

Smith, John H. Roberts and S. B. Goodrich. Defendant.

This cause in which the plaintiffs have proceeded against the Defendant H. L. Brantly in the mode prescribed by Law against absent Defendants came on this day to be heard on the original and amended bills to him filed by S. B. Goodrich, on whom process has been duly served and they still failing to appear and answer, on the motion of the Defendants, Matthew Donnyson, Sophia L. Smith and J. H. Roberts, this day filed by leave of the Court general replications to the said answers (and exhibits filed and was argued by Counsel. On consideration whereof the Court without dividing any question involved in this cause doth adjudge, order and decree that J. R. Chambliss, E. W. Masfening and Richard H. Baker Jr. who are hereby appointed Commissioners for the purpose proceed after having advertised the time, place and terms of sale in some Newspaper published in Norfolk (and in Petersburg) for at least one month to sell at public auction to the highest bidder the several tracts of land Saw Mill & five acres and the personal chattels in the bill and proceedings mentioned, upon the following terms; to wit; the said personal chattels for cash and the land of Saw Mill (known as the "Cutting Mill") for cash sufficient to pay the costs of suit and expenses of sale; and as to the balance upon a credit of one of two years equal installments taking from the purchaser two bonds, in equal amounts with interest from the day of sale, and returning the title until the further order of the Court and that they return said bonds together with their report to Court.

But this decree shall be suspended until the Commissioners aforesaid or one or more of them enter into bond with sufficient security in the Clerk's Office of this Court with the penalty of \$10,000 - conditioned for the faithful performance of their duties under this decree, And liberty is reserved to the Plaintiffs to amend their bills filed in this cause within ninety days from the date of this decree.

James H. Parker and infant of tender years, by William Masfening his next friend. Plaintiff

Against
Harrison M. Smith Esq. of Henning Tidwell, Wm. M. Lewis Esq. of James Cobb, Matthew W. Donnyson, Peter D. Williams sons of Edwin Harrison Williams Saunders and Mary, his wife, Samuel Kells, also Maria Searles, Harrison Cobb Samuel R. Sanders & Edwin Parker Esq.

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This day this cause came on again to be heard on the papers furnished and on the report of Commissioners Howard made pursuant to the order of the Court in term 1867, to which report there is no exception and was argued by Counsel. On consideration whereof the Court confirming the said report by consent doth adjudge and decree that the Defendant Matthew W. Donnyson pay to the plaintiff the sum of \$267.88 with interest from the 31st of December 1867 (and that the Defendants Mary Ann, Rev. W., Edy Abbott and Rev. W. Cobb jointly pay the plaintiff the like sum of \$267.88 with interest from the 31st of December

B. J. J. J.