

ordered that complainant's solicitors Witcher & Hotts be allowed the sum of \$25. for their services in this case, which sum the Administrator will pay & charge the same to complainant before handing over her said fund.

P 370, Willis Dean vs Pilate Dean

This cause is continued by consent till next Term, and the cause is remanded to the rules & open for proof generally on both sides.

John Carr & others vs Burnley? & others Heirs at Law of Jesse Marshall

Be it remembered that this cause came on for hearing before Chancellor Ridley upon the report of the case (1) deciding of the negroes of said estate; which reports the following: "he Clerk reports the following settlement with John Carr, Administrator of Jesse Marshall decd. The following slaves of said decd, were hired out by the following persons for the year 1858 and the (2) set to them different names to wit:

Elizabeth hired slave Ned at \$135., M. L. Donoho hired slave Andrew for \$110., (3) hired slave Artha at \$50., John Carr hired slave Dick at \$100., John Ferguson hired slave (4) at \$150., James Kenley hired slave Moses at \$150., Asa Oglesby hired slave Hannah at \$45., David Oglesby hired slave Bell at \$78., A. B. Carr hired slave Arch for \$90., John Halli-linton hired slave Bethel at \$75., W. F. Marshall hired slave (5) at \$135., A. H. Marshall hired slave Ben at \$10., all amounting to the sum of \$1104. Franky one of the slaves remanded at the Administrator's office & died in about 30 days. The Clerk allows said Administrator John Carr \$1. per day for having said slave taken care of while she was sick & \$5. burial Expenses making \$35. The Clerk allows the administrator for all his trouble & expenses in taking care of said slaves during the holidays & (6) said slaves

P 371, (7) \$165. cash paid by administrator & tax, on said slaves for the year 1858, \$15.80 making in all \$215. The administrator reports the amount of the hire of the of the slaves \$1104. to be on good man & solvent persons all of which is respectfully submitted. This 24 Janr. 1859 John Claiborne C & M

Which report being unexcepted to is in all things confirmed by the court that the right and title of said negroes be divested out of the Heirs and vested in the distributees and Heir to whom assigned and the Heirs (8) it is further decreed that the amount due to each distributee to make said division equal be paid to them (9) out of the Hire of the negroes for the year 1858, the notes being in the hands of John Carr the administrator. It further appears by the Report of the Clerk that the Hire of the negroes for 1858 amounts to the sum of \$1104. Due 1st Janr. 1859 which notes are in the hands of John Carr admr. as to the exception of the debts to the (10) of \$165. made to the said John Carr for his trouble in hiring out of the negroes for (11) the court is of opinion that he should be allowed the sum of \$150. (12) of 165 And the (13) the report is confirmed by the court. It is therefore

Decreed that the said John Carr after paying the costout of said fund when collected and (14) the parties in said (15) negroes and after deducting the (16) made in said report made final by the court- divide the balance equally among the said distributees. This decree does not (17) any parties as to (18) at 1858 1857- If the same has not been paid then.

Charles L. Jones vs Stephen M. Jones & others
In this cause it is ordered by the court that an alias (19) issue to the County of Williamson against the Defendant James A. Jones, (20) next Term of this court.

Saml. Payne vs R. Averett & als
(21) by consent until the next Term of this court.

P 372, Charles L. Jones vs Stephen M. Jones & als

This cause coming on to be heard upon the demurrer of Stephen M. Jones which having been argued & fully understood by the court, said demurrer overruled; and leave is given the Defendant to answer on or before the Monday in May next, so as not to delay the trial.

Richard Freeman & als vs Benjamin Driver & als

In this cause Allen Roark, Esqr? one of the Attorneys in this is appointed to defend for Gilbert Segraves, the Guardian Adlitem & also to defend for (22) Driver, a minor in said cause. And this cause is referred to the Clerk, who will take proof & report upon the necessity of selling the lands mentioned in the petition & also as to its value & report at the present Term of (23)

Wright vs Elizabeth Stewart & als

It appeared to the court that Albert Stewart has departed this life, and that process has been served on the Defendant, & that the minors of Albert Stuart have no Guardians and more than six months has expired since the death of said Albert Stuart and no one has administered on his estate, and thereon by consent of parties with the assent of the court, John Mitchell the Brother inlaw be appointed the Guardian Adlitem for said minors to defend for them and the widow Elizabeth Stuart be appointed Administratrix of said Albert Stuart decd. all of said parties will answer by April rules so as not to delay the trial.

A. A. Brevard vs Michael Duffey & others

In this cause it is ordered by the court that the Clerk and Master hire put the slaves in controversy either publicly or privately as he may think best taking notes with security condition that said slaves be properly clothed and fed.

P 373, W. K. Carr admr. of R. P. Hall vs Charles I. Street & others

This day the Parties came on to court and agreed to settle their rights touching the partnership of the machine (24) in the Pleadings as follows. The said Street paid this day to to? the administrator Carr forty dollars in

full of _____? said partnership and _____? the parties agree that said Street shall have the said money machine so far as _____? intestate a _____? The said partnership being thus _____? they further agreed that compt. the administrator Carr as aforesaid shall pay one half on the costs and the debts the other half & if a issue.

of
B. W. Mills & Lewis G. Mills, Administrator John Mills decd. vs James T. Mills; H. S. Young & others vs Martha A. Robinson & als

Be it remembered these causes cominon to be heard before Chancellor Ridley on the 9th day of February 1899 whereon it satisfactorily appeared to the court that James T. Mills on the 15th March 1896 conveyed by Deed his entire interest in John T. Mills Estate it being the \$1000 and the Legacy of \$200. under the compromise with the Legatees and devisees under the will to Peter A. Wilkinson in trust for the benefit of himself, wife and children as therein expressed subject to his Lawyers fees in the Mills suit and his _____ subsisting debts which deed of trust was attempted to be set aside by the action of the county court of Macon and to reinvest the title in the said James T. Mills which action of the county court this court determines was without authority and void, and the same is so held by this court. It further appears to the court that James T. Mills on the 9th of January 1897 sold the said site and interest in said Estate of John Mills which he guaranteed to amount to one thousand Dollars to the said Haley S. Young the said Young paying three hundred dollars and thirty cents cash and an amount for Goods purchased for his family of forty seven dollars and seventy cents and Executed his two Notes to the said James T. Mills for two hundred and fifty dollars each making eight hundred dollars the consideration of said purchase, the mother Martha Robinson and James T. Mills being present and solicitors that Young should make said purchase. It further appeared to the court that some days after the said trade was made with Young the said James T. Mills assigned said two Notes of five hundred dollars to his mother Martha Robinson and the said Martha Robinson applied to said Young to discount and take up said notes some days after the said Martha knew of the execution of the said Deed of trust to Peter A. Wilkinson trustee. It further appeared to the court by proof that the said Young upon the Guarantee of the said Martha A. Robinson made the said Young that he should realize the sum of nine hundred and twenty Dollars from the Estate of John Mills Deed on said purchase, thereon said Young paid her the sum of three hundred and twenty five Dollars in cash and received from her, his said two notes relying upon her personal Guarantee as aforesaid, the court is of opinion and so decrees that said fund specified in the deed of 1896 is liable for the Lawyers fees of the said James T. Mills in the said suit and likewise for his debts up to the date of said Deed, and whatever was necessary for the support of his family since said deed that the said Young should be paid twenty five dollars shall be refunded him with interest he crediting the same with the one hundred and fifty Dollars paid by Martha Robinson

back which will leave four hundred and seventy five Dollars with interest if any portion of said money paid by him was applied by the payment was applied to the payment of debts of James T. Mills contracted before the date of the deed of 1896 or for necessities used by the family since that portion shall be repaid to him out of the trust fund, not exceeding the interest of the funds in the hands of the administrator of John Mills and for what ever balance may be due Young shall be paid him by the said Martha Robinson and James T. Mills and because it does not appear what is the amount of the money and interest of the said James T. Mills in said Estate, it is ordered and adjudged that the Clerk of this court with P. A. Wilkinson's special commissioner shall take proof and report the amount upon all the points herein adjudged he will credit the administrators of John Mills with all the legal payments made to James T. Mills before the deed and since under the direction of the court he will report whether the Administrator shall be charged with interest under the original articles of compromise. A copy of articles of compromise will be filed with the commissioners he will report how the said \$625. less the \$150. paid by Young was applied whether the debts contracted before the deed or for necessities since if not for what purpose upon the petition of Fite, Smith and Roark, he will report if they are entitled to a fee out of said fund and if so what amount he will take proof on those points and report accordingly. It further appeared to the court that Peter A. Wilkinson went into the county court and resigned said trust and by his answer he declines serving as trustee, the court then appointed _____? trustee under the deed of 1896 the costs of this case shall be paid by Haley S. Young & Martha Robinson each paying one half and fifa issue.

P 376. W. C. A. Griffith vs A. P. Griffith & G. W. Catron
In this cause defendant Catron is allowed until the second rule day to file his answer so as not to delay the hearing of the cause.

Jo. C. Guild vs C. W. Hughes and M. N. Alexander administrator of J. B. Short Decd.

In this cause defendant Hughes has until the first rule day in which to file his answer so as not to delay the trial of said cause & M. N. Alexander is appointed the Administrator of Jane Hughes the decd. wife of defendant Hughes & that he answer at the same time.

Jones W. Lock vs Robert Stubblefield & others

Be it remembered that this cause came on for hearing before Chancellor Ridley by consent of parties when it is agreed that the site & title of the heirs of John Stubblefield and of complainant Jones W. Lock in the lands mentioned in the pleadings be divested out of them and vested in the wife and children of said Robert Stubblefield to wit: Martha P. Stubblefield and her children for their sole and separate use free from the contracts of the husband and thereon it is agreed by the defendant William B. Carmon and Joseph Baudale and they bind themselves to deliver to Jones W. Lock ninety dollars worth of good merchantable lumber at cash prices on or before

the 25th of December next and they Carmon & Lauderdale to pay the costs of this suit and ten Dollars the fee of Jo. C. Guild, the said ninety Dollars if Lumber and ten Dollars in cash to Guild making one hundred Dollars fifa to issue as to costs and the ten Dollars to Guild if not paid by next court.

P 377, John M. Fergusson vs Christian Sakle and John Sakle vs Christian Sakle

On affidavit of John Sakle and on affidavit of John M. Fergusson these causes are continued until the next term of this court and the defendant John Sakle is allowed three months in which to take proof at his own cost and complainant Fergusson is allowed three months in which to take the depositions of Aaron York, Richard York, Susan York & Christopher Meador and none others, and the defendant is allowed the balance of the time until the next term of this court to take rebutting testimony without costs.

Willis Dean vs Filate Dean

This cause came on to be heard before Chancellor Ridley on the 8th day of February 1859 on motion of the defendants to dissolve the injunction which motion being considered by the court that the injunction be dissolved defendant Filate Dean after first giving bond and security to refund the fund enjoined upon condition it shall be so decreed by the court on the final hearing of the cause or such part of it as may be necessary that he said defendant then to in and immediately collect said fund specified in the pleadings to wit: a debt of seventy Dollars with interest thereon from the time the bill paid due from complainant to defendant.

Josiah L. H. Taylor, Martha L. Taylor, William M. Taylor & James F. Taylor by their Guardian John Ward (Ex parte petition for sale of land

P 378, & C In the pleadings mentioned and exceptions thereto taken by the purchaser and it appearing to the court that the proceedings ordering and decreeing said sale are irregular. It is ordered that the sale be set aside and for naught held that the Clerk & Master deliver to A. W. Newby the purchaser his notes executed for said land under said sale and the money he has paid said Clerk and Master and that the petition be so informed as to make the Guardian John Ward petitioner and the minors defendants that copy and process issue and the cause continued until the cause can be matured for hearing.

I. L. Hoark Administrator of Jacob Uhls vs P. Duffy & als Inter. Decree

Upon application of the complainant and it appearing to the court that Jacob Uhls has departed this life & I. L. Hoark has been appointed administrator and M. Duffy has departed this life leaving a widow & children, and ? has administered upon his estate; It is ordered that the amended bill be filed and the cause ? in the name of the admin-

-istrator and M. Duffy has departed this life leaving a widow & children and ? has administered upon his estate; It is ordered that the amended bill be filed and the cause ? in the name of the administrator Hoark and against the widow & heirs of Duffy-said Administrator will enter in to bond & security for the 1st rule day or the next cause will stand dismissed and thereon the cause was heard upon the ? of the Defendant Duffy to the Cross bill and also to the amended bill which having been argued & understood by the court said ? is over ruled & leave is given the Defendant Duffy until the 1st Monday in May to answer said bill so as not to delay the hearing.

P 379, Daniel J. Claiborne vs Joseph Willard & Carroll Willard & Jer. Jamison

In this cause the parties by their attorneys having agreed that the matters in dispute between the complainant and defendant Jamison had been adjusted and settled. It is ordered by the court that the cause be dismissed as to said Jamison and the complainant will pay the costs upon that branch of the cause and thereupon said cause was heard upon the pleadings and proof in the cause and it appeared to the court that the complainant and defendant Jamison purchased of the Defendant Willards on the 27th day of September 1854 their interest in the estate of Thomas Willard who died prior so that time in Harrison County Texas it being at the time supposed by the parties that the father of the said Willards was dead. It further appeared to the court that on the same day of the conveyance the complainant executed a deed to the defendants for one half of the tract of land mentioned in the pleadings lying in Macon County as the consideration of said conveyance of the interest of the said Willard in said estate in Texas and at the same time the complainant and the defendant Jamison agreed to convey the other half of said 7444 acres of land to said Willard in the event they should realize said interest in Texas and to carry out this agreement on the said 27th of September 1854 the complainant ? the other half of the 7444 acres of land to defendant Jamison who thereupon gave to the Willards a title bond for said land and conditioned that he would convey said half upon collecting said interest in the estate in Texas and if not realized said bond was to be void. It further appeared to the court that the father of said Willards was not dead and the complainant was unable to realize anything from said estate the interest being sum

P 380, 1,000. acres of land and an interest in some means and the complainant files this bill upon the footing of fraud and asks to have said absolute deed to the half of the 7444 acres of land in Macon County set aside and to be restored to the possession of said land, the court is of opinion that the complainant was fully informed of all the facts in the case in possession of the defendants Joseph & Carroll Willard and that they suppressed no truth nor practiced any fraud upon him and the complainant is not entitled to the relief sought in his bill. It is therefore adjudged and decreed by the court that complainants bill be dismissed and that he pay the costs for which fifa may issue against him and his security.

B. R. Doss and others vs Sarah Joss

In this cause it is ordered by the court that the Clerk and Master of this court in connection with Wilson Y. Adams the county surveyor and Eligha Hoark be appointed commissioners to make division of the lands that was _____ to Berry R. Doss and James A. Doss in said deed marked Exhibit A in the above named cause and the title papers & described by the bill of complainants and said lands be- C. It is ordered that said commissioners of said lands be- tween said Berry R. Doss and the heirs and legatees of said James A. Doss and report at the next term of this court, it is further ordered by the court that judgement for confessed be taken against the non resident defendants to wit: Emily Adams, Thomas Adams, Isaac Adams & Mary Adams and the cause set for hearing exparte as to them. It appearing that pub- lication had been regularly made as to said non residents P 381. It is further ordered by the court that Pier, Secg. an attor- ney in this court be appointed to defend for the minors in said cause to wit: Nancy Adams & Sarah Adams and he the said Pier is likewise appointed Guardian ad litem to answer the said minors he being in court and _____ (?) said appointment It is further ordered that all the defendants be allowed in the above named case until the 2nd rule day to file their answer so as not to delay the hearing.

Richard Freeman & others vs Benjamin Driver and others

Be it remembered that the above named cause came on to be heard on this 8th day of Feb'y 1859 before the Honorable B. L. Ridley Chancellor presiding at Lafayette Macon County and it appearing to the satisfaction of the court from the proof taken in the reference in this cause that owing to the small quantity of said land there being only about one hundred acres and the number of the heirs that the same could not be advantageously partitioned and that the same could not be rented for but little and that it would cost a great deal to keep the same in proper condition and that it would be manifestly to the heirs and distributees that the same should be sold for for distribution. It further appeared to the court from proof that five dollars per acre would be a fair minimum price for said land and it further appeared to the the court that the conveyance made to Naomy Driver by E. G. Price operated only as a cloud upon the title of the deceased Jesse Driver and that said Naomy Driver had paid P 382. the redemption money to wit five dollars to said E. G. Price as shown in said conveyance and it further appears that the indebtedness as set forth in a deed of trust made and executed by said Naomy Driver to said lands for the benefit of Hensley Smith bearing date 6th day of _____ 18____ to secure him cer- tain indebtedness or certain debts that said Naomy Driver was due said Hensley Smith Naomy Driver was due said Hensley Smith, it further appeared to the court that said Naomy Driver was the full widow of said Jesse Driver and that she is now dead and that the indebtedness as set forth in said trust deed are the debts of the said Jesse Driver deceased and that he justly owed the same and it further appears that said deceased widow Naomy Driver had agreed to pay and had assumed the same as the debts of her deceased husband it further appears that said debts aforesaid are now about \$249.00 with interest

from the 6th day of August 1855. It further appears to the court that said Jesse Drivers Estate is Justly indebted in said amount to complainant Hensley Smith and that the parties are all properly before the court and said proof taken in pursuance to said order is in all things unexcepted to and therefore confirmed. It is therefore ordered adjudged and decreed by the court mentioned in the bill answer and the proof after giving legal notice be sold on credit of one and two years the purchaser giving bond and security and the same not to be sold for a less some than five dollars per acre that being the minimum price fixed on the land that the same be sold for distribution amongst said heirs and first the debt of said Hensley Smith of \$249.00 and interest be paid out of said fund except what may be paid in cash to defray expenses. It is further decreed by the court that said convey- P 383. ance made by E. G. Price to said Naomy Driver be declared null and void and of no effect and removed as a cloud from the title of the said Jesse Driver and the five dollars paid to the said E. G. Price by said Naomy Driver be paid to the Administrator of said Naomy Driver with interest. It is ordered that the Clerk and Master sell said lands and report at the next term of this court and that the sum of seventy five dollars be paid down by the purchaser to defray the necessary cost and solicitor fee

Barber & Caram? vs William Robinson and others

In this cause the defendants having filed their demur- rer to complainants bill and the same being argued and fully understood by the court, it is ordered that said demurrer be over ruled and the defendants permitted to file their an- swer.

N. J. Cass vs Moses York and Aaron York

Be it remembered that the above named cause came on for final hearing on this 8th day of February 1859 before the honorable B. L. Ridley Chancellor presiding at Lafayette Macon County Tennessee. It appearing to the satisfaction of the court that the above named cause has been heretofore compromised and said compromise being reduced to writing and now on file. It is therefore ordered adjudged and decreed by the court that said compromise be entered as the decree of the court which is as follows to wit.

P 384. N. J. Cass vs Aaron & Moses York original bill filed the 30th day of December 1857 & N. J. Cass vs Moses & Aaron York amended bill in the first named cause filed 20. of March 1859 and N. J. Cass vs Moses & Aaron York & John M. Ferguson filed 13th day of March 1858.

This compromise is in the above named cases between complainant Cass and defendant Moses York (to wit) the said Moses York agrees to settle one third part of the claims paid for John Bakle to Christia Bakle as mentioned in the papers in the cause said York agrees to settle said third part afore- said and said Moses & Aaron and said Cass agrees to hold judgement over against John Bakle jointly as security, said Moses York agrees to dismiss the judgement obtained by motion on the 17th day of November 1857 by said Moses & Aaron York in the circuit court of Macon County on the day and date

aforesaid being the same enjoined by the above named Injunction Bill and likewise agrees to pay all the costs in the above named causes in Chancery of N. J. Gass against Moses & Aaron York in the said three causes and further agrees that said Gass may have Judgement against him the said Moses York for \$59.33cts and said Gass agrees to take said Moses York's note for the above named amount which is done and this Judgement stands settled by note so fair as the \$59.55cts is concerned and the above compromise is a final settlement of all the matters of all demand and description up to this day and date in witness whereof we set out hands and seals

Moses York
N. J. Gass

And it further appears that the aforesaid above named has been settled between Aaron York and said N. J. Gass it is therefore ordered adjudged and decreed by the court that Moses York pay all the costs.

P 385, "In the above named causes as set forth in said compromise and it stands as the final Judgement of this court for which costs execution may issue and likewise said Judgement in the Circuit court obtained by said Moses & Aaron York against N. J. Gass be perpetually enjoined and that an order issue.

Daniel C. Claiborne vs Joseph & Carroll Billard & Jeremiah Jamison

Be it remembered that this cause came on for further hearing before Chancellor Ridley on the 8th day of February 1859 upon the petition and supplemental bill of complainant praying for a rehearing of this cause which Bill being sworn to and for the causes and matters therein set forth the court thinks proper to set aside the decree pronounced at this time of the court and orders that this cause be reheard and complainant permitted to file the said supplemental bill upon the complainant Daniel Claiborne paying all the costs which has accrued in said cause. It is further ordered that defendants answer said supplemental bill by the 1st Monday in April next and complainants have leave to take the deposition or have answered the interrogatories of William J. Gass of Billard of Wilson of Wilson V. McFarlin and Landy - Hockmake between this and next term and have leave to take proof upon the subject of solvency of Defendants Billards out side of the land the defendant a Billards are enjoined from selling or conveying said land conveyed to them and from committing waste on said tract defendants have leave to take rebutting proof. The defendants except to the order of the court as above.

P 386, Eli B. Morris Administrator Debonas Non of William Morris dead. vs John C. Marshall Administrator of J. B. Short dead.

Be it remembered that this cause came on for hearing on the 8th day of February 1859 before the Hon. B. L. Ridley Chancellor & C and it appearing to the satisfaction of the court that since the last term of this court that John C. Marshall has resigned his administratorship Debonas Non and it further appearing to the court from the proof in the cause that the above named cause is a proper case for an account? It is therefore ordered by the court that this cause be re-filed to the Clerk to take and state an account looking to the proof hereofers taken and any other that either of the

parties desire to take giving said Estate credits for all money legally expended or paid over by said aforesaid administrator to any one and charging said Administrator with whatever amount said estate may be due the Estate of William Morris and report to the next term of this court. It is further ordered that this cause be reheard in the name of and against Mathew N. Alexander Administrator as aforesaid the parties being before the court and consenting to the same and this suit be prosecuted no further against said John C. Marshall.

Benjamin F. Townson vs Isaac N. Livingston and John H. Seagraves

It appearing to the court that the paper in this cause have been lost or mislaid. It is therefore ordered that this cause be continued until the next term of this court and if said papers are not found by the 3rd Monday P 387, in March next the parties may proceed to replace them in manner pointed out by law so as not to delay the hearing of said cause at the next term.

W. B. Moren vs The Hirs of Tolard Whitlay dead (O. B.)

The defendants having filed to take proof under the order here made at last term. It is now ordered that the decree made at last term be served & debts pay all cost & that execution issue.

Peter A. Wilkinson having received the appointment of Deputy Clerk & Master of the Chancery court at Lafayette Macon County Tennessee and having appeared in open court & took an oath to support the constitution of the United States the constitution of the State of Tennessee & also an oath office. It is ordered that he may enter upon the discharge of the duties of said office.

On motion of I. L. Ridley (to) (?) the affidavit of W. H. Seagraves impeaching the Clerk & Master & also that made by Nathan J. Gass of (?) and the Chancellor was pleased to adjourn to the next regular Term. B. Ridley

(Page not numbered) State of Tennessee

Be it remembered that on this day being the 2nd Monday in July 1859 and the 11th day of said month and the time appointed by law for holding the Chancery court at Lafayette for the county of Macon in the 4th division of the state aforesaid, the Honorable Bromfield L. Ridley appeared in the court house Took his seat and ordered the sheriff to open Court when and where the following proceedings were the following proceeding.

P 388, July Term 1859

Lafayette State of Tennessee July the 11th day 1859

Be it remembered that on Monday the 11th day of July 1859. Being the time appointed by law for holding the Chancery court at Lafayette; the same being the second Monday in said month. The Honorable Bromfield L. Ridley Chancellor for the 4th division of the state of Tennessee appeared in the court house; Took his seat ordered the sheriff to open

211
court and proceed to the dispatch of public business,
when and where the following proceedings were had and held
to wit.

Willis Dean vs Pilate Dean.

This cause is continued until the next term of this
court by consent of both parties.

Daniel D. Claiborne vs Joseph & Carroll Dillard.

This cause is continued as on affidavit of complain-
ant; with leave to take proof on both sides and cause re-
manded to the rules to take proof Generally by both parties

John M. Fergusson vs Christian Eakle (Inj. Bill & John
Eakle vs Christian Eakle - Cross Bill

P 389. Be it remembered that this cause came on to be heard
on this 11th day of July 1859 before his Honor Chancel-
lor Ridley upon the allegations in complainants Fergusson
Bill and the answer of defendant there to also upon the
allegations of complainants John Eakle's Cross Bill and de-
fendant's answer thereto and proof in the cause when it
appeared to the court that all the Equity in both bills are
fully met and denied by the answer of defendant Christian Eakle
and the proof does not sustain the allegations in the Bill
or Cross Bill. It is therefore ordered adjudged and decreed
by the court that the Bill of Fergusson be dismissed at his
own cost and the cost of John Eakle and that the Injunction
be dissolved and defendant Eakle allowed to proceed to col-
lect his debt enjoining and that Execution issue for costs
of suit.

W. C. Griffith vs A. P. Griffith et als

This cause is dismissed at complt. cost for which
Fifa Issue.

Jo. C. Guild vs C. W. Hughes & M. N. Alexander

This cause is compromised and defendant C. W. Hughes
pay the costs for which Fi Fa Issue.

Thomas J. Flippin vs Joel Chitwood (Affirm & Inj Bill

It is ordered that this cause be continued until next
Term of this court & the _____ will make his report to
next Term.

Bradley et als vs Joel Blankinship & Cook

In this case the defendant Blankinship has leave to
withdraw all deeds filed by him in said cause.

Martha Ann Step et als vs Bennett Wright et als

In this cause the same is ordered by the court to be
dismissed at complainants cost.

P 390. Alfred A. Brevard vs Michael Duffy et als

I. L. Roark admr. of J. Uhis vs P. Duffy

This cause is continued by consent of the parties and
all the slaves mentioned in the pleadings are placed in the
care of Clerk of this court to rise a discretionary power in
the hiring or letting out said slaves, as he may deem best

212
for the security of said slaves, and the interest of the
parties.

Charles G. Jones vs Stephen M. Jones et als

This cause is ordered to be remanded to the rules,
and continued until the next Term of this court.

William Barber & A. Corum vs William Robinson et als

Be it remembered that this cause came on to be heard
on this 11th day of July 1859 before Chancellor Ridley where
it was ordered by the court that the Bill be dismissed and
the Injunction dissolved and that complainants pay the costs
of suit except the Deposition taken by defts. to be paid
by them for which Fifa may issue.

Joseph Cook vs G. P. & Henry Smith

Be it remembered that this cause came on to be heard
on this 11th day of July 1859 before Chancellor Ridley where
it was ordered by the court that the bill be dismissed and
that complainant pay the cost of suit except the cost of
the depositions taken the cause which is _____ Defendants
Henry Smith for all of which Fifa may issue.

P 391. James Halliburton vs M. N. Alexander administrator of J. B.
Short Decd.

Be it remembered that this cause came on for hearing
upon this 11th day of July 1859 before Chancellor Ridley
upon the carrying in of the report of the Clerk & Master up-
on the matters of account referred at the last term of this
court and the said report being unexcepted to is in all things
confirmed and it appeared to the satisfaction of the court
that from said report that J. B. Short Decd. as Executor of
the Estate of Abram Parker Decd. was due said Estate in the
sum of \$889.42cts. It is therefore ordered and decreed by
the court that the complainant James Halliburton Executor of
Abram Parker Decd. recover of M. N. Alexander adminis-
trator of J. B. Short the said sum of eight hundred and
eighty nine dollars and forty two cents and costs of suit
for which Fifa may issue said amount and costs to be paid
out of the funds of the estate of M. N. Short Decd in the
hands of said administrator.

Richard Freeman et als vs Ben Driver et als

It is ordered by the court that the Clerk take Proof
report as to what should be allowed to _____ I. L. Roark
as a fee for his services in the above named case as Solici-
tor & report & likewise what would be a reasonable fee for
A. J. Roark solicitor for the minor defendants & _____

John M. Fergusson vs John & Christian Eakle (Original Bill

Be it remembered that this cause came on to be heard
on this 11th day of July 1859 before the Honorable B. L.
Ridley Chancellor & C where it was ordered by the court that
the bill be dismissed and the complainant pay the cost for
which Fifa issue.

P 392. John Eekle vs Christian Eekle (Cross Bill

Be it remembered that this cause came on to be heard before Chancellor Ridley on this 11th day of July 1859 where it was ordered by the court that said cross bill be dismissed and that the complainant in said cross bill pay the cost for which five may issue.

311 E. Morris Administrator de bonis non of the estate of William Morris Deed, vs M. N. Alexander Administrator de bonis non of J. B. Short Deed.

Be it remembered that this cause came on to be heard before Chancellor Ridley on this 11th day of July 1859 upon the coming in of the report of the Clerk & Master upon the matters of account referred at the last term of this court and said report being unexcepted to is in all things confirmed and it appearing to the satisfaction of the court from said report that said J. B. Short was indebted to the Estate of William Morris Deed as Administrator of said Estate in the sum of \$82.65cts it is therefore decreed by the court that the said Plaintiff E. Morris recover of the said M. N. Alexander Admr. & C the said sum of Eighty two dollars & sixty five cents with costs of suit for which five may issue said amount & costs to be paid out of the funds of said Estate in the hands of said Administrator.

Richard Freeman et als vs Benjamin Driver et als Interlocutory decree

Be it remembered that this cause came on to be heard on this the 11th day of July 1859 before the Hon. B. L. Ridley Chancellor & C presiding at Lafayette for final adjudication whereupon it appearing to the satisfaction of the court that the commissioner proceeded to sell the

P 393. lands as mentioned in the pleadings pursuant to an interlocutory decree rendered at the last term of this court decreeing said lands to be sold which was done by said commissioner and reported said sales to this term of the court which report is in the words and figures, following the Clerk reports that pursuant to a decree of the Hon. Chancery court of Macon county at the February 1859 after duly advertising the land mentioned in the pleadings containing one hundred and three and one fourth acres he proceeded to sell the same upon the premises on the 2nd day of April 1859 when Nathaniel Law became the purchaser at the price of seven hundred and ten dollars and thirty five cents he being the highest and best bidder at that price whereupon the said Nathaniel Law paid seventy five dollars in cash and executed his two notes with good and sufficient securities one note for three hundred and seventeen dollars & 67 cents due the 2nd day of April 1860 and the other note for three hundred and seventeen dollars & 67 cents due the 2nd day of April 1861 with lien retained upon the land for the purchase money all of which is most respectfully submitted this 9th July 1859.

John Clisborne Clerk & Master
It is thereupon ordered adjudged and decreed by the court that all the right title and interest whatever to said lands be divested out of the said heirs of Jesse Driver deceased and be vested in the purchaser Nathaniel Law and his heirs or assigns for ever only a lien being retained on said lands

to secure the purchase money and that the cost of this proceeding be paid out of any money that may be in the hands of said commissioner or that may come into his hands and that solicitor L. L. Roark from the report of Clerk & Master be allowed a fee of \$35.00 dollars for his services in said cause to be taxed in the bill of cost and paid accordingly and it is further ordered that A. J. Roark solicitor for the infant defendants in this cause be allowed a fee \$10.00 dollars for his services in said cause to be taxed in the bill of cost.

P 394. John M. Fergusson vs Christian & John Eakle (Inj. Bill & John Eakle vs Christian Eakle Admr. & C. Cross Bill)

Be it remembered that the above cause came on to be heard on this 11th day of July 1859 before his Hon. Chancellor Ridley upon the allegations in complainant Fergusson Bill and the answer of Defendants, thereto also upon the allegations of complainant John Eakle's Cross Bill and defendant's answer thereto and proof in the cause when it appeared to the court that all the equity in both Bills are fully met and denied by the answer of defendant Christian Eakle and the proof does not sustain the allegation in the Bill or cross bill. It is therefore ordered adjudged and decreed by the court that the bill of Fergusson be dismissed at the cost of John Eakle and that the injunction be dissolved and defendant Eakle allowed to proceed to collect his debt enjoined and that Execution issue for the cost

Alexander Fergusson's Heirs

On motion of the heirs leave is given to examine the report of off the commissioner until next Term for which cause purpose the cause is continued.

The Court adjourned until tomorrow morning 8 o'clock
Bromfield Ridley

Tuesday morning 17th July 1859 court met pursuant to adjournment, present the Hon. B. L. Ridley Chancellor & C.

P 395. Solomon A. Adams, Almira J. Adams, Thomas H. Ayers & Rachel Ayers vs John N. Carr, James J. Carr & Huston Carr

Be it remembered that this cause came on to be heard on this the 11th day of July 1859 before Chancellor Ridley in the presence of solicitors on both sides upon bill answer exhibits & proof when it appeared to the court that Madison B. Alexander departed this life in June 1850 possessed of some real property and a tract of Two hundred and five acres of land in Macon County Tennessee in district No. 12 on the middle fork of Goose Creek bounded by the land of James D. Carr, Jesse P. Adams & Elisha Oglesby that he left only two children the complt. Almira J. and Rachel afterwards married with the other complainant, that James D. soon after the death of Madison B. Alexander qualified as his administrator. That afterwards on the 15th day of November 1850 he as the next friend of Almira J. & Rachel Alexander who were minors minors? filed a petition in the circuit court of Macon county praying for a sale of said lands for partition and procured an order for the sale of the same at the same term of the court at which he filed said

petition without the knowledge of the minors. It further appeared to the court that said lands were susceptible of partition at the time and that it was not to the interest of said minors that the same should be sold but that the said deft. James D. Carr with a view of becoming the purchaser and throwing said land upon the market without the knowledge or consent of said minors filed said petition & procured said sale, that he bid for the land himself and finally John A. Carr his son became the purchaser and afterwards James D. Carr the next friend paid \$400. of the purchase money and they & deft. Houston went in possession and have continued to cultivate said land. The Court is of opinion that said sale was not fairly and properly procured with a view to the interest of said minors that the same is irregular and void that the next friend participated in said sale and purchase. It is therefore ordered adjudged and decreed by the court that the title to said land be divested out of the defendants and vested in complainants in the same manner that it was before said circuit court sale was made that complainant refund to defendants the amount they paid with interest and 6 per cent per annum that defendant pay reasonable rents for said lands and have a credit for permanent & valuable improvements not exceeding the rents the questions are referred to the Clerk & Master who will take proof and report as to the rents & improvements and the amount debts paid for said land & writ of possession will issue to place complainant in possession of said land all questions not adjudicated are reserved from which decrees the debts pray an appeal to the next Term of the supreme court at this state to be held in the city of Nashville which to them is granted upon their giving bond and security according to law.

P 396, Ivey, Morgan & Co. vs R. W. Newby, Joel Chitwood
Be it remembered that this cause came on for hearing before Chancellor Ridley upon the 12th day of July 1859 upon the 12th day of July 1859 upon the pleadings and proof in the cause, whereon it satisfactorily appeared to the court that Joel Chitwood executed his note to complainant for goods purchased of them upon the 2d. of Octr. 1857 for \$1003. 30cts due 6 months after date and that said goods were brought to the R d Springs in Macon county and the defendant Chitwood became embarrassed and handed over to complainants some debts, accounts and claims as collateral security for the payment of what was due complainant, most of which were indolent. It further appears that the said Chitwood received into said store R. W. Newby as a partner and failing to collect the entire debts off of said claims. The complainants on the 13th day of July 1857 filed their Bill in the Chancery Court of Macon attaching the interest of said Chitwood in the said store, the goods, books, accounts, notes, & debts due the firm and that the sheriff upon the 15th day of July 1857 went to said store in Macon with the attachment aforesaid and showed the same to Defendant Newby and who knew the contents and that said attachment was levied by the sheriff on the 13th July 1857 upon said interest in said store, and afterwards the said Newby with a knowledge as aforesaid and with a view of defeating the said attachment purchased of said Chitwood

P 397,

his interest in said store & C and agreed that his interest was worth \$1000. and that he would pay him that for it and which \$1000. was afterwards attached by complainant.

The court is of opinion and so decrees that the defendant Newby by his action aforesaid and the taking said goods & interest and appropriating them to the complainants for the balance of the debt, of complaint after the same being credited with the amount collected upon said claims handed over to complainants as collateral security as aforesaid. But because it does not appear what was collected or should have been collected of said claims and what is the precise amount of complaint debt against said Chitwood the same is referred to the Clerk who will take an account and report the same to the next term and for the balance due complainants thence shall be a decree rendered against the said Newby. It is further decreed that defendants pay the costs of this suit & if it issue.

I. S. Beckr Admr. of Jacob Ellis, decd. vs Patrick Duffy
In this cause leave is given to Plaintiff until the 2nd. rule day to answer so as not to delay the hearing of the cause.

P 398, William P. Hotgood vs Malin & J. Miller et als (Interlocutory decree

Be it remembered that this cause came on to be heard on the 11th July 1859 before Chancellor Ridley and it appearing to the court that deft. Martin V. Miller, Sarah E. Miller & Polixana Miller are wards without Guardians and that they have been served with process in this cause and it further appearing that the deft. James W. Wayne is a minor and has been served with process. It is thereon ordered and decreed by the Court that John M. Luster be appointed Guardian Adlitem for all the said minors who appeared in court and accepted for them.

The cause coming on for further hearing and it appearing that the defts. Matilda H. Miller, William J. Marshall and wife Lucinda L. and Rebecca Hotgood have been served with process and have failed to plead answer or demur to said Bill the second day of the Term and the last day of the same. It is thereon ordered and decreed by the court that the said Bill be taken for confessed as to said defendants and set down for hearing & argument as to them.

William Smothers vs Edmund Smothers (Decree

This cause was heard July the 13th 1859. It being the 2nd. and last day of the Term before the Honorable Chancellor Ridley and it appearing to the court that the defendant Edmund Smothers is a non resident of the State of Tennessee and that publication has been made for him in the Examiner a paper published at Gallatin for four consecutive weeks to appear at this Term of the court at Lafayette to and plead answer or demur to complainants Bill of the same would be taken for confessed as to him and the said defts. not having made his appearance the being the last day of the Term. It is thereon ordered and decreed by the court that the said Bill be taken for confessed as to said Edmund Smothers and set down for hearing as to him.

Nathan J. Gass vs John M. Fergusson (Final Decree

Be it remembered that this cause came on to be heard on this 12th day of July 1859 before his honor B. L. Ridley Chancellor & C in the presence of Jols. on both sides upon the report of the Clerk & Master of this court made in pursuance of an interlocutory decree herein pronounced at a former term & exceptions taken thereto by defendant when? it appeared to the court that on the 17th day of November 1857 defendant recovered a judgement in the circuit court of Macon County Tennessee against complainant for the sum of one hundred and thirty four dollars & 48 cts & Two dollars & 15 cents cost, that the same with interest to this day amounts to the sum of one hundred & forty seven dollars & 92 cents. (2) Two dollars & 15 cents cost that comprit. purchased from F. L. Subanks? a note on John M. Fergusson for fourteen dollars & 53 cents dated 26th January 1856 due one day after date and another note from same for fifteen dollars & 74 cents due one day after date & dated January 2nd 1857 both of which notes with interest to this day amounts to the sum of thirty five dollars & 68 cents which should be credited on said Judgement in favor of deft. leaving a balance due Gass upon said judgement of one hundred and Twelve dollars & 24 cents besides the cost, Two dollars & 15 making in all due deft. from comprit. one hundred & fourteen dollars & 39 cents upon a full & final settlement of the dealing & contracts between comprit. & deft. up to the time of filing comprit. bill in this case all the exceptions to the master's Report taken by defendant are sustained. It is therefore adjudged and decreed by the court the deft. recover of complainant J. L. Subanks his security in the judgment bond said sum of one hundred & fourteen dollars & 39 cents and that execution may issue to collect the same. It is further decreed that each party pay their own cost & that Jo. C. Guild & William H. Bates his solicitors in this case shall have a lien on the judgement in his favor for their fees as follows to Jo. C. Guild for thirty dollars & William H. Bates for thirty dollars as he is poor & unable to otherwise pay them for their services which lien is by consent delivered in favor of said Guild & Bates. It appearing that the deft. (2) off some land conveyed by Gass to Price in trust & that as between Gass & Fergusson the same land being adjusted before the filing of the bill in this case by consent. The deft. is enjoined from setting up title to said land.

Martha An Step & als vs Bennett Wright et als (Inq. Bill

Be it remembered that this cause came on to be heard on this 12th day of July 1859 upon bill answer & proof in presence of solicitors on both sides when it appeared that all the equity set up in the bill was fully met & denied by the same. (2) & there is no proof to sustain the bill it is therefore decreed that the bill be dismissed and that complainants pay all cost herein & that complainants pay all cost herein & that execution issue. It is further ordered that the suit at law be dismissed at the cost of plaintiff the suit enjoined in this case.

It is ordered by the court that solicitor I. L. Hoark have

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leave to take proof before the Clerk what his fees as solicitor for the heirs of James A. Doss shall be. (2)

B. R. Doss admr. vs Sally Doss et als (Final Decree

Be it remembered that this cause came on for final hearing on this 12th day of July 1859 before the Hon. B. L. Ridley Chancellor whereupon it appeared to the satisfaction of the court from the report of the commissioners heretofore appointed at the last Term of this court and ordered to make division of a part of the land mentioned in the pleadings to wit that part deeded to said Berry L. Doss & James by William Hoark which said commissioners proceeded to do & reported, which report is unexcepted to it is in all things confirmed by the court which report is in P 401, the following words & figures to wit: "We the commissioners appointed by the Honorable Chancery Court to make a survey & division of the lands belonging to the heirs of James A. Doss & C make the following report to wit: Exhibit A. The Deed from William Hoark to Berry R. Doss and James A. Doss (enclosed in the annexed plat by said lines) containing 107 acres 1 Rod & 28 poles, was here divided as shown in dotted lines to wit: the portion to Berry L. Doss beginning at a Sugar tree at the Spring Branch on the Bank of Punchedown Camp Creek running N 50 poles to a dogwood & Dead chestnut thence South 93 poles to a stake & pointer; thence S 67 poles to a Hickory & White oak; thence N 70 poles to a beech; thence N 66 poles to a stake & beech pointers; thence N 80° W 8 poles to chestnut Hoarks corner; thence N 17 poles to a stake in the Branch; thence down the Branch S 70° W 30 poles to the Creek; thence up the creek S 35° W 20 Poles; thence S 60° W 60 poles to the beginning containing 54 acres 1 Rod & 34 poles.

It further appearing to the court that all the Parties are properly before the court either in person or by their answer of their Guardian ad litem agreeing to said division it is therefore adjudged and decreed by the court that all the right title and interest of the heirs of James A. Doss deceased, had in and to said land given to said Berry R. Doss his heirs and assigns forever and that the costs of this proceeding _____ Y and that a copy of this proceedings issue for registration.

P 402, Berry R. Doss et als vs Sally Doss et als (Interlocutory Decree

Be it remembered that this cause came on for hearing before the Hon. Judge Ridley presiding on the 12th day of July 1859 and it appearing to the court that all the proper parties are regularly before the court and upon the Bill and answers and the proof in the cause and the commissioners Report as to the propriety of selling & C. It appears from said Report that the lands mentioned in the pleadings from said land could not be advantageously divided among the said heirs and that it would be manifestly to the interest of the said heirs that the same be sold for distribution among the said heirs & it appears to the court that \$4. is the minimum price. It further appears to the court that Sally Doss the widow of James A. Doss deceased has relinquished all her claims to power in and to said land on condition of being

allowed a child's part in money. It is therefore ordered adjudged and decreed that by the court that the Clerk of this court be appointed commissioner to sell said lands after giving the notice required by law (publication in the papers being waived) exposed to public sale to the highest bidder on a credit of one and two years except the sum of \$1.00 to be paid in money at the time of sale the purchaser required to give bond and good security with alien retained upon the land for the purchase money. But not to sell for less than the minimum Price \$4.00 & the Clerk to report to the next term of this court.

John Makle vs Nathan J. Cass et al

In this cause it is ordered by the court that defendants be allowed until the 2nd Rule day to file their answers.

P 403, M. N. Alexander vs John Satterfield & Peter Ames (Motion)

In this cause it appears from the records of this court that complainant Alexander has been compelled as security for defendants on a prosecution bond to pay the sum of thirty seven dollars and 90 cents. And it also appears that the said Peter Ames has died leaving no administrator nor any property or estate of any kind. It is thereupon ordered by the court that the said M. N. Alexander recover of the said John Satterfield the said sum of thirty seven dollars & 90 cents together with interest from the time the same was paid for which file issue.

B. F. Lawson vs J. N. Livingston & John N. Seagraves

It appears that (1) this (2) an account (3) of the partnership (4) in the pleadings (5) the (6) take proof & report the condition of said partnership and the liabilities of each of the parties to each other receiving all other question (7) the (8) of the report. The (9) may examine either party (10) by the others on oath

Thomas Wright vs (1) others

This cause continued till next term with leave to take proof on both sides.

H. S. Young vs J. T. Mills & Martha A. Robertson (Bill & B. W. & L. G. Mills vs J. T. Mills & H. S. Young (deceit Bill

Be it remembered that this cause came on to be heard & was heard July 12th 1899 before Chancellor Ridley upon the report of the commissioners & exceptions thereto by the admr. of John Mills decd. which said report is on file which being seen & understood by the court.

P 404, Ball & Cunningham vs W. Roper Jr. & Henry & W. Martin Rupatrick Evans & Co. vs Roper & others & A. J. Duncan & Co. vs Cook Bailey & Co. vs others

Be it remembered that these causes being heard together before Chancellor Ridley on the 12th of July 1897 upon Bill & answer & replication whereon it

satisfactorily appeared to the court that the Deft. J. Y. Roper upon the 27th of April 1898 purchased the land and negroes and (1) the (2) of L. W. Martin mentioned in the pleadings and which was registered in the county of Marion where the (3) to (4) on the 27th April 1898 and the complete failing by proof to (5) any facts or circumstances of (6) to avoid said conveyance and the Deft. having denied by the answer the (7) and all the (8) set up in complete Bills.

It is therefore decreed by the court that the complete Bills be dismissed with costs and that file issue therefore (9) the complete. and their securities (10) (11) the (12) of (13) from which (14) decrees the complete. pray an appeal to the next term of the Supreme Court which (15) on 1st Monday in Decr. next and (16) Turner, Fite, Alexander with the complete. (17) to bond & security for costs.

S. P. Payne vs K. Averett et al

This cause is dismissed and the costs will be paid equally by each for which file issue.

T. Harris Goodall et al vs James vs others

In this cause the debt is permitted to withdraw any papers filed by him.

P 405, H. S. Young vs Jas. T. Mills & Martha Robertson (Bill & B. W. & L. G. Mills vs Jas. T. Mills & H. S. Young (deceit Bill

Be it remembered that this cause came on to be heard & was heard this 12th day of July 1899 before Chancellor Ridley upon the report of the commissioners & exceptions thereto by the admr. of John Mills decd. which being seen & understood by the court is in all things confirmed except the amount found against the admr. of John Mills decd. in favor of James T. Mills which amount is \$96. 16/100 instead of five hundred & thirty seven dollars & 97 cents the exceptions being sustained. It is thereon ordered adjudged & decreed by the court that James T. Mills recover of the admrs. B. W. & L. G. Mills the sum of four hundred dollars ninety six dollars 16/100 with interest from July 12th 1899 the same being sustained by deed upon his wife & children. It is further ordered & decreed that H. S. Young recover of Jas. T. Mills & Martha A. Robertson the sum of Two hundred & Twenty four dollars & 94 cents in this cause it appearing that there is no trustee under the deed of James T. Mills to F. A. Wilkerson for the benefit of his wife & children & that the parties are desirous of having the amount coming from the Mills' estate vested in a piece of Land and it appearing that the Clerk & Master is a suitable person to purchase the same, it is thereon ordered & decreed by the court that John Claiborne will proceed to purchase said land if possible the sum to be paid for the not to execute the amount coming from the admrs. to James T. Mills the Clerk if he makes said purchase will take the title of said bond to Mrs. Mills & her children according to the terms of the deed made by Mills to Wilkerson the purchase to be subject to confirmation by this court, the

owner will pay over to said John Claiborne the amount of money due by them to James T. Mills & if he purchases the land the money to be paid over on it the cost of this proceeding will be paid by Martha A. Robertson & H. S. Young each paying half. It further appearing from said Report that out of the money paid by Young that \$104 was applied to the payment of the debts of said Mills before the 18th March 1856 & \$175. was applied for necessaries to support his family.

P 406,

July Term 1859

Making with interest to this time the sum of \$303. 84/100 and for which Young is entitled to a decree to be paid him and of the (?) fund in the (?) of the admr. of John Mills and as to the said sum of \$224. 94/100 the balance due said Young, he shall have a decree against the said Mills & Martha A. Robertson from the order against Martha A. Robertson for \$224. 94/100 in favor of H. S. Young. The said Martha A. Robertson pray an appeal to the next Term of the supreme court to be held at Nashville commencing first Monday in December next which said appeal is granted upon her giving bond & security according to law. She is to have until the said Rule day to give bond & security.

And then the Chancellor was pleased to adjourn to the next regular Term.

Wiley Chancellor