

disposed of the estate, upon the trial of such issue the deposition of witnesses which have been properly taken and returned in the case may be read in evidence if the witnesses themselves after having been summoned shall fail to appear, and it is ordered that this cause be continued until the next term.

Richard A. Vaughan

against

Staff

Richard A. Vaughan of Charles F. Vaughan Executors of James B. Vaughan dec'd and in their own right of others

Draft

This cause came on this day to be again heard on the papers formerly read and the reports of Chas. A. Vaughan, of R. A. Vaughan and C. F. Vaughan executors of James B. Vaughan dec'd and of A. B. Vaughan and Charles F. Vaughan to which no exceptions have been filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the said reports be and the same are hereby confirmed and the Court doth further adjudge, order and decree that Richard A. Vaughan and Charles F. Vaughan executors of James B. Vaughan dec'd out of the assets of their testator in their hands to be administered pay the remaining costs of this suit; and solatary is reserved to any other parties who may hereafter seek relief under the will of the said James B. Vaughan dec'd, to apply for the same if needed, such applications shall be made. This cause is discontinued from the docket.

Victorine Bayant and infant of tender years who was by John M. Gurley her next friend

against

Staff

Martha Ann Ellsworth, Albert Bayant Colbert Fries and Richard Thomas Fries

Draft

This day this cause came on again to be heard on the papers formerly read and was argued by Counsel, On consideration whereof the Court doth adjudge, order and decree that C. W. Masfening who is hereby appointed a special Commissioner for that purpose receive and collect the bond filed in this cause against Jesse Little & Jno. M. Gurley for \$1500 & 200 Yds belonging to the infant Richard T. Fries and deposit the amount in the Savings Institution of the City of Norfolk and file among the papers in this cause a certificate of such deposit. But the said Chas. Masfening is not to proceed to act under this decree as such Commissioner until he shall have entered into bond in the penalty of \$2000 with sufficient security in the Clerk's Office of this Court payable to the Commonwealth of Virginia conditioned for the faithful discharge by him of his duties as such Commissioner.