

Saturday, 2nd December 1870

Present,
The Hon. George Bloom,
Judge.

R. S. Ellis & James Ellis

vs.

against
Samuel Wells late Sheriff and as such, admin. of, Benj. Ellis dec'd
Benj. Ellis Jr., exors, adms. of George Ellis, Infants by Adm.
Executors their Guardians etc Helen and Benjamin Bryant
and against his wife

Subj.

This day the Cause came on to be again heard on the papers, formerly
sent and the Report of Commissioners appointed to appraise and the
Wishes of Benj. Ellis who has since intermarried with Benj. Bryant, and
the Report of Commissioners, London, all of which reports are made in
pursuance of an Order entered at the May Term 1870 of this Court,
and are signed by Council, the Commissioners whereof, and those being
its exceptions filed to either of said Reports, they are hereby con-
firmed, and it appearing to the Court that there is a balance
in the hands of Samuel Wells, Admin. of Benj. Ellis, of Eight hundred
of one dollar and Eighty two Cents, and the balance of the said
Ellis, the Court doth adjudge, Order and decree, that Samuel Wells,
one of the parties of this intestate, pay to J. R. Quinn administrator
of J. H. S. Turner the sum of Forty five dollars & Twenty four Cents,
to J. H. McQuinn, the sum of Forty seven dollars and Forty six
Cents, to Benj. Bryant two hundred and fifty dollars, and Twenty nine
Cents, to R. S. Ellis Eighty three ^{1/2} dollars, to James Ellis Eighty
three ^{1/2} dollars, to the Guardian of Benj. Ellis Eighty three ^{1/2}
dollars, to the Guardian of Henry Ellis Eighty three ^{1/2}
dollars, to the Guardian of George Ellis Eighty three ^{1/2} dollars,
with interest on each account from July 1st 1870, the said
each one of the Distributors & respondents send
And the Court doth further adjudge, Order & decree, that Benj.
Bryant, Elizabeth Hunt & J. S. Francis, (each are hereby
appointed Commissioners for that purpose,) do proceed
to enquire whether the real Estate of which Benj. Ellis died
seized can be divided into two equal parts having regard to
quality and quantity, & if it can be so divided that they
regard to Court that it can be so divided. And if the said
Commissioners should find it impracticable to divide the said
Land among the aforesaid parties, or should be of opinion
that the interests of the said parties would be more promoted
by a sale of the Land, in such case they are required to report
the facts upon which their opinion is based to the Court and also
what is the fair market value of the whole of the real
Estate of which Benj. Ellis died seized, subject to the
equities shown, and in either case, they are required to
make report to the Court of their proceedings under this

Filed for
Court do. to
August 1st