

of Trust bearing date Dec^r 1st 1857 (a copy of which is filed as an exhibit) and after paying the expenses of this deed and said sale pay the several debts under said the several monies specified above and the balance of any moneys proceeds under this deed to the said Samuel B. Kells make report of this to said Samuel B. Kells shall not fail to do to official decree. But shall enter into bond with good security with the clerk of the Court before this said Clerk in the penalty of \$1500 payable to the Commonwealth of Virginia and return for the faithful performance of this trust under this deed.

Richard F. Watson, George R. Merton, Mary A. Bennett, formerly Watson ^{wid^{ow}} A. L. Sayre & George & under his wife. Mrs. Boykin father ^{against} ~~of~~

Mills Barnett of Newy his wife, of the descendants of Patience Whitehead
who was Baykin's sister of Hubbard Baykin whose names are known
of others, descendants.

This cause in which the plaintiff have process in the most processible by law against the unknown parties heirs at Law of Peter Benjamin Baykin dec'd. came on this day to be heard on the Bill taken for an order as to the admitted defendants on whom process has been duly served, they all going to appear and plead answer and consent to the said Bill on the answer of the plaintiff defendants by Solicitor W. Edwards assigned to defend them in this suit general replication etc. etc. on the exhibit of was agreed by Counsel. The consideration whereof the Court doth say, viz. and says that Robt. H. Phillips ^{or agent of him} and John R. Chumbley who are hereby appointed Commissioners for each party have procured to sell at public auction to the highest bidder the real estate including the mill property on the proceedings mentioned whereof the late Thaddeus Baykin dec'd. is in part a creditor of \$15, Twelve & eight hundred months in equal payments with interest four day of each taking bond with sufficient security from the purchaser returning the title until the finished 15th of April and report to Court and return the said lands with the report. And the Court doth further order that a Commissioner of this Court take an account of the several payments made to the fund and the amount due thereon, and that he ascertain what sum in full simple should be paid to Nancy Bennett formerly a Slave Baykin in lieu of her life interest in the same. And that he advertise the taking of said accounts in some News paper published in this State and in the State of Tennessee in lieu of personal notice to the parties. And the same is to be suspended until R. H. Phillips & John R. Chumbley or either of them shall make bond on the penalty of \$5000.00 ^{with 5% for costs} to be for the Clerk of this Court payable to the Commissioner of Tennessee conditioned for the faithful performance of this duty.

Richard Barrett in his own right & on Behalf of William M. Barrett Opp
against English & Co. Plaintiffs

against
Charles B. Bennett & Edward C. Crompton
Diffs
This day this cause came on to be again heard on the papers formerly sent in on the
behalf of ^{James} J. H. Chamberlaine &c. under a decree of May Term 1857, and in