

Ck 12 62  
 Shff 4 50  
 Law 3P 15 75  
 Or<sup>s</sup> pub 5 80  
 § 37 87

have and he still failing to appear and answer the plaintiffs bill and amended bill as taken for confessions as to this defendant. and the amended bill of the plaintiff having been taken for confessions at the Rules against the defendants William B. Shands, Martha Rochelle, John M. Gurley, John W. Rochelle and James H. Rochelle and the cause coming on to be heard on the plaintiffs original bill and the exhibits filed therewith, the answers of the defendants John M. Gurley, and James H. Rochelle thereto, the amended bill and the answer of the infant defendants James Lititia and Martha Taylor by Samuel Kells their guardian ad litem thereto and depositions filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that William B. Shands who is appointed Special Commissioner for that purpose, shall after having given one months notice by public advertisement in some newspaper in the City of Norfolk and notice posted up at the door of the Courthouse of Southampton proceed to sell at public auction to the highest bidder on the premises the tract of land called the Hermitage belonging to the estate of James Rochelle dec<sup>d</sup> on the following terms to wit, sufficient of the purchase money in cash to pay the expenses of this suit and the said balance of the purchase money on a credit of one, two and three years equal instalments - and the Commissioner is hereby directed to take three bonds payable to himself for each instalment each for one third part thereof ~~and~~ <sup>with</sup> sufficient security, the bond for the first instalment payable twelve months after date, for the second payable two years after date, and for the third payable three years after date, and all of said bonds bearing interest from the day of sale and the title to the said tract of land known as the Hermitage is reserved until all the purchase money shall have been paid. And the said Commissioner is enjoined from selling the said land unless the sum of eighteen hundred dollars shall be offered for the same. and he is directed to report his proceedings to Court in order to a further decree. That a Commissioner of this Court ascertain whether or not the children of John Taylor to wit James, Lititia and all others are interested in the tract of land called the Hermitage by reason of the deed of trust executed by their father John Taylor to John W. Rochelle as trustee for their benefit bearing date the 19<sup>th</sup> day of August in the year 1846 and if they are what is the value of that interest and report the same to the Court together with any such as specially stated deemed pertinent by himself or so required to be stated by them -

✓ by them -

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Ordered that the Court be adjourned till tomorrow morning 9 o'clock

Rich. H. Baker