

and *William B. Stokes* became the highest bidder and purchaser thereof, by bidding therefor \$41 per acre, amounting, in the whole, to the sum of \$410.' That he then offered for sale, and sold lots Nos. 2 and 3, of which, with lot No. 1, it was agreed, by the bidders for them, that *Samuel Hughes* should be let in as the purchaser. That of lot No. 4, *William Cole* became the purchaser at \$43 per acre; and of lot No. 5 at \$34 50 per acre. 'The trustee then offered for sale lot No. 6, and said *William Cole* became the highest bidder and purchaser thereof, by bidding therefor the sum of \$20 per acre, amounting, in the whole, for said lot, to the sum of \$120.' The trustee further says that he sold lot No. 7 to *Abraham Jarrett*; No. 8 to *Samuel Hopkins*; No. 9 to *Joseph Hopkins*; No. 10 to *Parker Mitchell*; and then the trustee concludes his report in these words. 'The said trustee then offered for sale lot No. 11, and *Freeborn Brown* became the highest bidder and purchaser thereof, by bidding therefor \$23 per acre, amounting, in the whole, to the sum of \$3,289; and the said *Freeborn Brown* now refuses to give bond for the payment of the purchase money. The said trustee further states that all the heirs of *William Mitchell*, and those with whom they have intermarried, except ——— *Mitchell*, who is a minor, having expressed a great desire that the whole of the property mentioned in the proceedings of their suit with the heirs of *James Mitchell*, except their interest in *Cooley's Fishery*, should be sold under the decree aforesaid, and the trustee foreseeing no inconveniency that could result either to the heirs of *William Mitchell*, or the purchaser or purchasers of said property, in case the whole of the sales should not be ratified, did sell the whole of said property in the manner herein before stated.'

Upon which, on the 27th of February, 1813, the usual order *nisi* was passed; and, no cause having been shewn, the sales, as thus made and reported, were, on the 15th of July, 1813, finally ratified and confirmed. Some time after the trustee had thus made his report of the sales, *Freeborn Brown* gave his bond with *William Brown* as his surety for the payment of the purchase money; and *Freeborn Brown* was soon after put into the actual possession of lot No. 11, as the purchaser thereof, by the trustee.

After which *William Cole*, by his petition, stated, that he had purchased as reported by the trustee; but that the tract of land called *Convenience*, of which the lots he purchased were parts, was sold by the acre, and that it was distinctly understood, at the time of the sale, that a deduction should be made for any deficiency;