

THE Commonwealth of Virginia, to the Sheriff of *Rockingham* County,

GREETING :

YOU are hereby commanded to Summon

John Perre

to appear

before the Judge of our Superior Court of Rockingham County, at the Court-House, on the *Perre* day of *the count* ~~Court next~~, to testify and the truth to say in behalf of

Conn th

in a certain matter of controversy in

our said Court depending and undetermined, between

the count and

Christian Kyger Jr

And this *he* shall in no wise omit under the penalty of 100l.

And

have then there this writ. Witness HENRY J. GAMBILL Clerk of our said Court

at the Court-House the

29

day of

September

1812 and

in the

37

year of the Commonwealth.

H. J. Gambill

Commonwealth

vs. J. J. J. J.

Hyge

Rec'd
for Charles J. J. J.

Rockingham County to wit

Be it remembered, that on the 23^d day of September in the year 1811, Briscoe G. Baldwin the attorney, prosecuting for the Commonwealth, in the Superior Court of said County, came into Court, and gave the said Court to understand and be informed that on the 24th day of September in the year 1809 at the Parish of ^{& within the jurisdiction of the said Court} in the County aforesaid, it was corruptly and against the form of the Statute in such case made and provided agreed by and between Christian Kiger, senior, ^{German} and Daniel Ragen both of the parish and County aforesaid that the said Christian Kiger, senior, should lend and advance unto the said Daniel Ragen the sum of \$ 200 of lawful money of Virginia and that the said Christian Kiger, senior, should forbear and give day of payment thereof to the said Daniel Ragen until and upon the 24th day of September in the year 1810 then next ensuing, and that the said Daniel Ragen for the loan of the said sum of \$ 200 and for giving day of payment thereof as aforesaid, for the time aforesaid, should give and pay to the said Christian Kiger, senior on the said 24th day of September in the year 1810 aforesaid, then next ensuing, the said sum of \$ 100 of like lawful money; That in pursuance of of the said corrupt and unlawful agreement, so made as aforesaid, the said Christian Kiger, senior, afterwards, to wit, on the said 24th day of September in the year 1809 aforesaid, at the Parish aforesaid, in the County aforesaid, lent

and advanced to the said Daniel Rager the
said sum of \$ 200 ; That in further pursuance of
the said corrupt and unlawful agreement, the said
Christian Rizer, senior afterwards, to wit, on the 24th
day of September in the year 1810 at the parish
aforesaid, in the County aforesaid, ^{& within the jurisdiction of the said court} took, accepted,
and received from the said Daniel Rager the
said sum of \$ 100 , for the loan of, and giving
day of payment for the said sum of \$ 200 which
said sum of \$ 100 so as aforesaid agreed to be given
and paid to the said Christian Rizer, senior, and so as
aforesaid by him taken accepted and received exceed
the rate of six dollars for the forbearing and giving
day of payment of one hundred dollars for one year:
And so the said attorney for the Commonwealth saith
that the said Christian Rizer, senior on the said 24th day
of September in the year 1810 aforesaid, at the parish
aforesaid in the County aforesaid, ^{& within the jurisdiction of the said court} did unlawfully and
corruptly, by means of the aforesaid corrupt bargain and
loan, take accept and receive from the said Daniel
Rager for the loan and giving day of payment for the
said first above mentioned sum of money, above the rate
of six dollars for one hundred dollars for one year against
the act of Assembly in such case made and provided, to
the evil example of all others in such case offending and
against the peace and dignity of the Commonwealth
And the said attorney for the Commonwealth further
gives the said Court to find as true and be informed
that afterwards, to wit, on the said 24th day of September

in the year 1809 aforesaid, at the parish aforesaid in
the County aforesaid, ^{within the jurisdiction of the said Court} it was further agreed by and between
the said Christian Kiger, senior and the said Daniel Rager
that the said Christian Kiger, senior should lend & advance
unto the said Daniel Rager a certain sum of
money to wit the sum of \$ 200 and that the said
Christian Kiger, senior should forbear and give day of payment
thereof, until the said 24th day of September in the year
1810 aforesaid; That in pursuance of the said agree-
ment so made as aforesaid, the said Christian Kiger, senior
afterwards to wit, on the said 24th day of September
in the year 1809 aforesaid, ^{in the County aforesaid & within the jurisdiction of the said Court} lent and advanced to
the said Daniel Rager the said sum of \$ 200 and
that afterwards to wit, on the said 24th day of September
in the year 1810 aforesaid, ^{in the County aforesaid & within the jurisdiction of the said Court} the said Christian Kiger sen-
ior did unlawfully take accept and receive, from the
said Daniel Rager for the said loan and giving
day of payment for the said sum of \$ 200 a certain
other sum of \$ 100 ~~a certain other sum of \$~~ which
said sum of \$ 100 so taken accepted and received, exceeds
the rate of six dollars for the forbearance and giving
day of payment of one hundred dollars for one
year, against the act of Assembly in such case
made and provided, to the evil example of all others
in such case offending, and against the peace
and dignity of the Commonwealth

And the said attorney for the Commonwealth
further gives the said bond to understand and
be informed that afterwards to wit on the said

24th day of September, in the year 1810 aforesaid
at the parish aforesaid in the County aforesaid
& within the jurisdiction of the said court
the said Christian Kiger, senior by way of corrupt bargain
did unlawfully and corruptly take accept and receive
from the said Daniel Rogers a certain a certain
other sum of \$100 for the forbearance and giving day
of payment of a certain other sum of \$200 which
said sum of \$100 so taken accepted and received
exceed the rate of six dollars for the for the forbear-
ing and giving day of payment of one hundred
dollars for one year, against the act of Assembly
in such case made and provided, ~~and~~ to
the evil example of all others in such case
offending and against the peace and dig-
nity of the Commonwealth

This information is filed by ^{the} order of
the Court, on the presentment of the Grand-
jury.

Briscoe G. Baldwin,
Att. for Com.th

Commonwealth }
vs }
Kiger sen. } Inform^r

filed 24. Sept. 1811.

And the said Defendant comes here into, and
craves over of the presentment, together with
the information filed thereon which are read
to him in these words "We present &c" "Reckoning
ham county to wit, &c" which having read
and inspected the said Defendant says that the
Commonwealth ^{just court} ought not to have or maintain
its prosecution against him upon ^{the informa} ^{just court} ^{of}
the ^{the} information aforesaid because he says that the said
information is variant from the presentment
in this 1st. The said presentment is for illegally and
corruptly charging, accepting taking & receiving upon
a loan of \$400 to D.R. for the forbearance of the payment
of each \$100 of the aforesaid sum for one year more than
6 p^{er} cent - The said Information is variant from said
presentment by charging the Defendant with being
guilty of a corrupt ^{having made agreement to} ~~and~~ to Dand. Ragan &c.
2^d. The said presentment is made for a breach of
that part of the statute which prohibits the receipt of
more than 6 p^{er} cent upon giving day of payment
for money &c. without any corruption in the original
contract - The Information is variant from the
Presentment by making the charge under the 1st
clause of the Statute viz a corrupt loan - and
the said Defendant further says that the Com^{ts}
ought not to have or maintain its prosecution
against him upon the third count in said information
because he says that the ~~third~~ count of said
Information is variant from the presentment
in this - The Def^t is presented for illegally & corruptly
charging, accepting, and taking upon a loan to Dand
Ragan of \$400 for the forbearance of each \$100 of the said
sum more than 6 p^{er} cent - whereas the Information
in the third count charges the Def^t with un-
lawfully receiving more than legal interest under
a corrupt bargain - ~~whereas~~ the said Defend^t

is ready to verify - wherefore he prays Jud.
of the Court that the presentment & Inform^t
aforesaid be quashed &c.

the Commonwealth of Virginia to the Sheriff
of Rockingham county Greeting: You are hereby
Commanded to Summons Christian Nyger Sr
to appear before the

Judge of the Superior Court of the said County
at the Court house on the first day of April next
Court next to answer a presentment of the Grand
Jury. for illegally, and corruptly, charging, exacting
taking & receiving upon a loan of two thousand Dollars by
him made, to Daniel Rager, more then six Dollars.
for the forbearance upon each ^{of the said sum} ~~of the said sum~~ ^{for one year}
for the forbearance of the payment of the same, within
twelve months last past
and have then there this writ With es Henry J. Ga
mbill clerk of our said Court at the Court house
the 16th day of Novr 1810 and in the 35 year of
the Commth.

J. J. Gambill

And the Defendant
J. K. G. M. H.

We the Jury
not guilty

Wm. D. R. of H. L. R. R.
of H. L. R. R.

Court
C. Hyges S. L. R.
A. R. R. G.

S. Court
1811 April Order
Information S. L. R.
S. L. R. in abatement S. L. R.
S. L. R. duplication S. L. R.
S. L. R. and 1812
April Court and