

wife Emma and his three children, Martha Kelly and James all, after giving bond and notice of the time and place of sale, that after paying the costs of this suit and expenses of sale they pay over to Emma Branch the sum of the proceeds, that out of the balance they pay to Emma Branch the sum of \$400.00 to Martha A. Williams formerly Branch the sum of four hundred and three dollars thirty four cents with interest from December 25th 1845 till paid. As the same quantity to Kelly Branch formerly Branch the sum of four hundred and twenty five dollars twenty cents with like interest. As the same quantity to James B. Branch the sum of three hundred dollars thirty three cents with like interest. That the said Emma Branch pay over the balance, if any, to the persons entitled. That they make report to Court in order to a final decree.

On the motion of Alfred D. White guardian of Long and Ben Hook. Ordered that he be nothing at to expend thirty dollars each of the proceeds of his wards estate for their support.

Ordered that the account of Jacob Barnes Sheriff amounting to \$10.00 be paid to the credit of public accounts for his remuneration and payment.

Mills Pifer having obtained an attachment against the estate of Nancy Matthews for four dollars and seven cents for rent due 25th day of December 1845, and the Sheriff having returned that he had levied the said attachment on "One bed and furniture one spinning wheel and cards, five pine tables, one chest, one blanket, one washing tub, and two iron pots." Being sworn the plaintiff by her attorney and the defendant being solemnly called and not appearing, it is considered by the Court that the plaintiff recover against the defendant the said sum of four dollars and seven cents approved to be paid with interest thereon from the 25th day of December 1845 till paid and her costs by her in this behalf expended. And it is ordered that the Sheriff make of the property aforesaid attached and out of the moneys arising from the sale pay and satisfy this judgment to the plaintiff and the balance if any order to the Defendant. And that he return an account of such sale to the Court.

The last will and testament of George Simmons deceased being a writing purporting the last will and testament of George Simmons deceased having at the 12th day of February 1846 was produced in Court in order to be proved and Joseph Drury by his attorney appeared in Court and opposed the proof of the said will. George Drury who was sworn and examined and the arguments of counsel on both sides fully heard. On consideration whereof it is the opinion of the Court that the last will of Simmons was at the time of executing the said will of sound and disposing mind and memory and that he was under no undue influence. And therefore the said will is proved by the oath of Thomas Simmons, John Little and John James the witnesses thereto and ordered to be recorded.

William J. Schell is appointed executor of the estate of George Simmons during the natural life of the said and therefore the said William J. Schell made oath with Nicholas W. Schell and John Beck his executor named and acknowledged a bond in the penalty of ten thousand dollars conditioned according to law.

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