Friday, February 27th 1874.

Present The Hon George Boles, Judge

James M. Vaughan who sues for himself, and all other Creditors of Beverly B. Vaughan dec'd, who will come in and share their shares of the Court of the State against

Pltff.

W. H. Briggs Sheriff of Southampton and as Sheriff Admr of Beverly B. Vaughan dec'd, W. H. Seely, W. H. Seely, Nelson & Bolton Comm'rs

Defts

Sub Chancery

This day this Cause came again to be heard on the papers formerly and on the Report of Commissioner Upshur made pursuant to a decree of this Court entered at the November Term 1873, and the official Report of Exceptions have been filed and argued by Counsel, on Consideration whereof, and it appearing from the said Report that there are no assets in the hands of the administrator, and that the rents and profits of the real Estate will not pay the debts in five years, therefore the Court doth adjudge, order and decree, that the said Report be confirmed, and by Consent of R. J. and W. H. Seely, of whom Counsel R. A. Griffin, the Court doth further adjudge, order and decree, that Rumsey R. Griffin, who is hereby appointed a special Commissioner for the purpose, shall after having given at least twenty days notice of the time and place of sale, by public advertisement at Franklin and Jerusalem, proceed to sell at Franklin, at public auction, to the highest bidder, the tract of Land whereon Beverly B. Vaughan died seized and possessed, lying in the Town of Franklin, on the following terms to wit: Sufficient Cash to pay the expenses of sale and the Costs of this suit including a fee of Fifty dollars to Mr. B. Stewart and Mr. R. Griffin the Plaintiff's Counsel, and the debt of Four hundred and thirty three dollars and Ninety Eight Cents due Messrs R. J. & W. H. Seely and the balance of the purchase money on a Credit of One, two and three years, taking from the purchaser for the deferred payments Bonds with approved Security bearing interest from the day of sale, and return the bonds to this Court along with his Report in Order to a further decree. But the said Rumsey R. Griffin shall not proceed to act under this decree, until he shall have recorded in the Clerk's Office of this Court a Bond with good and sufficient Security in the sum of One Thousand dollars for the faithful performance of this and all other decrees which may be entered in this Cause.

Thomas Ward Admr of John Slack dec'd & others

Pltff.

Subpoena

against

Thos. J. Parkhurst Admr with the will annexed of John Slack dec'd & others

Defts

This day this Cause came on to be heard on the papers formerly and on the Report of Commissioner Upshur, and on Statement "C" and was argued by Counsel, On Consideration whereof, the Court Confirming Comr Upshur's Report to which no Exception has been taken, and adopting Statements "C" as the basis of the decrees, doth adjudge, Order and decree, that the Plaintiff bill be dismissed, and by the Consent of parties, that each party pay his Costs.