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This Court this day came on to be heard on the plea of the Plaintiff, answer of the defendant, by their respective attorneys at law and was argued by Counsel, on behalf of the Plaintiff, by the Court, last attorney, Daniel and Henry, that E. H. Ferguson is the owner of the land, and that the defendant, James Cunningham, for that purpose, procured to draw, (after having given a bond, having done so, of the value of \$1000, and placed of \$1000, in public auction at the Court House in the Court House, of which James H. Winters, said Judge and Joseph H. Winters, said Judge, in Court to display, evidence of said land and that, the balance in a bond to the Court, which had required as to a report of said proceedings under the same, they, and directed to return to Court, in order to a further decree. And the said Cunningham, and the said to execute the same until they should give him the good and sufficient security in the Clerk's Office of this Court, in the sum of \$1000, payable to the Commissioner of Virginia, conditioned for the faithful performance of the same, having approved them.

On Motion of Edgar Vaughan son of the late of David Vaughan it is ordered that William Bottom, Joseph Jordan and Benjamin Vaughan be appointed Commissioners to make to Henry Vaughan, executor of David Vaughan, said late, his share of the land, of the said Estate which the said David Vaughan had devised, by proper parties and heirs, to be sold by him as tenant in common for and during his life. And that they make report to Court.

On the Motion of John E. Ferguson, it is ordered that Wm. H. Harris, Clerk of the Court, do deliver to the said John E. Ferguson, the sum of \$1000, for said Wm. H. Harris, and forward the said Wm. H. Harris.

The last Will and Testament of Elisha Ferguson said, bearing date the 15th 1819, was proved by the Oaths of John E. Ferguson and Wm. H. Ferguson, the Subscribing Witnesses thereof, and ordered to be recorded.

William H. Harris, who stands bound by recognizance for his appearance here, this day to answer the complaint of Joseph H. Harris against him, and having appeared in Court in discharge of his recognizance, and having fully heard, it is ordered that the said Complaint be dismissed.

On the Motion of Nicholas Spray, and for reasons appearing, to the Court, he is exempted from the payment of Fees and Costs due, in future, for any and all proceedings.

On Motion of J. S. Foster, it is ordered that Edw. Jones, Sheriff, of Smith County, do deliver to the said John E. Ferguson, the sum of \$1000, payable to the Commissioner of Virginia, conditioned for the faithful performance of the same, according to law.