

James Harris & others
against

Our Honor Court of Benjamin Turner & others
This cause is continued till the next Term

Deft
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Deft

Ordered that the Court be adjourned till tomorrow morning ten o'clock.

Rich^d H. Baker

Wednesday, April the 3.^d 1839

Present

The Honble. Richard H. Baker Judge.

James Turner James Deft. Southard & Warham and William D Phillips Deft.
against

Stephen Burdough Surrogate administrator of Nathaniel Rockelle dec^d
Benjamin Devery Sheriff of Southampton County to whom the order of
William L Rockelle dec^d was committed, Frances Rockelle, and William,
John, Mary and Matthew Rockelle infants by Lillian R Ed-
wards their guardian ad litem

Deft.

This cause came on this day to be again heard, in the papers formerly read and the report of Commissioner Webb, together with the special statement marked, A, made in pursuance to the order of the 19th December 1838, to which no exception has been filed and was argued by Counsel. On consideration whereof, the Court confirming the said report and statement, doth adjudge, decree and order that the said Webb, after having given notice of the time and place of sale for at least thirty days, by advertisement posted at the door of the Court house of this County and at some public place nearest to the premises and also by advertisement to be inserted in one of the newspapers published in the Town of Petersburg, till the highest bidder upon a credit of nine months (except for so much as will be required to defray the expenses of this suit and of the sale, which will be in cash) the lands in the County of Southampton whereof Nathaniel Rockelle dec^d seized as an estate of inheritance, being of the purchase money with approved security in such way as to enable him to comply with the terms of this decree and also taking a deed of Trust to secure the payment of the purchase money. That he first pay to John C. Mason One hundred and thirty one dollars and thirty five cents with interest on One hundred and twenty two dollars and eleven cents part thereof from the 15th day of June 1835 till paid, and that if the balance of the proceeds of the sale are found sufficient, the Commissioner will pay to John C. Turner the sum of three hundred and thirty five dollars and fifty one cents with interest thereon from the 15th day of June 1838 till paid. He Henry thousand twenty eight dollars twenty nine cents with interest on Twenty seven hundred and twelve cents part thereof from the 20th of October 1833 till paid, and to William D Phillips Two hundred and fifty seven dollars thirty six cents with interest from the 15th of May 1835 till paid - but if it be found that the fund is insufficient to pay the whole of the three last demands, then the Commissioner shall pay them pro rata. It is further ordered that the Commissioner bring the balance, if any, into Court subject to the further order of the Court - The Commissioner will make a deed to the purchaser without warranty and pay out of the sale the costs of this suit.