

<sup>In die</sup>  
This presentment is made upon the tes-  
timony of Josiah S. Roller and Samuel  
Wise, witnesses called on by the Court,  
sworn in Court & sent to the grand  
jury to give evidence

Foreman.

Commonwealth

vs  
Joseph Miller,  
Surveyor of a road  
~~for not keeping~~

Indict. for not keeping  
his road in good  
order

A true bill  
Attest  
J. H. Thyle

Foreman

Rockingham County, Va.

In the Circuit Court of said County  
The Jurors of the Commonwealth of Virginia in and  
for the body of the County of Rockingham and now  
attending the Circuit Court of the said County  
upon their oath present that Joseph Miller on  
the 1<sup>st</sup> day of May in the year 1859 at the said Court  
(he (the said Joseph Miller) <sup>then & there</sup> being being the  
surveyor of that part of a certain road  
leading from the Augusta line to the  
Mt Crawford road near Las & M<sup>d</sup>  
Harris' (Beginning at the Augusta line,  
passing Josiah S. Roller's Mill and end-  
ing where it intersects the Mt Crawford  
road near Harris' House - distance three  
miles - known as the Old Butler road - No.  
54.)) did not as such surveyor on that  
day cause that part of said road to be  
kept cleared, smoothed of rocks and  
obstructions, of the necessary width, well  
drained, & otherwise in good order, and  
secure from the falling of dead timber there-  
in, but did, on that day and on divers  
other days, between that day and the day  
of making this <sup>present</sup> indictment, & whilst he was  
surveyor as aforesaid, suffer that part of  
the said road to be and remain for a  
long space of time obstructed & in bad or-  
der & insecure from the falling of dead timber therein  
and against the peace and dignity of the Commonwealth of Virginia

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

You are hereby commanded to SUMMON *Joseph Miller*

to appear before the Judge of the Circuit Court of Rockingham county, at the Court-House, on the first day of *The October* term next, to answer an indictment of the Grand Jury for *not keeping his road in good order*

And have then there this writ. Witness ARTHUR ST. C. SPRINKEL, Clerk of our said Court, at the Court-House, the *10<sup>th</sup>* day of *August* 185*9*, and in the *84<sup>th</sup>* year of the Commonwealth.

*A. St. C. Sprinkel*

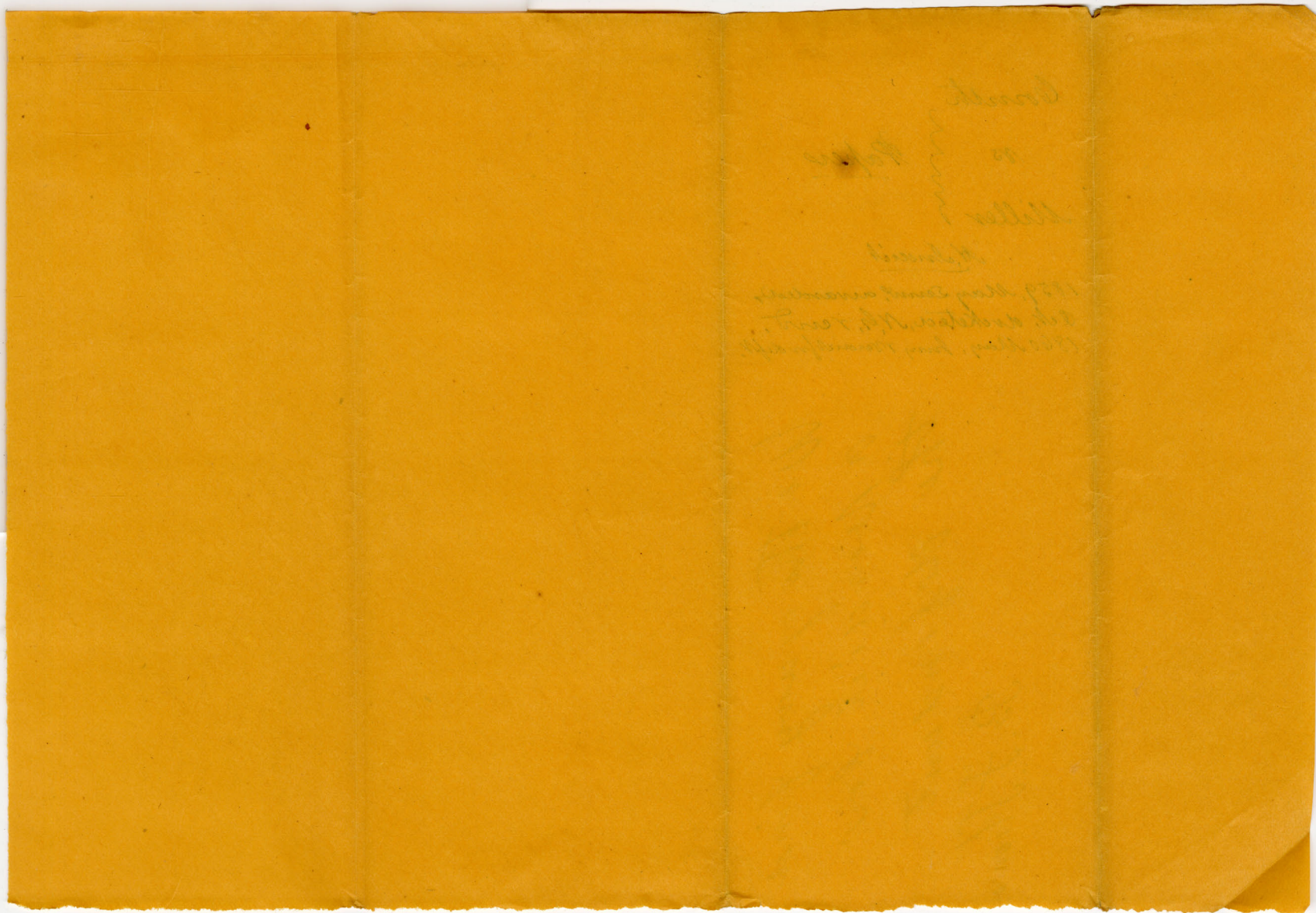
Aug. the 29<sup>th</sup> 1839. Presented on Joseph  
Miller by deliverings to him a copy  
of the within, in Person  
J. P. Miller Dep.  
for J. W. Hargrave  
S. R. C.

Caruth  
vs  
Miller

Sumo

W. Inaist

Oct, 1839



Cornth

vs

Papers

Miller

N. Inoué

1859. May Term, awarded,  
Oct. docketed, N. G. & cert.  
1860 May, Term, returned for deft.

No the young firm  
a record of the  
the defendant  
B. J. Thomas