct No (Naked Creek)

Ordered that Joseph Showalter be appointed surveyor of precinct No 2 in place of D R Hopkins

I J Butler Trustee Pltff
vs
A R Whipen Defts
} Upon an attachment

This day came the parties by their attornies and it is ordered that this cause be placed upon the dockets and continued

On the Motion of William H Saufley & John P Swank who made oath thereto according to law and together with Peter Swank & Wm Saufley their security (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 the said Wm H Saufley & John P Swank for obtaining letters of administration in due form upon the estate of George Saufley deceased

On the Motion of Hiram Huffman who made oath thereto according to law and together with Benjamin Huffman and John Thuma 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 letters of administration in due form upon the estate of Magdalene Thuma dec'd

Adolphus Loel a native of Bavaria having made his declaration on the 25 day of June 1867 this day proved to the satisfaction of the Court that he has resided in the United States for five years at least and within the State of Virginia for one year at least, and that during that time he has behaved himself as a man of good moral character, attached to the principals of the Constitution of the United States, and well disposed to the good order and happiness of the same and having now taken the oaths required by act Congress he is admitted a citizen of the United States

P W Roller & Wm E Roller admrs of J S Roller dec'd having obtained an attachment against Joseph Beganlow an attachment against the estate of the said Joseph Beganlow, intends to remove and is removing his estate out of this Commonwealth so that the ordinary process of law should or may be exercised to obtain judgment would be unavailing It is therefore considered that the plaintiffs recover against the Defendant the sum of $34.05 with legal interest from the 10th day of June 1867 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 said sale pay and satisfy this judgment, and the surplus if any pay to the Defdt and report this proceeding to this Court

Ordered that Wm Saufley Charles N Vanlear Harvey Wise and Samuel Brown or any three of them being first duly sworn for that purpose do appraise the estate of George Saufley dec'd and report thereon to the Court according to law

Ordered that Elias Brown be appointed a surveyor of Precinct No in the place of George Saufley dec'd

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

John Funk

Friday June 25 1867

Present

John Funk Henry Beery, Christopher Kiser
Daniel Gilmer A R Gladden J H Skelton Gent Justices
Shank Granville Roges

Samuel Gradwohl a native of Germany having made this declaration on the 25 day of June 1867 this day proved to the satisfaction of the Court that he has resided in the United States for five years at least and within the State of Virginia for one year at least and that during that time he has

behaved himself as a person of good behaviour attached to the principals of the Constitution of the United States and well disposed to the good order and happiness of the same and having now taken the oaths required by the act of Congress. he is admitted a citizen of the United States

Nancy Reed Pltff
vs
Potter & Orr Defts } Upon an award

This day came again the Pltff by her attorny and it appearing that the rule an award in this cause not being returned executed it is ordered that the Defts be summoned to appear here at the next Court to shew cause if any they can why the said award shall not be entered up according to law and it is further ordered that the Sheriff of Augusta County be summoned to appear here on the first day of the next term to shew cause if any he can why he shall not be fined and attached for his failure to return the rule in this cause

R P Fletcher Pltff
vs
J B Burnside Defts } Upon a Notice

George K Moyers having been duly summoned to appear here as a witness in this cause being solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the next term to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Present A C Long Gent Justices

cop? Ordered that Samuel Whitmore be appointed Surveyor of precinct No 2 in place of David Garber

An Attested Copy of the last will and testament of Samuel Miller dec'd was presented in Court and it appearing that the original one record thereof has been destroyed it is ordered that the same be recorded

Samuel R Allebaugh late Sheriff & Wm H Rodiffer Christopher Miller Henry Neff A A Sheffey Joseph N Mauzy Deputy Sheriffs presented in Court a list of delinquents in the County & Parish Levies which being sworn to, was examined and allowed by the Court

Josiah S Roller's admrs Pltff
vs
Joseph Bezanson Deft } Upon an attachment

This day came the plaintiffs by their attorney it is considered that the pltff recover against the Deft $34.05 with legal interest thereon from the day of till paid and the costs in this behalf expended and it is ordered that the officer who levied the attachment issued in this

cause. 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 deft or such person as may be authorized to receive the same. and report his proceedings to this Court

Samuel Sindamore Commissioner of the Revenue of the first Collection District for this County presented in Court an account amounting to $15.80 which being sworn to in Court was examined & allowed by the Court and ordered to be certified to the Auditor of Public accounts and it is further ordered to be certified that the said Commissioner returned a list of 127 Births and 31 Deaths for the year 1868 which list was accurately made and return within the time prescribed by law regulating to the same

Copies Cs. &c.

A Map of the Town of Bridgewater was presented in Court and ordered to be recorded

Ordered that the Sheriff of this County collect from each person of this County 15 cents on each $100 of the assessed value of the real and personal property. for the purpose of paying the interest on the Bonds executed by the County to the Manassas Gap Rail Road Company. and it is ordered the Commrs Shackleff be appointed agent of this Court to receive & disburse the same

On the Motion of Daniel Swank the attorney for the Commonwealth being present. it is ordered that the County refund to him the sum of $3.86 an erroneous assessment. which is ordered to be refunded to E Miller DS

On the Motion of Joseph Sheets the attorney for the Commonwealth being present. it is ordered that the County refund to him the sum of $6.19 an erroneous assessment. which is ordered to be refunded to E Miller

The Court having been summoned for that purpose proceeded to lay the County & Parish Levies as follows to wit

County expenses from June 1868 to June 1869	
Road Claims	$1931.32
Grand Jury Service	58.00
Petit Jurors	1097.75
Justices	897.00
Miscellaneous expenses	1337.26
Contingent fund	369.04
	$5690.37
Amount required to meet appropriations by Overseers of Poor	19461.78
	25.107.15
Sheriffs Com 7½ ℄ for collecting revenue	$1883.03
Add for Delinquents supposed 90 @ $3-	270.00
Total Amount required	29660.18
Poor fund required	Surplus 309.82
	$30.000.00

To Meet which

1800 Tithables @ $3.	$1400-
State Tax $30000 @ 52¢	15600
	30.000

Ordered that the Sheriff of this County collect from each Tithable of the County $3. and 52 ¢ on the State Tax and pay the same to the parties to whom accounts have been this day allowed

Commonwealth
vs
Jas Heistee Shifflett } Upon an Indictment

The day came the attorney for the Commonwealth and on his motion it is ordered a Capias be issued against the Dft returnable here at the next Term

Ordered that John A Dixon be released from the payment of County & Parish Levies

Ordered that the Court be adjourned until the next Term

John Funk

In Vacation, July 10th 1869

Whereas a vacancy has occurred in the office of Clerk of the County Court of Rockingham County, Virginia, by the removal of Robt A. Gray by a Military order from Brevit Major General Em Canby, Commanding the Military District of Virginia.

Now therefore I, John Funk, Presiding Justice of the County Court of Rockingham County, Virginia, by virtue of the authority vested in me by the 21st section of Chapter 8th of the Code of Virginia of 1860, have appointed and by these presents do appoint Andrew L. Lindsay as Clerk pro tempore, to hold the office of Clerk of said County Court of Rockingham County, until the next regular meeting of said County Court, and to discharge the duties of said office until the said Andrew L. Lindsey, who has been appointed Clerk of the said County Court of Rockingham County by order of the said Commanding General, qualifies as such Clerk at said regular term of the Court.

Given under my hand this 10th day July 1869.

John Funk P.J.

I, John Funk, Presiding Justice of the County Court

of Rockingham County, do hereby certify that Andrew L. Lindsay, personally appeared before me this day and took the following oaths pursuant to law before entering upon the duties of the office of Clerk of the County Court of Rockingham County pro tempore, by virtue of the within appointment, viz. the oath of fidelity to the Commonwealth of Virginia, the ante-dueling oath and the oath of office as prescribed by section 1, 2 & 3 of Chapter 13 of the Code of Virginia of 1860, and the oath prescribed by the act of Congress of July 19th 1867

John Funk J.P.

A Copy,

Teste

Andrew L. Lindsay P.T.
Clk pro Tem

Virginia

At a Court held for Rockingham County, on Monday. July 19th 1869.

Present Henry Beery. David Gilmer. Christian Shank & Adam R. Kladen and G. M. Rogers Justices

The Clerk of this Court this day presented in Court a list of deeds and other instruments of writing, admitted to record in the Clerk's Office of this Court during and since the last June term of this Court, which being seen and inspected by the Court, is ordered to be entered on the minutes of said Court, as follows. viz

A deed of bargain & sale from Jno Earman & to Wm Rebecca
A do do do " Mo E. Bryan & wife to John Thomas
A do do do " Joseph Headrick & wife to Peter Blosser
A do do do " Geo Armentrout & wife to Jona. Funk
A do do do " Jacob W Zirkle & wife to S W Bowman & J.
A do do do " John N. Denier & wife to Jno Zimmerman
A do do do " D B Denier & wife to Same
A Mortgage from Lyle Allebaugh & to Jacob Allebaugh
A deed of bargain & sale from Benj. Hower & to Geo. N. Cosby
A do do do David Funk & wife to Harvey Kyle
A deed of trust from Geo W Miller to Abram N. Miller & J.
A deed of trust from J Lindsay Allen to James W. Green
A deed of bargain and sale from Mary A. Newman & to C Harnsberger
A deed of trust from Saml M. Dodd to C. C. Strayer Trustee
A deed of bargain and sale from James A Wood & wife to The Abbott Iron Co
A deed of bargain and sale from John Baker & wife to Jeremiah Clemens
A do do do from S Miller & wife to Daniel Young
A do do do from N. Smith to Bradley Wilson
A Power of Attorney from Kyle Smith to Warren Cole
A deed of bargain & sale from Wm P. Bruce & wife to Mary E. Falls

A Report of the settlement of the accounts of Henry Wenger Admr. of Jacob Miller dec'd, was this day returned into Court, and it appearing to the Court that the said Report has been on file in the Clerk's Office of this Court for at least one months prior to this term of the Court. and no exceptions appearing to have been taken thereto, the same is thereupon ordered to be recorded

The same entry as to the Accounts of John A Flory Admr. of Sarah Flory dec'd.

The same entry as to the Accounts of Barbara F. Brenneman Administratrix of John Brenneman dec'd.

The same entry as to the Accounts of Benj'n Bowman Administrator of Henry Neswander dec'd

Same entry as to acct of same Admr of same

The same entry as to the Accounts of David M. Doyel & Philip Koontz Executors of David D. Doyel dec'd

The same entry as to the Accounts of Ly b. Ammon. late Adm'r. of Christian Heyabright dec'd.

The same entry as to the Accounts of John Dinkel. late Adm'r. of Magdaline Thuma dec'd

Andrew L. Lindsey who was, on the 29th day of June 1869 appointed Clerk of the County Court for Rockingham County. State of Virginia, to fill the vacancy occasioned by the removal of Robert A. Gray from Office. by special order from Brevet Major General Ed. R. S. Canby, Commanding 1st Military District of Va. this day personally appeared in open Court, and. together with Jacob H. Lindsey. David Danner. David Gelmer and B. F. Pattison ——— 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 by the Clerk of this Court. who is also directed to transmit a copy of said bond together with a copy of this order to the Auditor of public accounts, and to deliver the original bond to the Clerk of the Circuit Court of this County Thereupon the said Andrew L. Lindsey took the several oaths prescribed by law. ———

At the instance of Andrew L. Lindsey. Clerk of this Court. George W. Garrett is permitted to qualify as his deputy. who thereupon took the several oaths required by law

Wm Snipe to Silas Snipe
Good Snipe to Silas } Deeds
Duly certified — stamped according to law. and ordered to be recorded

On the motion of Caroline Wiefner who made oath and together with Wm R. Rhodes her security (who justified) entered into and acknowledged a bond in the penalty of One thousand dollars, conditioned as the law directs — Certificate is granted the said Caroline Wiefner for obtaining letters of administration on the estate of George Wiefner dec'd in due form. — And Charles

cop.

19 July 1869

Pollard. Samuel Barley. John Early. John Earman or any three of whom being first duly sworn are appointed to appraise the estate of said deceased and make report.

The last will and testament of Peter Henebeger dec'd. was this day produced in open Court and being fully proved by C. C. Strayer and A. B. Irick. the two subscribing witnesses thereto. was thereupon ordered to be recorded. and thereupon on the motion of A. E. Henebeger who made oath and entered into and acknowledged a bond in the penalty of ($6000) six thousand dollars. conditioned as the law directs. Certificate is granted the said A. E. Henebeger for obtaining Letters testamentary on the estate of said Peter Henebeger dec'd. in due form — No security being required of the said A. E. Henebeger at the request of said testator.

And John S. Effinger. Andrew Lewis. Henry Shacklett. being sworn are appointed to appraise the estate of said deceased and make report.

On the motion of Henry J. Derror who made oath and together with Adam Deeds and Phillip K. Argabright his securities (who justified) entered into and acknowledged a bond in the penalty of ($2000) Two thousand dollars conditioned as the law directs. Certificate is granted the said Henry J. Derror for obtaining Letters of administration on the estate of William W. Armentrout dec'd. in due form —

And Michael Armentrout. Adam Deeds and Jacob Flook. being first duly sworn are appointed to appraise the estate of said deceased and make report.

On the motion of Madison West. execu'r of Isaac Thomas dec'd. Geo. Maxey. John Maxey. Thomas Burbank and Thomas Moore. or any three of whom being first duly sworn are appointed to appraise the estate of said Isaac Thomas dec'd. and make report.

On the Motion of Eli Keeran Guardian of Alberta Buttner. an infant under fourteen years of age and the said Eli Keeran personally appearing in Court and resigning his said trust — It is ordered that the powers of the said Eli Keeran as such Guardian are hereby revoked. —

The last will and testament of James L. Beard dec'd. was this day produced in Court and being fully proved by the oaths of the subscribing witnesses thereto. was thereupon ordered to be recorded.

Lewis vs Byerly
Dowis exon vs Yancey &c
same vs Yancey &c
Motions on bonds taken for the forthcoming on the day of sale of property taken under execution
Notices proved, parties called and judgment according to bonds and facts

William Milnes Plt
vs
J. D. Price Deft
Upon an attachment
This cause is docketed and continued

E. J. Sullivan who has been duly appointed a Justice of the peace in the sixth Magisterial District of this County, this day appeared in Court and took the several oaths prescribed by law.—

D. M. Nisewander, who has been duly appointed a Justice of the peace in the 4th Magisterial District of this County this day appeared in Court and took the several oaths prescribed by law

W. D. Maiden, who has been duly appointed a Justice of the peace in the 2d District of this County, this day personally appeared in Court and took the several oaths prescribed by law.

John Gangway, who has been duly appointed a Justice of the peace in the 5th District of this County this day personally appeared in Court and took the several oaths prescribed by law

W. S. Downes, who has been duly appointed a Justice of the peace in 2d District of this County this day personally appeared in Court and took the several oaths prescribed by law

James A. Anderson who has been duly appointed Constable in the 4th Magisterial District of this County, this day entered into bond with Wm G Anderson and Peter Paul, his securities (who justified) in the penalty of $5000 conditioned as the law directs and qualified accordingly.—

It is ordered that the Overseers of the Poor of this County bind out to David Gilmer, of said County, Jeremiah Nave, son of Mary C. Nave aged 10 years, until the said Jeremiah Nave arrives at lawful age, And he, the said David Gilmer shall teach or cause to be taught to, the said Jeremiah Nave the art of farming which he, the said David Gilmer now followeth, and shall also pay to the said Jeremiah Nave at the expiration of the term of his apprenticeship a good freedom suit of clothes.—

19 July 1869

The last will and testament of Martha D. Grattan decd. was this day produced into Court and being fully proved by the oaths of the Subscribing witnesses thereto was thereupon ordered to be recorded. And Charles Grattan, one of the executors named in said will personally appeared in Court and renounced his right to qualify as such executor. Whereupon. On the motion of George G. Grattan, the other executor therein named who made oath to and together with ..... John G. Meem, George Chrisman, Charles Grattan, J. A. Gardner, J. A. Herring Jr. and John F. Crawn (who severally justified) entered into and acknowledged a bond in the penalty of ($50000) fifty thousand dollars, conditioned as the law directs and stamped according to law — Certificate is granted the said George G. Grattan for obtaining Letters testamentary in the estate of said Martha D. Grattan decd in due form — And D. S. Roller, John C. Herring Jr. Daniel Byerly and A. M. Newman or any three of whom, being first duly sworn are appointed to appraise the estate of said deceased and make report

Henry B. Harnsberger surviving partner of the firm of Harnsberger & Coffman Plff
vs Upon a Notice
James Steele & c Defts

This day came the plaintiff by his Attorney and it appearing that the defendant Daniel Miller is dead, the Notice as to him is dismissed and the cause docketed as against the defendant James Steel. —

George B. Gilmer, who has been duly appointed Constable of the 1st Magisterial District of this County, this day entered into bond with Daniel Gilmer and Andrew L. Lindsey his securities (who justified) in the penalty of $5000 conditioned as the law directs and qualified accordingly.

Harnsberger &c Plff
vs Motion on a bond taken for the
Krauss &c Defts forthcoming on the day of sale of property taken under execution

Notice proved, parties called and Judgment according to bond and for costs

Wm D. Landis who has been duly appointed Constable of the 8th Magisterial District of this County this day entered into bond in the penalty of $5000 conditioned as the law directs with Isaac T. Brunner and Jonathan Brunner, his securities (who justified) and qualified accordingly.

The Commonwealth
vs
William Saufley Jr

Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendant by his Attorney, and the said defendant for plea saith that he is not guilty in manner and form as he is in the Indictment above and against him is charged. of which he puts himself upon the County and the Attorney for the Commonwealth likewise - Whereupon came a jury. to wit. S. F. Longaker. John M. Brown. Saml S Brown, D McDuffman. Thos. Logan. A. J. Whitmore, Reuben Grubb. Henry Argenbright. Peter Brady. I P. Slusser. Abraham Wheeler and Abraham Sweetser, who being elected. tried and sworn the truth to speak upon the issue joined. upon their oaths do say that the defendant is not guilty. Therefore it is considered by the Court that the Defendant be discharged. -

On the Motion of A. A Argenbright who made oath and together with Branson Argenbright and Franklin P. Argenbright. his securities (who justified) entered into and acknowledged a bond in the penalty of $800 conditioned as the law directs - Certificate is granted the said Alfred A. Argenbright for obtaining letters of Administration on the estate of Joel Argenbright in due form - And Charles Rush, Robert Kiger and Cornelius Armentrout. being sworn. are appointed to appraise the estate of said deceased and make report.

On the motion of Jos. N. Mauzy. and it appearing that due Notice has been given G. W. Mauzy and Jos W. Winsborough admrs of Jos Mauzy dec'd. It is ordered that the powers of the said G W Mauzy and Jos W Winsborough administrators of the said Joseph Mauzy be. and the same. are hereby revoked

Wise &c
vs
Smalts

Motion in a bond taken for the forthcoming on the day of sale of property taken under execution

Notice proved. parties called and judgment according to bond and fi cats

The Commonwealth vs Wm Saufley -

Howe

The Rule awarded in this cause against John a witness for Commonwealth, is discharged

Sipe &c
vs
Rodgers

Motion on a bond taken for the forthcoming on the day of sale of property taken under execution

Notice proved. parties called and judgment according to bond and fi cats

19 July 1869

R. D. Fletcher & Bro Plt
vs
J. B. Burnside Deft } Upon a Motion

The Rule awarded in this cause at the last term of this Court against George K. Moyers, a return for the plaintiffs having returned executed - and he still failing to appear - It is ordered that an attachment be awarded against him returnable to the next term of this Court.

The Overseers of the Poor
vs
Benj. F. Shoemaker

Abraham Spitzer and Mrs. Frances Blair, who have been summoned to attend this term of the Court as witnesses for the defendant, failing to appear - It is ordered that they be summoned to appear here tomorrow, to shew cause, if any they can, why they should not be fined and attached for such their contempt.

L. F. Lenox, who has been duly appointed a Justice of the peace in the 7th District of this County, this day personally appeared in Court and took the several oaths prescribed by law.

Commonwealth vs J. W. Shifflett
same " Robt Newman &
same " Mich. Canada
same " same
same " Robt S. R. Bird
same " James Paine
same " Charles West
same " A. C. Lincoln } Upon Indictments

These causes are continued until the next Term

The Commonwealth vs John Scanlon
same " The Orange, Alex & M. R. Road Company

The Attorney for the Commonwealth, with the leave of the Court, says he will not further prosecute the defendants upon the Indictments found against them in these causes.

Hugh B. O'Brien Plt
vs } Wrongful Detainer
Joseph Bear Deft

This cause is continued until the next term of the Court.

The Commonwealth
vs
Richd Randall
} Upon an Indictment

This day came as well the Attorney for the Commwlth. as the Defendant by his Attorney and the said Defendant by his Attorney agrees that Judgment may be entered up against him for one cent damages and costs - Therefore it is considered by the Court that the said defendant pay to the Commonwealth one cent, and the costs of this prosecution

John M. Lock and Mary C. Lupton partners trading under the style of Lock & Lupton Plts
vs
John R. Steger Deft
} Upon an Attachment

This day came the plaintiffs by their Attorneys and it is considered by the Court that the plaintiffs recover against the said defendant $165 with Interest thereon from the 14th July 1869 and their costs in this behalf expended, And it is ordered that the officer who levied the attachment issued in this cause make sale of the attached effects and out of the proceeds of said sale pay and satisfy this judgment, and the surplus, if any, pay to the defendant or such person as may be authorized to receive the same, and report his proceeding to this Court

Nancy Reed Plt
vs
A D & I. I. A. Trotter Defts
} Upon an Award

This day came the plaintiff by her Attorney, and it appearing that the Rule awarded in this cause against against the defendants, has been duly executed, and the said defendants being solemnly called and not appearing - it is ordered that the award made and returned between the parties in this suit be entered as the judgment of the Court - it being ascertained and determined that the plaintiff sustained damage to the amount of One hundred and ninety two dollars by reason of the accident that occured to the stage on the 14th day of September 1868, and that the said defendants are liable for said amount of damage, and that they pay the same with interest from the said 14th day of September 1868, and also five dollars the cost of this arbitration -

Therefore it is considered by the Court that the plaintiff recover against the defendants One hundred and ninety two dollars with legal interest thereon from the 14th day of September 1868 till paid and $5 the cost of this arbitration - and that she further recover of the said Defendants her costs by her expended in the prosecution of her suit -

19 July 1869 // At the adjournment the following members composed the Court – viz. Henry Beery. David Gilmer. Christian F Shank. Adam R. Gladden and G. M. Rogers

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

Henry Beery

At a Court continued and held for Rockingham County on the 20 day of July 1869.

Present § Henry Beery. David Gilmer. C. F. Shank § Justices
§ Adam R. Gladden and G. M. Rogers §

It is ordered That A. J. Douglas. a citizen of this County. on account of bodily infirmity be. and he is hereby, in future, relieved from working on Roads and from the payment of County levy tax. —

Cq // Locke & Lupton Plts
vs § upon an Attachment
John R. Sleger Deft §

By consent of the parties. by their Attorneys. it is ordered that the officer directed by the order entered in this case on yesterday. to make sale of the attached effects levied upon, is ordered to hold the proceeds of the sale arising from the sale of the horse directed to be sold. to abide the future order of this Court

Cq // Ordered that it be certified to the Auditor of public Accounts that Charles H. Lewis. the Atty for Comm.th practicing in this Court in allowed the sum of ten dollars for prosecuting two misdemeanor causes at the present term

Peter Paul late Justice of the peace for Rockingham County, returned an examination of Antonetta Whitmore, of this County, single woman. taken before him in writing upon oath, upon which examination the said Antonetta Whitmore charged Benjamin Franklin Showalter with being the father of her bastard child, and divers witnesses being sworn and examined, and the said Benjamin Franklin Showalter fully heard. this Court, upon the whole circumstances of the case doth adjudge the said Benjamin Franklin Showalter to be the father of the said bastard child, ~~and doth~~. Therefore it is ordered that the said Benjamin Franklin Showalter be chargeable with the annual payment of $25 to the Overseers of the poor of this County until the said bastard child arrives at the age of seven years. in case the said Child shall live so long - the first annual payment as aforesaid to fall due on the 12th Day of March 1870. and to be paid to the said Overseers of the Poor at the end of each year until the said Child is seven years old as aforesaid. And thereupon the said Benjamin Franklin Showalter with Adam Showalter. his security (who justified) entered into and acknowledged a bond in open Court in the penalty of $250, Conditioned to pay to the said Overseers of the Poor of the County of Rockingham $25 annually, Commencing on the 12th day of March 1870. for the maintenance of said bastard Child -

And it is ordered that the said Showalter pay the Costs of this prosecution

On the motion of Alexander Fulton Exr of James L. Beard dc who made oath and together with Jacob Beahm his security (who justified) entered into and acknowledged a bond in the penalty of $2000. Conditioned as the law directs - Cubficate is granted the said Alexander Fulton for obtaining letters of administration on the estate of James L. Beard dcd in due form - And J M. Layton. Stephen Murray. Martin Altaffer and Rob. Rippetoe or any three of them. being sworn are appointed to appraise the estate of said dcd and make report.

The Commonwealth
"
William Nuffman & } Upon an Indictment

The Attorney for the Commonwealth. with the Consent of the Court. says he will not further prosecute the Defr upon the Indictment aforesaid

Commonwealth " Emanuel Royer - Upon an Indictment
This cause is continued till the next term

Ordered that the Court be adjourned till Court in Course
Henry Beery -

At the adjournment the following members composed the Court Viz: Henry Beery. David Gilkeson. C F. Sherrick. Andrew R. Gladden and G M Rogers -

16 Aug 1869

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 16th day of August 1869

Present { Henry Bury, D M Niswander, Wm N. Gay, G W M Rogers & Jno Langner }

The Clerk of this Court presented in this Court a list of Deeds and other writings admitted to record in his office aforesaid since the last Term and being seen and inspected by the Court are ordered to be entered on the Minutes as follows to wit

A Deed of Bargain & Sale from Mary B. Reed to David A Pleasants
same from William Showalter to same
same from William S Perry wife to Emanuel Roller
same from John Carr &c to William Minnick
A Deed of Trust from A. C. Cleary to Jno. E Roller conveying personal property
A Deed of Bargain & Sale from John Rootz & wife to Richard N. Poole
same from C. C. Showalter Ex. to Michael Eaeman
same from Reuben Rusling & wife to James Begoone
same from Geo. M. Moore & wife to same
same from John Smoke to Jacob Smoke
same from Andrew Helmes claiming homestead to himself
same from Abram Armentrout & wife to Abram Beam
same from Lucy Johnson to same
same from Anthony Rhodes & wife to Jacob Gittinger
A Deed of Trust from Ed: S. Yancey & C. A. Yancey to S. A. Mauzy conveying land & personal property
A Deed of Bargain & Sale from Geo. W. Showalter & wife to Joseph Bushong

William Eiler (Foreman) Eli Long, Geo W. Mayer, Alexander Knupp, Wm McIntire, Daniel Miller, Peter Strine, John Sanger, A. Gilmore, John Rhodes, Isaac Stone, Asher Mefick, Thos Lanskins, A. W. Switzer, Shem Bowman, Henry Pulse, Joshua Pence, Saml Liggett & Jacob L. Lamb, were sworn a Grand Jury of Inquest in and for the body of the County of Rockingham, and having received their charge, retired to their Chamber, and after some time returned into Court and not reporting, returned to their Chamber after recess.

Madison Wise, who has been duly appointed Constable of 7th Magisterial District of this County this day entered into bond with A C Long his security (who justified) in the penalty of of $5.000 Conditioned as the law directs and qualified accordingly

Knitting v Knitting Mo on Dbond
This Cause is docketed

On the Motion of Mrs Phoeba Miller, widow of Michael Miller dec'd Geo Brunk, Jonathan Brammer, Lewis Will and John P. Pence are hereby appointed Commissioners to lay off and assign to said Phoeba Miller; dower in the tract of land of which her husband died seized situated near Coote's store in Rockingham County

Cop

On the Motion of Harvey Kyle who made oath and together with Wm Eiler and David Eiler his securities (who justified) entered into and acknowledged a bond in the penalty of twenty thousand dollars, conditioned as the law directs - (said bond being stamped according to law) and Letters is granted the said Harvey Kyle for obtaining Letters of administration on the estate of Jeremiah Kyle dec'd in due form

On the Motion of Wm H. Saufley and John P. Swank admrs of George Saufley dec'd. It is ordered that Wm E. Roller and P M Roller administrators of the estate of Josiah Roller dec'd - be summoned to appear at the next term to shew cause if any they can, why they should not be required, as such administrators, to give new securities in their official bond, or to relieve the estate of said George Saufley dec'd from the suretyship in said bond - under the provisions of Chap 146 of Code of 1860.

up

Daniel Fields vs Isaac Paul & sons &c.
R. M. Money " Linens Woodson &c
Geo E. Deneale " Lincin Woodson &c
B F. Cole &c " Isaac Paul & sons &c.

} Motions on Bonds taken for the forthcoming on the day of sale of property taken under executions

Notices proved, parties called and Judgments according to bonds and fee bills

James McDorman and Geo W Sanford who have been appointed Justices of the peace in the 4th and 1st Districts respectively of this County, this day personally appeared in Court and took the several oaths prescribed by law

Cyprus Wise who has been duly appointed a Justice of the peace in the district of this County, this day personally appeared in Court and took the several oaths prescribed by law

Cornelius Winegeard, a minor over the age of fourteen years, this day personally appeared in Court and made choice of P M Whitlock as her guardian and the Court does not require the said Whitlock to enter into bond & security - as his said ward is poor & no property.

16 Aug 1869

William N. Gay, who has been duly appointed a Justice of the peace in the 6th District of this County, this day personally appeared in Court and took the several oaths prescribed by law. —

T. T. Burke Plt
In. "6. Morrison & — Defts } Upon an award

This day came the parties by their Attorneys, and it is ordered that the Defendant In. 6. Morrison appear on the 1st day of the next November term of this Court to shew cause, if any he can, why the award made up in this Cause, should not be entered as the Judgment of the Court.

Benj. Richie is appointed Surveyor of the Road running from Dayton to the Valley Turnpike, in the room of J. W. Harshbarger, returned, with the usual hands to keep the same in lawful repair

The last will and testament of Sam'l H. Lewis dec'd was produced into Court and being fully proved by the oaths of A. L. Wagner and I. N. Lewis, the subscribing witnesses thereto, was ordered to be recorded — And on the motion of In. F. Lewis and L. S. Lewis, the executors therein named who made oath and together with B. B. Botts, W. M. Lewis, M. Lynn Lewis, Mary Lewis and E. J. Lewis, their securities (who justified) entered into and acknowledged a bond in the penalty of $40.000 conditioned as the law directs — Certificate is granted the said In. F. Lewis and L. S. Lewis for obtaining Letters testamentary on the estate of said Sam'l. H. Lewis dec'd in due form

And Joseph Hoff, J. M. Weaver, Charles Lewis and W. S. Baugher, or any three of them, being sworn, and appointed to appraise the estate of said dec'd and make report.

Saml Swartz Plt
Phalis Pharis jr Defts } Upon a Notice.

This Case is docketed

Charles T. O'Ferrall, who has been licensed to practice law in the Courts of this Commonwealth on his motion is permitted to practice in this Court and thereupon took the several oaths prescribed by law

On the motion of Harrison Brenner who made oath & together with Joseph Manck. his security (who justified) entered into and acknowledged a bond in the penalty of $100 conditioned as the law directs - Certificate is granted the said Harrison Brenner for obtaining letters of administration on the estate of Peter Overbaugh dec'd in due form - And Augustine Heiler. James Manck. Moses Boreman and Wm Bowers. or any three of whom being sworn. are appointed to appraise the estate of said deceased and make report.

On the motion of Zebulon Gilmer and David Gilmer adm'rs of Joseph Bull, and for reasons appearing to the Court, with the consent of the heirs of Joseph Bull, the Court doth appoint Wm McK. Wartmann a Special Commissioner to settle the accounts of said Adm'rs, with the estate of said decedent

On the application of Shipp & Blakey for leave to keep an ordinary at the Mountain House. situated on the Rockingham Turnpike & the western base of the blue Ridge. it appearing to the Court that the said Shipp & Blakey are persons of good character, not addicted to drunkenness and that they will probably keep a house of good reputation and such as the law requires - the said Shipp & Blakey are granted a license to keep an Ordinary at their said house until the 1st day of May next.

On the motion of the heirs of George Saufley dec'd. the Court doth appoint Wm Saufley dec'd. Ed. S. Kemper, Charles Vanbear and Harvey Wise, Commissioners. whose duty it shall be. after being first duly sworn, to go upon the lands of Geo Saufley dec'd. and lay off the dower interest of the ~~said~~ widow of said George Saufley in said lands. and to partition the remainder among the heirs of said George Saufley according to their respective rights and interests. And report to the Court at its. next term.

On the motion of Anna Maria Lewis, infant daughter of S H Lewis dec'd. who. it appears to the Court is over 14 years of age, Lunsford L. Lewis is appointed her guardian and thereupon entered a bond with Mc T. Lewis. his security (who justified) in the penalty of $4.000 Conditioned as the law directs

It is ordered to be certified that the following persons are erroneously assessed on the Commissioners books of 1868 with County levy. viz. Saml Shacklett $1.13. Peter Newbaugh $5.67. Geo Miller $2.55. Mc Kelly $3.32. Michael Mahony 42 cents.

16 Aug 64

The following preamble and resolutions were this day produced in Court and being heard and considered by the Court. were adopted. and ordered to be entered of record. which are in the following words, to wit.

The County Court of Rockingham County at its August term have adopted the following preamble and resolution. ——

Whereas. the O. A. & M. G. R. Road Company. through it' officers. have adopted a Schedule of travel. which. by reason of making the time of arrival & departure of the Car to and from Harrisonburg at a late hour of the night, deprives the people of Rockingham living along the line of all advantages which would be conferred on them in the way of convenience if the scheme of any travel. first adopted had been adhered to. It is therefore resolved. that the Board of Directors be respectfully requested to Change the present schedule and to adopt such an one as that first established.

Resolved. that our present worthy and energetic Director Dr. Coffman be requested to Call the attention of the board of directors to the fact that Rockingham subscribed as a bonus to this Road $150.000, and that the grants of individual stockholders. have been liberal to a degree almost unprecedented.

Resolved. That Dr. Coffman be requested also to call the attention of the Directors to the Monthly returns since the road has been Concluded — which returns show a diminution of receipts since the day time has been changed. seriously damaging to the Company's interest.

Resolved. That these proceedings be entered on the records of the Court. and a Copy furnished S. H. Coffman Esq.

Charles Lewis who has been Commissioned a Notary Public of Rockingham County this day entered into bond with Andrew Lewis his security (who justified) in the penalty of $500 Conditioned as the law directs and qualified accordingly.

The last will and testament of George Efford proved into Court and proved by the oaths of B Amick and Mr R Huffman the Subscribing witnesses thereto and ordered to be recorded

The Court doth appoint Mr J. Harris. Jas Kenney. Mr C. Woodson. Warren S Lucky. Wm N Effinger. a Committee. to prepare suitable resolutions in regard to the death of Gen Saml H. Lewis. late presiding officer of this Court. ——

William Eiler (foreman) Eli Long. Geo. W Myers. Alex Knupp. Wm McEntire. Daniel Miller, Peter Strine. John Yenger. A Gilmer. John Rhoden. Isaac Stone. Asher Mefick. Thos. Lampkins. N W Switzer. Shem Bowman. Henry Pulse. Joshua Reece. Saml Liggett and Jacob D Lamb. were sworn a Grand Jury of Inquest for the body of the County of Rockingham. and having received their charge. retired and after some time returned and presented –

An Indictment against Edward J Armstrong for Murder A true bill

An Indictment against Levi Runion for Assault & battery – A true bill

An Indictment against Saml Good for Retailing Ardent Spirits without license A true bill

An Indictment against Jacob May ~~for Indictment~~ for Assault & battery, a true bill.

An Indictment against Jacob Acker for Malicious Assaulting with intent to Kill A true bill

And the said Grand Jury having Nothing further to present were discharged

John W West who has been duly appointed Commissioner of the Revenue in the 3d district of this County, this day appeared in Court and entered into bond with Saml R. Allebaugh his security and Henry Neff his security (who justified) in the sum of $5000 Conditioned as the law directs – and qualified accordingly.

At the instance of Jno W West Comm. of Revenue of 3. Dist of this County. Alexander Chrisman is permitted to qualify as his deputy and thereupon took the several oaths prescribed by law. –

Geo W Miller and Sibert who were summoned to appear at this term as Grand Jurors, having come and heard are excused from further attendance in the Court.

Comm^th vs Madison Lam

It appearing to the Court that the defendant is confined in the Jail of this County upon a charge of , and that the Grand Jury failed to find an Indictment against him upon the charge aforesaid, it is ordered that the said Madison Lam be discharged from the Custody of the Jailer of this County. –

Reuben Coffman who has been duly appointed a

The Court doth appoint Reuben Coffman guardian of Mary Hinton infant of Joseph Hinton dec and thereupon the said Reuben Coffman entered into bond with F. R Davis his security (who justified) in the penalty of $ 300 and qualified

16 Aug '69

On the Motion of Charles A. Yancey who made oath and together with Wm B. Yancey. his security (who justified) entered into and acknowledged a bond in the penalty of $15000 conditioned as the law directs — Certificate is granted the said Charles A Yancey for obtaining Letters of adm'r. d. b. n. on the estate of Joseph Mauzy dec'd in due form

David Gilmer, a Justice of the peace in and for the County of Rockingham, returned an examination of Mary Bricker of this County, taken before him in writing on oath, upon which ex: amination the said Mary Bricker charged Thomas F. Jeffries with being the father of her bastard Child, and the Def't by Counsel. said Thomas F Jeffries. by Counsel. moved the Court to quash the warrant issued in this cause upon the ground that the said Mary Bricker upon at whose instance this prosecution is had was a Married woman — which Motion was overruled by the Court, and after the examination on part of the evidence in the cause the Cause is Continued until tomorrow

Commonwealth
" } Upon an Indictment
Ed. J. Armstrong

The Court this day issued a bench warrant upon the Indictment found by the Grand Jury at the present term. directed to the Sheriff of this County for the apprehension of said Ed. J. Armstrong. who is to be taken before some Justice of the peace of this County to be dealt with according to law.

At the adjournment the following members Composed the Court — Viz: Henry Beery. D M Kinsinger, Wm N Gay and Mc Gaughey

Ordered that the Court be adjourned till tomorrow Morning 10 O'Clock. Henry Beery, P.J.P

At a Court continued and held for the County of Rockingham on the 17 day of August 1869

Present } Henry Beery, D M. Neswander, Wm N. Gay } Justices
} G W Rogers and Jno Langwer.

On the Motion of Jno C. Walker who made oath and together with S. P. H Miller his security (who justified) entered into and acknowledged a bond in the penalty of $1.000 conditioned as the law directs. Cetificate is granted the said Jno C. Walker for obtaining letters of administration on the estate of Geo Spaid dec'd. in due form. And R H Sprinkel, J W Bloxe, W. D. C. Covington and James Blair, or any three of whom, being sworn, are appointed to appraise the estate of said deceased and make report

Cp.

On the application of Thomas Logan for leave to Keep an Ordinary at Port Republic in this County, and it appearing to the Court that the said Thomas Logan is a man of good character, sober, and will probably Keep an orderly house and such as the law requires, On his motion a license is granted him to Keep said Ordinary at Port Republic as aforesaid until the first day of May Next.

D. A. Long having produced in open Court proof of his being in regular Communion with the Christian Church, of which he profeses to be a Minister and also proof of his having regularly ordained as such Minister, and having entered into bond with Jesse Burkholder and Jno Burkholder his securities (who justified) in the penalty of $1500 Conditioned as the law directs. On his Motion a license is granted the said D A Long to celebrate the rites of Matrimony between persons in this State according to the rites & ceremonies of his own Church

Hockman wife to Henry Power — Deed of Trust
Duly certified — stamped according to law & ordered to be recorded

The Court doth appoint William N Gay Commissioner in Chancery in the room of Wm McK Wallace, removed, and thereupon the said William N Gay personally appeared in Court and took the several oaths prescribed by law.

Joshua Lupp and Peter Rickard, who have been duly summoned to attend this Court as Grand Jurors, being sworn and heard are excused from further attendance on the Court

17 Aug '69 Ordered that the Sheriff of this County summon eight Jurors in addition to those already summoned, to attend at the present term of the Court in the place of the Jurors absent from and excused at the present term

John L. Henning admr of John Dinkel dec'd Plt
vs
John J. Dinkle Deft
Upon an Attachment

This cause is docketed & continued.

The Overseers of the Poor
vs
Thomas F. Jeffries
In Bastardy

This day came again well the Attorney for the Commonwealth as the defendant by his Attorney, and the Court after having fully heard the evidence in the Cause, is of opinion that the said Thomas F. Jeffries is not the father of the bastard child of Mary Buckner as charged by the said Mary Buckner in her examination before the Justice of the peace

And thereupon the said Thomas F. Jeffries is discharged

On the petition of Benjamin Mower & others for the establishment of a Road in this County, the summons awarded against the land owners being returned executed, Ann Pennybacker through whose lands the said Road is proposed to be conducted, personally appeared in Court by Counsel. And on her motion a writ in the nature of a writ of ad quod damnum is awarded her to be executed on the 17 day of September 1869 and to be directed to the Sheriff of Rockingham County.

At the adjournment the following members composed the Court. Viz. Henry Beery, D. M. Kisamundon, Wm A. Gay & M. Rogers and John Garquin

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

Henry Beery. J.P.

At a County Court continued and held for the County of Rockingham on the 18th day of August 1869

Present } Henry Berry. D. M. Neswanger. Wm A Gay } Justices
G. M. Rogers and John Sanger

On the Motion of O. C. Sterling. Sheriff of this County. and it appearing to the Court that Samuel Haun dec'd. late of this County, has been dead more than three months last past. and no person having applied for letters of administration of the estate of said Saml Haun dec'd. It is ordered that O. C. Sterling. Sheriff as aforesaid. take into his possession the estate of said deceased and administer the same according to law.

Cop.

William Wise who sues for the use of
Geo & Joseph H. Baum Executors of John Baum dec'd Plt
vs } In debt
John C Herring. administrator of John Dinkel dec'd Deft

This day Came the parties by their Attorneys. and the defendant by his Attorney waiving his plea by him pleaded at a former term of this Court. agree that Judgment may be entered up against him for Five hundred and sixty dollars, with legal interest thereon from the 28th day of February 1862 till paid: subject to the credits endorsed upon the bond in this suit.

Therefore it is considered by the Court that the plaintiff recover against the defendant Five hundred and sixty dollars. with interest thereon from the 28th day of February 1862 till paid and his costs by him about his suit in this behalf expended to be levied of the goods and chattels of his intestate in his hands to be administered. Subject to the following credits viz: by one hundred and thirty one dollars and twenty five cents as of the 28th day of November 1865; by thirty five dollars as of 25th November 1866. and by fifty six dollars as of the 1st day February 1868.

The Commonwealth vs Robt Newman &c }
same vs R S R Beard } Upon Indictment
same vs A C Lincoln &c }

The Attorney for the Commonwealth, with the leave of the Court. says he will not prosecute the Defts further in these cases. upon the Indictment aforesaid.

18 Aug '69

The Commonwealth
" Upon an Indictment
J Hesskell Shufflett

This Cause is continued until the next September term of this Court.

The Commonwealth " James Paine
" Upon Indictment
same " A. L. Lincoln

These Causes are continued until the next September term of this Court, at the Cost of the Commonwealth

The Commonwealth " Michl Landes
" Upon Indictment
same " same

On the motion of the Attorney for the Commonwealth Capias are awarded against the Defendants upon the Indictments aforesaid directed to the Sheriff of Augusta County and returnable on the 1st day of the next September term of this Court

The Commonwealth
" Upon an Indictment
Samuel Chandler Jr

On the motion of the Attorney for the Commonwealth a Summons is awarded against the Defendant in this cause upon the Indictment aforesaid to be directed to the Sheriffs of Augusta & Rockingham Counties respectively and returnable on the first day of the next September term of this Court.

The Commonwealth
" Upon an Indictment for an Assault &
A. L. Lincoln Emanuel Sipe is endorsed as prosecutor in this cause. Whereupon, This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the said defendant by his Attorney saith that he is Not guilty in manner and form as in the Indictment aforesaid against him is charged, of which he puts himself upon the County and the Attorney for the Commonwealth likewise — Whereupon came a Jury, Viz: Simon Whitzel, W. N. Jordon, Jo D Amos, Isaac Miller, Adam Andes, Jacob S. Heatwole, Peter N. Showalter, John Byguin, Geny Hewlett, John Ewensole, Harrison B. Armentrout & Jacob N. Yost, who being elected, tried and sworn the truth to speak upon the issue joined, retired from the bar to consider of their verdict, and, after some time, returned into Court and upon their oaths do say that "We

the Jury find Albert C. Lincoln guilty and asses the fine at one hundred dollars". Thereupon ..... the Defendant, by his Attorney, moved the Court to set aside the verdict rendered in this cause and to grant him a new trial herein - which, motion the Court takes time to consider of.

At the adjournment the following members composed the Court - viz: Henry Beery, D. M. Niswander, Wm. N. Gay & M. Royer & John Caugner

Ordered that the Court be adjourned till tomorrow Morning 10 O'Clock - Henry Beery

19 Aug '69

At a Court continued and held for Rockingham County the 19th day of August 1869

Present } Henry Beery, D. M. Niswander, Wm A Gay } Justices
& M. Rogers and John Garyner

Jacob H. Yost who has been summoned to attend this term, and who has been in attendance upon the Court up to this day, being sworn and heard, is excused from further attendance upon the Court —

The Commonwealth
" upon an Indictment
Emanuel Rogers

On Motion, and for good reasons appearing to the Court, Thomas Logan is endorsed as Voluntary prosecuter in this cause, and required to give security for the costs of this prosecution — and the cause continued until the next September term of this Court. —

R. P. Fletcher & Bro
" upon a Motion
J. B. Burner &

On the motion of R M Mooney this cause is continued until, and set for trial on, Thursday, the 11th day of the present term

H. B. O'Brien Plt
" Unlawful Detainer
Joseph Bear Deft

This day came the parties by their attorneys and David Gilmer and Mrs Tolly, who were summoned to appear at this term as witnesses for the Defendant, failing to appear, a rule is awarded against them returnable to the next September term of the Court to show cause if any they can why they should not be fined and attached for such their contempt, and the Cause Continued

Rule ifp

Eli Perkey Plt
" In debt
George Sanfley Deft

It appearing to the Court that the Defendant George Sanfley has departed this life since the institution of this suit, it is ordered that that fact be certified.

Jacob J. Frank for &c Plt
" "
Geo. W. Hogan Deft §

This cause is continued until the next term at the Defendants cost, and leave given the Plaintiff to amend his declaration in this cause — and Joseph N Riddle who was summoned to attend at this term as a witness for the Defendant. failing to appear a rule is awarded against him returnable to the next term to shew cause if any he can why he should not be fined & attached for such his contempt. —

The Court doth appoint William Saufley Jr guardian of Alberta Buttner an infant under fourteen years of age, it appearing that the said William Saufley Jr entered into bond at the last term of the Court as such guardian with Amos Scott. his security (who justified) in the penalty of three thousand five hundred dollars, but conditioned as the law directs. but failed to stamp said bond until the present term of the Court. —

George Shank Plt
" "
P. N. Hoof Deft §

This cause is dismissed at the cost of the Defendant

R. M. Kyle's adm'r
" "
Jn° K. Moore § In Debt

Thomas Washington. who was summoned to appear at this term as a witness for the Defendant. failing to appear, a rule is awarded against him returnable to Saturday next. to shew cause if any he can why he should not be fined & attached for such his Contempt.

Deborah Bowman's adm'x
" "
John L. Winfield § In Debt

Daniel Yount who was summoned to appear at the present term as a witness for the Plaintiff failing to appear. a rule is awarded against him returnable ~~to~~ the 12th day of present term & directed to Sheriff of Augusta County. to shew cause. if any he can why he should not be fined and attached for such his contempt

19 Aug 1869

Abraham Simmes Plt
vs
John Pence adm^r of John Shutter dec^d Deft
} In debt

The same Plt
vs
The same Deft
} In Covenant

This day came the parties by their Attorneys, and thereupon came a Jury. viz. John Leedy. Isaac Hill. Simon Whitzel. Geo Hewlett. John Begoon. John Evensole. Isaac Miller. W B Armentrout. Adam Anders. Wm A. Jordon. Joseph B. Amos and Peter Shrwalter Jr. who being elected. tried and sworn the truth to speak upon the issues joined. and having heard the evidence in the cause were adjourned over until tomorrow Morning 10 O'Clock.

Geo W. Stanley & wife vs Jefe Carrier — In Covenant
Gedeon B Reed " Julius Manly — In Case
Saluda Coleman's ad " Wm D C Coughlin — "
Benjamin S. Byerly " Geo Fawcett & — In Covenant
John Kelly " Margaret Tonnay —
Margaret Tonnay " John Kelly — In Slander
A M Long " Mc W. Davis adm^r —
J M Hoylett " R A Gray — In Covenant
Linton & Lamott " Isaac Hill & Son — In Appeal.
Davis & Cook Wm White

These Causes are Continued until the next term

Elizabeth Koontz Plt
vs
B. S. Long Deft
} In Case

and

The same Plt
vs
B S Vanpelt Deft
} In Case

These Causes are Continued until the next term and Denny Decker who was summoned to appear at this term as a witness for the Deft B S Vanpelt failing to appear. a rule is awarded against him returnable to the next term to shew cause if any he can why he should not be fined and attached for such his Contempt

Rule issued

Newman & Cave for pl Jeremiah Dovel

This cause is continued until the next Term at the cost of the Defendant

The following preamble and resolutions were this day produced into Court by Mr J. Harris Esq. the Chairman of the Committee appointed at a former day in this term by the Court to prepare the same. and being read to and considered by the Court. were approved. and ordered to be entered upon record. viz

" In response to the Order of this Honorable Court entered of record upon the first day of its sitting, we. your Committee John T. Harris, James Kenney, John C. Woodson, Warren S. Linty, and William H. Effinger, beg most respectfully to offer the following resolutions -

Resolved. That this Court and bar, share with the entire community, their sorrow at the death of Genl Samuel H. Lewis who, for so many years, held and honored the delicate and responsible position of Presiding Officer of this Court. -

Resolved. That this Court holds in high esteem the lofty bearing, unswerving fealty to the right and the sterling integrity of the honest, brave, true-hearted gentleman, whose virtues shone not less conspicuously in the paths of private life than in the Councils of the State, or in discharge of Judicial duty

Resolved. That these resolutions be spread upon the records of this Court, and that a copy of the same be furnished by the Clerk to the family of the deceased — and as a further token of respect, it moved that the Court do now adjourn, and it is accordingly done. — Resolved. That these proceedings be published in the newspapers of the town of Harrisonburg.

At the adjournment the following members composed the Court viz! Henry Beery. D M. Nisewander. Wm N. Gay. L M Rogers and John Langyon

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

Henry Beery

20th Aug 1869

At a Court continued and held for Rockingham County the 20th day of August 1869

Present § Henry Beery, D M Niswander, Wm N Gay § Justices
G M Rogers and John Gangwer

It is ordered that all causes upon the Commonwealths docket be tried or called for trial at the next September term of this Court.

Abraham Swimmer Plt
Jno Penner adm of Jno Shutter dec'd Deft § In debt

The same Plt
The same Dift § In Covenant

This day came again the parties by their Attorneys, and the Jury sworn in this cause on yesterday last. appeared in Court agreably to adjournment on yesterday, and having partly heard the arguments of counsel were again adjourned over until tomorrow morning at 9 O'Clock.

Franklin Whitmore Plt
" § In Assumpsit
Jacob J. Frank Deft

This day came the parties by their Attorneys. and neither party requiring a Jury, the Court proceed to execute the writ of enquiry which has been awarded in this cause, and doth ascertain the plaintiffs damages to be Ninety seven dollars and fifteen cents - And that interest com: & accrue thereon from the 1st day of January 1868. It is therefore considered by the Court that the plaintiff recover against the defendant Ninety seven dollars and 15 cents, with legal interest thereon from the said 1st day of January 1868 till paid and his Costs by him about his suit in this behalf expended

At the adjournment Benj'n. Beery. D M Niswander, Wm N Gay. G M Rogers & Mc Gangwer composed the Court

Ordered that the Court be adjourned till tomorrow morning 9 O'clock
Henry Beery

At a Court continued and held for Rockingham County Court the 21 day of August 1869.

Present } Henry Beery. D M. Nicewander. Wm A Gay } Justices
G M Rogers and John Gaugher

Abraham Simmons Plt
In debt
In° Shutters admr Defd.

and

The same Plt
In Covenant
The same Defd

This day came again the parties, by their Attorneys, and the Jury sworn in this Cause on Thursday last, appeared in Court agreeably to adjournment of yesterday. and having fully heard the arguments of Counsel, retired from the bar to consider of their verdict, and after some time returned into Court and not agreeing in their verdict were, by consent of parties by their Attorneys, adjourned over until Monday Morning next at 9 O clock.

Harriet Koontz Plt
In Covenant
John Koontz Defd

Samuel Michael, Henry Philips and Thomas Davis, who were duly summoned to appear at this term as witnesses for John Koontz at suit Harriet Koontz, being solemnly called and not appearing, a rule is awarded against them returnable on the 1st day of present term, to shew cause if any they can why they should not be fined & attached for such their contempt. —

Charles B. Yancey's admr. Plt
Geo W Miller & Defts

This cause is continued until the next term, and W A Covington & Samuel Elliott who were summoned to attend this term as witnesses for the defendants, being solemnly called and not appearing a rule is awarded against them returnable to the next term to shew cause, if any they can, why they should not be fined and attached for such their Contempt.

J M Hoyett & R. A Gray — In Covenant
Lucian Lamott & J. S. Conrad Paul & Sons — In Assumpsit
These causes are continued until the next term —

21 Augt. 1869

Jno F. Jones use Baily & Wife — In Assumpsit
Jno A. Fichbeck for Jas F. Lowman — In Slander
Joseph Armentrout use Erasmus R Hamsher &c — In Debt
Foner & Clippinger use Jacob Lincoln — In Assumpsit
Geo Shaak use Henry W. Stock — In Case
Peter Zelty use Emanuel Rhoder &c — In Assumpsit

These causes are dismissed, being so agreed by the parties by their Attorneys

Wm Herring's admr use Michl Saxman's admr — In Debt
Anthony Rhoder use Peter Rader — In Assumpsit
Jesse Moyer use Wm Minnick — In Do
Joseph Rhoder use Jno B. Shoupe's admr — In Assumpsit
Chas B. Yeagley admr use Geo W Miller &c. — In Debt
F. G. Way use Isaac Wadesty — In Assumpsit
Wm Kerr's admr use Derrick Pennybacker — In Do
John Tennant use J L Hamsbergen — In Case
Robert Kinsey admr same — In Do
Allen Rank use Jacob Leinerdinst — In Assumpsit
Deborah Bowmans admr use John Bowman &c — In Debt
Lucinda Yancey use R W. Kinsey — In Assumpsit
Philip. Bliss Ho use Saml Baily — In Case
Henry Hamsbergen Jr use Rich'd W Kinsey — In Assumpsit
same use same — In Do
M & Richenick use Z. T. Offutt — In Attm Warrant

These causes are continued until the next term by consent of the parties by their Attorneys

Peter N. Woodward Plt
William Williams Deft } In Error

This cause is continued until the next term at the Cost of the Plaintiff

Saml Funkhouser's admr Plt
E S Huffman Deft } In Covenant

This cause is stricken from the docket it appearing that there was an order of dismissal entered in the same at a former term of the Court

Thomas K. Hamsbergen Plt
Joseph Slover Jr Deft } In Case

J. Madison Weaver who has been duly summoned to appear at present term as a witness for the Defendants being solemnly called and not appearing a rule is awarded against him returnable to Friday next

to shew cause, if any he can why he should not be fined & attached for such his contempt.

At the adjournment Henry Beery, D M. Nesmith, Wm A Gay, G McKoyan and John Gangwer composed the Court

Ordered that the Court be adjourned till Monday Morning 9 O'Clock

Henry Beery

23 Aug. 1869 At a Court continued and held for the County of Rockingham the 23 August 1869

Present } Henry Beery, D. M. Nesswander, Wm N Gay } Justices
} G M Rogers and John Garrynes

Abraham Simmons Plt
" John Shultis admr Deft } In Debt

The same Plt
" The same Deft } In Covenant

This day came again the parties by their Attorneys and the Jury sum in this cause having appeared in Court agreably to adjournment, retired and after some time returned in Court and not being able to agree upon their Verdict, were discharged and the cause Continued until next Term

C M. Kemper " I H. Beery
Kemper Patterson " same } Rule on Motion
These Motions are docketed

John P. Brock & Plts
against } In Chancery
I M Lam & Deft

The plaintiffs this day filed their bill in open Court and on their Motion a writ of Injunction is awarded them to enjoin and restrain the defendants I. M. Lam, Franklin Lam and William Lam and all other persons from taking possession of the lumber at McGaheysville on Kites Creek, and at the saw mill mentioned in the bill, and from collecting any moneys due for sawing, or from interfering in any way with the lumber sawed under the Contract set forth in the bill, or from collecting any moneys due for lumber sold to any persons until the further order of this Court.

But the plaintiffs are not to have the benefit of this order until they, or some one for them shall enter into bond with sufficient security in the penalty of $500 Conditioned as the law requires, either in open Court or before the Clerk in his office.

At the adjournment Henry Beery. D M. Neswander Wm A Gay. G M. Rogers & John Gangwer (Justices) composed the Court. -

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

Henry Beery

At a Court continued and held for Rockingham County the 24th day of August 1869

Present } Henry Beery. D M Neswander. Wm A Gay. G. } Justices
M. Rogers & John Gangwer

Madison Arey Plt
R. N. Stephens Defr } Upon a Notice

This cause is docketed.

At the adjournment the same members as on yesterday composed the Court

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

Henry Beery

25 Aug. '69 At a Court continued and held for Rockingham County on the 25 day August 1869

Present } Henry Beery, D M. Niswander, Wm M Gay, & McRogers & John Harnsberger } Justices

It is ordered that the following witnesses in behalf of the Commonwealth vs Edw J. Armstrong, indicted at the present term of the Court. of. Felony. be allowed the amounts opposite their respective Names for their attendance &c. before the Justices of the peace who examined the case. viz

E. H. B Huffman	$1.50 Cts.
E. J. Shank	1.50
Luther May	1.50
Fred K. Speck	

The same order as to the witnesses for Ed. J. Armstrong. viz:

Charles M. Shank	$1.68 (1.68)
Mc C. Herring	1.68 (1.68)
D. G. Whitman	1.68 (1.68)
Thomas Murphy	1.68 (1.68)
F. K. Speck. Cop	1.68 (1.68)

John Wolfe Plt

vs

A Wade Sprinkel admr. of Alfred Sprinkel dec'd Deft } In Case

This day came the parties by their Attorneys, and the defendant saith that he has fully administered all and singular the goods and chattels. rights and credits of the Intestate.

whereupon came a Jury. viz: John Leedy. Geo Shoulette. Simon Whitsel. W H. Jordan. James B. Amos. Abraham Miller. Peter Showalter Jr. Isaac Miller. Adam Anders. John Eversole. Joseph B. Moyers & Jacob S. Heatwole. who being elected tried & sworn the truth to speak upon the issue joined. upon their oaths do say. that "We. the Jury find for the plaintiff and assess the damages at ($50) Fifty dollars". Therefore it is considered by the Court that the plaintiff recover against the defendant Fifty dollars. the damages by the Jurors in their verdict ascertained. with legal interest thereon from this day until paid and his costs by him about his suit in this behalf expended. to be levied of the goods and Chattels of the said intestate in the hands of the defendant to be administered when assets sufficient shall come to his hands

It is ordered that it be certified to the Auditor of public Accounts that Charles N. Lewis the Attorney prosecuting for the Commonwealth in this Court is allowed the sum of ten dollars for one case of Felony and fifteen dollars for three cases of misdemeanor tried at the present term.

Harrison " Harrison

This cause is continued until the next term at the cost of the plaintiff.

Harriet Koontz Plt
" In Covenant
John Koontz Deft

This day came the parties by their Attorneys and the defendant by his Attorneys agree that judgment may be entered up against him for $30.50 Thirty dollars and fifty cents with legal interest thereon from 1st April 1866 till paid. upon each party paying his own costs

Therefore it is considered by the Court that the plaintiff recover against the said defendant Thirty dollars and fifty cents with legal interest thereon from the 1st day April 1866, each party to his & her own costs as afores said

William Snow Plt
" In debt
Abraham Good Deft

This day came the parties by their Attorneys and thereupon came a jury. Viz. W Armentrout, Adam W. Brewer, Irvin Hill, James D. VanPelt, G A Gay, Jo. Hinton, D M Huffman, J D Mabry, J S Wright, Hannon Rohr, R J Wise & Adam Wheeler. who being elected tried & sworn the truth to speak upon the issue joined upon their oaths do say that "We the Jury, upon the issue joined, find for the defendant one hundred and seventy three dollars & 23 cents as due from the plaintiff to the defendant by way of offset over and above the plaintiffs demand." Whereupon the plaintiff by his Attorney, moved the Court to set aside the verdict of the Jury rendered herein, and to grant him a new trial in this cause — which Motion, the Court takes time to consider of

Frankhouser adm'r " Roller
Cox " Mooney

These causes are continued until the next term

25 Aug '69

✓ Funkhouser " Jordon
✓ Kyle's adm " Branham
✓ Smith " Fields
✓ Downey " Crawford & Co
✓ Amick " Reach
✓ Miller & Co " Fletcher & Bro
✓ Hunter " Hansford
Markham " Lickey
✓ Schaffer " Dever
✓ Hansbergen " Fawcett
✓ Faulkner's adm " Estes
✓ Hay's adt " Whipen
✓ Stewart " Homan
✓ Mefick " Falls
✓ Carnes " Huffman
✓ Hoffman & Buffey " Hogan
Reade " Jones
✓ Brunson's adm'x " Berman
✓ Ritenour " Sullivan
✓ Miller, Jun & Co " Shewalter

Ipsues

These causes are continued until the next term

James A Miller pltf Robert Cox
This cause is continued until the next term at the plaintiffs costs

W & H Maupin Plt
R " B Johnson & c Defts
In debt

This day came the plaintiff by his Attorney and the plaintiff, though solemnly called, came not. Nor is his suit further prosecuted, and it is ordered that the plt pay to the Defendant his costs in this behalf expended.

Ayle Ammons adm'r pltf
L. M. Layton Defts
In debt

This cause is dismissed at the plaintiffs costs

A A. Peale " Peter Bond - In slander
Same " E W Jones - In Tover
A & H H Stewart pltf " - Heard Homan - In debt

These causes are dismissed being agreed by the parties by their Attorneys

John W Melhorn " Franklin Lisky In Debt ...\
This cause is continued until the next term at the defendants cots

Geo W Hogan Plt
" In Assumpsit
Israel Applegate Deft

This day came the defendant by his Attorney and the plaintiff, tho' solemnly called, came not, nor is his suit further prosecuted. Therefore it is ordered that the plt pay to the defendant his cots by him in this behalf expended

Thomas K. Fulton Plt
" In Trespass
Saml Wheelbarger Deft

It appearing to the satisfaction of the Court that the plaintiff is not an inhabitant of this State, on the motion of the defendant, by his Attorney, it is ordered that this suit be dismissed at the next term, unless security for the payment of such cots and damages as may be awarded the defendant, and also of the fees which will become due from the plaintiff to the officers of this Court, be given with the Clerk, within sixty days from this time

James Powell Plt
" In debt
Abraham Lincoln Deft.

Lewis Powell of this County, comes into Court and undertakes for the plaintiff, that he shall satisfy and pay all cots 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 Lewis Powell, will satisfy and pay them cots, damages and fees for him

Thos K. Fulton " Saml Wheelbarger
D K Dice " Same

These causes are continued until the next term

A S Wright " John Alexander
R H Miller, Lm & Co " Wm S Showalter

This day came the parties by their Attorneys and the Defts by their Counsil pleaded bankruptcy to which the plts by Counsel replied generally— —

25 Aug 1809

Ezbulan D Gilmare Plt

H. M Loflard Deft } In debt

This day the defendant, by his Attorney, tendered four special pleas, to the reception of which by the Court the plaintiff, by counsel objected, but the Court overruled the objection and permitted said pleas to be filed, to which the plaintiff replied generally

Mem: On the calling of this cause for trial, the plaintiff by his Attorney excepted to an opinion of the Court given upon the defendants motion to file pleas – and tendered his bill of exceptions, which was received, signed and sealed by the Court, and ordered to be made a part of the record in the cause

Ezbekian D. Gilmore Guardian &c Plt

H. M Loflard Deft } In Debt

This day the defendant by his Attorney, tendered a special plea in writing, to the reception of which by the Court, the plaintiff, by Counsel, objected, but the Court overruled the objection and permitted said plea to be filed, to which the plaintiff replied generally.

Mem: On the calling of this cause for trial, the plaintiff, by his Attorney, excepted to an opinion of the Court, given upon the defendants Motion to file a plea, and tendered his bill of exceptions, which was received signed and sealed by the Court and ordered to be made a part of the record in the cause. –

Matheas Renbarh Plt

Isaac Shrowders Deft } In debt

This day the defendant, by Counsel, filed a plea of non est factum, to which the plaintiff by Counsel, replied generally. –

At the adjournment, the same members as on yesterday compose the Court

Ordered that the Court be adjourned till tomorrow morning 10 O'Clock. –

Henry Beery

AN a Court Continued and held for Rockingham County on the 26th day of August 1869

Present Henry Beery, D M Newcomer, Wm N Gay & Justices
C. M Rogers & John Gangwer

On the motion of George Blakemore and it appearing to the Court that the estate of Reuben Harman dec'd. has been dead more than three months last past. and no person having applied for letters of administration on his estate - It is ordered that A. C. Stirling. Sheriff of this County, take into his possession the estate of said deceased. and administer the same according to law. —

Samuel Swartz Plt
vs
Philip Pharis Jr & Co Defts } Upon a Notice to Scale

This day came the parties by their Attorneys. and by consent of the parties by their Attorneys. the judgment discribed in the said Notice in the case of Philip Pharis Jr vs Samuel Swartz, is scaled at the rate of three and one half dollars for one dollar. and judgment to be rendered in favor of said Pharis for $55.97. with legal interest thereon from the 10th day of June 1863. and the Costs accrued by him in the above mentioned case.

Therefore it is considered by the Court that the plaintiff recover against the defendants $55.97 with legal interest thereon from the 10th day of June 1863. till paid and the costs by him expended in the original Judgment herein referred to as well as his costs by him expended upon this Notice

Augustine Armentrout Plt
vs
R. P. Fletcher & Brother Defts } Upon a Suggestion

This day came the parties by their Attorneys. and J D Price. the garnishee in this case. having been sworn and heard, acknowledges that he is indebted to the Defendants Fletcher & Brother by Judgment. in the sum of $119.32. with legal interest from the 14th July 1869 until paid. subject to the Plaintiffs Attorneys fees in said Judgment. Therefore it is considered by the Court that the plaintiff Augustine Armentrout recover against the said J. D. Price the sum of $119.32 with Interest from 14 July 1869 till paid. Subject as aforesaid to the lien of Attorneys in said original Judgment in name of Augustine Armentrout vs R P Fletcher & Brother

26 Aug '69 // R. P. Fletcher vs J. B. Burner &
This Cause is Continued until the next Term
at the Costs of the Plaintiff Mooney (R M)

James Powell Plt
vs
Abraham Lincoln Deft } In debt

This day came the parties by their Attorneys and thereupon came a Jury. Viz. John Leedy. Abraham Miller. Geo Hewlett. John Swisher. Joseph B. Moyer. Adam Ander. Jacob S. Heatwole. Irvin Hill. Wm A Jordan. R. J. Wise. Jno B. Amos. and Jno Roudebush, who being elected tried and sworn the truth to speak upon the issue joined. by Consent of parties. by their Attorneys. a Juror was withdrawn, and the plaintiff being called and not appearing to prosecute his suit. his said suit is not further prosecuted. and the said plaintiff ordered to pay to the defendant his costs in this behalf expended

John Scanlon Plt
vs
John T. Harris & others Defts } In Chancery

This cause having been pending in this Court more than a year. on motion of John T. Harris, one of the defendant therein, it is hereby ordered to be removed to the Circuit Court of Rockingham County. —

Mathias Snyder Plt
vs
Catharine E. Kitley administratrix
of St Clair D. Kitley dec Deft } In debt

This day came the plaintiff by his Attorney. and the defendant having failed to appear. On motion of the plaintiff the Court proceed to try this cause and having heard the evidence adduced by the plaintiff directs that Judgment be entered up in behalf of the plaintiff against the defendant for the sum of $870. with Interest from 15 February 1863 until paid. subject to the following credits, viz. One years interest paid 15 Feby 1864 — $22.50 paid in Conn Nov. 15. 1865 — $12 paid in flour Aug: 10. 1866. $24 paid in flour Dec. 20 1866. $20 paid in Cash. July 26 1867 and $56.25 paid in Corn Octo or November 1867.

Therefore it is considered by the Court that the plaintiff recover against the defendant Eight hundred and seventy

dollars, with interest thereon from the 15 day of February 1863, subject to the credits aforesaid, and his costs by him about his suit in this behalf expended - to be levied of the goods & Chattels of the defendants intestate in her hands to be administered

Andrew M. Peale Plt
vs
Abraham Bellheimer Deft } In Covenant

This day came the parties by their Attorneys and the defendant by his Attorney agrees that judgment may be entered up against him for one dollar and the costs of this suit. Therefore it is considered by the Court that the plaintiff recover against the defendant one dollar and his costs by him in this behalf expended

Andrew N. Peale Plt
vs
Mary Bellheimer Deft } In Covenant

This cause is dismissed, being so agreed by the parties by their Attorneys each party to pay one half of the Costs of this suit.

Byrd, Sibert & Neff for Pl " Demr's adm
Same " Same

These causes are Continued until the next Term.

Henry L. Shoupe Plt
vs
Joseph Lemmon Deft } In Assumpsit

This day came the parties by their Attorneys, and neither party requiring a Jury, the Court proceeded to execute the writ of enquiry which has been awarded in this Cause, and after hearing the evidence in the cause, assessed the plaintiff's damages at $ 80.91. and that Interest Commence thereon from this day. Therefore it is Considered by the Court that the Plt. recover against the defendant Eighty dollars and 91 cents with interest thereon from the 26 day August 1869 till paid and his costs by him in this behalf expended

Augustine Clendinist
vs
Frank Morris } Ca

This Cause is Continued until the next Term

26 Aug. '69

John Blackburn Plt
" } Upon a Notice on a
John N. Beery Deft } Constables Receipt

This day came the parties by their Attorneys and the defendant by his Attorney waives objection to the Notice because not docketed on the day upon which it was returnable at the present term. and by consent judgment is to be entered up against him for the amount claimed in said Notice - Therefore it is Considered by the Court that the plaintiff recover against the defendant $38.38 with ~~Interest~~ sixty per centum ~~damages~~ from date of Judgment accruing to him and his Costs in this behalf expended. -

Peter N. N. Pickering Plt
" } In Assumpsit
Reuben Bonds Deft

This day came the parties by their Attorneys, whereupon came a Jury. Viz. John Leedy. Abraham Miller. Geo Hewlett. John Ensole. Joseph B. Moyers. Adam Ander. Jacob S. Heatwole. Levin Hill. Wm N. Jordon. R. J. Wise. Jos B. Amos and John Rowebuck. who having been elected. tried and sworn the truth to speak upon the issue joined, and having heard a part of the evidence in the Cause were adjourned over till tomorrow Morning 9 O'Clock.

At the adjournment the same Jurors as on yesterday Compared the Court

Ordered that the Court be adjourned till tomorrow Morning 9 O'Clock

D. J. Hayden Clk's Court continued and held for Rockingham County on the 27th day of August 1869

Present } Henry Beery, D M. Niswander, Wm M Gay, & M. Rogers and John Gangwer } Justices

D. J. Hayden for Pltf
vs
D. S. Roller Deft } In debt

This day came the parties by their Attorneys and by consent the defendant agrees that Judgment may be entered up against him for $171.76 with legal interest thereon from the 27th December 1866 till paid.

Whereupon it is considered by the Court that the plaintiff recover against the defendant One hundred and twenty one dollars and seventy six cents with legal interest thereon from the 27 December 1866 till paid and his Costs by him about his suit in this behalf expended.

The Motion of John Robinson, a citizen of this County to correct an erroneous assessment of taxes against him, is docketed.

William McK Wartmann who has been duly commissioned a Notary public of this County, this day entered into bond with A J Nicholas his security (who justified) in the penalty of $500. Condition as the law directs, and took the several oaths prescribed by law.

John A. Fishback, who has been appointed a Justice of the peace in 4th Magisterial District of this County, this day appeared in Court and took the several oaths prescribed by law.

Philip B. Fitzwaters Pltf
vs
Jackson Horn Exr of Wm Fitzwaters dcd & others Defts. } In Chancery

Ordered that this cause be referred to William McK. Wartmann, who is hereby appointed a Special Commissioner for that purpose, who is directed to examine, state and settle the executorial transactions of Jackson Horn Executor of William Fitzwaters dcd. and report the same to the Court with any matters specially stated, deemed pertinent by himself or which may be required by any of the parties to be so stated.

Cop

27th Aug 1869 Peter N. McPickering Plt
vs
Reuben Bonds Deft } In debt

This day came again the parties by their Attorneys and the Jury summoned in this cause on yesterday, appeared in Court agreeably to adjournment, and having fully heard the evidence and arguments of Counsel in the cause, retired to consider of their verdict and after some time returned into Court and not agreeing on their verdict were adjourned over until tomorrow Morning at 9 O. Clock

Samuel McDorman vs Allen Dunn — Motion
Saml. Dickel who has been summoned as Garnishee in this cause failing to appear & answer, a Rule is awarded & him returnable to next term

On the Motion of J. M. Irwin admr of Benami Irwin dec'd, It is ordered that J. T. Logan, S. R. Sterling & O. C. Sterling, be appointed to appraise the estate of said deceased and make report.

Hodges Brothers vs Franklin Pence
Wm Liskey admr vs A Earman } Upon Motions
Same vs Same
These causes are dismissed

James A. Nevier admr of Robert Nevier dec'd Plt
vs
Franklin Whitmore et. al. — Deft
Upon a Motion and a bond tendered for the forthcoming on the day of Sale of property taken under a ~~destrs~~ warrant.
This cause is ordered to be placed upon the Courts docket: and thereupon came the parties by their Attorneys and on the Motion of the Deft, by his Attorney, a Jury is allowed him for the trial of this cause and the Motion continued until tomorrow morning 10 O. Clock.

Hammond admr vs S M Bowman. Daguerrian
This Motion is overruled

William Fletcher Plt

v.

Isaac Rinehart Deft

This day came the parties by their Attorneys and thereupon came a Jury, viz. Samuel Leggett, Harrison Arrendaint, Wm Evans, Henry Davis, James Kavanaugh, H A Rhoades, B F Stover, G W Thomson, David Huffman, Isaac B Nicandon, Jno M Quade and James Long who being elected tried and sworn the truth to speak upon the issue joined upon their oaths do say that "Upon the issues joined of non assumpsit and offsetts - we find for the defendant the sum of seventy two dollars and twenty nine cents with interest from the 25 May 1867 till paid subject to a credit of $23.43 of date May 25. 1867."

Therefore it is considered by the Court that the ~~defendant~~ recover against the plaintiff the sum of seventy two dollars and 29 cents ($72:29) with interest as aforesaid from the 25 May 1867 till paid, the amount so ascertained by the jury in their said verdict, and his costs by him about his suit in this behalf expended - Subject to a credit of ($23.43) twenty three dollars and 43 cents of date May 25. 1867.

At the adjournment the same members as on Saturday Composed the Court.

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

Henry Beery

At a Court Continued and held for Rockingham County Court the 28th August 1869.

Present { Henry Beery. D M. Roseandow. & M Rogers and John Gangwer } Justices

C. Burner v J N. Beery — Upon a Notice
Docketed & continued

The application of Jno W Palmer & others to have the Retail license heretofore granted to Logan. of this County. revoked - is ordered to be docketed and continued till Wednesday next.

A Harris' Adm'r Plt
" Charles Vanlear Deft

This day came the parties by their Attorney and neither party requiring a Jury. the Court proceeded to execute the writ of enquiry which has been awarded in this cause. and doth ascertain the plaintiffs damages to be $24.49 with Interest thereon from 15 June 1865. till paid. Therefore it is considered by the Court that the plaintiff recover against the defendant twenty four dollars and 49 cents, with legal interest thereon from the 15 June 1865 till paid and his costs by him about his suit in this behalf expended

Robert Hines' Adm'r Plt
vs
Franklin Whitmore & others Defts

Motion on a bond taken for the forthcoming or day sale of property taken under a distress warrant.

This day came again the parties by their Attorneys. and thereupon came a Jury. viz. Thomas Logan. James L. Sipe. Saml Liggett. Wm Evans. A W Thomason. John McQuade. James Long. Henry Butler. Harrison Rohr. B Webster. D. M. Huffman & Jno S. Effinger who being elected tried and sworn the truth to speak upon the issue joined, viz. whether the distress upon which this forthcoming bond was taken. was for rent Not due in whole or in part, or was otherwise illegal. and the hearing partly heard the evidence. were adjourned till Monday Morning 9 O'Clock.

Peter P. McCleaney Plt
" W Scott Bandyer Deft

This day came the parties by their Attorneys and by consent the Court directs that Judgment be entered up against the defendant for $25. and

that interest commence thereon from to day

Therefore it is considered by the Court that the plaintiff recover against the defendant twenty five dollars with interest thereon from the 28 day of August 1869 till paid - each party to pay his own Costs.

James M. Lewis Plt
vs
Jacob Byerly Deft
In Covenant

This day came the parties by their Attorneys and neither party requiring a Jury, the Court proceeded to execute the writ of enquiry which has been awarded in this Cause. and doth assess the plaintiffs damages at $12.14.32 with legal interest thereon from the 1st. May 1869 till paid.

Therefore it is considered by the Court that the plaintiff recover against the defendant twelve hundred and sixty four dollars & 32 cents with legal interest thereon from the 1st day of May 1869 till paid and his costs by him about his suit in this behalf expended.

Geo W. Reed & Co Plts
vs
Samuel Bailey Deft
In Case

This day came the parties by their Attorneys On the Motion of the defendants by his Attorney, who for plea says he did not assume upon himself in manner and form as the plaintiffs against him herein alleged, of which he puts himself upon the Country and the plaintiffs likewise, the writ of enquiry awarded in this Cause is set aside and the trial of the issue defered until the next term - and leave is reserved to the defendant to file special pleas herein.

Rem. Armentrout Plt
vs
B. F. Stricklin Deft
In Assumpsit

This day came the parties by their Attorneys - On the motion of the defendant by his Attorney, who for plea says he did not assume upon himself in manner & form as the plaintiff against him has alleged, of which he puts himself upon the Country and the Plt likewise. it is ordered that the office Judgment in this Cause be set aside and the trial of the issue defered until the next term - And leave is granted said Defendant to file other pleas herein within sixty days from this time

B. F. Showalter by &c. Plt

" } In Trespass

Joseph Rhoades Deft

This day came the parties by their Attorneys on the motion of the deft by his Attorney who for plea says he is not guilty in manner and form as the plaintiff against him has charged of which he puts himself upon the Country and the plaintiff likewise - It is ordered that the writ of Enquiry awarded in this cause be set aside and the trial of the issue deferred until the next term

Benjamin F. Bellheimer Plt

John " Sheets Deft } In Trespass

Same entry

Jacob Bear Plt

John C. Walker &c Deft } In debt

This day came the parties by their Attorneys - On the motion of the defendant by his Attorney who for plea says that he has paid the debt in the declaration mentioned, of which he puts himself upon the Country and the plaintiff likewise. It is ordered that the Office Judgment in this cause be set aside and the trial of the issue deferred until next term, and leave is received to the said defendant to file other plea herein within sixty days from this time.

P. N. & Pickering Plt

Wm F. " Levin Deft } In Assumpsit

This day came the parties by their Attorneys - on the motion of the defendant by his Attorney who for plea says that he did not assume upon himself in manner and form as the plaintiff against him has charged. of which he puts himself upon the Country and the Plaintiff likewise - It is ordered that the writ of enquiry awarded in this cause be set aside and the trial of the issue deferred until the next term

David S. Pool	"	Thomas M. Hite	In Assumpsit
Wm Merrick	"	Michl N. See	In Assumpsit
Zach Rennie Jr &	"	The Abbot I Co Balt. City	In Assumpsit
Peter Zelly	"	Emanuel Rhoades	In Assumpsit

Same entry

Joseph Senquis admr Plt
vs
John M. Palmer Deft } In Covenant

This day came the parties by their Attorneys. On the motion of the defendant by his Attorney who pleads Covenants performed & Covenants not broken. to which the plaintiff by Counsel replied generally. It is ordered that the writ of enquiry awarded in this Cause be set aside and leave is granted the said Deft to file other special pleas herein. and the trial of the issue defered until the next term. —

Casmir Mefick vs Wm N. VanPelt — In debt
Jacob C. Whitmore's admr vs John G. Crane — In debt
L Shayer & Bone vs R. P Fletcher — In debt

This day came the parties by their Attorneys and the defendants by their Counsel pleaded payment. to which the plaintiffs by Counsel replied generally. Thereupon the office Judgments in these Causes are set aside and the trial of the issues respectively defered until the next term. And leave is reserved the defendants to file other pleas herein within sixty days from this time.

Wm Minnick vs Michl N. See — In Debt
G W. Arey vs R. G. Coakley & — In Debt

This day came the parties by their Attorneys. on the motion of the defendants by their Attorneys who pleaded Payment. to which the plaintiff by Counsel replied generally — the office Judgment in these Causes are set aside and the trial of the issues respectively defered until the next term — And leave is given the said Defts to file a statement shewing the Nature of the offsets which they desire to proof and the several items thereof

Francis Stailing for P. Plt
vs
Samuel Sandy Defts } In debt

This day came the parties by their Attorneys: on the motion of the Defendant, by his Attorney, who pleaded "Nil Debit" to which the plaintiff replied generally, the office Judgment in this Cause is set aside and leave is reserved the Defendant to file special pleas. and the trial of the issue defered until the next term

Jackson Knupp Plt
" In Trespass. afsault &
Michael N. See Deft

This day came the parties by their Attorneys: On the motion of the Defendant by his Attorney. who for pleaded "Not Guilty". to which the plaintiff replied generally. the writ of enquiry awarded in this cause is set aside and the trial of the issue defered until next term

Valentine Strader Plt
" In debt
Geo. W. Berlin Deft

This day came the parties by their Attorneys:; on the motion of the defendant by his Attorney who pleaded "Non assumpsit" to which the plaintiff replied generally. the writ of enquiry awarded in this cause is set aside. and leave is reserved to the defendants to file other pleas within 60 days. and the trial of the issue defered until the next term; And on Motion of said Defendant. by his Attorney. a rule is awarded against the Plaintiff returnable to next term. to shew cause. if any he can. why he should not be required to give security for the costs of this suit.

The Same Plt
The " Same Deft In Assumpsit

Same entry

David Link Plt
" In debt
Samuel Wright Deft

This cause is dismissed at the costs of the Plaintiff.

Lowenbach. Nellis & Bro: Plt
" In debt
Michael Shank Deft

This cause is dismissed by direction of Plaintiffs Attorney.

McNeer & Beall for Plt
" In debt
Wm P. Grove. Deft

This day came the defendant by his Attorney. and filed a general demurrer to the

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Plaintiffs declaration, and the Plaintiff, by Counsel, joined in said demurrer. —

Monroe & Allen Plt
vs
Gabriel Willis now Deft } In debt

This day came the parties by their Attorneys. On the motion of the defendant, by his Attorney, who pleaded payment, to which the plaintiff by his Attorney replied generally it is ordered that the office judgment in this cause be set aside and the trial of the issue deferred until next Term, and leave is reserved to the Defendant to file other pleas herein.

And the said defendant, by his Attorney, in addition to the pleas heretofore pleaded by him, this day filed a general demurrer to the plaintiffs declaration, and also pleaded in abatement

Peter N. N. Pickering Plt
vs
Reuben Bonds Deft } In debt

This day came again the parties by their Attorneys, and the Jury sworn in this Cause on last appeared in Court agreably to adjournment, and having fully retired to Consider again of their verdict, after some time returned and still not agreeing on their verdict, were, by consent of the parties, discharged, and the trial of the Cause deferred until the next term.

At the adjournment Henry Beery, D. M. Niswander, G. M. Rogers and John Gangwer Empired the Court.

Ordered that the Court be adjourned till Monday Morning 9 O'Clock

Henry Beery

At a Court Continued and held for the County of Rockingham on the 30th day of August 1869

Present } Henry Beery. D. M. Nisewander. G. M. Rogers } Justices
Wm. A. Lay and John Sanger

Reuben Hines and James C. Hines
Administrators of Robt Hines dec'd Plt } Ca Motion on a bond
" Taken for property
Franklin Whitmore, J. H. Frank " under a Distress
and Peter Paul Deft } Warrant-

This day came again the parties by their Attorneys, and the jury sworn in this case on Saturday last, appeared in Court agreeably to adjournment, and hearing fully heard the evidence, retired from the bar to Consider of their verdict, and after some time returned into Court and upon their oaths do say that "We, the Jury, upon the issue joined in this Motion, do find that the distress upon which the forthcoming bond was taken in this cause, was for rent due in the whole, and was not in anywise illegal". Whereupon the defendant, by his Attorney, saith that Judgment ought not to be given on the verdict under this Motion, because it does not respond to the issue presented by said Motion, is special, uncertain and indefinite. Whereupon the matters of law arising upon the said plea in arrest of judgment being Considered, it seems to the Court that after the said verdict, judgment ought not to be stayed for the cause aforesaid. And thereupon the distress and bond aforesaid being seen and inspected by the Court, it is Considered that the plaintiffs may have execution against the said defendants for $502.11. the penalty in the said bond mentioned, and their Costs by them in this behalf expended. And the said Defendants in Mercy &c. But this judgment is to be discharged by the payment of two hundred and fifty two dollars and eight cents, with legal interest thereon from the 12th day of April 1869 till &c. and the Costs.

Mem. On the calling of this Cause for trial, the defendants by Counsel excepted to opinions of the Court given upon the Plaintiffs Motions to exclude the evidence of a witness in relation to the proper levy of the distress warrant and the settlement of the rent prior to said levy- and pray that their Bills of exception Nos 1 & 2 may be received, signed, sealed & enrolled by the Court and made a part of the record in this Cause - which is accordingly done. —

Jacob Price Plt

" In debt

John Bowman Jr. Thornton
Thomas & George Strehart Defts

This day came the parties by their Attorneys and the defendants waiving their Plea by them pleaded. agree that Judgment may be entered up against him for the Plt's demand and Costs — Therefore it is Considered by the Court that the plaintiff recover against the said defendants five one thousand dollars, the debt in the declaration mentioned with legal interest thereon from the 30th day of April 1861 till paid and his Costs by him about his suit in this behalf expended. — Subject to the interest on said debt for two years.

C. A. White Plt

" In debt

Washington Swink Deft

This day came the parties by their Attorneys. and the defendant. by his Attorney. waiving his plea by him pleaded. agrees that judgment may be entered up against him for the amount of the plaintiffs demand and Costs. Therefore it is Considered by the Court that the plaintiff recover against the defendant Sixty five dollars and seventy one cents. the debt in the declaration mentioned, with legal interest thereon from the 18th day of December 1866 and his Costs by him in this behalf expended. Subject to a credit of twenty dollars as of the 17th December 1866. —

S. V & Emma Kite Plt

" Motion to quash Execution.

Wm D. C. Covington Deft

This day came the parties by their Attorneys and it appearing to the Court that the Execution issued in this case was at a previous term of this Court quashed. and the Clerk having failed to enter the same upon the Minutes of the Court. It is ordered that the same be now entered of record and that the Judgment upon which the said Execution was issued be set aside

Coffman & Bruffy " Jno C. Morrison — In Assumpsit
John C. Morrison " Jason C. Bruffy — same
same " Coffmans & Bruffy — same
W. W. S Butler &c " Wm E. Dinsdale &c — In case

These causes are continued until the next term of the Court. by Consent of the parties by their Attorneys.

30 Aug. 1869 Joseph M. Riddle for P Plt
" Abraham Brenneman Deft } In debt

This cause is continued until the next term at the cost of the defendant

Andrew Hogan Plt
" Catharine Flick Deft } In debt

This cause is continued until the next term at the cost of the plaintiff. —

Mathias Rudebush Plt
" Isaac Showalter Deft } In debt

This day came the parties by their Attorneys, whereupon, the defendant, by his Attorney, prayed oyer of the writing obligatory in the declaration mentioned, and filed a general demurrer to the said declaration, and for reasons appearing to the Court the said demurrer is overruled. whereupon came a Jury, to wit, Joseph B. Myers, John Rowdebush, Abraham Miller, Jacob S. Heatwole, D. M. Huffman, Wm Evans, Harrison Rohr John Ewsole, R. J. Wise, Joseph B. Ames, Wm A. Judson and Harris in Armentrout, who being elected, tried & sworn the truth to speak upon the issue joined upon their oaths do say "We the Jury find for the Plaintiff eighty dollars part of the debt in the declaration mentioned with interest thereon from the 30 day of March 1863 till paid"

Therefore it is considered by the Court that the plaintiff recover against the defendant Eighty dollars, part the amount so ascertained by the Jury in their said verdict with interest thereon from the 30th day of March 1863 till paid and his costs by him in this behalf expended

Samuel Carpenter (for use of A M & M O Evans, Cumberland) Plt
" Daniel Stoner Deft } In debt

This day came the parties by their Attorneys and the defendant, by his Attorney, waiving his plea by him pleaded, agrees that Judgment may be entered up against him for the amount of the plaintiffs demand and the costs. Therefore it is considered by the Court that the plaintiff recover against the defendant Five thousand dollars, the debt in the declaration mentioned with legal interest thereon from the 1st day of March 1866, and his costs by him about his suit in this behalf expended - Subject to the following credits, to wit, by four

hundred and sixty seven dollars and sixty nine cents. as of the 1st day of March 1867, and by the interest on the principal debt up to the 1st day of March 1867 — Execution to be stayed for forty days from this time

A. W and John Evers administrators of John Evers dec'd — Plt
vs
Daniel Stones — Deft
} In debt

This day came the parties by their Attorneys. and the defendant waiving his plea by him pleaded. agrees that judgment may be entered up against him for the amount of the plaintiffs demand and the costs — Therefore it is considered by the Court that the plaintiffs recover against the defendant three hundred dollars. the debt in the declaration mentioned, with legal interest thereon from the 2nd day of March 1867 till paid and his costs by him in this behalf expended — Subject to a credit of two hundred and thirty one dollars and nine cents as of the 21st September 1867.
Execution to be stayed for forty days from this time

At the adjournment Henry Beery. D M Riswanden. G. M. Rogers. Wm A Gay and John Gangwer. composed the Court

Ordered that the Court be adjourned till tomorrow Morning 9 O'Clock
Henry Beery

31 Aug: 1869

At a Court held for Rockingham County on the 31 day of August 1869

Present } Henry Beery. D M. Newcomer, G. M. Rogers } Justices
Wm A. Gay and John Gaugher

5 V+ Emma Kite Plt

vs. } Upon a Suggestion

Jos. Ammon's adm'r Deft

Joseph N. Kite. the garnishee in this cause being sworn and heard, acknowledges that he is indebted to the defendant in this case. in the a sum sufficient to pay the plaintiffs demand suggested in the garnishee summons issued against him. Therefore it is considered by the Court that the plaintiff recover against the said Joseph N. Kite, garnishee as aforesaid. the sum of two hundred and ten dollars and twenty six cents. with legal interest thereon from the 17th day of October 1868 till paid and $3.60 costs in original Judgment. and also his costs by him in this behalf expended

Whereas, this Court has learned the death of William D. Trout, one of its Officers - Therefore

Resolved. that in his death this Court has lost a most faithful and efficient officer. one marked by extraordinary capacity as a Clerk, distinguished alike for his energy and fidelity to the duties of his office - kind & amiable in his disposition, his loss will be felt no less by the public, than by the Court.

Resolved. That as a mark of respect for his memory these resolutions be spread upon the records and a Copy thereof be furnished by the Clerk to the family of the deceased, and to the press for publication

Kemper & Patterson Plts

vs. } Upon a Notice

J. N. Beery, late Constable of Rockingham County, and R. M. Mooney, N. M. Cave & E. S. Yancey Defts

This day came the parties by their Attorneys. and it appearing that the defendants have had legal Notice of this Motion. they were solemnly called but came not. Therefore it is considered by the Court that the plaintiff recover against the defendants $26.42 with legal interest thereon from the 31 day August 1869 till paid and his Costs by him about his suit in this behalf expended.

C. M. Kemper Plt
" § Upon a Notice
I W. Beery Deft

This day came the parties by their Attorneys and it appearing that the defendants hereto had legal notice of this motion, they were solemnly called but came not.

Therefore it is considered by the Court that the Plaintiff recover against the said defendant $18.112 with legal interest thereon from the 1st day of March 1868 till paid and his costs by him in this behalf expended & subject to a credit by offset of $14.06 as of 22 August 1869

Eq. It is ordered that John Dillon Trustee of Julia A Washington be removed, and his powers as such trustee are hereby revoked

Wm McK Coffman Plt
" § Upon a warrant in detinue
Calvin Miller Deft

This day came the parties by their Attorneys and by consent, the Court directs the following judgment to be entered up. Court. That the defendant Miller is not guilty of unjustly detaining the Cow in controversy from the plaintiff Coffman. And that the defendant Miller shall retain possession of the said Cow until the bond made to T. J. Bittle for $39.00 dated March 26, 1869 by plaintiff with the defendant as security, for her purchase shall be discharged by the plaintiff Coffman. And further that the said defendant Miller recover of the said Plaintiff Coffman his costs in this behalf expended

I. W. Winsborough Plt
" § In Covenant
I. N. Beery Deft

This day came the parties by their Attorneys and neither party requiring a Jury, the Court proceeded to execute the writ of enquiry which has been awarded in this cause, and doth assess the plaintiffs damages at $62.32, exclusive of Exchange thereon in specie, or its equivalent, and that interest shall commence thereon the 1st January 1865.

Therefore it is considered by the Court that the plaintiff recover against the defendant sixty two dollars and thirty two cents, in specie or its equivalent, as aforesaid, with interest thereon from the 1st January 1865 till paid and his costs by him about his suit in this behalf expended

31. Aug. 1869

William Snow Plt
" } In debt
Abraham Good Deft

This day came again the parties by their Attorneys, Whereupon the Motion made by the plaintiff at a former day during the present term for a new trial, being argued and considered. the Court doth overrule the said Motion, Therefore, the defendant, by counsel agreeing to release one hundred dollars of the verdict reduced him by the Jury upon the trial of this cause, it is considered by the Court that the defendant recover of the plaintiff the sum of seventy three dollars and twenty three cents with interest thereon from 25 August 1869 till paid & his cts by him in this behalf expended

Mem: Upon the calling of this cause for trial, and after the rendition of the verdict of the Jury the plt by his Attorney moved the Court to set aside the verdict & grant him a new trial, which motion was overruled by the Court to which the Plaintiff excepts & prays that his 3 bills of Exceptions may be signed. Sealed & enrolled by the Court and made a part of the record which is accordingly done —

R. P Fletcher & Bro Plt
" } In debt
R. M. Money Defr

This cause is continued until the next term at the defendants cts

McNeer & Beal for P Plt
" } In debt
Wm P. Grove Deft

This day came again the parties by their Attorneys, and the demurrer filed in this cause to the plaintiffs declaration by the defendant being overruled by the Court. the office Judgment entered in this cause stands confirmed. —

J S Roller Plt
" } In Assumpsit
G M. Carpenter Deft

This day came the parties by their Attorneys and it being suggested to the Court that the plaintiff in this cause has departed this life. It is ordered that that fact be certified and by consent of the parties by their Attorneys, the cause is revived and is hereafter to be prosecuted in the name of P W & W E Roller his admrs. and the cause continued until the next term

Joseph Newton	vs	John Dillon	In Assumpsit
Jno L. Warfield	vs	Wm L. Simmons	In debt
Geo Barnett	vs	H M Lofland	In debt
Jno Hunter's adm	vs	Jo H Conradi adm	In debt
I W Kaylor's adm	vs	Wm Hearn	In debt
Catharine Weis adm	vs	Saml Carpenter	In debt
Jno F Shewalter's adm	vs	Joseph Randall	In debt
R M. Kyle's adm	vs	R P Fletcher	In debt
Wm Ammon's adm	vs	W D Lewington	In debt
Jacob Staggs's adm	vs	Jo H. Conradi adm	In debt
Curtis Morris	vs	E S Peale	In Trespass
Jno O'Connor surv	vs	John Scanlon	In slander
Reuben Bonds	vs	Jno N. Pickering	Upon warrant
V H Lane	vs	Jno Hoffleman	In debt
Same	vs	Jno H Hoffleman	In Covenant
John Varney	vs	Philip Shiflett	In Trespass A & B
A S Rutherford's adm	vs	S Carson Bowers	In debt
Thomas Rutherford	vs	Henry Ruhe	In slander
Francis Mayhew	vs	Wm Peters	In debt
Jesse Carrier	vs	Shelton N. Carrier	In Assumpsit
Shaw H H & Co	vs	C A Sprinkle & Co	Same
Faulty, Hunt &	vs	Dav'd Shreeding &	In Covenant
Wade & Turner	vs	J W Zickle	In Same
Jacob Wallerstein	vs	John Mealey	In Assumpsit
Francis Starling	vs	A R Whipson	do
Saml S Miller	vs	Joseph Holcomb	do
Jackson Rhodes	vs	Saml Tatnall	In Trespass
Kemper H & Co	vs	R McKyle's adm	In Assumpsit
Eliz'th Thomas	vs	N. M. Walton	In debt
Geo Rattenbury &	vs	Maria Dever &	In debt
Wm H Baker for	vs	Jno Applegate &	In debt
Henry Jordan	vs	A M Bowers &	In Covenant
Jesse Morris	vs	E S Nancy	In debt
James Kavanaugh	vs	Adams H & Co	In Trespass
Jno Shewalter	vs	Jno Rollins exr	In Assumpsit
A J Warfield	vs	Ed S Nancy	In debt
S O Cunningham	vs	Wm Carpenter's adm	In Covenant
Riley Pharis	vs	L Herring	In Assumpsit
Hugh B Lilly	vs	R B Engelbright	In Assumpsit
Jacob A Armistead	vs	Robt Ryger	do
Wm Hearn	vs	L B Dowell &	In debt
Jno Allebaugh's adm	vs	Jno Rader	In debt
Henry Gehman exr	vs	Isaac Glick &	In debt
A W Bennis adm	vs	A Early	In debt

These causes are continued until the next term

31 Aug 69

F. M. Layton for	"	Peter Paul	In debt
C R Moyer	"	Wm Merrick	In Assumpsit
I C Ayer & Co	"	Saml Bailey	In debt
Solomon Kingrie	"	Geo Roller &	In Assumpsit
Jno Ellenger	"	William Sellers	do
M S Mepsley by &	"	Jack B Painter	
Jno Swartz	"	Jno A Fulbach	In debt
Jo L Logan	"	Ro Bowman Exr	In Assumpsit
Coffman & Buffy	"	Jno D. Pennybacker	do
F. S. Duff for	"	Isaac Whipen	In debt
Z D Gilman Exr	"	H M Lofland	In debt
Z D Gilman	"	same	do
Wm Peters for &	"	Rob Shiflett &	In Assump.
Emanuel Sipe	"	Wm Express Co.	In Case
Foner & Clippenger	"	J & M Hall	In debt
Jno Lander admr	"	W S Kennedy &	In debt
M Lloyd & Bro	"	Reuben Bonds	In Assump.
Jno Billi admr	"	H & I Sipes	do
Jno Ruebush	"	Saml Frankhauser	do
same	"	same	do
Jno Shaneis admr	"	Jno Bowman Jr	In Case
Isaac A Heller for	"	Wm Peters	In debt
Henry A Shewalter	"	D & H Andrews &	In debt
William Dandy	"	L & J Reed	In debt
Augus. Armentrout	"	A K Fletcher &	In debt
Jno Lander admr	"	Geo W Stanley &	In Covenant

These causes are continued until the next term

George Fawcett Plt
James Bolton Deft
In Case

This cause is continued until the next term at the Plaintiffs cost

James Bolton Plt
George Fawcett Deft
In debt

Solon Henkel Plt
A R Wheeler Deft
In Covenant

These causes are continued until the next term at the Defendants cost

David Link Plt
" D. S. Rollen Deft } In debt

This cause is dismissed by order of the Plaintiff by his Attorney.

Cyle Summers adm'r for Plt
" F. M. Layton Deft } In debt

Same entry

Jacob Miller's adm'r Plt
" Anthony Rhodes Deft } In debt

This cause is dismissed by direction of Plaintiff's Attorney.

George Klein Plt
" James Alexander Deft } In Covenant

This cause is continued until the next term at the Defendant's costs

D. M. Custer Plt
S. " M. Yost Deft } In Assumpsit

This cause is dismissed by direction of Plaintiff's Attorney

Same Plt
"
Same Deft } Same entry

On Motion of and it appearing to the Court that Jacob Rohr has been dead more than three months last past, and no person having applied for letters of administration on his estate. It is ordered that Cyle Sterling Sheriff of this County take into his possession the estate of said deceased and administer the same according to law. —

R H Miller Son & Co Plt
Wm " S. Showalter Deft } In Covenant

This cause is dismissed by direction of Plaintiff's Attorney

31 Aug 69

Y. C. Ammons Admr Plt
vs
B. F. Thomas & c Defts } In debt

This day came the parties by their Attorneys and the defendants, by their Attorney, waiving their plea by them pleaded, agree that Judgment may be entered up against them for ($93.35) the amount of the plaintiffs demand and the costs - Therefore it is considered by the Court that the plaintiff recover against the defendants $93.75/100, the debt in the declaration mentioned with legal interest thereon from the 19th day of Sept 1860 till paid. and his costs by him in this behalf expended

John Woods Plt
vs
John Bowman Jr Deft } In Covenant

This day came the parties by their Attorneys, and the defendant, by his Attorney, waiving his plea by him pleaded as to a part of the debt in the declaration mentioned, agrees that Judgment may be entered up against him for $463.50 with Interest thereon from the first day of March 1867 and the costs.
Therefore it is considered by the Court that the plaintiff recover against the defendant $463.50, with interest thereon from the 1st day of March 1867 till paid and his costs by him in this behalf expended - and the trial of the issue as to the balance of the debt is deferred until next term

Christian Eakle Plt
vs
L. Woodson Deft } In Covenant

This day came the parties by their Attorneys, and the defendant, by his Attorney waiving his plea by him pleaded agrees that Judgment may be entered up against him for the amount of Plaintiffs demand and the costs - Therefore it is considered by the Court that the plaintiff recover against the defendant $159 -, with legal interest thereon from the 13th day of April 1862. till paid, and his cost by him in this behalf expended

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The Commonwealth who sues for the use of William Lilly & other — Plt

against

R. M. Mooney. Commissioner in the County Court of Rockingham County and Zach. Davis. his security — Defts

In debt upon Official Bond

This day came the parties by their Attorneys, and neither party requiring a Jury. the Court proceeded to execute the writ of enquiry awarded in this Cause. and having seen and inspected the said bond and heard the evidence in the Cause. doth ascertain the plaintiffs damages to be $147.67. and that interest shall commence to run thereon from the 1 January 1858.

Therefore it is considered by the Court that the relator William Lilly recover against the defendants $200. the penalty in the said bond mentioned and his costs in this behalf expended — And the defendants in mercy &c. But this Judgment may be discharged by the payment of $147.67 with legal interest thereon from 1 January 1858 till paid and his costs by him in this behalf expended

J M Rhoder adm — Plt

against

Emanuel Rhoder — Deft

In debt

This day came the parties by their Attorneys. and the defendant by his Attorney. waiving his plea by him pleaded. agrees that Judgment may be entered up against him for the amount of the plaintiffs demand and the costs — Therefore it is considered by the Court that the plaintiff recover against the defendant $2000. with legal interest on $1000 a part thereof from the 1st day of May 1858 till paid and with like interest on $1000 the balance from the 1st day of May 1859 till paid and his costs by him in this behalf expended

A. M. Newman & Co — Plt

against

S. M. Yost — Deft

In

This day came the parties by their Attorneys. and the defendant. by his Attorney. waiving his plea by him pleaded. agrees that Judgment may be entered up against him for the Amount of the plaintiffs demand & the costs.

Therefore it is considered by the Court that the plaintiff recover against the defendants $185.70 with Interest thereon from 24 March 1868 till paid and their costs by them in this behalf expended

31 Aug 1869 E. J. Sullivan (for the use of A. Lowenbach) Plt
vs
Samuel M. Yost Deft
} In debt

This day came the parties by their Attorneys, and the defendant by his Attorney. waiving his plea by him pleaded agrees that Judgment may be entered up against him for the amount of the plaintiffs demand and the costs — Therefore it is considered by the Court that the plaintiff recover against the defendant the sum of four hundred dollars with interest thereon from the 1st day of November 1869 till paid and his costs by him about his suit in this behalf expended

George Kiser Plt
vs
James Alexander Deft
} In ~~debt~~ Covenant

This day came the parties by their Attorneys, and the defendant by his Attorney. waiving his plea by him pleaded agree that Judgment may be entered up against him for the amount of the plaintiffs demand and the costs. — Therefore it is considered by the Court that the plaintiff recover against the defendant Eighty dollars and 19 cents in specie or its equivalent. with legal interest thereon from the 25th day of January 1866. till paid and his costs by him in this behalf expended

Benedict Hall & Co Plts
vs
Coffmans & Bruffy Defts.
} In debt

This day came the parties by their Attorneys, and the defendants by their Attorney waiving their pleas by them pleaded, agree that Judgment may be entered up against them for the plaintiffs demand and the costs — Therefore it is considered by the Court that the plaintiffs recover against the defendants ($597.81) Five hundred and ninety seven dollars and 81 cents with legal interest thereon from the 30th day of July 1868 till paid and their costs by them about their suit in this behalf expended

Geo W. Showalter Plt
vs
Peter Paul Jr Deft
} In debt

This day came the parties by their Attorneys, and the said defendant filed a statement shewing the nature of the offsets which he desires to prove and the several items thereof, and the trial of the issue is defered until the next term

Henry Shacklett. surviving partner of
Shacklett & Gibbons Plt

v

J. C. Walker and G W Miller. Admrs } In Assumpsit
of Joseph N. Conrad dec'd Defts

This day came the parties by their Attorneys and the defendants say that they have fully administered all and singular the goods and Chattels rights and credits of the said Testator. and waiving their plea heretofore pleaded in this cause agree that Judgment may be entered up against them for the amount of the plaintiffs demand and costs. Therefore it is considered by the Court that the plaintiff recover against said defendants the sum of twenty five dollars and 25 cents with legal interest thereon from the 2d day of November 1860 till paid and his costs by him in this behalf expended — to be levied of the goods & chattels. rights and credits of the defendants' intestate when such shall come into their hands as such Administrators. —

Henry Shacklett Plt

v

J. C. Walker and Geo W Miller. Admr } In Assumpsit
of Joseph N. Conrad dec'd Defts

This day came the parties by their Attorneys, and the said defendants say that they have fully administered all & singular the goods and chattels. rights and credits of the said testator, and waiving their plea heretofore pleaded by them in this cause. agree that Judgment may be entered up against them for the plaintiffs demand & costs.

Therefore it is considered by the Court that the plaintiff recover against the defendants thirty dollars & 18 cents, with legal interest thereon from the 17 July 1861 till paid and his costs by him in this behalf expended. to be levied of the goods & chattels. rights and credits of the defendants intestate when such shall come into their hands as such Administrators

Henry Lam & Brothers Plts

v } In debt

D. D. Dowds' exr Defts

This day came the parties by their Attorneys. On the motion of the defendants by their Attorney, who pleaded payment to which the plaintiffs by Attorney replied generally. It is ordered that the trial of the issue be deferred until the next term. And leave is given said defendants to file special pleas herein. —

31 Aug: 1869 N. F. Denton Plt
" Woodson & Compton Defts } In debt

This day come the parties by their Attorneys and on the motion of the Deft by his Attorney a rule is awarded gainst the Plt for security for cts in this suit. Whereupon Messrs. Liggett & Hawes. come into Court and undertake for the Plt. that they will satisfy and pay all such cts and damages as may be awarded to the defendants in case the said Plt 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 they. the said Liggett and Hawes will satisfy and pay them cts, dimmages and fees for him.

George Kiser Plt
" Wm R. Gailey Deft } In debt

This day came the parties by their Attorneys. and the defendant waiving his plea by him pleaded in this cause. agree that Judgment may be entered up against him for the amount of the plaintiffs demand and the cts — Therefore it is considered that the plaintiff recover against the defendant the sum of twenty nine dollars and 55 cents with interest thereon from the 26 May 1857 till paid and his cts by him in this behalf expended Only it to a credit of one dollar and eight cents as of the 25 May 1857 —

Hull. Atkinson & Co Plts
" E. S. Gancy P. I. I. Littell Defts } In debt.

This day came the parties by their Attorneys and thereupon came a Jury. Court. Thomas Logan. John Everole. Abraham Miller. H. B Armentrout. D. M Huffman. Jno S. Heatwole. John Roudebush. Joseph B. Moyer. John Leedy. Geo Newlett. R J Wise and Wm N. Jordan. who being elected. tried and sworn the truth to speak upon the issue joined upon their oaths do say that "We the Jury find for the plaintiff the debt in the declaration mentioned.

Therefore it is considered by the Court that the plaintiffs recover against the defendants Eighty one dollars and 46 cents with Interest thereon from 23 April 1869 till paid and their cts by them about their suit in this behalf expended

Matthias Ruebush Plt
" } In debt
Isaac Showalter Deft

This day came the parties by their Attorneys and thereupon came a Jury. Viz. Wm A Jordon. Thomas Logan. John Swesole. Abraham Miller. W. B. Armentrout. D M Huffman. J S Heatwole. John Rowdebush. Joseph B. Moyers. John Leedy. Geo Hewlett and R. J Weir. who being elected. tried and sworn the truth to speak upon the issue joined upon their oaths do say that "We. the Jury. find for the plaintiff eighty dollars. part of the debt in the declaration demanded with interest thereon from the 30th day of March 1863 till paid". Therefore it is considered by the Court that the plaintiff recover against the defendant eighty ~~three~~ dollars. part of the debt in the declaration mentioned. and the amount by the said Jurors in their said verdict ascertained. with interest thereon from the 30th day of March 1863 till paid. and his costs by him in this behalf expended

Memo. Upon the calling of this cause for trial on yesterday. the defendant. by counsel. excepted to the opinion of the Court refusing certain instructions offered to be given to the Jury by said defendant. and tendered his bill of exceptions which he prayed might be signed. sealed and enrolled. and which was done accordingly

Jacob Miller's adm'r Plt
John " Dinkel Deft } In debt

This day came the parties by their Attorneys. and the defendant by his Attorney waiving his plea by him pleaded agrees that Judgment may be entered up against him for the amount of the plaintiffs demand & Costs.

Therefore it is considered by the Court that the plaintiff recover against the defendant Seventy five dollars — with legal interest thereon from the 1 day February 186 till paid and his costs by him in this behalf expended

At the adjournment the following members composed the Court Viz: Henry Berry. D M. Nininger. Wm N Gay. G M Rogers and Jno Gangwer —

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

Henry Berry

Wm N. Gay

1 Sept 1869

At a Court Continued and held for Rockingham County on the 1st day of September 1869.—

Present } Henry Beery, D. M. Nisewander, S. M. Rogers, Wm N. Gay and John Sanger,

Samuel R. Allebaugh &c
vs
A. C. Lincoln & Jacob Lincoln } In Covenant

This day came the Plaintiff by his attorney, and the parties dispensing with a Jury, the Court proceeded to enquire of the damages in this suit, and do say that the Plaintiff hath sustained damages by occasion of the breaches assigned in the declaration of the Covenant therein mentioned to eight hundred and ninety-three dollars and 33⅓ cents with interest thereon from the 19th day of November 1864 till paid, to be paid in gold & silver coin of the United States.—

Therefore it is considered by the Court that the Plaintiff recover against the Defendants the sum of $893.33⅓ with interest thereon from the 19th day of November 1864 till paid, in gold or silver coin of the United States and his costs by him in this suit expended. And the said Defendants in mercy &c.—

The Commonwealth Plt
vs } Upon an Indictment
A. C. Lincoln Deft

This day came again the parties by Attorney for the Commonwealth & the Defendant by his Attorney, and the Court having failed to grant the motion of the defendant for a new trial during this term of the Court. It is therefore considered by the Court that the said A. C. Lincoln pay to the Commonwealth one hundred dollars, the fine against him by the Jurors in their verdict ascertained, and the costs of this prosecution.

Hurd, Atkinson & Co Plts
vs } In debt
E. S. Yancey Defdt

This day came again the parties by their Counsel, and on the motion of the defendant and for good reasons appearing to the Court, the verdict & Judgment entered in this cause on Yesterday is set aside

and the cause continued until the next Term. and on like motion a rule is awarded against the plaintiffs for security for costs in this suit. Whereupon W S Lusty undertakes for the plaintiff that he will satisfy and pay all costs and damages as may be awarded the defendants in case the said plaintiff shall be cast in this suit. and also that they the said plaintiffs shall satisfy and pay all fees which will become due from them to the Officers of this Court. or that he. the said W S Lusty. shall pay and satisfy the same for them.

Moore Plt
v
Irick Deft } Upon a Motion

On the motion of the by counsel, and it appearing to the Court that this cause has been pending in this Court for more than twelve months without a decision being had therein. it is ordered that the same be removed to the Circuit Court of this County

Samuel Price. infant child of Samuel Price dec'd and over 14 years of age. this day appeared in Court and made choice of W H Hudlow as his guardian ~~and thereupon the said Hudlow entered into bond~~

Monroe & Allen Plt
v
Hites adm'r Deft } This day came the parties by their Attorneys and the defendant by counsel withdrawn the plea in abatement entered herein at a previous day in the term. and for satisfactory reasons appearing to the Court the Demurrer to the plaintiffs declaration is overruled

Madison Grey Plt
v
R A. Stephens Deft } Upon a Motion

This Motion is dismissed by direction of the Plaintiffs Attorney

The last will and testament of Peggy Gibson dec'd was this day presented in Court and being proved by the oaths of Jno Mefaly and L W Gambill. two of the subscribing witnesses thereto. was thereupon ordered to be recorded. And thereupon Charles D. Gray. executor named in said Will personally appeared in Court and renounced his right to qualify as such

1 Sept 1869 The Court doth appoint John Paul guardian of Charles A. Wm A., Jno E. Robert E. Sarah B & Fanny M. Braithwaite children of W S and Sarah H Braithwaite, and thereupon the said John Paul entered into bond with F. A Dangerfield his security (who justified) in penalty of $1000 conditioned as the law directs.

The following persons are entitled to the sums annexed to their respective names, for their attendance & services at the present term as drawn Jurors in the trial of civil cases upon the docket. Which is ordered to be certified to the County Court of Rockingham for payment. Viz

Simon Whitzel 8 days	$7.00	Wm A. Lindsay	$13.00
Joseph B. Amos, copd.	11.00	Isaac Miller	6.00
Adam Audis	10.00	Peter S.S. Shavalter cpy	6.00
Jacob S. Heatwole	copied W.M.K.W. 13.00	Jno Bergonne	6.00
Geo Hewlett	9.00	Jno Swisole copd	13.00
Harrison Armentrout (cpy.)	11.00	Jacob Yost	3.00
John Leedy (cpy)	12.00	Irvin Hill cpy	14.00
Joseph B Mayer copd	10.00	Adam H Brewer cpd	12.00
Lo S. VanPelt	11.00	G A. Gay	1.00
Joseph Hunter	1.00	D M Huffman copd	8.00
Jno M. Mapie copd.	2.00	J. S. Wright	1.00
Harrison Rohr cpd	3.00	Abra. Whisler	2.00
R. J. Wise	7.00	copied Jno Rowdebush	5.00
Saml Leggett	7.00	Wm Evans copd	4.00
George Davis	1.00	Lot Kavanaugh	1.00
Henry Rhoder sepd	2.00	B. F. Shaver	1.00
Geo W Thomason copd.	3.00	Isaac B Newman copd	1.00
Jno McQuade copd.	3.00	James Long copd	3.00
Thomas Logan cpd	4.00	James L. Shipe copd	2.00
Biben Webster cpd	2.00	Jno S. Effinger cpd	2.00
Henry Butler copd	2.00	Abraham Mellis copd	7.00

The following drawn Jurors are entitled to the sums opposite their respective names for their services at the present term in the trial of Misdemeanor Causes — which is ordered to be certified to the Auditor of public Accounts for payment. Viz

Simon Whitzel	$1.00	Wm A. Lindsay copd	$1.00
Jo B Amos	1.00	Isaac Miller,	1.00
Adam Audis	1.00	P. S. Shavalter, copied	1.00
Jacob S. Heatwole	1.00	Jno Bergonne	1.00
Geo. Hewlett	1.00	Jno Swisole copd	1.00
Harrison Armentrout,	1.00	Jacob Yost	1.00

William Eidson, Eli Long. Geo W Moyers. Alex Knupp. Wm M Cc Intire Daniel Miller. Peter Stine, John Senger. A Gilmer. John Rhoder. Isaac Stone. Asher McPeek. Thomas Lamptkins. A. W. Sintzer. Shem Bowman Henry Pulse. Joshua Price Samuel Liggett and Jacob L. Lam. who attended the present term as Grand Jurors are entitled to one dollar each for one days service as such - Which is ordered to be entered to the County Court of Rockingham for payment

At the adjournment the following members composed the Court. Wm. Henry Berry. W A Leigh. D. M Newcomer. G M. Rogers and Jno Harnsberger

Ordered that the Court be adjourned till the first day of the next term

Henry Berry
Wm L Gray

20 Sept 1869.

Virginia

At a County Court held for the County of Rockingham on the 20th September 1869.

Present John Berry, David Gelines, Leyman Wise & A L Loose & Geo W Skelton Justices

The Clerk this day produced into Court a list of deeds and other writings recorded in the County at and since the last August term of this Court and being seen and inspected by the Court the same is ordered to be entered of record and is as follows to wit.

A J Conrad & wife to H Hagedorn B & Sale
Abra Paul to David Swartz B & Sale
F R Davis to Henry Forrer D of Trust
A McMeans & wife to same B & Sale
Saml Upp to same D of Trust
Wm Koontz to Adam Koontz D°
Moses Lowman to D° Lowman D°
Abra Smith to Martha Shaub D° Gift
D° to D° D° Gift
Wm Sandy to B G Patterson &c D° Trust
N Braithwaite to H G Gray & Co B & S
Dav Link & wife to J M Kite B & S
same to same B & S
Cyprian Williams to J M Carpenter D°
Jno R Long to Isd D Shipe &c B & S
Anthony Rowden Exr to A P Horn D°
Martha Kyger to Jno H Carrickhoff B & S.
Joseph Cromer & wife to Isaac F Ritchie B & S.

A J Conrad & wife to H Hagedorn B & Sale
G F Denkel & wife to W F Allemang 2 Deeds
I McAtee & wife to F D Kelley B & S
Wm C Kite to S P & H Miller B & S
S B Jennings to W C Kite B & S
H Michael & wife to G Hoyshead B & S
Moses Lowman to Emanuel Lowman D of Gift
same to David Lowman D of Gift
S Wilson to S P & H Miller B & S
D P Effinger & wife to M C McAlister B & S
I Shaver exr to Henry Neff B & S
Jno J Eastham & wife to Wm W Eastham B & S
Geo Miller & wife to A L Greene B & S
Geo Shank to Chesley & Grandall D.T.
Peter Whitzel & wife to E S Huffman B & S
Pleasant A Clarke to Geo H Johnson B & S
A P Horn & wife to Jackson Horn & B & S
Joseph Cromer & wife to Mich Miller
Joseph Cromer & wife to Isaac F. Ritchie B & S.

A Report of the settlement of the accts of C. C. Strayer guardian of P Wirt Strayer was this day presented in Court and it appearing that said Report has been on file in the Clerk's office of this County for more than thirty days and no exceptions appearing to have been taken thereto the same is thereupon ordered to be recorded

The same entry as to the accounts of the same guardian of Geo G. Strayer

The same entry as to the accounts guardian of his ward Joseph S. Strayer

A report of the settlement of the accounts of Daniel Wenger Guardian of his ward Sarah A Wenger being produced in Court and it appearing that the said report has been on file in the Clerks Office of this County for more than thirty days and no exceptions having been taken thereto the same is thereupon ordered to be recorded

An Appraisement of the Estate of Daniel Miller dec'd. was this day presented in Court & ordered to be recorded

It appearing to the satisfaction of the Court that ten Coupon bonds of $100 each No. 72. 194. 195. 196. 197. 198. 199. 200. 210 and 211. issued by the County of Rockingham, in the State of Virginia, on the 1st day of January 1855. and payable twenty years after date with Coupons for the interest thereon, payable semi-annually on the 1st. days of January and July in each year from said date of issue; at the rate of six per centum per annum from the 1st day January 1863. the property of Hugh L Gallaher have been so much burnt and mutilated as not to be available for the purposes of the holder; it is therefore ordered that the said Coupon bonds and Coupons now exhibited to the Court. be filed with the Clerk of this Court. and be cancelled by him, in the presence of Samuel Shacklett the Agent of said County, and presented by the said Clerk among the records of the County. and upon the said Hugh L. Gallaher with personal security, executing before and delivering to the Clerk of this Court a bond to the said County of Rockingham in the penalty of One thousand dollars Conditioned to indemnify the said County against all loss which she may sustain by the renewal of said Coupon bonds and Coupons for interest. it is ordered that the Clerk of this Court issue to the said Hugh L Gallaher as his personal representative a Coupon bond for one thousand dollars in lieu of said ten bonds of $100. each payable on the 1st. January 1875. with corresponding Coupons for the same annual instalments of interest at the rate of six per centum per annum from the first day of January 1863 till the day of payment of said bond. reciting. however. in said bond that it is issued in lieu of said ten bonds and in obedience to this order. And it is further ordered that the Clerk of this Court for the time being together with the said Samuel Shacklett to sign the said bond and Coupons for interest so directed to be issued for and on behalf of the said County of Rockingham

The appraisement and sale bill of the Estate of John Wample dec'd. was this day returned & ordered to be recorded

21 Sept 1869

An Inventory, appraisment and Sale bill of the estate of Saml N. Lewis dec'd was this day returned into Court and ordered to be recorded

Paul Jones vs Mesne P.P. Motion

This Motion is ordered to be placed on the Court docket

On the Motion of Morris & others and it appearing to the Court that Benjamin Green (col'd) has been dead more than three months and no person having applied for letters of administration on his estate - It is ordered that O.K. Sterling Sheriff of this County take into his possession the estate of said deceased and administer the same according to law -

On the Motion of and it appearing to the Court that Sarah Armentrout late of this County has been dead more than three months last past and no person having applied for letters of administration on her estate - It is ordered that O. K. Sterling Sheriff of this County take into his possession the estate of said deceased and administer the same according to law. —

It is ordered that the Sheriff of this County summon the Justices of the County to appear here on the 1st day of the next Term of this Court to take into consideration the application of Thomas Logan for leave to keep an Ordinary in this County

An Inventory and Sale bill of the Estate of Isaac Thomas dec'd was this day returned into Court and ordered to be recorded

The last will and testament of Christopher Kyser dec'd was this day produced in Court and being proved by the oaths of W M K Abbott and George Will two of the subscribing witnesses thereto, was thereupon ordered to be recorded

Joseph Showalter is appointed Surveyor of the Road beginning at the Mountain Road beyond Rockhoffer's Mill and running to Harrisonburg - in the room of David Hopkins, with the usual Rewards to keep the same in lawful repair

John P. Brock
vs
William Cooper &c } Upon an Attachment

This cause is docketed by direction of Court

T. McCarthy Plt
vs
A J Wall. garnishee Deft. } Upon a Suggestion

This cause is ordered to be placed on the Cmtt docket

Allemong & Pool Plt
vs
Walton Wham & Co Deft } Upon an Attachment

It is ordered that this attachment be docketed, and continued until the next term

At the instance of O.C. Sterling. Sheriff of this County, Joseph A. Wammen is permitted to qualify as his deputy, and thereupon the said Joseph A Wammen personally appeared in Court and took the several oaths prescribed by law

The Commonwealth
vs
A C. Lincoln } Upon an Indictment.

The same
vs
Emanuel Royer } Upon an Indictment

The Attorney for the Commonwealth, with the Consent of the Court, says he will not further prosecute the defendants in these causes upon the Indictments found against them respectively

The Overseers of the Poor of Rockingham County
vs } In Chancery
B. F. Armentrout

This cause is continued until the next term at the Costs of the Defendant

It is ordered that the Sheriff of this County pay or cause to be paid to James M. Bryant. a Juror at the November term 1867 of this Court. the sum of $12.50, out of the County levy made at June term 1868. it appearing that the said J M Bryant has lost or mislaid the Certificate of the Clerk for said allowance and has not been paid the same & proved said allowance has not already been paid.

Cop

The Court doth appoint Reuben Huffman guardian of Wm Meyerhoeffer child of John Meyerhoeffer dec'd and thereupon the said Reuben Huffman entered into bond in the penalty of $600 with Frederick Rhoder. his security (who justified) and qualified accordingly

20 Sept 1869

The Commonwealth
" James Paine } Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendant by his Attorney: whereupon Came a Jury. to wit. Charles Brock. Geo Fawcett, Jesse Summers, Saml Chandler Joseph Moore. H.A. Rodes. Jno S. Effinger. John Carickoff. Robt Bryan. Joel S. Wright. Wm A Gordon Price Sites. who being elected. tried and sworn the truth to speak upon the issue joined — upon their oaths do say that the defendant is not guilty — Therefore it is Considered by the Court that the defendant be discharged. and that he recover of the prosecutor Daniel Good and his surety Ephraim Wenger his costs by him about his defence in this behalf expended

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Martha J. Mefsely Plt
" Jacob Cool Deft } Unlawful Detainer

By Consent of the parties by their Attorneys. this Cause is referred to George Bowman and John H. Rawhof and such umpire as they may choose for arbitration and award

Cop.

Henry Carpenter Plt
John " Carpenter Gdn Deft } Upon a Notice

This day Came the parties by their Attorneys. and it appearing to the Court that the defendant has acknowledged legal service of the Notice given him by the plaintiff — On Motion of the plaintiff the powers of the said John Carpenter Guardian of James H. Hahn are hereby revoked and annulled

---

U Willig
and
Wm Brake } Upon Petition for Road

By Consent of parties Wm G. Thompson John I. Bowman and James Fitzwater are appointed Commrs to view the proposed road up Brocks Gap and report to the Court at its next term what will be a just Compensation to the heirs of Wm Heneiser. for the land proposed to be taken for said road and for the Damage to the residue of their tracts beyond the peculiar benefits which will be derived in respect to such residue from said road; and report to the Court at its next term.

Cop.

On the Motion of Barbara Orebaugh who made oath and together with M. M. Miller her security (who justified) entered into and acknowledged a bond in the penalty of $400 conditioned as the law directs - Certificate is granted the said Barbara Orebaugh for obtaining letters of administration on the estate of Solomon Orebaugh dec'd. in due form - And David Bowman, James Bowman, and Jacob Miller being sworn are appointed to appraise said estate and make report

Cop.

On the Motion of Geo W. Smith who made oath and together with William Koontz his security (who justified) entered into & acknowledged a bond in the penalty of $200 conditioned as the law directs - Certificate is granted the said Geo W Smith for obtaining letters of administration on the estate of George Smith dec'd in due form - And

On the Motion of Milton Taylor who made oath and together with J F. Brauner, Wm F. Bowers and Henry Neff, his securities (who justified) entered into and acknowledged a bond in the penalty of $10,000 conditioned as the law directs - Certificate is granted the said Milton Taylor for obtaining letters testamentary on the estate of Christopher Keyser dec'd in due form - And George Will, Mathias Miller, Wm Landes, John R. Pence and Moses Mason or any three of them being sworn are appointed to appraise the estate of said deceased & make report

Cop.

On the Motion of Daniel Baker who made oath and together with Jacob F. Baker his security (who justified) entered into and acknowledged a bond in the penalty of $2000 conditioned as the law directs - Certificate is granted the said Daniel Baker for obtaining letters of administration on the estate of John Baker dec'd in due form - And Elias Beaum, Martin Althaffer and Wm H. Saufley ~~many three of them~~ being sworn are appointed to appraise the estate of said dec'd & to make report

Cop

A. J. Baugher, who has been duly appointed Constable of the 2nd District of this County, by Military order, this day appeared in Court and took the Several oaths prescribed by Law: and entered into bond together with John H. Palmer Jacob B. Nicholas, Amos Scott and Charles S. Weaver, his securities (who justified) in the penalty of $4.000 Condemned as the law directs

The Commonwealth vs Michl Conrad — Upon an Indictment
" same " same — Upon an Indictment
These cases are Continued until the next term

A. J. Van Pelt who has been duly commissioned a Notary Public for the County of Rockingham this day entered into bond in the penalty of $500 Conditioned as the law directs with Wm M.K. Warhmann his security (who justified and qualified accordingly

The Commonwealth
"
J Neiskell Shiflett } Upon an Indictment

On Motion of the Attorney for the Commonwealth a Capias is awarded against the defendant J Neiskell Shiflett upon the summons in this cause returned "Executed", which Capias is to be made returnable to the 1st day of the Next term of this Court.

Cap.

At this adjournment the following Members composed the Court - Viz: Joshua Henry Beery. David Heiskell. Geo W. Skelton. A L Lowe & Reyner Wise

Ordered that the Court be adjourned till tomorrow Morning 10 O. Clock

Henry Beery

At a Court continued and held for Rockingham County on the 21st day of September 1869

Present } Henry Beery, David Gilmer, Cyrus Wise, Abram Long and F. LeLoux }

N. B. Hansbarger Surviving partner Plt
" } Upon a Notice
James Steele Deft

This Motion is continued until the next term. and a Rule is awarded against Michael Howard. a witness for the defendant returnable to next term.—

It is ordered that it be certified to the Auditor of public accounts that Charles N. Lewis, the Attorney prosecuting for the Commonwealth in this Court. is allowed the sum of five dollars for prosecuting one Misdemeanor Case at the present term.

Daniel Huffman for Plt
" } Upon a Notice on Lost
Henry Daily Deft. } Alluney bond

This day came the parties by their Attorneys and by consent this Cause is Continued until the next term. and on Motion of the plaintiff, by Counsel, a Scire facias is awarded against Mary A. Brown surviving executrix of Allen H Brown dec'd — returnable to the next term

docketed
Allen H Brown for whose benefit this suit is brought having died

Hannah Miller Plt
" } In Chancery
A. A. Whitlock Deft

Wm D. Trout, who was appointed guardian ad litem in this Cause for the infant defendants Horatio, Betsy, Lucy and Charles Whitlock at the June Rules 1869. having died. On Motion of the plaintiff, it is ordered that A L Lindsey be appointed guardian ad litem for said infant defendants and that the Cause be revived and proceed against A L Lindsey as Guardian ad litem

N. B. O'Brien Plt
" } Unlawful Detainer
Joseph Bean Deft

This day came the parties by their Attorneys, and on motion for reasons satisfactory to the Court the Cause is Continued until Next term at the Defendants costs —

21 Sept 69

Coffman & Bruffy
cause
vs
Geo W Hogan
cause
} Upon Attachment

These Causes are dismissed by direction of the plaintiffs by counsel.

It is Ordered that it be certified to the Auditor of public accounts that the following Jurors are entitled to One dollar each for their attendance and services at the present term in the trial of Misdemeanor Causes.

Cp's & encd to Auditor	Charles Brock	$1.00	George Fawcett $1.00
	Jesse Summers Cp.	1.00	Saml Chandler 1.00
	Joseph Moore Cp.	1.00	M. A Rodes 1.00
	Jno S. Effinger Cp	1.00	Chief John Carickhoff 1.00
	Robt Bryan Cp'd	1.00	Joel S. Wright Cp. 1.00
	Wm N. Gordon Cp.	1.00	Price Sites Cp'd 1.00

R. P. Fletcher &c Pet
vs
I. B. Burner &c Defts
} Upon a Motion

This day came the parties by their Attorneys and on the Motion R M Mooney the cause is continued till the next term at his costs - and the said R. M Mooney and Benjamin Miller and Calvin Pitt, who have been duly summoned to appear at the present term as witnesses on behalf of the Plaintiff Mooney, failing to appear - Rules are awarded against them for such their contempt, returnable to the next term - And on Motion of M D Coffman by counsel, he is admitted a party plaintiff upon his petition filed in said Cause

John Moyerhoeffer & wife Plts
vs
Virginia Kayer &c Defts
} In Chancery

On Motion of the plaintiff it is ordered that A L Lindsey be appointed guardian ad litem in this Cause for the infant defendants Virginia and Mary C. Kyger.

John Moyerhoeffer & wife Plts
vs
Virginia Kayer &c Defts
} In Chancery

This Cause came on to be heard by consent this 21 Day of September 1869 upon the Bill filed, the answer of the infants by Guardian ad litem - replications thereto, and upon the answer of Defendant Wm Sandfley - replications thereto - and

the cause was argued by counsel & Upon Consideration whereof
It is adjudged. ordered and decreed that Edward S. Kemper, Joseph
Beery, Samuel Good & Jonathan Miller be and they are hereby appoin-
-ted Commissioners, any three of whom may act, to lay off &
partition and assign to the Complainants. and to the infant
Defendants. their interest of one third each in the tract of
land mentioned in the bill. having reference to quantity
quality and value and to report to this Court. at its next
Term

Augustine Nelson Plt
vs
Sarah Nelsley Dft } In Chancery

This cause. having been regularly set for
hearing. came on to be heard this day of September 1869.
upon the Bill & exhibits - the answer of the infant defendants.
Jerome Franklin and Virginia Nelsley by their guardian
ad litem. A L Lindsey. this day assigned them by the Court.
with replication thereto - the summons returned duly executed
more than one Month ago upon the home adult defendants.
Madison Brannen and Catharine, his wife, who. failing
to appear and answer, the bill is taken for confessed as to
them, And it appearing to the Court that an order of
publication against the absent defendants Sarah Nelsley,
Milton Nelsley, William Nelsley, Peter Nelsley & Elizabeth
Nelsley, has been duly executed more than one months.
the Case is heard. as to them. Whereupon. the argument
of Counsel being heard, it is adjudged, ordered & decreed
that the plaintiff is entitled to recover out of the estate
of Nicholas Nelsley deceased. the sum of $162:84 1/2 with
interest on $69.73 thereof from the 1st September 1863 until
paid; on $13:34 1/2 another part thereof from the 13 Feby
1848; on $29:74 another part thereof; from the 20 August
1863; on $11 another part thereof. from 21 April 1851. on
$3:03 1/2 with interest from the 2d June 1862, on $25:13 1/2
from 29 April 1843 till paid - Created by $2.50 from
August 11th 1857 - for the payment of which debt, the real
estate of said Nicholas Nelsley is liable. And it is
further decreed that unless the defendants or some one for
them pay said indebtedness within thirty days from
this day, the Sheriff of this County will proceed
to sell to the highest bidder at public auction on the
premises, so much of the real estate of which said
Nicholas Nelsley died seized as will pay the same
and Costs of suit. first. giving four weeks notice of
the time, terms and place of sale, by posting the
same at three or more public places near the land-

21 Sept 1869

1/3 of the purchase money to be paid in thirty days from the day of sale — the residue in 12 months thereafter, all bearing interest, taking from the purchaser Bond with good security, and report to the Court.

Joshua A. Ruffner Plt
vs
A St C. Sprinkel Deft
Upon an award

This day came the parties by their Attorneys and on the Motion of the Deft by Counsel a rule is awarded against the plaintiff Joshua A Ruffner, to shew cause, if any he can, why the award made up in this case shall not be entered as the judgment of the Court.

Henry B. Jones Plt.
vs
Wm K. Bailey Deft
Upon a Motion

This day came the parties by their Attorneys and the motion being heard and argued - It is ordered that the same be dismissed

The Commonwealth
vs
B. F Armentrout
Upon an Indictment

Barbara C. Gaither who has been summoned to appear here at this term as a witness for the defendant failing to appear a Rule is awarded against her returnable to Next term to shew cause why she should not be fined & attached for such her Contempt

Joshua A. Ruffner Plt
vs
A St C. Sprinkel Deft
Upon an award

This day came again the parties by their Attorneys, and by consent of the parties by their Attorneys - It is ordered that the award made up in this case and filed at the present term, is set aside, and leave is given the parties respectively to withdraw the papers filed in the cause

McCarthy Plt
vs
J Wall, garnishee Deft
Upon a Suggestion

This day came the parties by their attorneys, and the evidence and arguments of Counsel being heard - It is considered by the Court that this motion be dismissed

It is ordered that the Sheriff of this County be authorized to Carpet the floor of the Court room, or to supply such Carpeting as shall be necessary to have the said room neatly and comfortably carpeted

At the adjournment Henry Beery. David Gilmer. J. L. Love. Abram Long, & Cyrus Wise Composed the Court

Ordered that the Court be adjourned till the first day of the next term

Henry Beery

At a County Court held for Rockingham County at the Court House on Monday, the 18th day of October 1869

Present David Gelwicks, Geo W. Sanford, Wm D. Madden, Wm Downer, Jno Gangaway, Adam R. Glidden, Geo S Kellar, G M Rogers, Jno A Funkhouser, Jno M Dorman, D M Neswander, Henry Berry, Jno Funk, Christian Shank, E J Sullivan, Wm N Yancey, A C Long, Cyrus Wise and L F Long Justices

The Clerk of this Court this day produced into Court a list of deeds Proved in this County at & since the September term of this Court last. which being seen and inspected by the Court is ordered to be entered of record— Viz:

Madden Brenneman trustee	to	David C Brenneman.	Bar & Sale
William Sandy trustee	to	Jacob Cool	Deed barg & Sale
Philip Harpine trustee	to	Jacob Ackhart	Ditto
Lewis M. Zuckle Trustee	to	Solomon D Weakle	Do
Jacob J. Thomas trustee	to	Daniel Shank	Do
Philip H Frys Exr	to	George Ishirman	Do
Daniel Bowman &	to	I S Loose	Agreement
Joseph Meddlekauff &	to	Joseph B Loose	Deed Barg & Sale
Geo Armentrout trustee	to	David B Armentrout	Do
Peter Heil trustee &	to	James Rodgers	Do
Abraham J Cole	to	Eli H Long & others	Deed Trust
Joseph Funkhouser trustee	to	Saml & David Neff	Barg & Sale
A H C Sprinkel trustee	to	Jacob N. Liggett	Do
Same	to	Same	Do
Joseph Shaver Jr	to	Lewis F. Gaither	Do
Rich H Pool trustee	to	Gabriel T. Baker	Do
Geo H Harnsberger &	to	Harrison Grady	Do
A G Sigler	to	William Sigler	Deed Trust
John Swartz	to	Isaac B. Neswander	Barg & Sale
Betsy Ann Kehrer &	to	B W Armentrout	Do
Same	to	Same	Do
William Beard	to	Jno H Christ Trustee	Deed Trust
John W. Stern	to	Michael Sellers Trustee	Do
Mary Bryan & others	to	Joseph Byrd	Deed B & Sale
James Roadcap	to	Chas E. Haas Trustee	Deed Trust
Theophilus Lawson	to	P. H. Elliott & Son	Do
Wm H. Carpenter	to	John Watson & others	B & Sale
Saml M. Bowman	to	Jonas A. Lowenbach T.	D Trust
George Russell &	to	Franklin Taylor T	Do B & Sale

Same order as Same — And — Docketed & continued

A Report of the settlement of the accounts of Henry Neff administrator of John A. Miller was produced into Court and it appearing to the Court that the said Report has been on file in said Clerks office for more than one month and no exceptions in the mean time having been taken to

said report. It is ordered that the same be recorded

The same entry as to the accounts of Benjamin Hoover guardian of John Knopp

The same entry as to the accounts of same guardian of Helena Knopp

The same entry as to the accounts of Jno C Norman Executor of Jno R. Norman decd.

A Majority of the Justices of this County being present. proceeded to the election of a presiding Justice according to the provisions of the — section of the Code of Virginia, Whereupon John Funk having received eleven votes. Henry Beery four Votes and David Gilmer one Vote. the said John Funk was elected as the Presiding Justice of this County, —

The presiding Justice of this Court appointed David Gilmer Wm D Maiden and Wm A Gay, A C. Long and D. A. Strickwander. a Committee to arrange and Clapify for service as members of this Court. the Justices of the peace who are at present Commissioned to act as such in the County of Rockingham. Thereupon. the said Committee reported the following Clapification which was adopted by the Court. Viz

For November Quarterly term 1869
- Wm D. Maiden
- L. F. Loux
- David Gilmer
- C F. Shank

For December Court 1869 & January Ct 1870
- Wm A. Gay
- Lyon S. Wise
- James McDonnan
- Henry Beery

For February Quarterly term 1870
- A. C. Long
- G W. Skelton
- D. M. Nicewander
- Wm S. Downes

For March & April terms 1870
- G W. Sanford
- G. M. Rogers
- Jno Gaugwer
- E. J. Sullivan

For May Quarterly term 1870
- John A. Fishback
- A Gladden
- C. S. Wise
- Wm A. Gay

18 Octo 1869

Wm D. Maiden
L F. Louix
David Gilman
Le. F. Shank
} For June & July terms 1870

A. Le. Long
G. W. Skelton
James McDorman
Daniel M. Niswander
} For August Quarterly terms 1870

Geo Sanford
G. M. Rogers
John Gangwer
E J Sullivan
} For September & Octobr terms 1870

Absent all the Justices except John Frank. Sewell.
James McDorman. Adam Gladden. Henry Beery.
John Gangwer. —

John Kelly Plt
" John Morrison Deft
} Upon an attachment

This cause is dismissed by direction of the plaintiffs Attorney

The Court doth certify that Christopher Reed. who wishes to practice law in the Courts of this Commonwealth. is a man of honesty. probity and good demeanor: that he is of the age of twenty one years and upwards and has resided in this County the past twelve months.

Cy

On motion of N. B. Kaneofe and wife. A R. Whissen. Jacob Heatwole. and Jacob Funkhouser. are appointed Commissioners to assign to the widow of Austin Coakley dec'd. her dower in the real estate of her said husband. and to make partition of the residue of said estate among the heirs entitled thereto - all of whom are of age and desire that said partition shall be made

Cy

The Rev'd John Ewers having produced to the Court credentials of his being in regular Communion with the — Church and of his ordination as a Minister thereof - on his motion a license is granted him to celebrate between persons residing in this State. the rites of Matrimony according the rites and ceremonies of his said Church. and thereupon the said John Ewers entered into and acknowledged

a bond with Joseph Beery his security (who justified) in the penalty of $1500 conditioned as the law directs

Emma V. Madden this day personally appeared in Court and made choice of W J Weaver as her guardian, and thereupon the said W J Weaver entered into and acknowledged a bond in the penalty of $400 with Elizabeth Madden his security, (who justified) conditioned as the law directs.

Joseph A. Mitchell, a Notary Public for this County, this day entered into bond with S S Mitchell, his security (who justified) in the penalty of $500 - conditioned as the law directs and qualified accordingly

On Motion of the Commonwealths Attorney - It is ordered that L F. Loux, R A Gibbons, & Dr A M Newman, who are hereby appointed a Committee for that purpose shall proceed to wait upon the building Committee of the Poor house of this County, and audit and settle their accounts. And said L F Loux, R A Gibbons & A M Newman shall require the said building Committee to produce a voucher for each article charged against the County - and make their report to this Court at a future term as early as possible

Ulrick Wittig Plt

" Michael Brake Defts

This day came again the parties by their Attorneys, and James Fitzwaters, John F Bowman and Wm G Thompson the Commissioners appointed to view the proposed route for a road up Brocks Gap, and report what compensation is just and proper for the heirs of William Heneger for their land proposed to be taken for the use of said road, having reported that eighty dollars is a just compensation for the same, to which there is no exception, the same is confirmed - And it is ordered that the road be opened and established as prayed for in the petition - And it is ordered that the said road sum of eighty dollars damages, together with the costs of the said defendants expended in this cause, be paid to them out of the County levy

And it is ordered that Henry Neff and James Fitzwaters be and they are hereby appointed a Committee to assign hands for the opening of said road, and report to this Court at the next term

J F Bowman & J H Beery Pltf & Motion

This cause is dismissed by direction of Pltf's Attorney

18 Octo 1869 Augustine Armentrout Plt
" S. R. Allebaugh Deft
Upon a Notice

It is ordered that this cause be placed upon the Courts docket.

Co. O. It is ordered that Silas Flick be appointed Surveyor of Precinct No 122, in the room of John Newcomb with the usual bonds to keep the same in lawful repair.

Co. O. John Kelin is appointed Road Surveyor of precinct No , in the room of Joseph Armentrout. with the usual bonds to keep the same in lawful repair

Ordered that it be entered to the Auditor of public accounts that Wm H Hamrick assistant Commissioner for Wm L Audsen Commissioner of the Revenue of this County, is allowed his account for Registering 271 births and 56 deaths — amounting in the aggregate to $32.70

Co On the motion of Joseph Beery who made oath and together with Samuel Kelin his security (who qualified) entered into and acknowledged a bond in the penalty of $2000 conditioned as the law directs — Certificate is granted the said Joseph Beery for obtaining letters of Administration on the estate of Samuel Story dec'd in due form — And Phineas Stickley, Thomas Good, Franklin Reece, Solomon Beery and Samuel Kline or any three of whom being sworn are appointed to appraise the estate of said deceased & make report

J. P. Hyde who has been duly appointed Commissioner in Chancery for this Court this day personally appeared in Court and took the several oaths prescribed by law

R. P. Fldshir adt
vs
J. B. Barnes Dft
} Upon a motion for direction as to paying out the proceeds of sale of a threshing machine levied by the Sheriff.

This day came again the parties by their Attorneys and the evidence and argument of Counsel being heard the Court is of opinion that out of the proceeds of the sale of said Machine the Sheriff should first pay the two executions in favor of John L Woodson vs A J Van Pelt and R M Mooney, and the remainder of the proceeds the Court adjudges to belong one half to A J Van Pelt and the other half to R M Mooney they being partners

Copied.

John Wright is appointed Surveyor of the road leading from Rushville to near Attobine in place of James Weltzel with the usual hands to keep the same in lawful repair

The Overseers of the Poor
vs
Benj F. Armentrout
} Upon a warrant for bastardy

This cause is dismissed at the cost of the defendant. —

Sarah Ann Speck Plt
vs
B L Patterson Comr. garnishee Deft
} Upon a Suggestion

This cause is ordered to be docketed

John C. Williams Plt
vs
Noah W Beery garnishee Deft
} Upon a Suggestion

This cause is ordered to be docketed

Ordered that it be certified that the following Justices be allowed three per diem for services on the bench to day in the election of a presiding Justice, classification of Justices &c. Wm. David Gilmore, Geo W. Sanford. Wm D Maiden. Wm Downes. Jno Gangwer. A R Gladden. Geo Skelton, G M. Rogers. Jno A Fishback. Jas McDorman. D M Newandon Henry Beery. Jno Funk. Christian Shank. E J Sullivan. Wm N Gay A C Long. Cyrus Wise and L F Lowe. —

Ordered that the Court be adjourned till Court in Course

John Funk

Virginia

At a County Court held for Rockingham County on Monday the 15th day of November 1869

Present } John Funk, David Gilmore, Wm D. Maiden John Sour & Henry Beery & C F Sheets } Justices

The Clerk of this Court produced into Court the following list of deeds recorded in the office of this Court at and since October last which having been examined and inspected by the Court are ordered to be entered upon the records of this Court - viz:

Joseph Click & wife	to	Jacob Shickel	Bar & Sale
Henry Nisewander & wife	to	Jacob Shickel	Do. Do.
Jacob Spitzer & wife	to	Philip Holler Trustee	Deed of Trust
Jno M. Smith & wife	to	Caleb Dean	Bar & Sale
Peter Ritchie & wife	to	Saml. Senger	Do Do.
Albert Long	to	Jno. B. Ganguay	Deed Trust
Jno. B. Funk	to	Geo. Wine Trustee	Bar & Sale
Jas. A. Coursey	to	Henry Early	Do. Do.
A. B. Armentrout & wife	to	B. F. Armentrout	Do. Do.
J & C. L. Smith	to	L. P. D. Newman	Do. Do.
Edmund Minnick	to	John W. Windle	Deed Trust
G. W. Berlin	to	Thos. O Conner	Bar & Sale
J. M. Moyer & wife	to	Henry F Baetman	Do. Do.
B. F. Armentrout & wife	to	A. B. Armentrout	Do, Do,
Samuel S Reed & wife	to	Wm A. Whitaker	Do. Do.
C. W. Dovel & wife	to	Lear Barton	Do. Do.
Danl. Thomas & wife	to	Eli Hollen	Do. Do.
David Link & wife	to	Jonas A Loewenbach	Do. Do.
Jas. A Carrickhoff	to	Elijah Carrickhoff	Do. Do.
L. C. Whitescarver & wife	to	Sarah C. Wise	Do. Do.
Wm Clatterbuck & wife	to	Jno. A. Patterson	Do. Do.
W. G. Thompson Exr.	to	John C. Homan	Do. Do.
Adam Breneman Sr.	to	A Breneman Jr.	Do Do.
Jno. L. Winfield & wife	to	John Deade	Do. Do.
D. B. Armentrout & wife	to	G. W. M. Evers	Do. Do.
Caroline Herr	to	Frances Blain	Do. Do.
Edwd S. Kemper &	to	Mary B. Kemper &	Do. Do.

A Report of the settlement of the accounts of H A Showalter Admr of Joseph Senger dec'd was this day produced into Court and the same having been already on file in the Clerk's Office for thirty days last past and no exceptions being taken thereto, the same is ordered to be recorded.

The same entry as to the accounts of Jesse Burkholder and Peter Shaver executors of George Shaver dec'd.

Same entry as to acct of Burton S. Burkholder Committee of S M Kratzer dec'd.

Same entry as to acct of L S Reed admr of R McKyle dec'd

Same entry as to acct of H A Showalter (No 2) admr of Joseph Senger dec'd

Same entry as to acct of Saml A Long Exr of Mrs Long dec'd

Report Settlement of acct of Jesse Burkholder & Peter Shaver exrs of George Shaver dec'd returned & ordered to lie for exceptions

Same entry as to the acct of W J Runde admr of de Sellem dec'd.

At the instance of R Alsop, Clerk of this Court, Geo. W Garrett is appointed his deputy and permitted to qualify as such. whereupon the said Garrett took the several oaths prescribed by law

Report of settlement of acct of L S Reed admr of R McKyle dec'd was returned & ordered to lie for exceptions.

Hull, Atkinson & Co, Plffs.
vs.
S. D. Sellers & others Defts

Motion on a bond taken for the forthcoming on the day of sale of property taken under Execution.

This day came the parties by their attorneys, and it appearing that the Defendants have had legal notice of this motion, they were solemnly called but came not, whereupon the bond and execution aforesaid, being seen and inspected, it is considered by the Court, that the Plaintiffs may have execution against the said defendants for $184.68, the penalty of the said bond, and the Defendants in mercy, &c. but this judgment may be discharged by the payment of Ninety-four Dollars and thirty-three cents, with legal interest thereon from the 16th day of October, 1869, till paid, and the costs of this motion.

Stevens, Pegram & Co. Plffs.
vs.
S. A. Kite & A. N. Miller, Defts.

A like motion

This day came the parties by their

15 Nov 1869

attornies, and it appearing that the Defts. have had legal notice of this motion, and were solemnly called and came not, whereupon the bond and execution being seen and inspected by the Court, it is ~~considered~~ considered that the Pefft. may have execution against the said Defts. for $192.88, the penalty of the said bond, which may be discharged by the payment of Ninety-six dollars and forty-four cents with legal interest thereon from the 16th of October, 1869, till paid, and their costs by the said Pefft. in this behalf expended.

Jacob Runcle, Admr. of Wm. M. Maiden, decd. Pefft.
vs. A like motion.
J. H. Kite & A. H. Miller, Defts.

This day came the parties by their attornies, and it appearing that the Defendants have had legal notice of this motion, and were solemnly called but came not; whereupon the bond and execution being seen and inspected by the Court, it is considered that the Plaintiff may have execution against the said Defendants for $155.64, the penalty of the said bond, and their costs by them about their suit in this behalf expended, but this judgment may be discharged by the payment of $77.82, with legal interest thereon from the 16th day of October, 1869, and the costs.

James Magalis, Pefft.
vs. A like motion
Wm Beard & P. Deming, Defts.

This day came the parties by their attornies, and it appearing that the Defendants have had legal notice of this motion, they were solemnly called, but came not, whereupon the bond and execution being seen and inspected, it is considered by the Court that the Plff. may have execution against the said Defendants for $383.00, the penalty of the said bond, and their costs by the said Pff. by him about his suit in this behalf expended; but this judgment may be discharged by the payment of One Hundred and Ninety-six dollars and Seventy-five cents, with legal interest thereon from the 15th of October, 1869, and the costs.

Daniel Driver, who was by a former order of this Court appointed Surveyor on the public road, over Precinct No. 102, this day offered his resignation as such Surveyor, he intending to leave this Commonwealth - which resignation the Court accepts, and appoints in his room and place, John C. Driver, to keep the said precinct in lawful repair.

A plat and report of a division of A. & D. Holsinger's land, was this day returned into Court and order-

ed to be recorded.

The last Will and Testament of John A. Hopkins, dec'd. was this day presented in Court, and being proved by the oaths of S.A. Moffett and D.R. Hopkins, two of the subscribing witnesses thereto, and ordered to be recorded. Thereupon, on the Motion of E.M. Hopkins & Wm D. Hopkins, the Executrix and Executor named in said Will, who made oath and entered into and acknowledged a bond in the penalty of $35,000, conditioned as the law directs (no security being required, at the instance of the testator) certificate is granted the said E.M. Hopkins & Wm. D. Hopkins, for obtaining Letters Testamentary on the Estate of the said deceased, in due form. And Jno. A. Rolston, jr., David Bear, Michael Whitmore, & S.S. Harman or any three of whom being first duly sworn, are appointed to appraise the Estate of the said deceased, and report to Court.

M. L. Zirkle Pff.
vs
Jos. F. Johnson Deft.
and
B. D. Devin Pff.
vs
John Devin Deft.

Upon Attachments.

It ordered that these causes be placed upon the Courts Docket.

D.C. Brenneman, who was summoned to appear at this term as a drawn juror, being sworn and heard, is excused from further attendance upon the Court.

Daniel D. Huffman, for &c. Pff.
vs
Henry Early, John Early & Jacob Early, Defts.

Upon a Scire facias to revive a judgment on a forthcoming bond.

This day came the parties by their attornies, and the Defendants though solemnly called, came not; whereupon it is considered by the Court that the judgment aforesaid be revived in the name of Mary A. Brown, surviving executrix of A.H. Brown, dec'd., and it is further considered by the Court that the said Mary A. Brown, surviving Executrix, &c, recover against the said Defendants $287.00, the penalty of the said forthcoming bond, and her costs by her about her suit in this behalf expended, and the said defendants in mercy, &c. — but this judgment may be discharged by the payment of One Hundred & Twenty-eight dollars and fifty cents, with interest from the day of 1861, and the costs.

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On the motion of John Paul, and it appearing that Berryman Jackson, late of this county has been dead for more than three months last past, it is ordered that O. C. Sterling, Sheriff of this County, take into his possession the Estate of said deceased, and administer the same according to law.

Jacob E. Hainsberger & Wife, Pltff.
vs. Upon a Sci. fa. to revive a judgment.
John C. Walker & Geo. H. Miller, Adm'rs of J. Hannah, dec'd, Defts.

This day came the parties by their attornies, and the Defendants though solemnly called came not; whereupon on Motion of the Plaintiff, the judgment aforesaid is revived against the said John C. Walker and Geo. H. Miller, the Adm'rs aforesaid.

On the application of John A. Berry, for leave to keep an Ordinary at McGaheysville, in this county, and it appearing to the Court, that the said John A. Berry, is a man of good character, and that the place of said Ordinary, is fit and convenient, and that will probably keep an orderly house, leave is granted the said John A. Berry to keep such ordinary, until the next regular license term of this Court.

Catharine E. Kirtley, Pltff.
vs. Upon a Notice
Mathias Snyder, Deft.

It is ordered that this Notice be Docketed.

Sam'l. Bailey, Pltff.
vs. Upon a Suggestion.
Elias Kinsey, Deft.

It is ordered that this cause be docketed.

On the Motion of Elijah Dudley, and it appearing that Charles Black, late of this county, has been dead more than three months, last past, and no person having applied for Letters of Administration on his Estate, it is ordered that O. C. Sterling, Sheriff of this county, take into his possession the Estate of said deceased, and administer the same according to law.

Ordered that it be certified to the Auditor of Public Accounts, that Sam'l. Lindamood be allowed the sum of Thirty Dollars, for his services as Comr. Rev. 1st Dist. in enlisting County Levy, Railroad Tax, &c., to be paid out of the County Levy.

The Court doth appoint Wm. D. Hopkins, Committee of H. E. Hopkins, a person of unsound mind - thereupon the said Wm. D. Hopkins, together with Henry B. Harnsberger, his security, (who justified as to his sufficiency,) entered into and acknowledged a bond, in the penalty of $5,000. conditioned as the law directs, and qualified as such Committee

Jonas A. Loewenbach, Plff

vs.

I. R. Allebaugh, late Shff. of County of Rockingham Defts.

and

The same Plff.

vs.

Same Defts.

and

Same Plff. } Upon Notice.

vs.

Same Defts.

and

Same Plff

vs.

Same Defts.

It is ordered that these causes be docketed.

It is ordered that D. M. Huffman, James Baker and A. A. Tutwiler, be substituted as drawn Jurors for the present term in the room and stead of S. M. Bowman, Hugh Morrison & Daniel Good, excused.

A. H. Cave, who was summoned to appear here at the present term as a drawn Juror, being sworn and heard, was excused.

~~Decree~~

S. J. & Emma Kite ——— Plffs. } Upon motion on bond taken for the forthcoming on day of sale of property taken under execution

vs.

Joseph H. Kite and James Huffman, Defts.

This day came the parties by their attorneys, and it appearing that the Defendants have had legal notice of this motion, they were solemnly called but came not, whereupon the execution and bond aforesaid, being seen and inspected, It is considered by the Court, that the Plaintiffs may have execution against the Defendants, for ~~$1809.~~ $ in the penalty of the said bond, and their costs by them in this behalf expended, but this judgment may be discharged by the payment of Two Hundred and Sixty-four dollars and Seventy-seven cents, with legal interest thereon from the 16th day of October, 1869, till

15 Nov 1869 paid, and the costs.

Ordered that Thomas K. Miller, Robert A. Spindle, and Wm. D. C. Covington, be appointed Commissioners to re-apportion the hands on Road Precincts No. 40, 41, 42 and 44, and to assign hands to the road from the terminus of Precinct 44 to the Page county line, which road was used by the Front Royal & Luray Turnpike Company, and has been abandoned by that Company; and report any changes in said road that may be necessary to be made.

William Minnick Plt

Noah Nesbit Deft Upon a Motion

It is ordered that this motion be docketed

Elizth J. Shank who was summoned to appear at this term as a witness for the Commonwealth, being called & not appearing - a Rule is awarded against her returnable forthwith for such her Contempt

It is ordered that all of the drawn Jurors for the present term be discharged until wednesday next

Absent - Henry Beery — Justice. —

David H. Miller Plt v Wm C. Harrison — Upon a Suggestion

It is ordered that this motion be docketed

Edward J. Armstrong, late of this County, who stands indicted of Murder, this day appeared in Court in discharge of his recognizance entered into before a Justice of the peace of this County, and being put to the bar upon trial, was arraigned, pleaded "Not Guilty" to the indictment aforesaid and for his trial put himself upon the Court: Whereupon came a Jury, to wit, James R. Eden, Lidian Kratzer, A J Life, Strother Sheets, David B. Sites, Abra. Andes, B F Armentrout, Jno W. Melhorn George Engenbright, Jh H Miller, J M Harlow & Henry Hoffman who, being elected by ballot according to law the Clerk of and upon the premises to speak, were, with the Consent of the prisoner, adjourned over until tomorrow morning at 9 O'Clock. Thereupon an oath was administered to O C Sheeting Sheriff and Wm A Rodeffer and Jo A Mauzy - deputy Sheriffs, to the following effect. "You shall well and truly and to the best of your ability keep this Jury, and neither speak to them yourselves nor suffer any other person to speak to them touching any matter relating to this trial until they return into Court tomorrow.

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

John Funk

At a County Court continued and held for Rockingham County on Tuesday. November the 16 1869

Present } John Funk, Dana Gilmore, Wm D. Maiden, } Justices
John Lowe & Henry Reeves. Christian J. Shank }

Edward J. Armstrong, late of this county, who stands indicted for murder, was again led to the bar in the custody of the Jailor of this Court, and the Jury sworn and empannelled on yesterday, returned into Court agreeably to adjournment, and thereupon Benj. F. Armentrout, one of the Jury, being sick and unable to serve upon the said Jury, by consent of the prisoner, John Strickler was elected and duly sworn to serve in his room and stead. — and the said Jury having partly heard the evidence in the cause, were, with the consent of the said prisoner, adjourned over until to-morrow morning at 9 o'clock. Thereupon an oath was administered to C. C. Sterling and Wm A. Rodeffer, as follows, to wit: "You shall well and truly, and to the best of your ability keep this Jury, and neither speak to them yourselves nor suffer any other person to speak to them, touching the matter relative to this trial, until they return into Court to-morrow."

Thereupon the said Edward J. Armstrong was remanded to Jail

The Commonwealth } Def
" } upon an Indictment for Larceny & Cohabitation
George Airey } Deft
and
The same
" } upon and Indictment for same
Mary Jane Gaughan
and
The same
" } Def
William Deane } upon an Indictment for a fraud & Bastardy
Deft

On the Motion of the Attorney for the Commonwealth. and it appearing that the above Indictments were found at the October term last of the Circuit Court of this County and certified to this Court for trial as the law directs. It is ordered that the same be docketed in this Court. And an like motion summons are awarded upon the said Indictments returnable to the 1st day of December Court last and cause continued

Henry J Rosenberger who was duly summoned to appear as a juror but being too unwell to attend (as appears by certificate from his physician) is excused from from attending at this term

16 Nov 1869

Edmund At the adjournment John Funk, Dand Gilmer. Wm D. Maiden, John Lowe. and Henry Christopher Shank

Ordered that the Court be adjourned till tomorrow morning 9 O' Clock.

John Funks

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WAS UNAVAILABLE

AT THE TIME

OF IMAGING

PAGE # 248

WAS UNAVAILABLE

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AT THE TIME

OF IMAGING

At a Court continued and held for Rockingham County on Wednesday the 17th day November 1869

Present } John Funk. David Gilmer. Wm D Madison } Justices
John Lowe and Christian H. Shank

S Bradley & Co	Plt	
Wm W. Carpenter &	Deft	
A M. Newman & Co	Plt	Motions on bonds taken for the forthcoming on the day of sale of property taken under executions
S M Yost &	Deft	
E. J. Sullivan	Plt	
S M Yost &	Deft	

Notice proved. Parties called and Judgments according to the bonds and fi cats

Joseph Altaffer who was summoned to appear at this term as a Grand Juror, being sworn and heard. is excused from further attendance upon the Court

It is ordered that all Grand Jurors. witnesses and suitors, except those in the case of the Commonwealth vs Armstrong. be excused from further attendance upon the Court until Friday next. at 10 O'Clock A. M.

Abraham Summers	Plt	In debt
John Shutters admr	Deft	
[illegible] same	Plt	In case
The same	Defts	
Jacob J Frank	Plt	In case
Geo W Hogan	Deft	

On the motion of the defendants, by counsel. and it appearing that these causes have been pending in this Court for more than twelve months last past. It is ordered that they be removed to the Circuit Court of this County to be therein proceeded in until determined

17 Nov. 1869

Edward J. Armstrong. late of this County. who stands indicted of Murder. was again placed to the bar in Custody of the Jailor of this Court, and the Jury sworn and empannelled in this Cause on Monday last. appeared in Court agreably to adjournment and having further heard the evidence in the Cause were. unto the Consent of the prisoner, adjourned till tomorrow morning at 9 O'Clock. Thereupon an oath was administered to O. C. Sterling and Wm H Rodgers, Sheriff & deputy Sheriff. as follows. "You shall well and truly and to the best of your ability Keep this Jury, and neither speak to them yourselves. nor suffer any other person to speak to them. touching any matter relative to this trial until they return into Court tomorrow.

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

John Irwin

At a Court continued and held for Rockingham County on Thursday the 18th day of November 1869

Present John Funk. David Gilmer. Le. F. Shank Esqrs Justices. and Wm D Madden & John Loux

John Tennant Plt
vs
J E Harnsberger Deft
In case

Rich'd Kinsley Plt
vs
The same Deft
In case

On the motion of the defendants by counsel. and it appearing that these causes have been pending in this Court for twelve months last past, It is ordered that they be removed to the Circuit Court of this County. therein to be proceeded in until determined

John D. Windle Jr. P Plt
vs
Thomas J. Koontz Deft
In debt

This cause is dismissed by direction of the plaintiffs Attorney.

Mary F. Reed's Petition under Stay Law
vs
John M. Palmer Plt
Thomas G. Logan Deft
Upon Motion

These motions are dismissed by the direction of the plaintiffs' Attorneys

George Kiser Plt
vs
James Alexander Deft
In case

This day came the parties by their Attorneys, and by consent. it is ordered that the Judgment entered in this cause at August term last. be set aside, and the cause be placed upon the docket of this Court for further proceedings to be had therein

Nov. 18. 1869 George Kisin Plt
" James Alexander Deft } In debt

This day came the parties by their Attorneys. and by Consent of the said parties. it is Considered by the Court that the plaintiff recover against the defendant the sum of sixty three dollars and seventy five Cents. with legal interest ~~thereon~~ on $32.00 part thereof from 2d July 1859 and with like interest on $31.74 from the 3d day of July 1860. till paid and his Costs by him in this behalf expended

Edward J. Armstrong. late of this County. who stands indicted of Murder. was again placed to the bar in Custody of the Jailor of this Court. and the Jury sworn and impannelled on Monday last appeared in Court agreably to adjournment and having heard the evidence in the cause and a part of the Argument of Counsel. were. with the Consent of the said Prisoner adjourned till tomorrow morning at 9 O'Clock

Thereupon. an oath was administered to O. B. Sterling Sheriff. and Wm A Rodgers. his deputy. to the following effect. "You shall well and truly and to the best of your ability Keep this Jury. and neither speak to them yourselves, nor suffer any other person to speak to them touching any matter relative to this trial until they return into Court or tomorrow.

Ordered that the Court be adjourned till Tomorrow morning 9 O'Clock

John Franks

At a Court continued and held for Rockingham County on Friday the 19th day of November 1869

Present } John Frank. David Gilmer. John Lowe } Justices
} A. T. Shank. & Wm D. Maiden

J. G. Coffman's Executrix Plt
John W Bowman Deft } In debt

This cause is dismissed by direction of the plaintiff's Attorney. —

Edward J. Armstrong. late of this County. who stands indicted of murder, was again put to the bar in custody of the Jailor of this Court and the Jury sworn and impannelled in this cause on Monday last. appeared in Court agreeably to adjournment and having further heard the arguments of counsel were. with the consent of the prisoner. adjourned till tomorrow morning at 9 O'Clock. Whereupon an oath was administered to D. C. Sterling. Sheriff of this County. and to Wm A Rodeffer. his deputy. to the following effect. "You shall well and truly and to the best of your ability Keep this Jury. and neither speak to them yourselves, nor suffer any other person to speak to them touching any matter relative to this trial until they return into Court tomorrow".

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

John Frank.

20th Nov. 1869 At a Court continued and held for Rockingham County, on Saturday, the 20th day November 1869

Present } John Funk, David Gilmer, John Lowe } Justices
} Wm D Maiden & F. Shank }

A M. Newman &c. Plts.
&
Lucius A. Devier Deft } In case

This day came the parties by their Attorneys and the defendant by his Attorney, waiving his plea by him pleaded, agrees that Judgment may be entered up against him for the amount of the plaintiffs' demand & the costs. Therefore it is considered by the Court that the plaintiff may have execution against the defendant for $49 56/100, with legal interest thereon from the 1 day of January 1868, till paid and their costs by them about their suit in this behalf expended

Edward J. Armstrong, late of this County, who stands indicted of Murder, was again put to the bar in custody of the Jailor of this Court, and the Jury sworn and impannelled on Monday last, returned into Court agreeably to adjournment and having fully heard the evidence and the arguments of Counsel, retired from the bar to consider of their verdict, and after some time returned into Court and upon their oaths do say that "We the Jury find the prisoner" not guilty. Therefore it is considered by the Court that the said Edward J. Armstrong be discharged.

Ordered that it be certified to the Auditor of public accounts that James Siler, Gideon Kratzer, A J. Life, Stother Sheets, David B. Sites, Abram Andes, Jno W. Mellon, George Engenbright, J G & Miller, Henry Homan, J M Harlow and John Strickler are allowed six dollars each, for their services for six days each as Jurors on the trial of Edward J. Armstrong at the present term, upon an Indictment for Murder

Ordered that it be certified to the Auditor of public Accounts that J. N. Hill, Tavern Keeper, be allowed his account for boarding & lodging the Jury for six days who tried the case of the Commonwealth vs Edw J. Armstrong, at the present term, upon an Indictment for Murder, amounting to Seventy two dollars.

Cop

Ordered that it be certified to the Auditor of public accounts that O. B. Sterling. Sheriff of this County be allowed the sum of seventy two dollars. the amount paid by him to the Jurors who tried the case of the Commonwealth vs Edward J. Armstrong. at the present term. upon an Indictment for murder

Ordered that the Court be adjourned till Monday morning 10 O'Clock

John Trunk

22 Nov. 1869 At a Court continued and held for Rockingham County on Monday the 22 November 1869

Present John Funk. David Gilmer. John Lowe & Justices
A. Shank and Wm D Maiden

The Commonwealth
" J Heirkell Shufflett } Upon an Indictment for A
and
The Same
" Jacob Acker } Upon an Indictment for A

On the motion of the Attorney for the Commonwealth Capiases are awarded in these causes returnable to December Court next. and the causes continued until December Court next.

The Commonwealth
" Michael Canada } Upon an Indictment for A
and
The Same
" The Same } Upon an Indictment for A

These causes are continued until the next term. and Joel J. Wright who was summoned in the first mentioned cause as a witness for the Commonwealth at the present term being called and not appearing. a rule is awarded against him returnable to the next term. to shew cause if any he can why he should not be fined and attached for such his contempt.

The Commonwealth
" Samuel Chandler Jr } Upon an Indictment for A

The Attorney for the Commonwealth with the assent of the Court. says he will not further prosecute the defendant upon the Indictment aforesaid

J. N. Gordon Plt
" Emanuel Rhoads Deft } This cause is dismissed by direction of the Plaintiffs Attorney

The Commonwealth
vs
Daniel Good
} Upon an Indictment for Retailing

This cause is continued until the next term of this Court. and Wm Minnick, who was summoned to appear at this term as a witness for the Commonwealth. being called, and not appearing; a rule is awarded against him returnable to the December term next of this Court. to shew cause if any he can. why he should not be fined & attached for such his contempt.

The Commonwealth
vs
Levi Riman
} Upon an Indictment for A & B

This day came as well the Attorney for the Commonwealth as the defendant, by his Attorney. On the motion of the defendant by his Attorney. who pleaded Not Guilty to the said ~~Defendant~~ Indictment. to which the Attorney for the Commonwealth replied generally. It is ordered that this cause be continued until the next term

M. B. O'Brien Plt
vs
Joseph Bear Deft
} Unlawful Detainer

This day came the parties by their Attorneys and by consent of the parties by their Attorneys. it is ordered by the Court that the plaintiff recover of the defendant his costs by him about his suit in this behalf expended. [the cause be dismissed and that the plaintiff]

Thomas Shumate Plt
vs
Richd Robirson Deft
} Unlawful Detainer

This day came the parties by their Attorneys. Thereupon the defendant pleaded not guilty. to which the plaintiff by counsel replied generally. Whereupon came a Jury. Viz: D M Huffman. A L O'Brien. Moses Currier. Jas A Linnaweaver. James Baker. Jno H Bowers. Wm Linnaweaver. Robertson Showalter. Melchiah Brenneman. A. A Tutwiler Asher Minnick & Jno H Carman. who being elected. tried and sworn the truth to speak upon the issue joined. and upon their oaths do say that "We. the Jury. find the defendant guilty and that the plaintiff was entitled to the premises in the summons mentioned at the time of suing out the same. and is now entitled to the possession thereof.

Therefore it is considered by the Court that the Plt recover against the defendant possession of the premises house and lot situated on the lands of Thomas Shumate

12 Novr. 1869 the plaintiff in this cause, and more particularly described in the summons issued against the said defendant on the 26th day of October 1869: and his costs by him in this behalf expended

It is adjudged that it be certified to the auditor of public accounts that Charles Lewis, the Attorney prosecuting for the Commonwealth in this Court is allowed the sum of sixty dollars, for ten misdemeanor cases and one felony case tried and disposed of in said County Court.

Polly Blackwell Plt
vs. } Unlawful Detainer
John Blackwell Deft

This day came the parties by their Attorneys, and the parties, by consent, waiving their right to a Jury to try this cause, submit the case to the Court for determination:

Therefore it is considered by the Court that the Plaintiff recover of the Defendant the possession of the premises mentioned and described in the summons issued against the said defendant in this cause and his costs by him in this behalf expended

Ordered that the Court be adjourned until tomorrow morning at -

Mathias Snyder
vs. } Unlawful Detainer
Joseph Harner

This cause is dismissed by direction of the Plaintiffs Attorney

Elizabeth Winegord Plt
vs. } Unlawful Detainer
Richard Robinson Deft

This cause is dismissed. And it is considered by the Court that the Plaintiff recover against the Defendant his costs by him in this behalf expended

John W. Lee Plt
vs
Andrew J. Zigler Deft
and
Jane Beeling Plt
vs
Robert Bryan Deft
and
Reuben Bones Plt
vs
William Bowman Deft
and
John Spader Plt
vs
John A. Shovalter Deft

Unlaw Detainers

These causes are continued until the next term.

John F. Lewis Plt
vs
Charles Weaver Deft
and
Ann D. Pennybacker Plt
vs.
Benjamin Hoover & others Deft's

Upon writs of ad quod damnum

These causes are continued until the next term.

Milton J. Carrier
vs
Jesse Carrier
and
Peter S. Roller
vs
Eli Yeiviler
and
George W. Stanly & Wife
vs
Jesse Carrier
and
A. H. Yancey
vs
The same

Upon Attachments

These causes are continued until the next term

22 Nov. 1869

William Sawyer Plt
vs
A. J. Baugher Defts. } Upon an attachment

and

The same Plt
vs
C. L. Weaver &c Defts. } Upon a Suggestion

and

Jason N. Bruffy Plt
vs
Rudolph Kagy Deft } Upon an Attachmt

and

E. S. H. Warren for Plt
vs
Jacob R. Stevens Deft } Upon an attachment

These causes are continued until the next term.

John C. Woodson Plt.
vs
S. F. Showalter Deft } Upon an Attachment

and

George Bruffy's Adm'r. Plt
vs
James Steele &c Deft } Upon a Notice

and

The same Plt
vs
The same Defts. } Upon a Notice

and

The same Plt
vs
The same Deft } Upon a Notice

These causes are dismissed by direction of the Plaintiffs by their Attorneys

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

John Funk

At a Court continued and held for Rockingham County on Tuesday the 23d day of November 1869

Present } John Funk David Gilmer John Lowe W. D. Maiden & C. F. Shank } Justices

Eli Pirkey Plt

vs

Geo. Sawfley Dft

This day came the parties by their Attorneys, and it appearing that Geo. Sawfley, the Defendant in this cause, has departed this life, it is ordered that that fact be certified. And on motion it is ordered that this cause be revived, and hereafter proceeded in ~~in the~~ against William H. Sawfley and John P. Sevank, his Administrators.

The following rule of practice is, with the approval of the bar, ~~was~~ adopted by this Court.

Upon the calling of the office Judgement docket, if it appear to the Court that there are any causes in which a plea or pleas have been filed at the rules, and the office Judgements prevented without any affidavit of substantial defence accompanying said pleas— the Court will at the instance of any plaintiff to such cause immediately take up said cause or causes and empannel a Jury or Juries to try the same in the order in which they stand, unless said cause stands upon a writ of enquiry, or the defendant shall file an affidavit setting forth a substantial defence to said action.

Saml. Funkhouser's Admr Plt.

vs

Peter S. Roller Dft

On the motion of the defendant, by counsel, and it appearing that this cause has been pending in this Court for twelve months last past, it is ordered that the same be removed to the Circuit Court of this County.

23rd Novr. 1869 Peter A. Woodward Plt

vs

In Trover

William Williams Dft

This day came the parties by their Attorneys. Whereupon came a jury, to wit. D. M. Huffman Wm Linaweaver, Joseph A. Shue, A. L. O'Brien, Jas. Baker, Jas A. Linaweaver, J. W. Bowers, Rob. Shoualter, John Swartz, M. A. Sutwiler, Silas Holsinger and Asher Mesick, who being elected, tried and sworn the truth to speak upon the issue joined upon their oaths do say that "we the jury find for the defendant

Therefore it is considered by the Court that the said defendant recover against the plaintiff his costs by him about his defence in this behalf expended.

Jacob Waltemyer Plt.

vs.

In assumpsit

John Messerly & Dft.

This day came the parties by their Attorneys. whereupon came a jury to wit, the same jury as in the case of P. A. Woodward vs Wm. Williams, who being elected, tried and sworn the truth to speak upon the issue joined upon their oaths do say that we the jury find for the plaintiff and assess his damages at Seventy two dollars and thirty cents with legal interest thereon from the 13th. day of April 1868 till paid Therefore it is considered by the Court that the plaintiff recover against the defendant $72.$^{30}/_{100}$ ~~with~~ the damages by the said jurors in their said verdict ascertained with legal interest thereon as aforesaid from the 13th day of April 1868 until paid, and his costs by him about his suit in this behalf expended.

Charles B. Ganceys Admr Plt.

vs.

Geo. W. Miller & Dfts.

W. D. C. Covington a witness for the defendants, and against whom a rule was awarded at the present term for failing to attend as such being sworn & heard it is considered by the Court that the said rule be discharged.

Carrier & Wife	vs	Devier	Upon Motions
Gray +	vs	Hardesty	
Strothers Admr	vs	O'Connor	
Sohaffer	vs	Devier	
Peale	vs	Steele	
Laymans Admr	vs	Taylor	
Miller & Co.	vs	Offlemoyer	
Patterson & Co	vs	Devier	
Campbell	vs	Kelly	
Allen & Co	vs	Shands Ex+	
Dinkle	vs	Whissen	
Paul & Sons	vs	Steele	
Allemong & Pool	vs	Walton, Wham & Co	

These causes are continued until the next December term of this Court.

D & A. Forrer	vs	Christian Hall	Upon motions
Wm. Eiler	vs.	A. Good	
A. C. Lincoln	vs.	A. B. Lincoln & Co	
Jno. W. Miller & Co	vs	Jackson Horn	
White & Rosenberg	vs	J. D. Price	
Jno. W Palmer & Co	vs	Thos G. Logan	

These causes are dismissed by direction of the plaintiffs by their attorneys.

Geo. W. Stanley & Wife	vs.	Jesse Carrier	In covenant
G. B. Reed	vs	Julius Martz	In case
Eli Pirkey	vs	Geo. Sanfley	In debt
David Flook	vs	Wm White	In case
S. Colemans Admr	vs	W. D. C. Covington	"
Elizabeth Koontz	vs.	B. E. Long	"
same	vs.	B. S. Van Pelt	"
B. S. Byerly	vs	Geo. Faucett	In covenant
Margaret Looney	vs.	John Kelly	In slander
A. M. Long	vs	J. W. Dovel's Ex.	
J. M. Hogshead	vs	R. A. Gray	In covenant
Linton & Lamott	vs.	J. Paul & Sons	In assumset
A. Rhodes	vs.	Peter Rader	"
Jesse Moyers	vs	Wm Minnick	
L. G. Long	vs.	J. Clinedinst & wife	In case
Jos Rhodes	vs	J. C. Shoup's Admr	In assumset
Lofland & Cowger	vs.	J. Cavanaugh	In debt

These causes are continued until the next Term.

23d Nov. 1869	J. Toomeys Admr	vs	A. E. Sipe	In assumpsit
	F. G. Fay	vs	Isaac Hardesty	"
	Wm Keers Admr	vs	D. Pennybacker	"
	Allen Paine	vs	Jacob Clinedinst	"
	D. Bowmans Admr	vs	John Bowman &c	In debt
	Lucinda Yancey	vs	R. W. Kinsey	In assumpsit
	Philips Bliss & Co.	vs	Saml Barley	In case
	M. A. Pickerell	vs.	J. V. Hutt	Warrant
	Patterson Harrison	vs	J. C. Harrison	"
	Rob. Cox Trustee	vs.	R. B. Mooney	"
	Wm A. Branch	vs	J. P. Sivantz	Trespass
	same	vs	same	"
	Jno. H. Melhorn	vs	Frank Liskey	In debt
	Fred. Schaffer	vs	Allen Derrer	Assumpsit
	P. A. Dice	vs	Saml. Wheelbarger	Trespass A. B.
	Wm S. Downs	vs	Lewis Crawford	Assumpsit
	J. W. Vandebaugh & Co.	vs	Jesse Cartier	"
	A. S. Wright	vs.	Jno. Nisivander	In debt
	P. N. H. Pickering	vs.	Reuben Bonds	Assumpsit
	Moses Carrier & wife	vs	J. M. Huffman	Warrant
	Jos. K. Riddle for	vs	A. Breneman	In debt
	Jos Henton	vs	John Dillen	Assumpsit
	Wm Branson Admr	vs	S. M. Bowman	In debt
	Andrew Hogan	vs	C. Flick	Assumpsit
	J. M. Riterour	vs	E. J. Sullivan	In case
	E. J. Sullivan	vs	C. A. Sprinkel & Co.	"
	Jno. F. Showalters Admr	vs.	Jos. Randall	In debt
	Jacob J. Frank for	vs	J. B. Nisivander	"
	Curtis Morris	vs	E. L. Peale	Trespass
	Jno. O'Connor & wife	vs	Jno. Scanlon	Slander
	Aug. Clinedinst	vs	P. Morris	Det.
	Reuben Bonds	vs	J. N. C. Pickering	Warrant
	John Harvey	vs	Philip Shiflett	Tres. A. B.
	F. Staling	vs	A. R. Whissen	Assumpsit
	Jackson Rhodes	vs	Saml. Sutwiler	Trespass

These causes are continued until the next Term.

Isaac Hardesty Plt.
vs
Z. Raines Deft. } Upon a warrant

This cause is dismissed by direction of the plaintiffs attorney.

John Kelly Plt.
vs } Upon a warrant
Margaret Toomy Deft.

and

R. P. Fletcher & Bro. Plt.
vs } In assumpset
R. M. Mooney Deft.

and

J. S. Rollins admr. Plt.
vs } In assumpset
G. A. Carpenter Deft

and

John Wood Plt.
vs } In covenant
John Bowman Jr. Deft.

These causes are continued at the motion, and at the costs of the defendants.

Henry Smith Plt.
vs } In debt
Nelson Fields Deft

This cause is continued on the motion and at the costs of the plaintiff.

Straus, H., & Co. Plt.
vs. } In assumpset
C. A. Sprinkel & Co. Deft.

and

Asher Mesick Plt.
vs } In trespass
John N. Falls Deft.

These causes are dismissed on the motion and at the costs of the defendants.

Joseph Byrd, David Sibert & Ephraim Neff late merchants & partners doing business under name Byrd, Sibert & Neff (who sue for the use of David Sibert Plts
vs } In debt
William Beard administrator of Hugh Denis dec Deft

This day came the parties by their Attorneys and by consent it is considered that the plaintiffs recover against the defendant $163.72 with legal interest on $78.16 a part thereof from the 1 day January 1861 till paid and with like interest on $85.62 the balance from the 1

23 Nov. 1869

day of January 1863 till paid and the costs by the plaintiffs in this behalf expended. to be levied of the goods and chattels of the decedent hereafter to come to the hands of the defendant to be administered

The same for same Pltf
The " same Deft } In debt

This day came the parties by their Attorneys and, by consent, it is considered that the plaintiff recover against the defendant $50.53 with interest thereon from the 1st day of January 1863 till paid and the costs by the said plaintiff in this behalf expended. to be levied of the goods and chattels of the decedent hereafter to come to the hands of the defendant to be administered

Charles A. Yancey admr of G. C. Cannon dec'd Plt
Wm D. C. Covington } In debt
Deft

This day came the parties by their Attorneys and the defendant, waiving his plea by him pleaded. agrees that judgment may be entered up against him for the amount of the plaintiffs demand & the costs.

Therefore it is considered by the Court that the plaintiff recover against the defendant $41.50 with interest thereon from the 21 day November 1861 till paid and his costs by him in this behalf expended. Subject to a credit of $25.04 as of the 29th June 1868

B. F. Wade & J. H. Turner late partners in business of school teaching under the firm name of Wade & Turner (for the use of J. H. Turner) Plt.
J. W. Tickle } In Covenant
Deft

This day came the parties by their Attorneys. and the defendant, waiving his plea by him pleaded. agrees that judgment may be entered up against him for the amount of the plaintiffs demand and the costs. Therefore it is considered by the Court that the plaintiff recover against the defendant $52.50 ch with interest thereon from the 1st day of February 1868 till paid and the costs

William C. McAlister Plt
vs
Samuel M. Bowman trustee for Ella F. Clower Defts } In Chancery

This cause came on this the 16 day of November 1869 to be heard upon the bill and exhibits filed therewith. And it appearing to the Court that the defendants Saml M Bowman administrator of Robt Bowman dec'd. and as such trustee of Ella F. Clower, George B. Clower, and Ella F. Clower his wife. have each been duly served with proces more than 30 days before the sitting of this Court. and they still failing to plead. answer and demur, the bill is therefor taken for confesed as to them. Whereupon argument of Counsel being heard, the Court doth adjudge. order and decree that the debt of $625 mentioned in the bill and proceedings constitutes a lien upon the house and lot in the bill and proceedings mentioned, and that the said house and lot be sold at public auction to the highest bidder on the terms hereinafter mentioned, unless S. M. Bowman trustee for Ella F. Clower, or some one for him. shall, within 30 days after the rising of this Court, pay to the Plaintiff the sum of $625, with interest thereon from the 29 day of August 1864. W S. Lusty, who is hereby appointed a Special Commissioner for the purpose, shall proceed to make sale of the house and lot in the bill and proceedings mentioned at public auction to the highest on the following terms: enough in hand to pay the costs of suit and sale, and the balance in four equal payments of six, nine, eighteen and thirty six months from day of sale, purchaser giving bond with approved personal security and retaining a lien on the property as additional security; but before making the sale the said Comm'r shall advertise for four successive weeks in one of the newspapers published in the town of Hannsonburg the time, terms and place of sale.

The said Comm'r. before receiving any money under this decree shall give bond in the penalty of $1500 with personal security before the Clerk of this Court, conditioned as the law directs

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

John Brooks

24 Nov 69 At a Court Continued and held for Rockingham County on. Wednesday. the 24 November 1869

Present } John Funk. David Gilkison. John Lonx Spitler, Wm D Maidin and C F. Shank

On motion of Jacob W Zirkle. and it appearing that he was, by order of this Court made at its February term in the year 1869, released from the payment of $225 Revenue, erroneously assessed against him, and that he was charged with the payment of fifty per cent thereon for County purposes. it is ordered that he be exonerated from the payment of $112.50 cts erroneously assessed against him as a County levy

J M Mauzy admr with will annexed of Christian Kyger dec'd Plt
vs In Chancery
G E. Deneale Trustee of Lucena Deneale et al Defts

On the motion of the Defendants by Counsel. leave is given them to file their answers to the plaintiffs Bill within ten days from this time

John Pence's admr Plt
vs Indebt
Saml C. Whitmore Deft

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 Defendant

Frank Whitmore Plt
vs In debt upon Attachment
J. J. Frank Deft

This day came the parties by their Attorneys, and Samuel Frank. the garnishee upon the attachment issued in this cause. being sworn. says that he is indebted to the defendant J. J Frank in the sum of $96.29½ cts with legal interest thereon from the 18th day of August 1865 till paid. but that said sum of money has not yet fallen due

Therefore it is Considered by the Court that the plaintiff recover against the said Samuel Frank. garnishee as aforesaid the sum of $96.29½ with legal interest thereon from 18th day of August 1865 till paid &c and when to be paid as said

when the said sum of Money with the interest thereon shall become due and payable by the said David Frank to the said J J Frank; and it is ordered that the Attachment issued in this cause be dismissed

Charles B. Yancey's adm'r
vs
Geo W Miller & al.

This cause is continued until the next term on motion and for reasons appearing to the Court. And D^r S P W Miller who was summoned to appear as a witness for the defendant. being called and not appearing. a rule is awarded against him returnable to the next term for such his contempt.

J N Maury adm'r with the will annexed of Christian Kyger dec'd Plt
vs In Chancery
Geo T Deneale Trustee of Lurena Deneale & others Def^ts

This cause came on to be heard this 23 day of November 1869 upon the bill of complaint with the exhibit thereunto filed. Whereupon. on motion of the defendants leave is granted them to file their demurrer which is accordingly done. and the same being set down for Argument. was argued by Counsel. On Consideration whereof it is adjudged. ordered and decreed that the defendants demurrer be and the same is hereby overruled. And it is further adjudged. ordered and decreed that the defendants be allowed ten days from this date to file in the papers of this Cause. their answer. and if said answer is not filed within said time then the defendants shall be debarred from making further defence

Albert G Lincoln Plt
vs In Chancery
Jacob N. Leedy Deft

This cause came on to be heard this day of November 1869 by consent of parties. upon the Bill and exhibits the answer of the defendant Jacob N. Leedy. with replication thereto. and was argued by Counsel. Upon Consideration whereof the Court is of opinion that the Contract for the sale of the real estate at Lacey's Springs in the Bill mentioned should be specifically performed. It is therefore. adjudged ordered and decreed that the plaintiff recover of the Deft Jacob N. Leedy. the sum of $2.680:00, with interest on $893.33⅓ part thereof. from the 1st November 1865. with interest on the

24 Nov. 1869

sum of $893.33⅓ another part thereof from the 19th November 1864 – with interest on $893.33⅓ another part thereof from the 19th day November 1864 and cost of suit, subject to credit of $107.20 paid as interest. And if the same is not paid in thirty days S. R. Allebaugh and John C. Woodson or either of them, who are hereby appointed Commissioners for that purpose, are directed to sell the said real estate at public auction on the premises, first giving four weeks notice of the time, terms and place of sale by advertising the same in one of the Harrisonburg papers, and posting a notice at three or more public places. One third of the purchase money to be paid on the confirmation of the sale; the residue in two equal annual payments – all with interest from the day of sale, taking from the purchaser Bonds with good security, and report to this Court

And leave is reserved to the Plaintiff to apply to this Court, by motion or otherwise, for a decree for the residue of the purchase money when it falls due.

John P. Bruck Plt
I. N. Lam & Defts } In Chancery

On motion of the plaintiffs, the Sheriff of this County is appointed a Receiver to take charge of the partnership lumber and effects of the firm, and to sell the same and to collect all debts due the firm of Bruck, Acker & Lams.

And this cause is referred to a Commissioner of this Court to settle the partnership accounts of said firm and report the same to this Court with any matters he may deem pertinent, or any of the parties may require.

Geo W. Harnsberger Plt
Lew Fawcett & other Defts } In debt Covenant

This day came the parties by their Attorneys and thereupon came a Jury, to wit, Fred Heljard, Wm Linaweaver, Asher Messick, Jas A Linaweaver, Silas J Wolfenger, N. A Sullivan, James Baker, John Swartz, Joseph Shue, J W Bowers, Robinson Shewalter and D M Huffman, who being elected tried and sworn the truth to speak upon the issue joined upon their oaths do say that "we the Jury

find for the Plaintiff and ass[ess] his damages at $450, with interest from the 30th day May 1867 till paid. Subject to a credit of $200 as of the 3rd of July 1867 and a further credit of $100 paid the 17th of February 1868

Memo. On the trial of this cause the defendants by their attorney excepted to an opinion of the Court given upon the said trial, and tendered their bill of exceptions, which was received, signed and sealed by the Court, and ordered to be made a part of the record in the said cause.

Francis Mayko Plt

vs

William Peters Defts

This day came the parties by their attorneys and thereupon came a Jury, to wit: the same Jury as in the case of Geo. W. Harnberger vs George Faucett and others, who being elected, tried and sworn, the truth to speak upon the issue joined, were adjourned until to-morrow morning at 9 o'clock.

Ordered that the Court be adjourned until to-morrow morning at 9 o'clock.

John Innis

25 Nov 1869 At a Court Continued and held for Rockingham County. on Thursday. the 25th November 1869

Present } John Funk. David Gilmer. C.F. Shank } Justices
John Lowe & Wm D Madden

Frances Mayho &c Plt
vs
William Peters &c Deft } In Chancery

This day came again the parties by their Attorneys. and the Jury sworn in this Cause on yesterday appeared in Court agreably to adjournment. and having fully heard the evidence in the cause upon their oaths do say that "We. the Jury. find for the Plaintiff and assess the damages at Eighty two dollars." Therefore it is considered by the Court that the Plaintiff recover against the defendant Eighty two dollars. the damages by the said Jury in their verdict ascertained, with legal interest thereon from the 25 day November 1869 till paid and her cost by her about her suit in this behalf expended

At the instance of O.C. Sterling. Sheriff of this County. James Steele is permitted to qualify as his deputy. and thereupon he took the several oaths prescribed by law

Wm C. McAlister Plt
vs
Ella F. Coleman Trustee &c Defts } In Chancery

This day came the parties by their Attorneys. and on motion of the defendants the decree rendered in this cause at a former day of this term is set aside. And leave is given the defendants to file their answer. which is accordingly done

V. H. Lamb Plt
vs
William Harris Deft } In Assumpsit

This day came the parties by their Attorneys and neither party requiring a Jury to execute the writ of enquiry which has been awarded in this cause. the Court. after hearing the evidence. assess the Plaintiffs damages at $51 with legal interest thereon from the 20 day of May 1864 till paid. Therefore it is considered by the Court that the Plaintiff recover against the

defendant fifty dollars with legal interest thereon from the 26th day of May 1864. until paid and his costs by him about his suit in this behalf expended.

Jesse Morris. Plf
vs. In debt
Edt S. Yancey. Deft

On motion & for reasons appearing to the court this cause is continued for the defendant, and Martin Welch and Jack Holladay who were duly summoned to appear at this term as witnesses for the defendant, being duly called, and not appearing rules are awarded against them, returnable to the next term, to show cause if any they can, why they should not be fined, and attached for such their contempt.

Jacob A Armenhout Plf
vs In case
Robert Ryger Deft.

This cause is dismissed on the motion, and at the defendants costs.

John P Beck Plf
vs. In Chancery.
I M Lam & others Defts

It is agreed, and by consent it is ordered that the following decree be entered, to take effect as of the 23rd day of August 1869, it having been agreed that said decree ought to have been entered then, and which by mistake was omitted, to wit:

Injunction granted in this case restraining John P Beck and Jacob Acker, the complainants and I M Lam, Franklin Lam, and William Lam, the defendants, and all other persons, from taking possession of the lumber at McGaheysville on Likes creeks, and at the saw Mill mentioned in the bill, and from collecting any moneys due for sawing, or from interfering in any way, with the lumber sawed under the contract, set forth in the bill, or from collecting any moneys due for lumber sold by any persons;

And the sheriff of this County who is hereby appointed a Receiver for that purpose is directed to take charge of said lumber, and sell the same subject to the future order of this court. But

25 Nov. 1869 this Injunction shall not take effect until the said John P Brock, and Jacob Acker, or some one for them, shall have given bond in the penalty of $500 with ample security before the Clerk of this Court, with condition to pay all damages and costs, as shall be incurred in case this Injunction be dissolved.

William H Baker for William Robeson Plt.
vs. } In debt
John Applegate & James A Campbell. Defts

This day came the parties by their Attorneys and the defendants by their Attorney, waiving their plea by them pleaded, agree that judgment may be entered up against them for the amount of the plaintiff demand and costs. Therefore it is considered by the Court that the plaintiff recover against the defendants one hundred and Ninety seven dollars, and ninty seven cents, with legal interest thereon, from the 14th day of April 1866 till paid, and his costs by him about his suit in this behalf expended.

Jesse Morris Plt.
vs } In debt
Edward S Yancey Deft.

This Cause is continued till the next term, and Samuel Long, and Geo Morris, who were summoned to appear at this term as witnesses for the plaintiff, being solemnly called and not appearing rules are awarded against them, returnable to the next term for such their contempt.

Derick Pennybacker Plt.
vs } Unlawful detainer
William Knopp Deft.

This day came the parties by their Attorneys, and thereupon came a Jury, to wit: E & B Huffman, Melchiah Brenneman, James A Linaweaver, William Linaweaver, John Straley, Asbury Messick, John W Bowers, Silas Holsinger, A L O'Brien, R H. Imbrie, I W Eaman & Robertson Shovalter, who being elected tried & sworn well and truly to enquire whether William Knopp, the defendant has unlawfully detained + withheld from Derick Pennybacker, the complainant, the premises in the summons mentioned, and having fully heard the evidence in the cause, upon their oaths do say that we, the Jury find that the defendant unlawfully with-

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WAS UNAVAILABLE

AT THE TIME

OF IMAGING

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WAS UNAVAILABLE

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holds the house and lot described in the summons, from the plaintiff" Therefore it is considered by the Court that the plaintiff recover of the defendant the possession of the premises described in the summons, and his costs by him in this behalf expended.

Thomas D Settle executor of A R Barbee Pltf.
In debt.
vs.
D. Pennybacker Deft.

This day came the parties by their attorneys; and the defendant by his attorney, agrees that judgment may be entered up against him, for forty dollars, part of the debt in the declaration mentioned with legal interest thereon, from the 1st day of January 1862 till paid. Therefore it is considered by the court that the plaintiff recover against the defendant forty dollars with interest thereon, from the first day of January 1862 till paid, and his costs by him in this behalf expended. And the said defendant as to the balance of said debt, pleaded payment, to which the plaintiff, by counsel, replied generally, thereupon the trial of the issue as to the said balance is deferred until next term, and leave given the said defendant to file a statement showing the nature of the offsets which he desires to prove and the several items thereof.

A J Warfield Pltf.
vs
Edward S. Yancey Deft.
In debt.

This day came the parties by their Attorneys and thereupon came a jury. to wit: the same jury as in the case of Pennybacker against Knopp, who being elected tried and sworn, the truth to speak upon the issue joined, upon their oaths do say, that we the jury do find for the defendant. Therefore it is considered by the court, that the plaintiff take nothing by his false claim, and that the defendant recover of the plaintiff his costs by him in this behalf expended

25 Nov 69

The court doth certify, that John W Blackburn who wishes to obtain a license to practice Law in the courts of this Commonwealth, is a man of honesty, probity, and good demeanor. that he is of the age of 21. years and upwards, and has resided in this county the last twelve months.

S A Cunningham Plt
v.
In Covenant.
T & B Bacon admrs. of Wm Carpenter decd. Defts.

This day came the parties by their attorneys and neither party requiring a jury to try this cause, submit to the court the matters of controversy between them. Thereupon the court after hearing the evidence in the cause assessed the Plaintiffs damages at seventeen dollars, and allow interest thereon from the 25th day of December 1864 till now, and it is therefore considered by the court, that the plaintiff recover against the said defendants seventeen dollars, with legal interest thereon, from the 25th day of December 1864, and his costs by him in this behalf expended to be levied of the goods and chattels of the decedent, hereafter to come to the hands of the defendant to be administered.

Saml S Miller vs Joseph Holcomb In assumpsit
Elizabeth Thomas vs H M Walker In debt.
Judge & Patterson &c vs Maria Dever In debt
Henry Jordan vs Wm Bowman &c. In covenant
Jos Kavanaugh vs Adams H & Co. In Trespass.
John Showalter vs John Roller &c In assumpsit

These causes are continued on the motion and at the costs of the defendants

Kemper Holbrook & Co vs R M Ryle's admr. In assumpsit
Riley & Phares vs P Herring. Ditto
William Hiden vs L B Dovel In debt

These causes are continued till the next term.

Jonas A. Lowenbach Plt
vs
S. R. Allebaugh late Sheriff of Rockingham County

Scire facias motion for failing to return an execution

This day came the parties by their Attorneys & who being fully heard. it is considered by the

Court. that the defendant be fined $20, for the use of the said Jonas A Lowenbach, for not returning, according to law, an execution sued out of this Court by the plaintiff against Abraham Lamman, which, it appears, was delivered to Wm H. Rodeffer, the defendants deputy, to execute; and also that the plaintiff recover against the defendant his costs by him in this behalf expended

Jonas A. Lowenbach Plt
vs
S. R. Allebaugh, late Sheriff of Rockingham County Deft
Upon a Notice, for failing to return an execution

This day came the parties by their Attorneys, who being fully heard, it is considered by the Court that the defendant be fined $20. for the use of the said Jonas A Lowenbach, for not returning, according to law, an execution sued out of this Court by the plaintiff against Geneva Messick and William Messick, which, it appears, was delivered to Wm H Rodeffer, his deputy, to execute; and also that the plaintiff recover against the defendant his costs by him in this behalf expended

Jonas A Lowenbach. Plt
vs
S R Allebaugh, late Sheriff of Rockingham County Deft
Upon a Notice for failing to return an execution

This day came the parties by their Attorneys who being fully heard, it is considered by the Court that the defendant be fined $20. for the use of the said Jonas A Lowenbach, for not returning, according to law, an execution sued out of this Court by the plaintiff against George Fawcett, Joseph Stern and Nathl Flook which, it appears, was delivered to W H Rodeffer, his deputy, to execute; and also that the plaintiff recover against the defendant his costs by him in this behalf expended

Jonas A Lowenbach Plt
vs
S R Allebaugh, late Sheriff of Rockingham County Deft
Upon a notice for failing to return an execution

This day came the parties by their Attorneys, who being fully heard, it is considered by the Court that the defendant be fined $20. for the use of the said Jonas A Lowenbach, for not returning, according to law, an execution sued out of this Court by the plaintiff against Robert A Gray and Franklin

25 Nov '69 Liskey, which, it appears, was delivered to W H Rodiffer his deputy, to execute; and that the plaintiff recover against the defendant his costs in this behalf expended

Ordered that the Court be adjourned till tomorrow morning 9 O Clock

John Trunk

At a Court continued and held for Rockingham County on Friday the 26th November 1869

Present John Funk. David Gilmer. C.F. Shank & Justices John Lowe & Wm D Madden

Hugh B Lilly Plt
vs
R.H. B. Engenbright Deft } In Assumpsit

This cause is continued until the next term on the motion and at the defendants Costs

Rebecca Thompson and Sarah Powell Plts
against
John S. Walker, Wm S Kite & W D Conrad Defts } In Chancery

The defendants this day appeared in Court and moved to reverse the decree heretofore rendered in this Cause on the 16th day of September 1867. upon the grounds that the decree was rendered on the bill taken for Confessed, and that there is error in said decree, which this Court has a right to Correct on motion, after reasonable notice, And the plaintiffs appearing and acknowledging the sufficiency of the notice, the Court, after argument by Counsel, not deeming there is any error in said decree or proceedings, refuse to Correct the same, and order that this proceeding be entered on the records of this Court

J.C. Ayer & Co Plts.
vs
Samuel Bailey Deft } In debt

This day came the parties by their Attorneys, and thereupon came a Jury, to wit: John Swan, J.H. Bowers, Silas Holsenger, A.L. O'Brien, E & H.B. Huffman, [illegible] Linaweaver, Jas A Linaweaver, Joseph Shue, Melchiah Brenneman, Robertson Showalter, Asher Mefick and James Baker who being elected, tried and sworn the truth to speak upon the issue joined upon their oaths do say that "we the Jury find for the plaintiff thirty three dollars with interest thereon from the 17th day March 1866 till paid."

Therefore it is considered by the Court that the plaintiffs recover against the defendant $33 with legal interest thereon from the 17 March 1866 till paid and their Costs by them in this behalf expended

26 Nov 1869

John Allebaughs admr " Adam Reder
Mo Ellenger " William Sellers
Joseph T. Logan " Robt Bowmans Exr
I. G. Spunkel " Riley & Phares

These causes are Continued until the next term.

Silas Henkel Plt
A R. Wherein Defts } In Covenant

This day came the parties by their Attorneys and the defendant. by his Attorney, waiving his plea by him pleaded. agrees that judgment may be entered up against him for the amount of the plaintiffs demand & the Costs. Therefore it is considered by the Court that the plaintiff recover against the defendant twenty four dollars with interest thereon from the 1st day of January 1866 till paid and his costs by him in this behalf expended

Geo W. Shawalter Jr Plt
J. T. Leggett & Pennybacker Defts } In debt

This day came the parties by their Attorneys and the defendants by their Attorney, waiving their plea by them pleaded, agree that Judgment may be entered up against them for the amount of the plaintiffs demand and Costs. Therefore it is considered by the Court that the plaintiff recover against the defendants for $65.95 with interest from 17th day of January 1869 till paid and his Costs by him in this behalf expended

Solomon Kingsee Plt
George Roller Defts } In a pumpsit

This day came the parties by their Attorneys and thereupon came a Jury, towit. James L. Linnaweaver. T. J Butler. D. L Maity. John W Eamman. Joseph Shue. E. H. B Huffman. Wm. Linnaweaver. A L O'Brien. Robinson Shwalter. John Swartz. Melchiah Brenneman & Asher Myerick who being elected tried and sworn the truth to speak upon the issue joined, the plaintiff was solemnly called but failed to come. Whereupon said plaintiff is non suited and ordered to pay to the defendant five dollars damages according to law, besides the Costs by the said defendant about

his defence expended

Joseph Brill's adm'r } vs } Sd & Sifer

This cause is continued on the motion and at the defendant's costs.

M. J. Zuikle	Plt	Upon Attachments
Joseph F. Johnson	Defts	
and		
D B Devier	Plt	
Jno & Devier	Defts	

These causes are dismissed on the motion and at the Plaintiff's costs

John Swartz	Plt	In debt
John A Fishback	Defd	

This day came the parties by their Attorneys and the defendant, by his attorney, waiving his plea by him pleaded, agrees that judgement may be entered up against him for the amount of the Plaintiff's demand and the costs. Therefore considered by the Court, that the Plaintiff recover against the defendant two hundred and eighty dollars, with legal interest thereon from the first day of January, 1867, until paid, and his costs by him about his suit in this behalf expended. Subject to the following credits. to wit. by fifteen dollars as at April Court, 1867, by four dollars as of the day of October, 1868

John R. Koogler, executor of Henry Gilmer dec'd Plt
vs
Isaac Click Defd. } In debt

This day came the parties by their Attorneys, and thereupon came a jury, to wit: Asher Merrick, Jos. Shue, J. M. Bowers, James Zimmerman, Wm Zimmerman, James Baker, J. J. Butler, A. L. O'Brien, John Swartz, & H. B. Huffman, M. Brenneman, W. C. Martz who being elected, tried, and sworn, the truth to speak upon the issue joined, were adjourned until to-morrow morning at nine O'clock

Ordered, that the court be adjourned until to-morrow morning at nine o'clock.

John Franks

27 Nov. 1869

At a County Court continued and held for the County of Rockingham on Saturday, the 27 day of November 1869

Present John Funk, David Gilmer, & F. Shaver Justices
Wm D Mardin & John Lowe

George W. Smith, in his own right, and as administrator of George Smith, decd Plt
against In Chancery
Sarah J. Smith and William A. Smith Defts

This cause came on to be heard this 27th day of November 1869, upon the bill & exhibits, filed, and the answer of the defendant, Sarah J. Smith, and the cause was argued by counsel, upon consideration whereof the Court doth adjudge, order, and decree that this cause be referred to a Commissioner of this Court, for the purpose of taking depositions, with a view to ascertaining whether or not it is to the interest of all parties to this cause to have a sale of the property mentioned in the bill, and further to take an account of the indebtedness, if any, of the estate of George Smith, decd to the complainant, George W. Smith, Admr. &c. And leave is given the defendant Wm A. Smith to file his answer to complainants bill in person, as well as by Guardian ad litem

J. V. McGahey &c Plt
against In Chancery
J. R. Bryant Defs.

The complainants this day filed their bill, and on their motion, an Injunction is awarded to restrain the defendant and all other persons from any further proceeding to enforce a judgement of Rockingham County Court, rendered at its last August term, in favor of the defendant against the complainants for the sum of $195.10, interest and costs

But this Injunction is not to take effect until the Complainants, or one of them, or some one for them, shall execute before the Clerk of this Court in his office bond with good security in the penalty of ($300) three hundred dollars, conditioned as prescribed by law.

George W. Garrett, who has been commissioned a Notary Public for the County of Rockingham this day entered into bond in a penalty of $500 conditioned as the law directs and with L. W. Gambill as his security who qualified as to his sufficiency, and thereupon the said Garrett took the

the several oaths, prescribed by law.

It is ordered that Philandain Herring be allowed the sum of eighteen dollars to be paid out of the next County Levy for his services as one of the committe of the Court for six days in the year 1868, the same having been omitted in the former Levies of this Court

Henry Sisavander Plt
vs Upon a warrant
E. W. Pollard &c Defts

On the motion of the defendant, this cause which has been removed from before a justice of the peace, to this Court, is ordered to be placed on the Courts docket.

"

George Kiser Plt
vs In debt upon an attachment
Henry Miller Deft

This day came the parties by their Attorneys and it appearing that Abraham Garber and Henry Early who were summoned as garnishees in this cause, are indebted to the defendant Henry Miller in the sum of $60 with interest thereon from the 1st January 1866 till paid. Therefore it is considered by the Court that the plaintiff recover against the said Abraham Garber and Henry Early the sum of sixty dollars with interest thereon from the 1st day January 1866 till paid

John R. Kooyler executor of Henry Gilmer dec Plt
vs In debt
Isaac Glick Deft

This day came again the parties by their Attorneys and the jury sworn to try this cause on yesterday, appeared in Court agreeably to adjournment, and having fully heard the evidence and not agreeing in their verdict. Thereupon by consent of the parties by their Attorneys a juror was withdrawn and the cause continued until the next term

On the motion of Joseph Funkhouser guardian of Charles Nicholas, and for satisfactory reasons appearing to the Court, he is permitted to resign his said guardianship, Thereupon his powers as such guardian are hereby revoked and annulled

24th Nov. 1869

John W. Orebaugh Plt
Peter Paul Deft } Ejt

On Motion and for reasons appearing to the Court. it is ordered that this cause be dismissed. and on like motion leave is granted the plaintiff to withdraw the bond upon which this suit is brought, upon leaving an attested copy thereof in the papers of the cause

Bowcock & Brown Plts
Sebastian Kyger's adm Deft } In debt

This day came the parties by their Attorneys. Thereupon. the ~~defendant~~ by Counsel filed an affidavit setting forth that he has a substantial defence in this cause, and moved the Court to set aside the office Judgment in this cause upon pleading payment &. to which affidavit the plaintiff by Counsel demurred in writing. and the Court overruling said demurrer. the defendant. by Counsel pleaded payment, to which the plaintiff. by Counsel replied generally. Whereupon the office Judgment in this cause is set aside and the trial of the issue deferred until the next term, and leave is given the ~~defendant~~ to file special pleas herein and a statement shewing the nature of the offset which he desires to prove and the several items thereof

Timothy Quinlan	vs	The River Bridge Comp'y	In assumpsit
George Dugdale	"	C. T. Hupp & Co	In assumpsit
James H. Sheets	"	Rich Bowers	In assumpsit
Henry Foner	"	Daniel Hook	In assumpsit
Benj. F. Harmans Ad'r	"	Mich'l Whitmore	In assumpsit
Funkhouser & Price	"	M H See	In case
Geo Campbell	"	Koogler & Co	In assumpsit
Thornton Thomas	"	P B Moffett P	In assumpsit
David Rever	"	Coffmans & Buffey	In assumpsit
A H & Sprinkel	"	J A Ruffner	In case
D H & C Marty. exrs &c	"	Wm H Gay	In assumpsit

This day came the parties by their Attorneys. and on the motion of the defendants. by their Attorneys. who pleaded "Non assumpsit", to which the plaintiffs, by their Attorneys replied generally—It is ordered by the Court that the office Judgments in these causes be set aside and the trials of the issues deferred until the next term.

J. G. Brown's Executrix Plt
vs
John R. Smals Deft } In Assumpsit

This day came the parties by their Attorneys and on the motion of the defendant, by his Attorney, who pleaded "Non assumpsit", to which the plaintiff by her Attorney replied generally. It is ordered by the Court that the office Judgment in this cause be set aside and the trial of the issue defered until the next term. And leave is given the said defendant to file a statement shewing the nature of the offsets which he desires to prove, and the several items thereof.

George Kiser for David Shank — In Assumpsit
Albert Garnett for vs Jacob R Mauzy In debt
Martha J. Messick vs Jacob Byerly In case
John Koontz vs A Niswander In debt
Samuel Bailey for vs Riley Armentrout In debt

These causes are dismissed by direction of the plaintiffs by their Attorneys

Isaac Waggy vs Saml Brunk In Error
Reid Moss vs Robert Liskey In Assumpsit
Michl N. See vs Jackson Knopp In case
Mary Royer vs George Gilmer In case
Hendrella Royer vs Same In case

This day came the parties by their Attorneys and on the motion of the defendants, by their Attorneys who pleaded "Not guilty", to which the plaintiffs replied generally. It is ordered that the office Judgments in these causes be set aside and the trials of the issues deferred until next term.

W Edwin Lauck adm Plt
vs
C. E. Kettley Deft } In debt

This day came the parties by their Attorneys and, on the motion of the defendant, by her Attorney, who pleaded "payment" to which the plaintiff, by Counsel, replied generally. It is ordered by the Court that the office judgment in this cause be set aside and the trial of the issue defered till next term. And leave is given the defendant to file special pleas herein, and a statement shewing the nature of the offsets which she desires to prove and the several items thereof.

27 Novr. 1869

R. M. Kyle's admr. vs William Sandy — In debt
John Bouts vs Stephen Armentrout — In Assumpsit
Jacob Ammon's adm vs same — In debt
Coffman & Buffy vs Alex Logan — In debt

This day came the parties by their Attorneys and, on the motion of defendants by their Attorneys who pleaded "payment" to which the plaintiffs by Counsel replied generally - It is ordered by the Court that the office judgments in these causes be set aside and the trial of the issues deferred until the next term.

And leave is given said defendants to file statements shewing the nature of the offsets which they desire to prove and the several items thereof.

John Kountz — Pet
vs
Mary Brown. surviving P. — Deft
} In case

This day came the parties by their Attorneys and on the motion of the defendant by her Attorney who pleaded "non assumpsit" to which the plaintiff by Counsel replied generally - It is ordered that the office judgment in this cause be set aside

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A L. Lindsey adm vs Andrew J. Blakeman — In debt
Hall & Rollins for vs Revel Rogers — In debt
Alex R. Givins exr vs Peter Long — In debt

This day came the parties by their Attorneys and, on the motion of the defendants by their Attorneys who pleaded "payment" to which the plaintiffs by their Attorneys replied generally - it is ordered by the Court that the office judgments in these causes be set aside and the trial of the issues deferred until next term.

And leave is given said defendants to file special pleas herein

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John Beam vs Wm. Minnick — In Covenant
John Kountz vs John Dinkel's exr — In case

This day came the parties by their Attorneys and on the motion of the defendants by their Attorneys who pleaded "Covenants performed & Covenants not broken" to which the plaintiffs by Counsel replied generally, It is ordered by the Court that the office judgments in these causes be set aside and the trial of the issues deferred until the next term

John Beam Plt
vs
A H. Brewer & Defts } In debt

This day came the parties by their Attorneys and on the motion of the defendant Samuel Bailey by Counsel. who pleaded "Non est factum" to which the plaintiff by Counsel replied generally. it is ordered that the office judgment in this cause as to said Samuel Bailey be set aside and the trial of the issue defered until the next term

Deborah Bowman's adm'r Plt
vs
Peter Ruder & Defts } In debt

This day came the parties by their Attorneys and on the motion of the defendants by Counsel. who pleaded "Payment". to which the plaintiff by Counsel replied generally. it is ordered that the office judgment in this cause be set aside and the Trial of the issue defered until next term

G S Hewlett Plt
vs
Jos F. Johnson Deft } In debt
The same order

Martin Brenneman Plt
vs
Abner Kennedy & Defts } In debt

This day came the parties by their Attorneys and on the motion of the defendants by Counsel. who pleaded "Non est factum" to which the plaintiff by Counsel replied generally. it is ordered that the office judgment in this cause be set aside and the trial of the issue defered till next term

John Koontz Plt
vs
Cath. Sibert Deft } In debt

This day came the parties by their Attorneys and on the motion of the defendant by her Attorney. who pleaded "Non assumpsit" to which the plaintiff by Counsel replied generally. it is ordered that the office judgment in this cause be set aside and the trial of the issue defered until the next term. And leave is given the defendant to file special plea herein

29 Nov. 1869

Preston Armentrout's admrx Plt

vs

Michael Armentrout Deft } In debt

This day came the parties by their attorneys Thereupon the defendant, by his attorney agreeing that judgment may be entered up against him for amount of the plaintiffs declaration and costs. Therefore it is considered by the Court that the Plaintiff recover against the said Defendant $29.46 ..... the debt in the declaration mentioned with legal interest on $11. from the 24 day of April 1862 till paid, and on $18.46. the balance thereof from January 29. 1861. and his costs by him in this behalf expended. Subject to a credit of four dollars and seventy cents as of 29 November 1869.

Burkholder & Meals Plts

vs

Albert Long Deft

This day came the parties by their attorneys Thereupon, the defendant, by counsel, filed an affidavit setting forth that he has a substantial defence in this cause, and moved the Court to set aside the office judgement in this case and defer the trial of the issue upon pleading payment, to which affidavit the plaintiff, by counsel, says is not sufficient in law. Thereupon the said demurrer being argued, it is considered by the Court that the same be overruled. And thereupon the defendant, by counsel pleaded payment to which the Plaintiff, by Counsel replied generally. Thereupon the office Judgement in in this cause is set aside and the trial of the issue deferred until the next term. And leave is given the said Defendant, to file special pleas herein, and a statement showing the nature of the offsets which he desires to prove and the several items thereof

//

William Crawford, admr James Crawford Plt

vs

In debt

B. G. Patterson, admr of Benj B. Ewing decd Deft

This day came the parties by their attorneys and by consent of the parties by their attorneys, it is considered by the Court that the Plaintiff recover against the Defendant one thousand and seven dollars, with legal interest thereon

This debt compromised at $100 April 1862 W H H

from the fifth day of November 1860 till paid, and his costs by him in this behalf expended subject to the following credits, viz: by seven hundred and ninety three dollars and ninety six cents as of the 27th of September 1860 and by one hundred dollars as of the 7th of December 1860 until paid - to be levied of the goods and chattles of the decedent when they shall come into the hands of the Defendant to be administered

//

George Kiser Plt

vs In case

James Alexander Deft

This day came the parties by their attorneys and by consent of the parties, by their attorneys, seven jurors were selected to try the issue in this cause, and thereupon came a jury, viz: D. M. Huffman, J. W. Zircle, J. W. Eaman, J. D. Massie, Benj. Billhimer, Henry Shoraller, and A. A. Tutwiler, who being elected tried and sworn the truth to speak upon the issue joined, and having heard the evidence in the cause, retired from the bar to consider of their verdict, and after some time returned into Court, and upon upon their oaths, do say that "We, the jury find for the Plaintiff, and assess his damages at eighty dollars and seventy nine cents, payable in specie or its equivalent, with interest thereon from the 25th day of January, 1866, till paid,"

Ordered that the Court be adjourned till monday morning, at 9 O'clock

John Funk

At a County Court continued and held for the County of Rockingham on Monday the 29 November 1869

Present John Funk. Wm D Madden. & H. Shank & John Lonx Justices

Timothy Quinlin Plt
vs
The River Bridge Company Defts

This cause is dismissed, being so agreed by the parties, by their attorneys

The last will and testament of Henry Harnsberger Senr decd was this day proaced into Court, and being fully proved by the oaths of T. N. Sellers, and R. A Gibbons, the Subscribing witnesses thereto, was thereupon ordered to be recorded

And on the motion of Adam L. Bear, who made oath and together with John Kelly, his Security, (who qualified) entered into and acknowledged a bond in the penalty of $2000, conditioned as the law directs- Certificate is granted the said Adam L. Bear for obtaining letters of administration with the will annexed, on the estate of the said Henry Harnsberger decd in due form- And Robert A Gibbons T. N. Sellers and William B. Yancey being sworn, are appointed to appraise the estate of the said decd and make report-

T. J. Butler Plt
vs
Martha J. Shands, Exx of E. A Shands Deft
Upon an award

This day came the parties by their attorneys and J. T. Logan and G. M Effinger (with G. A. Lovenbach as their umpire) to whom this case was refered for arbitration, this day returned their award, which is ordered to be entered as the judgment of this Court. Therefore it is considered by the Court that the Defendant, Martha J. Shands, executrix of E. A Shands, decd, recover against Thomas J. Butler the sum of thirty three dollars and fifty one cents with interest thereon from the 1st day of April, 1861 till paid, and her costs by her in this behalf expended, to be levied of the goods & chattels of the said testator in her hands to be administered

John Koontz Plt
vs
Mary Brown surviving &c Deft-
In case

This day came the parties by their attorneys

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and on motion of the defendant, by her attorneys, who pleaded "non-assumpsit and Statute of limitations, to which the plaintiff, by Counsel replied generally it is ordered by the Court that the office judgement in this cause be set aside, and the trial of the issue deferred until next term. And leave is given the said defendant to file special pleas herein, and a statement showing the nature of the offsets, which he desires to prove, and the several items thereof

Lloyd & Bros	vs Reuben Bonds	In assumpsit
Geo. P. Showalter	vs. Peter Paul, Jr.	In debt
J. W. Gilmer Exr	vs H. M. Zoffland	In debt
J. W. Gilmer	vs Same	In debt
Wm Peters for &c	vs Robert Shifflett	In assumpsit
Forrer & Clippenger	vs J. H. McFall	In debt
H. T. Denton	vs. Woodson & Compton	In debt
John Shaver, admt	vs John Bowman jr	In debt
Henry A. Showalter	vs. D. H. Andrews	In debt
Wm Sandy	vs. L. S. Reed	In debt
Aug. Armentrout	vs A. K. Fletcher	In debt
Geo. W. Reed & Co	vs. Samuel Bailey	In Case
B. F. Showalter &c	vs Joseph Rhodes	In Trespass
Benj. F. Billheimer	vs John Sheets	In trespass
P. T. H. Pickering	vs. Wm F. Levin	In assumpsit
Joseph Songer admr	vs. John W. Palmer	In covenant
Wm Minnick	vs. H. H. See	In assumpsit
Same	vs Same	In debt
Jackson Knupp	vs Same	In Trespass &c
Zach. Raines for &c	vs. Abolt Iron Co	In assumpsit
Daniel Messick	vs. Wm H. Van Pelt	In debt
John Sibert's exectr	vs John Koontz	In assumpsit
Daniel Bowman	vs. Levi Shaver	In assumpsit
Christian Pirkey	vs Peter Paul, Jr.	In debt
W. H. May	vs S. A Coffman	In debt
J. A. Lovenbach	vs S. A. Coffman &c	In debt

These causes are continued until the next term.

Emanuel Sipe	vs Va Express Co	In Case
Jonas A. Heller	vs Wm Peters	In debt
Catharine Knupp	vs. James Taylor	In debt
Maria S. Poole	vs Thomas H. Kite	In assumpsit
Monroe & Allen	vs Gabriel Kite's admr	In debt
Jacob C. Pitsnore's admr for	vs J. F. Cram	In debt
Strayer & Bouse	vs R. P. Fletcher &c	In debt

These causes are continued until the next term, on the motion, and at the defendants costs.

29 Nov 1869 John Landes admr Plt-
vs in debt-
W. S. Kennedy &c Defts
and
Joseph Bills admr Plt-
vs in apmt set-
Henry E. Sipe Deft-

These causes are continued until the next term, on the motion, and at the costs of the defendant.

Jacob Winkel (for the use of T. J. Butler, Trustee) Plt-
vs in debt-
Isaac Whisen and A. R. Whisen Defts

This day came the parties by their attorneys and the defendant by his attorney, waiving his plea by him pleaded agree that Judgement may be entered up against them for the amount of the bond upon which this suit was brought to be paid in the gold and silver coin of the United States, and the costs of this suit. Therefore it is considered by the Court that the plaintiff recover of the defendants five hundred dollars, with legal interest thereon from the 1st day of October, 1866, till paid, to be paid in gold and silver coin of the United States — and his costs by him about his suit in this behalf expended, subject to a credit of one hundred and eighty dollars as of the 1st day of January 1869.

F. S. Gough, for &c Plt-
vs in debt-
Isaac Whisen Deft-

This cause is continued until the next term.

Geo Kiser Plt-
vs in debt-
John N. Jacobs Deft-

This day came the parties by their attorneys and by consent of the said parties, it is considered by the Court that the plaintiff recover against the defendant the sum of thirty dollars and fifty two cents, with legal interest thereon from the 23rd day of July, 1859 till paid, being the debt in the declaration mentioned, with the interest as aforesaid; and $5.00 costs by him expended; subject to the following credits, viz: by five dollars as of the 26th of September, 1860; by three dollars, as of the second day of January, 1865; by fifteen dollars, as of the 15th of September 1869, and

by ten dollars as of the 20th day of October 186 till paid.

It is ordered that the order heretofore made, committing the estate of Broun Miller decd, to the Sheriff of Rockingham County, be revoked, and that Calvin Miller be permitted to qualify as administrator - Thereupon on the motion of the said Calvin Miller, who made oath, and together with T. J. Butler, his security (who justified) entered into an acknowledged bond, in the penalty of $200 conditioned as the law directs - certificate is granted the said Calvin Miller for obtaining letters of administration on the estate of the said decd in due form. And John Leedy, Arch Taylor, Geo. Burtner, and John Huffman, or any three of them, being sworn, are appointed to appraise the estate of said decd and to make report.

M. P. Funkhouser & A. M. Pierce, late partners, doing busines under the name of Funkhouser & Pierce
vs
M. H. See

Plt
In Appmpit
Deft

This day came the parties by their attorneys, and the defendant, by his attorney, waiving his plea by him pleaded, agrees that judgement may be entered up against him, for the amount of the plaintiffs demand, and costs Therefore it is considered by the Court that the plaintiff recover against the defendant the Sum of ninety five dollars and twenty five cents, with legal interest thereon, from the 18th day of May 1869, till paid, and his costs by him about his suit, in this behalf expended.

G. S. Hewlett
vs
Joseph F. Johnson

Plt
Deft

This cause is dismissed by direction of the plaintiffs attorney.

McAlister
against

Plt
In Chancery
Deft

This cause came on this 29th day November 1869 to be heard upon the bill and exhibits, filed therewith, the answer of the Trustee of Ella F. Glover. Whereupon argument of counsel being heard, the Court doth adjudge order and

29 Nov. 1869

decree that this cause be dismissed from the docket of this Court, each party paying their own costs.

John Landes admr. Plt
vs
Geo W. Stanley &c Defts
In Covenant

This day came the parties by their attorneys, and the defendants, by their attorney pleaded covenants performed and covenants not broken, to which the plaintiff, by counsel, replied generally, and the cause is continued until the next term.

Geo H Shaver Plt
vs
Michael Shank, Jacob Shank Jr. and Christian Brunk, surviving obligors of Peter Brooks, decd Defts
In debt

This day came the parties by their attorneys and the defendants, by counsel, waiving their plea by them pleaded agree that judgment may be entered up against them for the amount of the Plaintiffs demand, and the costs.

Therefore it is considered by the Court, that the plaintiff recover against the said defendants, three thousand dollars, the debt in the declaration mentioned, with legal interest thereon, from the 1st day of April 1868, till paid, and his costs by him about his suit in this behalf expended.

Subject to a credit of one hundred and eighty dollars as of the 27th of July, 1869.

Hull, Atkison & Co Plts
vs
Edward S. Yancey & J. J. Tittle Defts
In debt

This day came the parties by their attorneys and the defendants waiving their plea by them pleaded, & agree that judgment may be entered up against them for the amount of the plaintiffs demand, and costs.

Therefore it is considered by the Court that the plaintiff recover against the said defendants Seventy five dollars and two dollars and three cents charges of protest, with legal interest thereon, from the 29th day of March, 1869, till paid and his costs about his suit in this behalf expended.

Henry Siles and Wm Siles admrs
of Geo Siles decd Plts
vs In debt
S. M. Yost and J. D. Price Defts

This day came the parties by their attorneys and the defendants, by their attorney, waiving their plea by them pleaded agree that judgment may be entered up against them for the amount of the plaintiffs demand, and costs.

Therefore considered by the court that the plaintiffs recover against the defendants one hundred and fifty five dollars and ~~fifty~~ five cents, the debt in the declaration mentioned, with legal interest thereon from the 3rd day of may 1869 till paid, and their costs by them, about their suit in this behalf expended

Abraham Wenger for &c Plt
vs In debt
S. M. Yost & H. L. Shoup Defts

This day come the parties by their attorneys and the defendants, by their attorney, waiving their plea by them pleaded agree that judgment may be entered up against them for the amount of the plaintiffs demand, and costs.

Therefore it is considered by the Court that the plaintiff recover recover against the defendants six hundred and eighteen dollars and forty cents, the debt in the declaration mentioned, with legal interest thereon from the 16th day of March 1869, till paid; his costs by him about his suit in this behalf expended.

Abraham Wenger for & Plt
vs In debt
S. M. Yost Deft

This day came the parties by their Attorneys and the defendant by his Attorney, waiving his plea by him pleaded, agrees that judgment may be entered up against him for the amount of the plaintiffs demand and costs

Therefore, it is Considered by the Court that the plaintiff recover against the said defendant Ninety seven dollar and sixty five cents, with legal interest thereon from the 2d day of December 1868 till paid and his costs by him about his suit in this behalf expended

29 Nov 1869

Samuel S. Miller Plt
" In case
Joseph Holcomb Deft

This day came the parties by their Attorneys and the defendant by his Attorney waiving his plea by him pleaded, agree that Judgment may be entered up against him for forty dollars with interest from the 1st day February 1868 till paid and the costs.

Therefore it is considered by the Court that the plaintiff recover against the defendant Forty dollars, with interest from the 1st day February 1868 till paid, and his costs by him about his suit in this behalf expended

Jonas A Lowenbach Plt
" In case
S. A. Coffman, M. D. Coffman & J. N. Baiffy Defts

This day came the parties by their Attorneys and the defendants by their Attorney waiving their plea by them pleaded agree that Judgment shall be entered up against them for the amount of the plaintiffs demand and the costs. Therefore it is considered by the Court that the plaintiff recover against the defendants ($300) Three hundred dollars the debt in the declaration mentioned with legal interest thereon from the 6th day of December 1866 till paid, and his costs by him about his suit in this behalf expended

John H. Jenkins Plt
" In case
Coffman & Bruffy Defts

This day came the parties by their Attorneys and the defendants by Counsel waiving their plea by them pleaded agree that Judgment may be entered up against them for the amount of the plaintiffs demand and the costs

Therefore it is considered by the Court that the plaintiff recover against the said defendants $380.49 the debt in the declaration mentioned with interest thereon from the 15th day of August 1869 till paid and his costs by him about his suit in this behalf expended.

J A. Lowenbach Plt
vs
S. R. Allebaugh, late Sheriff of the County of Rockingham Deft } Upon a notice for failing to return an execution

and
the same Plt
"
The same Deft } same

and
The same Plt
"
The same Dift } same

and
The same Plt
"
The same Deft } same

This day came the parties by their Attorneys and on the Motion of the defendant by his Attorneys and for satisfactory reasons appearing to the Court. the Judgments entered upon these notices at a former day during the present term, are set aside. and the causes continued until the next term.

Jacob A. Lowman adm Jno Allebaugh dec Plt
vs
Adam Ruder Deft

This day came the parties by their Attorneys and thereupon came a Jury. Viz. D. L. Martz, Jas A. Linaweaver, Asher Messick. Wm F. Linaweaver. Jno H Bowers. James Baker, A L O'Brien. Mc Brenneman. E & B Huffman. T. J Butler. Jno W Lanman. Silas Holsenger, who being elected. tried and sworn the truth to speak upon the issue joined etc and having partly heard the evidence in the cause were adjourned till tomorrow morning 9 O'Clock.

A W Brown's adm for &c Plt
vs
John Dinkel's adm's Deft } In debt

This day came the parties by their Attorneys. and the defendant. by his Attorney. agreeing that Judgment may be entered up against him for $880, a part of the debt in the declaration mentioned with legal interest thereon from the 29th day of November 1869, till paid. on $787 part
Therefore it is considered by the Court that the plaintiff recover against the said defendant $880. a part of

29 Nov 1869

the debt in the declaration mentioned, with interest thereof on £787 a part from the 29 day of November 1869 till paid and his Costs by him in this behalf expended. And said defendant as to the balance of the debt pleaded "payment" to which the plaintiff by Counsel replied generally, and the trial of the issue, as to said balance, is deferred until next term. and leave given said defendant to file a statement shewing the nature of the offsets which he desires to prove and the several items thereof. to be paid out of the goods & Chattels of the defendants intestate in her hands to be administered

John Koontz Plt
vi
Mary Brown. Surviving &c Defts In case

This day came the parties by their Attorneys and the defendant by her Attorney. alleging that the plaintiff resides out of the Commonwealth On the motion of the said defendant, it is ordered that this suit be dismissed, unless security for the payment of such Costs and damages as may be awarded to the defendant, and also of the fees which will become due to the officers of this Court. be given with the Clerk within sixty days from this time.

Valentine Shrader Plt
vs
Geo W. Berlin Defts In Ejectment

Same order

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

John Funck

At a Court continued and held for Rockingham County on Tuesday the 30th day November 1869

Present } John Funk. Wm D Mauzy, le F. Shank } Justices
and John Lowe

David F. Spitler administrator of Noah Saum dec'd Plt
vs
Samuel A. Saum } In debt upon an attachment
Deft

The plaintiff having obtained an attachment against the estate of the defendant who has privately removed out of this County or so absconds or conceals himself that the ordinary process of law cannot be served upon him, for debt of fifty dollars, with interest thereon from the 25th day of April, in the year 1861 and the Sheriff of this County, having made return that he had levied said attachment "upon one dun horse." This day came the plaintiff by his attorney, and the defendant, being solemnly called and not appearing to replevey the same - It is considered by the Court that the plaintiff recover against the defendant, fifty dollars, with interest thereon from the 25th day of April, 1861, his debt aforesaid, proved to be just and his costs by him in this behalf, expended.

And it is ordered that the Sheriff make Sale of the dun horse, aforesaid, by him attached, as the law directs, and out of the money arising from such Sale, pay and satisfy this judgement to the Plaintiff and restore the overplus, if any, to the defendant, and return and account of such Sale to the next Court

James Hodges. Wm R Hodges, Robert Hodges &
William Penn Lewis, partners as Hodges & Bro.
vs } Upon an attachment
Peter Rader & Elizabeth his wife

This day came the parties by their Attorneys and it appearing that the defendant Elizabeth Rader, formerly Elizabeth , is indebted to Franklin Terrence against whom the attachment in this cause issued, in the sum of $22 with interest from the 6th November 1865. Therefore it is considered by the Court that the Plaintiffs recover against the defendants Peter Rader and his wife Elizabeth (formerly Elizabeth ,) the sum of $22 with interest from 6th November 1865 till paid

30 Nov. 1869 Manaspas Blackburn who sues for the use of Jno W Blackburn } Plt
vs } In Case
Joshua Jennings } Deft

This day came the parties by their Attorneys. and the defendant. by Counsel. pleaded "Non assumpsit" to which the plaintiff by counsel. replied generally. Therefore it is Considered by the Court that the office Judgment in this cause be set aside and the trial of the issue deferred until next term

Simeon B. Jennings } Plt
vs } In assumpsit
Christopher F. Harnsberger } Deft

This day came the parties by their Attorneys. and neither party requiring a Jury to execute the writ of enquiry which has been awarded in this Cause. the Court. after hearing the evidence assessed the plaintiffs damages at $186.00 with legal interest thereon from the 31 July 1868 till paid. Therefore. it is Considered by the Court that the plaintiff recover against the said defendant Six One hundred and eighty six dollars. the damages assessed. as aforesaid. with legal interest thereon from the 31 day July 1868. till paid and his Costs by him about his suit in this behalf expended

Henry Miller surviving adm'r of Henry Miller dec'd (who sues for benefit Henry Harnsberger } Plt
vs } In debt
Henry Harnsberger } Deft

This day came the plaintiff by his Attorney, and on his motion, it is Ordered that this Cause be revived xx the xxcause against Adam C. Bear. adm'r. of Henry Harnsberger. the defendant. in this Cause. who has departed this life since the institution of this suit.

Polly Blackwell } Plt
vs } Unlawful Detainer
Samuel Hall } Deft

This day came the parties by their Attorneys and neither party requiring a Jury to try this case. submit the matters in controversy between them. to the Court. Thereupon it is Considered by the Court that the Plaintiff recover of the defendant the possession

of the premises mentioned in the summons and her costs by her about her suit in this behalf expended

Jacob N. Cowan and John Allebaugh dec Plt
vs
Adam Rader Deft } In debt

This day came the parties by their Attorneys and the Jury sworn in this cause on yesterday appeared in Court agreably to adjournment, and having fully heard the evidence in the 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
$229.39½
Subject to a credit of $112.69"

Thereupon the defendant by Counsel, moved the Court to set aside the verdict of the Jury, and to grant him a new trial herein: which motion the Court overrules. Therefore it is considered by the Court that the plaintiff recover against the defendant two hundred & twenty nine dollars & 39½ cents with interest thereon from this day till paid and his costs by him in this behalf expended.

Subject to a credit of one hundred and twelve & 69/100 dollars as of this date

Solomon L. Allebaugh's adm'r Plt
vs
Franklin Taylor Defr } In debt

This day came the parties by their Attorneys and on the Motion of the defendant by Counsel. (Lew Fawcett) and by consent of the parties, this Cause abates as to the said Lewis Fawcett. and leave is given the defendant plaintiff to withdraw the bond upon which this suit is brought by leaving an attested Copy thereof in the papers of the causes

John Kountz Plt
vs
Christian Lantz Deft } In case

This day came the parties by their Attorneys. On the motion of the defendant who pleaded "Non assumpsit" to which the plaintiff by Counsel replied generally. It is ordered by the Court that the Office Judgment in this cause be set and the Trial of the issue deferred until the next term

30 Nov.r 1869

It is ordered that the following drawn Jurors be allowed the sums opposite their respective names for their attendance and services as such at the present Term

	John Swartz	$11.00	
cp.ier	Robertson Shewalter	9.00	
	A A Tutwiler cp.r	11.00	
	Silas Wolsenger copa	11.00	
copier	James Baker	11.00	
	Wm T. Linaweaver cp.r	12.00	
	S. H. B Huffman copa	11.00	
Copier	D. L. Marty	11.00	
	M. Brenneman	14.00	
	Jas A Linaweaver cp.r	14.00	
	A L O'Brien cp.r	14.00	
	John W Bowers copa	10.00	
	D. M. Huffman cp.r	11.00	
	Joseph Shue cp.r	11.00	
	J W Earman copier	$11.00	
	Thos J. Butler cp.r	5.00	
	John D Mapie	1.00	
	Moses E. Carrier	7.00	bo.rd
	Asher Messick cp.r	11.00	

Ordered that any and all Jurors who have been in attendance upon the present term of the Court and who have failed to claim their attendance at this term, be allowed thirty days from this time in which to do so. before the Clerk of this Court.

Catharine E. Kettley administratrix of H L & A Kettley — Plt
vs
Mathias Snyder — Deft

Upon a motion to arrest and Judgment

This cause was this day heard and for reasons appearing to the Court, said motion was overruled, And it is therefore ordered that the defendant recover of the plaintiff his costs by him in this behalf expended

George Kiser — Plt
vs
James Alexander — Deft

In case

This day came again the parties by their Attorneys, and the defendant, by his Attorney, saith that Judgment ought not to be given on the verdict in this cause, because the verdict of the Jury is too uncertain, Whereupon the matters of law arising upon the said plea in arrest of Judgment being argued, it seems to the Court that after the said verdict, judgment ought not to be

staged for the cause aforesaid. Therefore it is considered by the Court that the plaintiff recover against the defendant eighty dollars and seventy nine cents, payable in specie, or its equivalent, with interest thereon from the 25 day of January 1866 till paid, and his costs by him about his suit in this behalf expended.

Ordered that the Sheriff of this County summon the Justices thereof to be at the next term of the Court to take into consideration the application of Wm Minnick to revoke the Retail License of Hulbert of this County

Ordered that the Court be adjourned till the first day of the next term

John Trunk

Jno Kelley Jr. & Edward Pleas Cor D. 1 Ft. 20 & 10 ½

Order Book

Last Leaf

A. L. Lindsay Qualifies as Clerk of County Court July 19/69
Appointed July 10/1869 to act as Clerk to above date See pages
this book 144 & 146.