

The last will and testament of Isiah Ellsworth dec'd was this day proved by the oaths of Thomas S. Worsell and Samuel Trish the subscribing witnesses thereto, and thereupon ordered to be recorded, and on the motion of Hanson P. Pope one of the executors therein named who made oath (and together with Ben. E. Pope & George C. Pope his securities, entered into and acknowledged abroad in the penalty of five thousand dollars conditioned according to Law, a probate is granted him for obtaining a probate of the said will in due form. Liberty being reserved to the other executor therein named to join in the said probate when he shall think fit.

On the Petition of John Taylor a descendant of a female of the Nottoway tribe of Indians. This day this cause came on to be heard in the petition of John Taylor, and it ^{appearing} to the Court that the said trustees of the Nottoway tribe of Indians have been summoned according to Law, and have failed to show cause why the prayer of the petitioner should not be granted, the Court doth adjudge, order and decree that James W. Parker who is hereby appointed a special commissioner for that purpose shall ascertain the interest of the said John Taylor both in the real and personal estate held in common by the Nottoway tribe of Indians and report the same to Court.

Dixon Bass who has been committed to the jail of this County for failing to give a recognizance with security to keep the peace, upon the complaint of Benjamin C. Walker, this day moved the Court to discharge him from confinement in said jail. Whereupon the attorney for the Commonwealth and the said Bass by his attorney being fully heard and the evidence adduced being considered, it is ordered that the said Bass be discharged from imprisonment.

On the application of H. Cleaveland to open a new road from Franklin to South Quay bridge. It is ordered that James Holmes, Jordan Edwards, Joseph E. Gillette and Richard Barrett, do view the way proposed for opening said road, and report to Court the conveniences and inconveniences that will result as well to individuals as to the public if such road shall be so proposed, and especially whether any yard, garden, orchard or any part thereof will in such case have to be taken.

Prosdick Boyt is appointed Surveyor of the road from the Forks of road at Parker's to Manning T. Smith's ferry in the room of Manning T. Smith deceased, and it is ordered that the usual hands do work thereon.

It is ordered that the Court be adjourned till the first day of the next term.

P. J. Devany pro.