superior dignity of which he may have notice before the expiration of nine months from the date of the defendants 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 this deceased to the defendant of equal dignity and paying likewise any debt for which the defendant may be security for his testator that is so witnessed 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 H Bailey Commissioner of the Revenue was this day returned and ordered to be filed.

A Deed of Gift from Charles Davis to Amanda Davis & others was returned and with the certificate thereto annexed ordered to be recorded.

An account current of Jonathan Dardens administration on the estate of Elizabeth Brett dec^d was returned and ordered to lie one term for exceptions.

For reasons appearing to the Court It is ordered that the Indentures by which Edson Britton & Burke was bound to James W Cloud be transferred to Maria Cloud widow of said James W Cloud according to law.

On the motion of Harrison D Moore. Ordered that E W. Mapenburg be appointed Special Commissioner to State, settle and adjust an account of said Moores administration on the estate of James E Moore and make report thereof to Court.

On the motion of Emmon Butts. Ordered that William D Hood who is hereby appointed Special Commissioner for the purpose do state, settle and adjust an account of said Butts administration on the estate of Francis P. Butts dec^d and make report thereof to Court.

James W Rivers administrator of his deceased wife Pauline Plff
against
Elizabeth Myrick and Howell Harris guardian ad litem for David & Simon Myrick Defts. } In Chancery

This cause was this day docketed by consent of parties with the assent of the Court and came on to be heard on the bill and answer and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that Samuel Drewry, Joseph Cloud, William A Jones, and William B Westbrook or any three of them who are hereby appointed Special Commissioners for the purpose do divide the negro slaves which Phoebe Myrick held as her thirds of the estate of James Myrick dec^d into four equal portions & so to allot one to James W Rivers as administrator of his wife Pauline one to Elizabeth Myrick and the remaining half to Howell Harris as guardian for David and Simon Myrick, but if a division in kind cannot be effected of said slaves, it shall be the duty of the Commissioners to sell as many as may be necessary to effect such purpose. And how they shall have acted in the premises make report to Court in order to a final decree.

On the motion of Nathaniel P Phillips guardian of Virginia Rucks. Ordered that he be allowed to expend out of the principal of his said Wards estate, the sum of One hundred and fifty dollars for her education, board &c.