

is continued until Termtime.

Joseph & family of Joshua Bowers
against

John L. Frisby, Joseph Smith & Mary his wife Alfred Holmead & Elizabeth his wife
Charles Mathews & Elliott L. Stoy
vs

Diffy

Diffy

Anthony M. Howell, Gordon E. Johnson & John Davis who sue for themselves &
others who may come in and bear their proportion of the expenses of this suit

against

Diffy

Earl Bowers, Elliott L. Stoy, Joseph W. Smith & Mary his wife Alfred
Holmead & Elizabeth his wife, Charles Mathews & John L. Frisby Diffy

The Plaintiffs in these two causes having presented against the defend-
ants Smith & wife and Holmead & wife in the manner presented by Law and
they still failing to appear and answer the said causes came on this day
by consent of parties to be heard together the first of them upon the bill
of the complainants regularly taken for confessed at the rules as to the
defendants J. L. Frisby, the answers of Charles Mathews and Elliott L.
Stoy general replications to the said answers and exhibits filed and the
second of the said causes upon the bill of the complainants regularly
taken for confessed at the rules as to the defendants Earl Bowers,
Earl W. Smith and Mary his wife and John L. Frisby the answers
of the defendants E. L. Stoy and Chas Mathews and general replication
to the said answers and exhibits filed and were argued by Counsel, On
consideration whereof and by little consent of parties the Court doth
adjudge order and decree that E. W. Masfurland, W. R. Shands and R.
St. Baker Jr. who are appointed Commissioners for the purpose, any one
or more of whom may act present after giving fifteen days notice of the
time and place of sale in one or more newspapers published in Norfolk City
and by notices posted in the neighborhood of the premises to sell at public
auction to the highest bidder the steam saw mills and fixtures and such other
property which has been attached in these causes as has not been
already sold upon the following terms to wit; one third in cash and
the balance upon a credit of 3 or 6 months taking from the purchasers
two bonds in equal amounts with sufficient security payable to the
said Commissioners and it is further ordered that the defendant E. L. Stoy
do pay to the said Commissioners the sum of \$508.20 being the
balance in his hands as appears by his answers, and that said Wm. R.
Sherriff of Southampton County pay over to the said Commissioners the
sum of \$154.77 being the nett proceeds of sales of part of the attach-
ed property sold by consent of the parties as shown by his account of
sales & statement filed herein marked X and that as further ordered
that the said Commissioners out of the funds received by them within this
term pay to R. St. Baker Jr. attorney for Charles Mathews the sum
of \$15.00 and all costs and attorneys fees incurred by him and that
they pay over and distribute the balance in their hands among the cred-
itors of the said Smith & Frisby for whose benefit these sales were
brought in proportion to their respective demands after having paid the