

Summons do. & of Wm. H. Briggs Sheriff and Committee of Auction, Grand Jurors and ex officio Justices of the Peace, and also argued by Counsel. On consideration whereof the Court doth Confirm the said Report, and doth decide that the gift of Two Thousand Dollars, by the Testator Joseph H. Hammon, to his wife, to dispose of as any remainder that she may wish, is a legacy payable at her death, subject to her disposal as she may think proper, and therefore not now recoverable out of the estate of said Testator, and the Court accordingly deciding on any other question presented in the case, doth order that the Plaintiff be his defendant, but without prejudice to her rights in other respects, or of any other party, and if it is desired that each party pay his or her own costs, and that the cause be removed from the docket.

James S. Linn, Robert S. Linn, Robert W. Spalden, & John H. Linn, partners in trade, trading under the firm & style of Linn, Bros & Co. who had for the benefit of themselves and all other creditors of T. H. Briggs and who shall come in and contribute to the expenses of this suit.

against
James H. Briggs and as such owner of T. H. Briggs and
and Elizabeth Briggs, Infants by J. H. Briggs and J. H. Briggs as their legal representatives.

This day this cause came on again to be heard on the papers formerly filed and on the report of Commissioner Howard made previously to a docket. There entered in this cause at the November Term 1856, to which no exception had been filed, and was argued by Counsel. On consideration whereof, the Court confirming said report, doth order, order and decree that Wm. H. Briggs, who is deceased, appointed a Special Commissioner for that purpose, proceed after having given or sent by some safe means, of some and placed of sale, by advertisement at the County House door and at some or more public place, to sell to the highest bidder, at public auction, the lot or lots of which Thomas H. Briggs died seized and possessed, in the here and proceedings mentioned, to wit, Twenty six acres or thereabouts in general terms, two acres in Valley road, and forty eight acres in Indian Woods, on the following terms to wit, Shaffer and in cash to defray expenses of suit, & sale, including a fee of Fifty Dollars for Counsel, and the balance in a Credit of twelve months, dating from the purchase or purchase, with or with sufficient security, conveying entirely from sale, and obtaining the title until the purchase money shall have been paid, which said bond or bond he is directed to return to this Court, together with a report of his proceedings under this order. But the said Commissioner is not to execute the provisions of this order until he shall have given bond in the District Office of this Court with good and sufficient security in the penalty of One Thousand Dollars, payable to the Commonwealth of Virginia, conditioned faithfully to discharge the duties herein agreed,