

James Maget

against

John M. Gurley Executor of William A. Sparks dec'd.

Plff

Dfr

} In Debt.

This day came the parties in their proper persons, and the defendant acknowledges the plaintiff's action. Therefore it is considered by the Court that the plaintiff recover against the defendant Eight hundred and fifty one dollars thirty seven cents with interest from the 8th day of November 1846 till paid the debt in the Court mentioned and his costs by him about his suit in this behalf expended. To be levied of the goods and chattels of the decedant in the hands of the defendant to be administered. And the said Defendant in Mercy &c. This judgment is to be credited for One hundred dollars paid July 1st 1846. For One hundred dollars paid January 2nd 1847.

Memorandum. It is ordered to be entered of record that the plaintiff agrees to what follows, that is to say, the plaintiff agrees that this judgment is not to be paid until there shall be a sufficiency of assets in the hands of the defendant after paying all debts of his decedant of superior dignity of which he may have notice before the expiration of nine months from the date of the defendant's qualification as executor, and after paying all judgments heretofore obtained against the defendant for debts of equal dignity, and after retaining any debt due from the decedant to the defendant of equal dignity, and paying likewise any debt for which the defendant may be surety for his testator that is so evidenced as to be of equal dignity. And the plaintiff furthermore agrees that this judgment is not to operate as any admission or evidence of assets in the hands of the defendant.

Charles A. Nash for the benefit of James Maget.

against

John M. Gurley Executor of William A. Sparks dec'd.

Plff

Dfr

} In Debt.

This day came the parties in their proper persons and the defendant acknowledges the plaintiff's action. Therefore it is considered by the Court that the plaintiff recover against the defendant thirty eight dollars the debt in the writ mentioned with legal interest thereon from the 11th day of May 1846 till paid and his costs by him about his suit in this behalf expended. To be levied of the goods and chattels of the decedant in the hands of the defendant to be administered. And the said defendant in Mercy &c.

Memorandum. It is ordered to be entered of record that the plaintiff agrees to what follows, that is to say, that the plaintiff agrees that this judgment is not to be paid until there shall be a sufficiency of assets in the hands of the defendant after paying all debts of his decedant of superior dignity of which he may have notice before the expiration of nine months from the date of the defendant's qualification as executor and after paying all judgments heretofore obtained against the defendant for debts of equal dignity, and after retaining any debt due from the decedant to the defendant of equal dignity, and paying likewise any debt for which the defendant may be surety for his testator that is so evidenced as to be of equal dignity. And the plaintiff further agrees that this judgment is not to operate as any admission or evidence of assets in the hands of the defendant.

A Certificate of the qualification of John M. Gurley, as above of the revenue not^d & OR.

Deed of gift from Charles Davis to Amanda Davis & others was returned and together with the certificates annexed. Ordered to be recorded.

Account Current of Jonathan Dardens against an Elizabeth Whitcomb & of her guardian ship of Joanna Johnson were not & ordered to be on turn for exceptions.

Then Reasons appearing to the Court Ordered that the Indenture by which Susan Catter (or Barker) was bound to James M. Cloud be transferred to Maria C. Cloud, Widow of said James M. Cloud.

On Motion of Harrison D. Moore Ordered that E. W. Hopkings be appointed special Commissioner to take with and adjust an account of said Moore's administration as the estate of James C. Moore and make Report to Court.