

Thursday, the 7th day of November 1854.

Present.

The Hon. Richard M. Baker, Judge.

W. Belmont M. Negahant

against
Richard M. Negahant & Charles F. Negahant Executors of Jas. D. Negahant
deceased in their own right, vs. B. Negahant, James D. Barry, & Margaret
Negahant. Defts

This cause came on this day again to be heard on the papers formerly
read and was argued by Counsel. A writ being suggested to the Court
that two of the Commissioners viz. Robert Dutton & Ed. H. Burges
appointed by the order pronounced on the 3rd May 1854, to carry out
the requirements thereof are unable to act in the premises, the Court
doth order, to adjudge and decree that so much of the said decree
of the 3rd May 1854, appointing the said Dutton & Burges to be
of the same is hereby set aside, and the Court doth appoint in
their place John Dutton & Thomas Negahant Commissioners who
with the others in said decree mentioned, any three of whom may
act, shall proceed to carry out the requirements of the said
decree of the 3rd May 1854, and make report to the Court.

M. M. Jones & Susan his wife formerly Susan Gardner & Everett Ellis
& Cornelia his wife formerly Cornelia Gardner Defts

against
Eugenia D. & Abraham L. Gardner Defts

This day this cause came on to be heard with bill of exceptions
motion of the infant defendants Eugenia D. and Abraham L. Gardner by
L. R. Edwards their Guardian ad litem, application thereto, to inhibit and
examination of witnesses and was argued by Counsel. On consid-
eration whereof, the Court doth adjudge, order and decree that above-
mentioned of this Court enquire into and report to this Court whether
or not the interests of the infant defendants would be promoted by
a sale of the land in the proceedings mentioned or by a division
thereof in kind; And the Court doth further adjudge, order
decree that the same Commissioners proceed to ascertain the
value of the unexpired term of Susan Jones in the said land,
and report the same to Court with any matters specially
stated, deemed pertinent by himself or which he may be
required to do by either of the parties.

Marian D. Moore

against
H. F. Smith, Special Master & Anna J. Harrison Defts

This case having abated by the death of the defendant H. F.
Smith and the same having been revived by Jure facias against H.
M. Smith executor of the said H. F. Smith and this suit is now
pending and the cause coming on again to be heard in the papers