

the Court, attended by the County Surveyor to divide the land belonging to the estate of Charles B. Nicholson dec'd, (having respect to quality as well as quantity) into four equal parts, and assign one fourth to Joshua Nicholson one fourth to John Nicholson and one fourth to Henry Nicholson and one fourth to Evelina Nicholson and that they report to the Court in order to a final decree

Eliza Jones Widow and relict of Samuel Jones dec'd Mary Ann Jones infant child of said Samuel Jones by the said Eliza her next friend
James Jones Executor of Henry Jones dec'd
Plaintiffs
Defendant

This day this cause was docketed and came on to be heard by consent of parties upon the bill answer exhibit filed and was argued by counsel. Upon consideration whereof it is ordered that the defendant James Jones do render before Master Commissioners C. B. an account of his executorial transactions on the estate of the said Henry Jones dec'd who is directed to examine State and settle the same; and the said Commissioners is directed to make up a legatee account, and make report to the Court with any matters specially stated deemed pertinent by himself or which either of the parties may request should be so stated.

On the motion of Lewis and Calvert It is ordered that Benjamin Cobb Committee of the estate of Samuel Drury cut the said Estate if so much there be payable there the sum of fourteen dollars the amount of their account proved to be just and the costs of this motion

A Writing purporting the last Will and Testament of James Miller dec'd bearing date the 30th of September 1819 was this day produced in Court by Drury Muller one of the Executors therein named in order to be proved, and Richard Stewart by his attorney appeared and opposed the proof of the said Will. Whereupon divers witnesses were sworn & examined and the arguments of Counsel on both sides fully heard; on consideration whereof, it is the unanimous opinion of the Court, that the said James Miller was at the time of executing the said Will of sound and disposing mind and memory, and that he was under no undue influence, whereupon the said writing was proved according to Law by the oaths of Nathaniel Simmons, George Whitfield and Miles Williams the witnesses thereto. Therefore it is ordered that the said writing be received as and for the last Will and Testament of the said James Miller dec'd. from which opinion of the Court the said Richard Stewart prayed an appeal to the next Superior Court to be holden for this County which is granted him on his giving bond and Security in the sum of two thousand dollars conditioned as the Law directs which is accordingly done.

Alexander P. Pate is appointed executor of the Estate of James Miller deceased during the contest about his Will and thereupon the said Alexander P. Pate gave bond with good security as the Law directs.

Jacob Ramsey
Benjamin W. Johnson
This day came as well the plaintiff by his attorney as the defendant in his proper person and the defendant acknowledges the plaintiffs claim for ninety dollars with interest thereon from 22^d September 1818 till paid and the costs. Therefore it is considered by the Court that the plaintiff recover of the said defendant the said ninety dollars with interest thereon to be computed from the date of the first payment from the 22^d September 1818 till paid and his costs by him in this behalf expended. And the said defendant in Money 8²