

Cosuth

Gocherrow & Recoggy

entered into before Joseph  
Smith. 8. July 1840.

on the sum of twenty five hundred



*[Faint, mirrored handwriting is visible across the entire page, likely bleed-through from the reverse side. The text is illegible due to fading and mirroring.]*

*[Faint, mirrored handwriting, possibly a signature or date, located in the center of the page.]*

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Be it remembered that on this 8th day of July 1840. Jacob Cockinhour <sup>brought</sup> alias Gochinour was before me Daniel Smith a judge of the General Court and judge of the circuit superior court of Law & chancery of Rockingham County at the office of John Kenney esq. in the town of Harrisonburg & county of Rockingham, by virtue of the annexed writ of Habeas Corpus and subpoena heretofore issued by the said Daniel Smith, with the jailer return thereon. And the said Daniel Smith being of opinion and deciding that the said Jacob Cockinhour alias Gochinour ought under all the circumstances of the case to be admitted to bail himself in twenty five hundred dollars and two securities in twelve hundred and fifty dollars each for his personal appearance on the first day of the next term of the circuit superior court of law & chancery for the said county of Rockingham to answer to, and be again put upon his trial upon the indictment referred to in the return of the jailer - -

And be it further remembered that thereupon the said Jacob Cockinhour alias Gochinour <sup>German</sup> ~~German~~ Abraham Lincoln <sup>German</sup> and John R. Hornan <sup>German</sup> ~~German~~ came before the said Daniel Smith one of the judges of the general Court as aforesaid and severally acknowledged themselves to be indebted to Thomas W. Gilmer esq. governor of Virginia, that is to say the said Jacob Cockinhour alias Gochinour in the sum of twenty five hundred



dollar and the said Abraham Lincoln in  
and John R. Homan - in the sum of twelve  
hundred and fifty dollars each to be  
respective. by levied on their goods and chattels  
land and tenements and to the said governor  
or his successor rendered.

Nevertheless upon this condition that  
if the said Jacob Cockinham alias Gockinham  
shall personally appear before the circuit  
superior court of law and Chancery for the  
said County of Rockingham on the first  
day of the next term, to answer to and  
be again put upon his trial upon the  
indictment in the jailers return mentioned  
and in the said Court still pending for  
feloniously shooting John Empswicker and  
shall then and there abide by the order  
and judgment of the said Court, and not  
depart without the leave of the said  
Court, then this recognizance to be  
void & of no effect.

The foregoing recognizance was  
acknowledged before me Daniel  
Smith a Judge of the general court  
as aforesaid this 8th day of July 1840

Dan Smith



To the Honorable Daniel Smith one of the Judges  
of the General Court.

Your petitioner Jacob Gokhoun  
humbly represents that he is now confined in the  
Jail of the County of Washington on an Indict-  
ment preferred in the Circuit Superior  
Court of Law and Chancery for the County of Wash-  
ington at its May Term 1840 in the name of the  
Commonwealth against your petitioner char-  
ging him with unlawfully shooting John  
Empinister with an intention in so doing to main-  
tain a duel, disparage and kill the said John Empinister  
and also charging your petitioner with voluntarily ma-  
liciously and of purpose shooting the said John Em-  
pinister with an intention in so doing to main-  
tain a duel, disparage and kill the said John Empinister  
that at the said  
May Term of said Court and when & where your  
honour presided your Honour was assigned on the  
charges contained in said Indictment and to which  
your petitioner pleaded not guilty and thereupon  
a Jury was selected and sworn, and before them  
all the evidence both on the part of the Commonwealth  
as well as of your petitioner was introduced and read  
and the Jury so empanelled not being able to agree  
during said session at the said term, the said  
Jury, was discharged and your petitioner remon-  
ded to the said Jail to await his Trial on the  
said Indictment at the next October Term of said  
Court.  
Your petitioner conceives that from the light evidence  
of his guilt, from his extreme age, which is seventy  
years, his feeble and declining health, which will be  
much impaired by close confinement; and from his  
firm determination not to decline or avoid a trial  
by his country of the above charges; all of which was  
fully presented to your honour by sworn witnesses on  
the former arraignment and investigation that he  
is bailable by Law. Your petitioner therefore prays your honour  
to award the writ of Habeas corpus ad subjiciendum directed to



the father of Buckingham county requesting him to bring  
your petition before your honour when and when he con-  
curs he shall be able to give such aid to your  
honour shall require. and he with over prayer &c.

Joseph L. Johnson

July 8th 1770



The Commonwealth of Virginia to the  
Jailer of Rockingham County  
greeting. - You are hereby required  
to bring before me Daniel Smith  
a Judge of the general Court, and  
Judge of the Circuit Superior Court  
of Law & Chancery for said County,  
the body of Jacob Gohonour, (or  
Gohonour) now detained in your  
jail as it is said. Immediately  
at the office of John Kenney Esq  
in the town of Harrisonburg and  
together with the day and cause of his capture & detention  
County aforesaid, to do submit to  
and receive whatsoever may be  
considered in that behalf and  
his effort shall in no wise omit  
Witness the said Daniel Smith  
a Judge as aforesaid at Harrisonburg  
in the County aforesaid this 8<sup>th</sup> day  
of July 1840.

Dan Smith

I Henry Sterling Jailer of Rockingham County do make  
the following return to the above writ: To wit; That the said  
Jacob Gohonour who Gohonour is now in my custody as  
Jailer of said County, that he was so committed by an order of  
the County Court of Rockingham at its March Term 1840.  
at a Court ~~collected~~ held at the Court House of said County  
on the 12<sup>th</sup> day of March 1840 called by the name of ~~Order~~  
~~Arrest~~ ~~Order~~ ~~Harrison~~ a portion of said County for the  
trial of said Gohonour charged with feloniously shooting  
a certain John Empressville, that the said Court  
adjourned the said trial of the said Gohonour to its March  
Term 1840. That at its March Term 1840. The said



Johnson was removed by the said court to jail  
that the offense whereunto he stood charged might be  
be engaged with by the present Superior court of  
law and chancery for the county of Rockingham. The  
at the said circuit Superior court of law and Chan-  
cery for the county of Rockingham at its May Term  
1940. The said Johnson was indicted by the grand-  
jury summoned imprudently for said county  
and charged for said county for feloniously steal-  
ing the said Empressville, and that a jury was  
impaneled by said court for his trial on the  
charge aforesaid, that the said jury not appearing  
on a set date, it was discharged at the end of  
its said May 1940 session, and the said Johnson  
was then removed by the said court to the said  
jail to await his trial on the charge aforesaid  
at its next term. When the said Johnson  
remains on the charge aforesaid <sup>and for no other cause</sup> by virtue of the  
authority last aforesaid, until this 8th day of  
July 1940 when and where he is now produced  
before your honour by virtue of <sup>an addition to</sup> said writ of Ha-  
beas corpus. July 8th 1940.

O. S. Shuling, Solicitor of R. C.



The Commonwealth of Virginia to the Sheriff of Rockingham  
County Greeting: You are hereby Commanaded to Summon Joseph  
Mills here to appear before the Judge of the Circuit Superior Court  
of Law and Chancery (now sitting) on tomorrow at 10 o'clock, to  
show cause if any he can why ~~he should not suffer~~ an  
attachment should not be awarded against him for now alien-  
-ance as attested for Jacob Cocorou alias Jacob Cochran  
in the prosecution against him for unlawfully shooting of his  
Empireville, and have then show this writ with Henry J.  
Gambell Clerk of our said Court at the Court house the 8<sup>th</sup>  
day of October 1844

H. J. Gambell



Governor

ad. J. Smith

Smith & Sauran

at the 100

Executed

by R. Keronty  
Const



The Commonwealth of Virginia to the Sheriff of Rocking-  
ham County Greeting We Command you, that you Cause  
to come before the Judge of the Circuit Superior Court of  
Law and Chancery for the said County at the Court house  
on the first day of May Term Next. twelve Good and  
Lawful freeholders of your County residing as near as may  
be to the place where the felony was committed of which  
~~Barry~~ Jacob Gachmuer is accused. every one of whom  
is possessed of a visible estate, real and personal of the value  
of \$300. at the least to recognize on their oaths, whether the  
aforesaid Jacob Gachmuer be guilty of the felony aforesaid  
or not, and have then there the names of the said  
freeholders and this writ, Witness Henry J. Gambill Clerk  
of our said County the 23<sup>rd</sup> day of March 1840 and in 64<sup>th</sup>  
Year of the Countess

H. J. Gambill



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Venerafias

J. Gochmann

To May Term Next

208

deput for D.D. Smith

David A. Mitchell

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Chrehabur / Dop / in

Great Hall

Charm Nave

John Cheever

John W. W. W.

George S. Hoar

Henry Osborn

John Berry

Reichs-König

William Beal

David Bowman

George Peck

1014 213



**The Commonwealth of Virginia to the Sheriff of Rockingham  
County,--Greeting.**

YOU are hereby commanded to summon *Noah Berry, John Rader Jr*  
*John Rader Jr, William B. Smith, Reuben Lutz, Thomas Kirkpatrick*  
*John Kirkpatrick, Elizabeth Kirkpatrick, John McLaughlin, Joseph*  
*Lutz, & Matilda Crispwell* *E. C. Speers*

to appear

before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham County at  
the Court-House, on the *1<sup>st</sup>* day of *May* Court next, to testify and  
the truth to say in behalf of

*Jacob Gochernow*

in a certain matter of controversy in

our said Court, depending and undetermined, between

~~*Thomas J. Gochernow*~~

*Commonwealth* and the said *Jacob Gochernow*  
*Defendant*

And this *they*

shall in no wise omit under the penalty of £100. each

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

the Court-House the *27<sup>th</sup>* day of *April*  
year of the Commonwealth.

1840 and in the *64*

*H. J. Gambill*



Enclosed is a bill for A. D. Hester 80.00

Rockwood

at

County of ...

C. J. Hester



David Eiler  
Hugh Derez  
~~William Brocksuff~~  
~~John Dunlap~~  
Henry Kisting  
John Gibbons  
John Miller  
James Bleigh  
James Laird  
James Hopking  
John Sheetz  
John Burkholder  
Peter Roller



Jacob Sipe  
Geo Sayer  
Philip Cole

---

James Wilson  
David Sipe  
John W. Stebbins  
John Sharpe



The Commonwealth of Virginia to the Sheriff of Rockingham  
County Greeting: ~~You are hereby summoned to come and~~ We Command  
you to come to and before the Judge of our Circuit Superior Court of  
Law and Chancery at the Court house on the first day of October Term Next  
Twelve good and lawful freeholders of your County, residing as near as may  
be to the place where the felony ~~felonious~~ Felony was committed of  
which Jacob Cocconour alias Gohernour, is accused, every one of whom  
is possessed of visible estate, real and personal of the Value of \$300.  
at the least, to recognize on their Oaths, whether the aforesaid Jacob  
Cocconour alias Gohernour, be guilty of the felony aforesaid, or not, &  
have them show this writ with Henry J. Gambell Clerk of our  
said Court, at the Court house the 20<sup>th</sup> day of August 1840 and  
in the 65<sup>th</sup> year of the Commonwealth  
H. J. Gambell







The Commonwealth of Virginia, to the Sheriff of Rockingham County,

GREETING:

YOU are hereby commanded to summon

*Mr B. Smith*

to appear

before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham County, at  
the Court-House, on the *14<sup>th</sup>* day of *Sept* Court next, to testify and  
the truth to say in behalf of

*Jacob Gochermon*

in a certain matter of controversy in

our said Court, depending and undetermined, between

*The Commonwealth*

*and J<sup>o</sup> Gochermon Deft*

And this

*they*

shall in no wise omit under the penalty of £100.

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

the Court-House the *9* day of *Sept*

1840 and in the *65*

year of the Commonwealth.

*H J Gambill*



Goshen  
at  
Carruth & Spaw.

C. I. Carruth

Excuse me  
at Carruth & Spaw  
R. P. Carruth S. A. C.



The Commonwealth of Virginia, to the Sheriff of Rockingham County,

GREETING:

YOU are hereby commanded to summon John Radu Jr, John Radu Jr Thomas  
Patte Ad, Mr Patte Ad, Old Mr. Patte Ad, Peter Long, Joseph Long  
John W Laughlin Jr John Thaw Jr Elias Storm, Asstata Stephens  
Abraham Baily, Joseph Thaw, Atatada Empradist Charles L. Spears

to appear

before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham County, at  
the Court House, on the 1<sup>st</sup> day of October Court next, to testify and  
the truth to say in behalf of

Jacob Gochermon

in a certain matter of controversy in

our said Court, depending and undetermined, between The Commonwealth

and said Jacob Gochermon Deft.

And this they shall in no wise omit under the penalty of £100 each

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

the Court House the 9<sup>th</sup> day of Sept 1840 and in the 45<sup>th</sup>  
year of the Commonwealth.

H. J. Gambill







The Commonwealth of Virginia, to the Sheriff of Rockingham County,

GREETING:

YOU are hereby commanded to summon  
*and David Sipe*

*Jacob Steff* ~~and~~ *Joseph Milder*

to appear

before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham County, at  
the Court-House, on the *1<sup>st</sup>* day of *October* Court next, to testify and  
the truth to say in behalf of

*Jacob Gocherrow*

in a certain matter of controversy in

our said Court, depending and undetermined, between

*The Commonwealth and*  
*said Jacob Gocherrow Deft*

And this

*they*

shall in no wise omit under the penalty of £100.

And have then there this Writ. Witness HENRY J. GAMBILL, Clerk of our said Court at  
the Court-House the *1<sup>st</sup>* day of *October* 184*0* and in the *65*  
year of the Commonwealth.

*H. J. Gambill*



Bocher

as

Count & Star

Exchanged and  
written and  
signed by B. Bocher



**The Commonwealth of Virginia to the Sheriff of Rockingham  
County,--Greeting.**

YOU are hereby commanded to summon *Thomas O'Neale, Matilda Eupswille  
Richard Wingfield, Philip Eupswille, John Eupswille & Terry Barrett  
& Isaac Rembert*

to appear  
before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham County at  
the Court-House, on the *14<sup>th</sup>* day of *October* Court next, to testify and  
the truth to say in behalf of

*The Commonwealth*

in a certain matter of controversy in  
our said Court, depending and undetermined, between *The Commonwealth*

*and Jacob Gocherrow. Defendants (Charged with felony)*

And this *they* shall in no wise omit under the penalty of £100.*each*

And have then there this Writ. Witness HENRY J. GAMBILL, Clerk of our said Court at  
the Court-House the *31<sup>st</sup>* day of *July* 18*40* and in the *65<sup>th</sup>*  
year of the Commonwealth.

*H. J. Gambill*



Commuth

Spa.  
Gochemore

C. C. Court

End

J. A. Mitchell dept for R. P. Gilets 8.0.1



**The Commonwealth of Virginia to the Sheriff of Rockingham  
County,--Greeting.**

YOU are hereby commanded to summon

*John Empokurlew*

to appear

before the Judge of the Circuit Superior Court of Law and Chancery of Rockingham County at  
the Court-House, on ~~this~~ day ~~of~~ ~~October~~, to testify and  
the truth to say in behalf of *the Commonwealth*.

in a certain matter of controversy in  
our said Court, depending and undetermined, between *the Commonwealth*  
*& Said John Empokurlew*

And this *you* shall in no wise omit under the penalty of £100.

And have then there this Writ. Witness HENRY J. GAMBILL, Clerk of our said Court at  
the Court-House the *9<sup>th</sup>* day of *May* 18*40* and in the *64<sup>th</sup>*  
year of the Commonwealth.

*H J Gambill*



Essex

Leuel Gibbon Esq  
R R Fletcher Esq.

Heard  
in  
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Johnston