

Aloud that no exceptions have been filed to said report, the Court doth order, adjudge and decree, that said report be confirmed and that the Clerk of the Court do deliver the said report to the obligor, and that Edwards Watts the Commissioner be required to execute a deed to the purchaser for the lands sold under a former order of the Court

Thomas D. Howell &

against

Margaret Helen Lewis John Ferguson dec'd &

Howell & Lewis dec'd & James Mignick dec'd &

against

Joseph T. Holland dec'd Robert A. Musgrave dec'd

These causes are continued till the next Term.

Plffs

Def.

Plffs

Def.

Ordered that the Court be adjourned until tomorrow morning Ten O'clock

Rich. H. Baker.

Friday, April the 5th 1839.

Present.

The Honble. Richard H. Baker Judge

Benjamin Cropper dec'd &

Galley Wells dec'd & Martha Wells suing by Edwards Watts

her Committee

against

John Bawn

Plffs

Def.

This day this cause came on to be heard on the bill, answer, replication thereto, exhibits, depositions and argument of Counsel. On consideration whereof the Court pronouncing no further opinion doth adjudge, order and decree, that an issue be made up, and tried by a jury before the Superior Court of Law, for the County of Northampton to ascertain, First the consideration upon which the deed from Sarah H. Wells and Martha Wells to John Bawn bearing date the second day of February 1835 and filed as an exhibit in this case was founded. Secondly, whether or no, at that time the said Martha Wells was deaf and dumb, and incapable of executing a valid contract, and Thirdly, whether the said deed as to the said Sarah H. and Martha Wells or either of them was obtained by fraud or other illegal or undue means. Upon the trial of which issue the witnesses, whose depositions have been taken may be called on, together with such other competent witnesses and legal evidence as may be introduced by either party, reserving to either party the right to rely upon the depositions in this case if the witnesses whose depositions have been taken, have died since the institution of this suit or their presence in Court cannot be obtained at the trial of said issue.

Benjamin Cropper &

against

Josiah Cobb dec'd Benjamin Cobb dec'd &

This cause is continued till the next Term.

Plffs

Def.