

any three of whom may act to enquire into and report whether partition can be conveniently made of the tract of land mentioned and described in Complainants bill, as lying in the County of Southampton Virginia known as the James Whitelock tract of land, and bounded by the lands of N. D. Pittlor, J. W. Williams and others, and divided in kind among the parties entitled thereto, or whether it can be allotted to any of the parties interested, who will pay therefor to the other parties such sums of money as their interest herein may entitle them to, or whether the interest of all the parties will be best subserved or promoted by a sale of the whole of said tract of land, and report the said facts to Court together with any matter which by them may be deemed pertinent.

Panny Attkerson formerly Barons & Others Plaintiffs
against
John Barons
Panny Attkerson formerly Barons & Others Plaintiffs
against
Boathain Council & Elizabeth Council

In Chancery
Defendants
In Chancery
Defendants

This day there comes before me to be further heard in the bill of the complainants the answers of Boathain & Elizabeth Council, deposition of witnesses as exhibits filed and the report of Commissioner James Griffin reporting sale of the said estate in the proceedings mentioned. Returning bonds of purchasers and certificate of deposit for cash paid and was argued by Council. On consideration whereof the Court doth adjudge, order and decree that the rights of Boathain & Elizabeth Council to a home free of bonds on the farm devised by Lewis Barons to Beasley Barons determined with the death of Beasley Barons and that they they no longer have any right to occupy an said farm, with the goods and communications contained in the soil of Lewis Barons to Beasley Barons in regard to Boathain & Elizabeth Council created a trust in their behalf as long as said Beasley Barons should live and no longer. The Court doth further decree that the said Boathain & Elizabeth Council shall quit the occupancy of said farm and deliver possession thereof to the heirs of Beasley Barons died and should they refuse so to do then the Sheriff of this County is authorized to eject the said Boathain & Elizabeth Council from the occupancy of said farm and to deliver possession thereof to the heirs of said Beasley Barons died, and no exceptions being first to the report of sale of Commissioner James Griffin the same is approved and confirmed, and the said Commissioner is hereby authorized to withhold the certificate of deposit and the bonds of John Pittlor Jr and J. D. Pittlor & S. Lambford filed with said report, collect the bonds as they become due and pay the same together with the proceeds realized from the certificate of deposit to the parties entitled, but before the said Commissioner shall distribute the said money, he will first pay all the costs of these suits & all necessary charges incurred by furnishing a slip of it to Boathain & Elizabeth Council to wit \$10, 1846. The Court doth further decree that the said Commissioner out of the cash in his hands pay off attorneys fee of \$100 each to Jno. Johnson and Richard N. Borden \$200 to J. B. Barner. And she all the purchasers of the said estate claim to anticipate the payments of their bonds & to pay the same in cash to said Commissioner is authorized to receive the money and when all is fully paid to execute to the purchasers a deed with appropriate covenant for the same. And the said Commissioner will report his proceedings to Court.