

Samuel Drury who swears for himself and all other creditors of Henry S. Bittle, do. who prove their debt & contribute to the expenses of this suit & offe

against
Thomas W. Maghach Esq. Henry S. Bittle, Sally C. Bittle & Thomas do
Bittle. Deft.

This cause came on this day to be again heard on the papers formerly read and upon the report of Commissioner Cobb made pursuant to the order of May term last to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth approve and confirm said report and doth adjudge, order and decree that William S. Goodenow who is appointed Commissioner of Court for that purpose do proceed after having advertised the time place and terms of sale, at the door of the Courthouse of Southampton County and also at other public places in the neighborhood of the land to be sold for four weeks from the day of sale to sell the real estate in the bill and proceedings mentioned of which Henry S. Bittle died seized and possessed consisting of a tract of land of about 300 acres in the County of Southampton at public auction in front of the door of the Courthouse of said County on some Court day that the said Commissioner for the proceeds of sale take from the purchaser bond with good personal security payable six months after the day of sale and the title be retained until the further order of Court. And the Court doth further adjudge, order and decree that the same Commissioner take and account showing what amount in fee simple the defendant Sarah C. Vick is entitled to receive in lieu of her right of dower in the real estate aforesaid. And the Court doth further adjudge, order and decree that the same Com. ascertain and report whether Henry S. Bittle in his lifetime had received from John R. Davis Esq. of Wm. & J. Davis or valid conveyance for the real estate in the proceedings mentioned and if not whether any part of the purchase money for the same remained unpaid at the death of the said Bittle and the amount if any so remaining unpaid and whether the said Davis upon payment of the full amount of the purchase money will be willing to unite in a conveyance of the same with a Com. appointed by an order of this Court. All which the said Com. is directed to state and report to Court with any matter especially stated deemed pertinent by himself or required to be so stated by either of the parties. But this decree is to be suspended so far as the sale of the real estate is concerned until the said Com. shall execute bond in the Clerk's Office payable to the Commonwealth of Virginia with good security in the penalty of \$800.00 conditional faithfully to discharge the duties of his Office or trust under this decree.

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

Rich. S. Baker