

the order of the Court. And the Court doth further adjudge, order and decree that Peter Edwards, Mark T. Pitt, A. A. Thomas and Nathaniel Sumner who are hereby appointed Commissioners for that purpose, and any two of whom may act, shall divide the following slaves belonging to the estate of Nathaniel Francis dec^d and those born of any of the female slaves named since the Commissioners report to wit: Henry, Maria, Nathaniel, Emanuel, George, Seth, Eldridge, Henry, Emma, Lucy, David, Amy and child, Figgins, Bridget, Andrew, Sarah, Bet, Annecia, and children, Violet, Bobe, and two children, Evadne, Washington, Frank, Charles, Jerry, and child and Henry (little) Ben and Bette considered separate. That the said Commissioners divide the abovesaid slaves and increase, if any, into eight equal shares in value, taking the Commissioners valuation thereof as a standard and allot one eighth an entire to Albert Francis the partinterested child and of the remaining seven eighths allot one eighth to William Francis, allot one eighth to John M. Francis, allot one eighth to Andrew Francis, one eighth to Elizabeth Francis, allot one eighth to Nathaniel Francis, allot one eighth to Martha Jane Francis and allot one eighth to John Eliza Francis. And that the said Commissioners make report to the Court in order to a final decree.

A. Attorney Extra of James Chalmon dec^d and John Hargrave }
 against

Joshua Proffon, Samuel B. Holmes, P. M. Bailey, William Stephenson, J. B. Bond, }
 Jas. H. Lane sen^r, Arthur Williamson dec^d, Timothy C. Atkinson, John Gentry, }
 dec^d

The original and amended bill of the Complainants having been taken for confessed at Rules and the defendants still failing to answer, this cause this day came on to be heard on the complainants bill, exhibits filed and examination of witnesses and was argued by Complainants Counsel. On consideration whereof the Court doth adjudge, order and decree that the following accounts be taken by a Commissioner of this Court:

1st an account of the property yet unsold conveyed by the deed of Trust in the proceedings mentioned bearing date on the 12th day of February 1847 executed by Joshua Proffon to Samuel B. Holmes trustee for the benefit of P. M. Bailey and others.

2nd an account of the amounts due on the complainants judgments and that of Timothy C. Atkinson against Joshua Proffon in the proceedings mentioned, constituting a lien on the property conveyed by said deed and of any other liens thereon with the respective order of the Court and make report thereof to Court with any matters deemed pertinent by himself or required by the parties to be stated. and the said Commissioner is hereby authorized, if required by any of the parties to do so, to summon before him any of the parties and examine him on oath touching the matters in controversy. The Commissioner shall give notice of the time and place of taking by advertisement once a week for four successive weeks in the Southern Argus, a newspaper published in the City of Norfolk and at the Court house door of Southampton County and such notice shall be equivalent to personal service of such notice on the parties and persons interested in having the same.

Martha B. Tyler who sues by Samuel B. Holmes her next friend }
 against

John M. Rockwell, James B. Rockwell, John M. Gentry, William B. Bonds, John Tyler, }
 James L. Litch and Martha Tyler infants by Samuel B. Holmes guardian ad litem and }
 Matthew Rockwell }
 dec^d

It appearing by satisfactory evidence to the Court that John Tyler Jr is an inhabitant of this State and against whom the plaintiff seems to have proceeded in the mode provided by