

This cause came on this day to be again heard on the petition formerly read and on the answer of Charles Holland, Mary E. Lawrence, James Holland, Insk Holland, Wm. E. Kewels and his wife Martha J. Insk Holland and Meredith Holland, filed at the last term of this Court, and on general application Tharto and on the report of Commissioner White made pursuant to the Decree of the November term 1869 of this Court to which report there was exception, and was argued by the said report and each decide that the said Charles Holland, Mary E. Lawrence, James Holland, Insk Holland, Wm. E. Kewels, and his wife Martha J. Insk Holland, and Meredith Holland, are not entitled to any homestead in the lands of which Meredith Holland died possessed in so much as said lands are subject to judgment liens rendered in the lifetime of said Meredith Holland, doth adjudge order and decree that Insk Kilby who is hereby appointed a Commissioner for that purpose proceed to sell before the Court House door of Southampton County on some Court day on a credit of One two three years with interest from date (except for a sum sufficient) to pay the least of suit and expenses of sale including an Attorneys fee to Insk Kilby ^{not to exceed \$500.00} of ^{for a sum of \$1000.00} dollars, which he will require in cash and pay to those entitled, the lands of which Meredith Holland died possessed described in Commissioner White's said report as Two Tracts, One of which contains 531 Acres more or less and adjoins Cedar Swamp, and the other tract contains 265 acres and also adjoins Cedar Swamp having first given at least twenty days notice of such sale by notice at the Court House door of Southampton County, and at Franklin and at other public places in said County, taking from the purchaser bond and good security and return the title till the further order of Court, and make report to Court, but no sale is to be made under this Decree till the said Insk Kilby shall execute before the Clerk of this Court in his office a bond in the penalty of \$2500.00, conditioned for the faithful execution of the duties required of him under this Decree, and any other Decree which he may be required to execute under this Decree, or unless the said lands shall sell for three months of their value, according to the last appraisement made for the purpose of taxation. And it is further ordered that a Commissioner of this Court ascertain what credit should be placed on the judgment of Wm. E. Gay against said Meredith Holland referred to in said Commissioner White's report and make report to Court.