

Summers. The unknown children of George C. Summers, and the unknown children of Julia Andrews, and they still failing to appear and make defense came on to be heard on the Original and amended Bill taken for Compulsory at Rules as to Jordan Sisson Executor and Saml. D. Postlow, Executors of Wm. H. Summers dead in whose process had been duly served and they still failing to appear and make defense, and on the answer of the Infant Defendant Laura Branch by her guardian ad litem and with replication to said answer and on exhibits filed with the said Bill and was argued by Counsel, on Consideration whereof the Court doth adjudged Order and decree that a Commissioner of this Court settle the transactions of Wm. H. Summers as administrator of Joseph F. W. Summers dead, and that said Commissioner ascertain the present value of the life estate of said Anna C. in the entire estate of said Testator. That he also ascertain the fee simple value of the Real Estate of said Testator, and whether there are any other debts or demands due by said Testator or his Estate, and make report with any Mathews specially stated deemed just and proper by him self or that any of the parties may require to be so stated.

11 Anned do Burbagge an infant who lives by Thomas J. Burbagge her next friend, and Thomas J. Burbagge who lives in his own right }
 against }
 John W. Burbagge and Thomas J. Burbagge infants. } Diff.
 This Cause came on this day to be heard on the Bill of the Complamant and the Exhibits filed therewith and on the answer of the Infant Defendants by their guardian ad litem and with general replication to said answer, and on examination of Witnesses, and was argued by Counsel, on Consideration whereof the Court believing that the Contract made by Thomas J. Burbagge to sell the Land and premises referred to in the Bill to John Postlow for \$3500. is advantageous to the interests of all parties concerned, does hereby ratify the same and doth adjudge, Order and decree that Thomas J. Postlow Jr. (who is hereby appointed a Commissioner for this purpose) make to said John Postlow a Deed for the said real estate with Special Warranty, in the usual form, retaining a lien on said Land for the deferred payment, on the payment to him, by said John Postlow of the sum of \$3000 in Cash, and executing his Bond and good Security for the sum of \$3500. with interest from date, and that if the Cash proceeds pay to John Postlow and Joseph S. Compton whatever sum may be due them on the Original purchase of said Land, having a Deed from them for the same to said John Postlow for their interest therein, and then pay the Cost of this Deed including an attorney fee of \$50. and make report to Court of his proceedings under this Decree. But before any such Sale or Deed shall be made by the said Thomas J. Postlow Jr. as Commissioner as aforesaid, he shall execute before the Clerk of this Court in his Office, a Deed in the penalty of \$10000 payable to the Commissioners of Virginia, conditioned for the faithful execution of this Decree and of any other decree he may in this Cause be required to execute.