

a special Commissioner for that purpose shall after having advertised the time and place of sale for at least three weeks preceding at the Courtroom and at Franklin, proceed on the premises to sell at public auction to the highest bidder all the lands whereof John R. Williams died, seized and possessed in the following terms to wit sufficient cash to defray the costs of this suit and expenses of sale and the residue of the purchase money on a credit of twelve months, taking from the purchaser or purchasers a bond or bonds with approved security, redeeming the sale until all the purchase money shall have been paid. And the said Commissioner is directed to return the said bonds or bonds to the Clerk's Office of this Court together with a report of his proceedings in order to a further decree.

But the said William B. Shumbe shall not proceed to act under this decree until he shall have executed in the Clerk's Office of this Court a bond in the penalty of five thousand dollars conditioned as the law directs.

Norman W. Beale, George C. Pope and Ann Louisa his wife Lydia E. John F. and Edith D. Beale who are under the age to bring, are years by Norman W. Beale their brother and next friend

against
William C. Beale on his own right and as Executor of John C. Beale and
Lydia W. Beale

This day this cause was docketed by consent of parties and by like consent came on to be heard on the bill, answers of the Defendants, general replications thereto, exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that Thomas B. Morrell, Benjamin C. Pope, Robert L. Barnes and Edward W. Maffenburg who are appointed Commissioners for the purpose, any three of whom may act, do proceed to divide the land and slaves now in possession of Lydia W. Beale, belonging to the estate of John C. Beale dec'd and which were bequeathed to his widow for life, equally between Norman W. Beale, George C. Pope and wife, William C. Beale, John F. Beale, Lydia E. Beale and Edith D. Beale and making said division, the land shall be divided between Wm. C. Norman W. and John F. Beale, giving to Norman W. and John F. Beale each \$1000 in value more land than to Wm. C. Beale. They in making a further division, they estimate the land allotted to Wm. C. Beale as of the value of the share allotted to either of the other parties. That they estimate also in the division, the value of the legacy to George C. Pope and wife Ann Louisa, Viz. They are to account for the value of a negro girl Thobe, and the sum of \$1000. given them in the testator's will as a portion of their share, and report their proceedings to Court.

And the Court being of opinion, that the plaintiff Edith D. Beale is entitled to be educated out of the estate bequeathed to Lydia W. Beale her life doth adjudge, order and decree that Wm. C. Beale the Executor of John C. Beale retain the funds belonging to his testator's estate, now in his hands for the purpose of educating Edith D. Beale and report to Court his annual expenditures for that purpose. And the Court doth further adjudge, order and decree that Wm. C. Beale an account of his transactions, and the said Commissioner shall take the separate accounts of said Executor settled before the Commissioners of this County Court of Southampton as primary, force correct liable to be surveyed and satisfied by the plaintiff and report to Court said accounts with any