

This Court state the following accounts, First: an account of the transactions of Thomas M. Vaughan as adm^r of Henry D. Smith taking the account filed in this cause as the basis of the settlement liable to be impeached and falsified by either of the parties. 2nd An account of all the debts now outstanding against the estate of the said Henry D. Smith showing the dignity thereof. 3^d An account of the real and assumed value of the real estate in the bill mentioned, that said Court audit, state and report to Court the said accounts together with any matter specially stated deemed pertinent by him or herself which may be required to be so stated by either of the parties.

James M. Parker an infant of twelve years who sues by his M^r Manager his next friend.

against
Hemming M. Smith Ex^r of Hemming D. Smith, Matthew W. Vaughan & Samuel Wells adm^r of Mariah Cobb dec^d & as adm^r of Mariah Parker, dec^d, & M^r M. Jones, Ex^r Jas Cobb. Diffs

This cause came on this day to be heard on the bill taken for confessed as to the defendants, Hemming M. Smith ex^r of Hemming D. Smith Samuel Wells adm^r of Mariah Cobb dec^d, and adm^r of Mariah Parker dec^d and M^r M. Jones ex^r of James Cobb dec^d who have purposed had been duly served, they still failing to appear and file an answer and answer to the said bill; on the answer of the defendant Vaughan with replication thereto and on the exhibits filed and was argued by counsel. On consideration where of the Court doth adjudge, order and decree that one of the Commissioners of this Court audit, state, and settle an account of the transactions of Hemming D. Smith as adm^r of Mariah Parker and make report thereof to this Court with any matters specially stated deemed pertinent by him or herself or which may be required by any of the parties so to state.

Victor Breyant an infant of twelve years who sues by John M. Guley his next friend

against
Martha Ann Ellsworth, Albert Breyant, Albert Fens, and Richard Thomas Fens Diffs

It being suggested to the Court that since its last term the defendant Martha Ann Ellsworth has intermarried with M^r John On motion of said Story by counsel of the plaintiff it is ordered that his name be inserted in the subsequent proceedings, and that this suit be hereafter prosecuted against M^r John Story & Martha Ann his wife; and the cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Guley made pursuant to the order of the May term 1855, to which report there is no exception confirmed by the said report, doth adjudge, order and decree that the Clerk of this Court deliver to the guardians at law of Victor