

Coram Superior Court of Land & Tenure

Rockingham County to wit

The jurors for the body of the County aforesaid on their oath present that here before to wit on the 31 day of December in the year 1838 at the County aforesaid a writ of *cepius ad respondendum* was sent out of the Office of the County Superior Court of Law and Chancery for the County of Northampton in the name of John Hyges against Stephen Conrad to answer the said John Hyges of a plea of debt for two hundred and sixteen dollars which said writ was placed in the hands of Nathaniel Erwin County Deputy returnable to the Clerk's Office, of the said County Superior Court of Law and Chancery holding for Northampton County on the first Monday in February next ensuing the date of said writ then being the 1<sup>st</sup> day of February 1839 <sup>and which was on the 1<sup>st</sup> day of February 1839</sup> which said writ after the date thereof and before the said return day, was placed in the hands of Nathaniel Erwin then & still being an acting deputy Sheriff for said County who then was and yet is the Sheriff of Northampton County, and the said Nathaniel Erwin being legally qualified to serve said writ on the said Stephen Conrad caused the same before the said return day on the said Stephen Conrad <sup>to wit on the 3<sup>rd</sup> day of January 1839</sup> and returned thereon "Caused Nath Erwin Dep<sup>y</sup> & Hinton S R C" and the jurors aforesaid on their oath further charge that afterwards to wit on the day and year last aforesaid at the County aforesaid whilst the said Stephen Conrad was in the <sup>prison</sup> custody of the said Nathaniel Erwin (so being deputy as aforesaid by virtue of his having executed the said writ as aforesaid the said writ in the said Stephen Conrad in the said Clerk's Office of the County Superior Court of Law and Chancery for the County of Northampton on the day and year last aforesaid confessed a judgment for the said debt with the interest thereon from the 1<sup>st</sup> day of December 1838 till paid and the costs of said execution amounting to the sum of \$5.51cts. before Henry J. Gambell then and yet the legally qualified Clerk of the said County Superior Court of Law and Chancery for the County of Northampton who was authorized by law to take a confession of said judgment and the jurors aforesaid on their oath <sup>the said Stephen Conrad and Thompson entered in custody and</sup> aforesaid further charge that afterwards, to wit on the said 3<sup>rd</sup> day of January in the year 1839 the said Henry J. Gambell, so being Clerk as aforesaid and being legally qualified to issue an execution on said judgment, did legally issue <sup>an</sup> execution on said judgment for the sum of two hundred and sixteen dollars and with interest from the 1<sup>st</sup> day of Nov 1838 till paid also for \$5.51cts which the said John Hyges late in said Court had recovered in his name against the said Stephen Conrad as well for his debt as for his costs by him about his suit in that behalf expended and <sup>and which execution was returnable to the 1<sup>st</sup> Monday in February 1839</sup> which said execution was endorsed (for the use of Albert G. Mangery) and the jurors aforesaid on their oath aforesaid further charge, that afterwards, to wit on the day and year last aforesaid in the County aforesaid the said execution was placed in the hands of the said Nathaniel Erwin so being deputy as aforesaid who was legally qualified to serve the same on the said Stephen Conrad, who thereupon served the said execution on the said Stephen Conrad and who was then <sup>and</sup> ~~was~~ committed to the prison to wit in the County aforesaid. And the jurors aforesaid on their oath aforesaid further charge that the said Stephen Conrad so being in Prison as aforesaid and being desirous <sup>to be</sup> discharged from imprisonment under the act of the General Assembly of Virginia for the relief of insolvent debtors he the said Stephen Conrad afterwards to wit on the day and year last aforesaid at the County aforesaid caused a notice to be drawn to address to Mr Albert G. Mangery conform to wit the said Albert G. Mangery above stated in which he stated that he was then confined in the Jail of the County of Northampton upon an execution sent out of the Clerk's Office of the County Superior Court of Law and Chancery for the County of Northampton in the name of John Hyges (endorsed for the use of the said Albert G. Mangery) against him the said



Stephen Conrad for a debt which he was unable to pay, and asking him to take notice that on  
the 3<sup>d</sup> day of January 1839 at the Court house of the said County of Rockingham he would  
apply to a Justice of the Peace for the said County to be discharged from confinement under the  
act of the General Assembly for the relief of insolvent debtors, which said notice <sup>John Henry</sup> the Attorney  
under his own <sup>hand</sup> writing  
for the said Albert G. Manzy acknowledged on the 23<sup>d</sup> day of January 1839 was duly and legally  
served. And the jurors sworn on their oath affirmed further charge that afterwards to wit on  
the day and year aforesaid at the County aforesaid being so in prison as aforesaid by virtue of the  
execution aforesaid afterwards to wit on the day and year last aforesaid at the County aforesaid the said  
Stephen Conrad petitioned Mr. H. Harris then and yet a Justice of the Peace <sup>for the County of Rockingham</sup> legally qualified as such  
and duly authorized as such to administer the oath presented to be taken by insolvent debtors setting  
forth that he the said Stephen Conrad was an insolvent debtor confined in the jail of Rockingham  
County as a prisoner on an execution at the suit of John Hyges (endorsed for the use of Albert  
G. Manzy) which he was unable to pay discharge and prayed the benefit of the act of the General  
Assembly made and provided for the relief of insolvent debtors. And the jurors sworn on their  
oath aforesaid further charge that afterwards to wit on the day and year aforesaid at the County  
aforesaid the said Mr. H. Harris so being Justice of the Peace is aforesaid and being fully  
authorized and competent in law to do, signed his <sup>principle</sup> ~~name~~ as a Justice of the Peace aforesaid  
to wit on the day and year last aforesaid in the County aforesaid directed to the ~~principle~~ <sup>principle</sup> of the  
jail of the said County of Rockingham by which he required the said jailer to bring before him any  
Justice of the Peace for the County of Rockingham at the Court house of said County on the 3<sup>d</sup> day  
of January 1839 (forthwith) the body of the said Stephen Conrad, together with a list of the  
several debts executions whereunto he stood charged in <sup>his</sup> the said jailers jail to wit the  
jail of Rockingham County) and to have them then the said principle and the jurors sworn  
on their oath aforesaid further charge that the said ~~principle~~ <sup>principle</sup> Stephen Conrad was thereupon brought  
legally before the said Mr. H. Harris <sup>as a Justice of the Peace</sup> by virtue of the said principle and in audience. Thence, at the  
Court house aforesaid on the said 3<sup>d</sup> day of January 1839 and the said Stephen Conrad being so for  
want is aforesaid before the said Mr. H. Harris as Justice of the Peace is aforesaid and being  
fully and legally power to administer the oath, proper to be taken by an insolvent debtor ~~is sworn~~  
taken in execution to the schedule he may subscribe and deliver in, thereupon, there is to say on the  
day and year last aforesaid at the County <sup>County</sup> before the said Mr. H. Harris as Justice of the Peace  
aforesaid at the Court house aforesaid did subscribe and deliver in a schedule for the purpose of  
obtaining a discharge from confinement <sup>under</sup> the execution last aforesaid and which schedule  
as subscribed and delivered in is aforesaid is in the words and figures following to wit "Schedule  
= subscribed by Stephen Conrad before taking the oath of an insolvent debtor upon the execution  
of John Hyges (endorsed for the use of Albert G. Manzy) against him, on the 3<sup>d</sup> of January 1839  
I surrendered my interest in the property conveyed by me to J. Mitchell Conrad, in trust  
for the benefit of John Conrad and Nicholas Conrad on the 29<sup>th</sup> of December 1838  
And the jurors sworn on their oath aforesaid further charge that the said Stephen Conrad having  
as aforesaid <sup>subscribed and</sup> delivered in and the said schedule at the time and place aforesaid before the said Justice  
is aforesaid for the purpose aforesaid, then and there <sup>by his own voluntary act and intent and equipment</sup> took his corporate oath upon the holy Gospel  
of God before the said Mr. H. Harris so being Justice aforesaid and having then and there having <sup>and being authorized by law</sup> sworn  
= and competent authority to administer an oath to the said Stephen Conrad ~~at the Court house~~ for  
the purpose aforesaid. And the ~~said~~ jurors sworn on their oath aforesaid further charge that the said  
Stephen Conrad having taken his corporate oath is aforesaid ~~and~~ did make oath and swear ~~that~~  
"as follows" I Stephen Conrad do in the presence of almighty God solemnly ~~solemnly~~ swear  
that the schedule now delivered and by me subscribed (concerning the said schedule above set

forth) do the same  
true and just  
in any way  
of all manner  
any benefit or  
for one's end  
money, stock,  
value of the  
debtors as and  
or any part of  
cause the same  
or deliver and  
so help me  
the same day  
in his said sched  
Harris a Justice  
telling the oath  
H. Harris Justice  
said schedule  
The Sheriff of  
Conrad a prisoner  
for the use of  
assembly (once  
if the said Ste  
And the jurors  
to wit on the  
said Stephen  
returned the  
for the term  
took the oath  
And the jurors  
as above set  
by which he  
and delivered in  
of aforesaid  
acts concerning  
forth as sworn  
Upon said just  
moved and  
at the County  
before the sa  
Rockingham  
for discharge  
The upon and  
subscribed  
a full, just  
him in any



forth) doth contain to the best of my knowledge and ~~believe~~ remembrance, a full, just  
true and proper account and discovery of all the estate, goods and ~~effects~~ effects unto me  
in any ways belonging, and such debts as are to me owing, or to any person in trust for me, and  
of all securities and contracts, whereby any money may hereafter become payable to me or  
any benefit or advantage accrue to me or to my use or to any other person or persons in trust  
for me; and that I ~~have sworn~~ or any other person or persons in trust for me, have not land  
money, stocks, or any other estate, real or personal, in possession, reversion, or remainder of the  
value of the debts or debts with which I am charged in execution; and that I have not  
directly or indirectly sold, delivered, conveyed or otherwise disposed of in trust, or conveyed all  
or any part of my lands, money, goods, stocks, debts, securities, contracts or estate, whereby to se-  
cure the same or to receive or expect any profit or advantage therefrom; or to defraud  
or deceive any creditor, or creditors, to whom I am indebted in any wise ~~and~~ however  
so help me God. And the jurors aforesaid on their oath aforesaid further charge that afterwards to wit on  
the same day and year last aforesaid at the County aforesaid the said Stephen Courad having so subscribed and delivered  
in his said schedule in manner and form aforesaid at the time and place aforesaid before the said Michael H  
Harris a Justice of the Peace as aforesaid and for the purpose aforesaid and the said Stephen Courad having  
taken the oath aforesaid in manner and form aforesaid at the time and place aforesaid before the said Michael H  
Harris Justice of the Peace as aforesaid and for the purpose aforesaid and having sworn as above stated, the  
said Michael H Harris by warrant under his hand and seal having lawful authority to do so, commanded  
the Sheriff or keeper of the jail of said County of Rockingham to release and set at liberty the said Stephen  
Courad a prisoner then in his custody by virtue of an execution against him at the suit of John Hyges (endowed  
for the use of Abigail Maugy) the said Stephen Courad having complied with the directions of the General  
Assembly (concerning the directions of the Act of the Act of the General Assembly) for the relief of Insolvent debtors  
if the said Stephen Courad was detained in his custody for no other cause than the execution aforesaid  
And the jurors aforesaid on their oath aforesaid further charge that the said Stephen Courad was afterwards  
to wit on the same day and year last mentioned at the County aforesaid, released and set at liberty <sup>and the</sup>  
said Nathaniel Cowin, so being deputy Sheriff as aforesaid afterwards to wit on the day and year last aforesaid  
returned the aforesaid execution to the Clerk's office of the lower Circuit Superior Court of Law and Chancery  
for the County of Rockingham with the following return endorsed thereon "Executed, at which time the Deft  
took the oath of insolvency, the schedule is herewith returned." Nat Cowin D<sup>y</sup> of Detention S O C  
And the jurors aforesaid on their oath aforesaid further charge that in the proceedings had as aforesaid and  
as above set forth by the said Stephen Courad to be discharged from prison under the execution aforesaid  
by which he was taken as aforesaid it became <sup>settled</sup> ~~settled~~ that he the said Stephen Courad should subscribe  
and deliver in a true schedule and take the oath and swear truly <sup>applied</sup> to the terms prescribed by the Act  
of Assembly passed August 25 1719 entitled an Act to reduce into one Act the several  
Acts concerning executions, and for the relief of Insolvent Debtors and which terms are herein above set  
forth as sworn to by the said Stephen Courad before the said Michael H Harris. And the jurors on their oath  
aforesaid further charge that the said Stephen Courad not having the fear of God before his eyes, but being  
moved and seduced by the instigation of the Devil then and there to wit on the said 2<sup>d</sup> day of June 1729  
at the County aforesaid and within the jurisdiction of this Court at the Court house in the County of Rockingham  
before the said Michael H Harris a Justice of the Peace as aforesaid in and for the County of  
Rockingham and being <sup>and being</sup> ~~and being~~ authorized by law to administer the oath to insolvent debtors who desire to  
be discharged from prison <sup>and being</sup> ~~and being~~ taken in execution, in order to be discharged from prison under  
the aforesaid execution did well fully corruptly and falsely swear that the said schedule so by him  
subscribed and delivered in as before stated did contain to the best of his knowledge and remembrance  
a full, just, true and proper account and discovery of all the estate goods and effects unto  
him in any ways belonging, when in fact and in truth the said schedule did not contain to the best of







THE COMMONWEALTH OF VIRGINIA, TO THE SHERIFF OF ROCKINGHAM COUNTY,

Greeting :

YOU are hereby commanded to summons

*Stephen Courso*

to appear before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham  
County at the Court-House on the first day of *October* Term next, to answer

*an indictment*

of the Grand Jury *perjury* for *willfully*

*Corruptly & falsely swearing to a schedule as*

*an insolvent debtor*

And have then there this Writ. Witness HENRY J. GAMBILL, Clerk of our said County

at the Court-House the *29* day of *May*

1839 and in the

*63* year of the Commonwealth.

*H. J. Gambill*

County  
E. L. Smith is  
Carroll  
arrested on  
warrant for perjury

C. L. Smith

Not the least Member to State of Ohio  
James C. Williams  
J. P. McElroy