

Wm. A. Schae & Catherine Rebecca his wife, formerly Whitehead
 against
 Margaret Elizabeth & John Whitehead by James M. Carleton their
 Guardian & Tutor.

This day this Cause came on to be heard on the bill
 of the Complainants, the answer to the infant defendants Margaret
 E. & John Whitehead by James M. Carleton, who is appointed their
 Guardian, & Tutor, general replication thereto, & the Exhibits,
 & was argued & Council, Mr. Commissioner whereby the Court
 did adjudge, Order & decree, that Wm. A. Schae, Esq. Dick,
 Wm. Harris, Geo. L. Spearman, & J. J. Woodard, Esq. they and hereby
 appointed Special Commissioners, say three of whom may
 act, that they proceed to divide the said Estate between John
 Whitehead and his wife among his children according to the
 directions indicated & set forth in the third, fourth & fifth
 Clauses of the Will of the said Whitehead, and if it should be
 necessary in Order to make said partition, to employ the services
 of a Surveyor, the said Commissioners and hereby authorized to
 employ one. And the said Commissioners will make report to
 Court of their proceedings.

And the Elements of Wm. R. Elements infant children of
 the J. Elements & Mary his wife, who sue by the J.
 Elements their next friend -
 against
 Catherine A. Elements and Infant by L. R. Edwards her
 Guardian & Tutor.

Sept. 3
 J. Schaefer

This day this Cause came on to be heard on the bill of the Complainants, the
 answer of the infant defendants Catherine A. Elements by L. R. Edwards her
 Guardian & Tutor, and general replication thereto, the Exhibits filed with
 the bill of was argued by Council, Mr. Commissioner whereby the Court
 did adjudge, Order & decree, that A. L. Peters, A. T. Stephens, and
 George W. Sperry, be & they are hereby appointed Special Commissioners
 to make partition of the Will of said Thomas, and to divide the
 said Estate among the parties thereto entitled, as follows, to
 wit, 1/3 to John A. Elements, 1/3 to Wm. R. Elements, & 1/3 to Catherine
 A. Elements. And if partition cannot be conveniently made, then they
 said Commissioners will report that fact to Court, and also whether
 the entire subject can be allotted to any individual party who is
 willing to accept it, & will pay therefor to the other parties,
 such sums of money as their interests therein may entitle them
 to. The said Commissioners will also report to Court the real value
 of the said lands & mill.

J. Schaefer
 George W. Sperry
 George W. Sperry

Sept. 3
 J. Schaefer

This day this Cause came on to be further heard, on the report
 formerly made, the Report of Commissioners Schaefer, reporting to the Court.