

(Wednesday). the ninth day of November 1853.
Present.

The Hon. Richard H. Baker, Judge.

William L. Davis, & Emilie his wife, James J. Davis
(and Samuel Kelle, Sheriff and as such agent of Robt Davis Deff
against

Benjamin Barham, Zebulon L. Simmons, Nicholas J. Barham, John
Bottle and Jacob Tunn, and Mary his wife Deffs

The Bill of the complainants having been taken for em-
passed at the rules as to the defendants John Bottle, Nicholas
Barham and Jacob Tunn and Mary his wife and it appearing
to the Court that the plaintiffs had proceeded in the mode prescribed
by law as to the absent defendants (Benjamin Barham and Zebulon L.
Simmons) who still failing to appear and answer the bill is taken
for confessed as to them - the cause this day came on to be heard
on the bill of the complainants answer of the defendant N. J. Barham
filed this day by consent & explanation thereof, exhibits and ex-
amination of witnesses, and was argued by counsel. On considera-
tion whereof the Court doth adjudge, order and decree that
Benjamin Barham render before the Commissioner of this Court an
account of his transactions as guardian to Emilie and Robert
Davis showing the source from which the money received by
him as guardian of Emilie & Robert Davis, or either of them was
derived, whether under or by virtue of the will of Robert Davis
a copy of which is filed as an exhibit in this case upon
what other source, and said Commissioner is directed to
take up settle said accounts and report them to this Court
with any matters specially stated, deemed pertinent by himself
or which he may be required to do by either of the parties.

Mercy Whitney, Giles Whitney, Sarah Whitney, Virginia
Whitney, Martha Ann Whitney, and Mary Whitney, widows
of Joshua Whitney Jr. dec'd Deffs

against
John M. Whitney Deffs

This cause came on again, by consent of parties to be heard
on the papers formerly read and the petition of Mary J. Whitney & the answer thereof.
On consideration whereof the Court doth order, adjudge, and decree that a
Commissioner of this Court ascertain the full simple value of the
dower or interest of Mary J. Whitney widow of Joshua Whitney
in & to the land of 302. 37 in the proceedings mentioned
(and filed by Commissioner Mercy Whitney with his report
and the same report to this Court &

Ordered that the Court be adjourned till tomorrow morning 10 o'clock.

Richd. H. Baker