

thrusts and examinations of witnesses and was argued by Counsel. On con- sideration whereof the Court doth judge, order and decree that ^{the} said ^{Wm. J. Mason} who are hereby appointed Commissioners for that purpose aforesaid (advertising the time and place of sale for five weeks at the Court House of Southampton County and at other public places in the neighbourhood of said land, do proceed to sell the land in the bill mentioned, to wit: the tract of land belonging to the plaintiffs and defendants containing 270 acres, called the "Goose Pond" tract lately the residence of Melville L. Bennett, at public auction on a credit of twelve months except so much as will be necessary to pay the costs of this suit which he may reserve in cash. And that said Commissioners for the balance of the proceeds of sale take five bonds with sufficient security in equal amounts and return the same to Court, that said Com- missioners retain the title to said land until the further order of Court and report their proceedings to Court in order to a final decree.

Ordered that the Court be adjourned till tomorrow morning Ten O'clock.

Rich^d. H. Baker

Friday, the 10th day of November 1854.

Present,

The Hon^{ble}. Richard H. Baker, Judge.

Benjamin L. Washington administrator of Peggy Washington dec^d Arthur Brown Owner of Mary Burroughs dec^d and Joseph & John R. Briggs owners of William Briggs dec^d and dec^d }
against }
Diffs }

Jacob Davis late Sheriff of Southampton and owner of the estates of Sally Pettit, Olive Andrews, Anna Washington, Arthur Washington of Benjamin Washington, Horner Washington, Miles Washington, Elizabeth Kitchin & Mary his wife, Nathan Cornell & Lucy his wife, Jacob McLean } Martha his wife & others Diffs }
The bill of the plaintiffs having been taken for confessed at rules, as to all the defendants except Sally Andrews, Jesse Washington, Charles N. Briggs, owner of James Andrews and John J. Mason, and it appearing to the Court that the plaintiffs have process in the made presented by Law against absent defendants against the defendants, Sally Andrews, Jesse Washington & Charles N. Briggs owners of James Andrews, who still failing to appear and answer, on motion of the plaintiffs their bill is taken for confessed as to these defendants, and this day this cause came on to be heard on the bill, answer of John J. Mason, filed by leave of the Court, replication