

Thursday, May 14th 1869.

Present Hon. E. P. Allen, Judge.

E. W. Maplesbury, Executor of James Willis, decd. who does no business of himself
 & as near Executor of Joshua Smith & Joseph E. Spiller decd. Executors of Joshua Smith, decd.
 under the will & also of Spiller & Smith & also Executor of Andrew J. Cook, J. S. Sullivan,
 Joshua Smith, & Joseph E. Spiller, Executors & partners, trading under the firm & name of Spiller,
 Smith, Cook & Co.

against
 Benjamin C. Thomas, senior, Joseph E. Spiller decd. Executor of Spiller, Lewis Spiller, Allyn, &
 George & Joseph Spiller, Joshua Smith, J. S. Sullivan & James Robinson, senior, Andrew J. Cook and Spiller.

This cause came on to be again heard on the papers formerly read in the Report of
 Court. Heard again pursuant to the terms of May term 1868 & November term 1868,
 to which report there is no exception, & as the petition for Clerk's copy, Elizabeth de Seane
 & R. Briggs & Co. & was required by Court. On November term above, the Court did
 require the said Spiller & Smith, senior, to do as follows. Order & decree that J. S. Sullivan the surviving part-
 ner of Spiller, make the state change of all the estate of said firm & proceed without delay
 to collect the same & pay the same to the debtors by said firm as reported in said
 November Report & make report to Court. And the Court did further order, order & decree,
 that W. B. Shaw, who is hereby appointed Receiver for the purpose, take charge of the
 debt due the late firm of Spiller & Smith & collect the same as far as practicable, &
 report to Court, and the Court did further order, order & decree, that Amy E. Thomas, senior
 of Joseph E. Spiller decd. pay into of the Monies in her hands as such widow the costs of the
 said undertaking, & pay to Spiller & Smith, to each of the following attorneys, to wit, E. W.
 Maplesbury, John D. Kitcher, W. B. Shaw, John J. Leland & Henry H. Sullivan, and the
 balance be retained in the hands of said attorney for the said of Ten thousand & eighty and
 no more, & hereby right only. With interest at Five per cent & twenty-two dollars & thirty-eight
 cents, paid forth from the 20th May 1867, to the date of the said to be decreed and
 by Court of this Court, & make report to Court filing the certificate of said disburse-
 ments which only appears to be due by said to said Clerk as far as amount "22" of said
 Court. Whereas report made up under the terms of November term 1868,
 and the Court did further order, order & decree that Amy E. Thomas, who is hereby
 appointed Receiver for the purpose, proceed to sell the lands whereof the said E.
 Spiller decd. owns & possesses. Subject however to the terms & terms of said Spiller
 Spiller, widow of said deceased, described as a tract of land in the County of Berkshire
 containing Six hundred & eighty-two acres, more or less, & adjoining the lands of
 before the said Court, of said land, no more but say, at and to be sold by
 & under report, except for the purpose of said which may be sold, which under
 said date, taking said with good boundary from the present use & adding the lands in
 the present tract of the Court, having first given at said attorney of said land
 by advertisement, & the said Court do of said land, & at various other places
 places in said County of Berkshire said land & in some of which said land is in
 & make report to Court. But no date is set so far as the said Amy E. Thomas
 under the terms of the said, except before the date of the said Amy E. Thomas
 Court in the future, for the said Attorney, payable to the Receiver of said
 & Court for the first full execution of the duties required of him under the said
 that Amy, to require of him under any other decree hereafter made in the Court.

Atk
 Eff
 Com. Sec.
 Parks