

Tuesday November the 5th 1842.

Present. The Hon. Richard H Baker Judge.

Jelly Wells and Edwards Wells committee of Martha Wells.

against

John Rame

Diff

affd

This day came the parties by their counsel who being fully heard it is ordered that the rule made against the defendant on Saturday last be discharged.

Horrell Edwards

against

Thomas Proctor Sheriff & administrators of Charles Edmunds dec^d

Diff

affd

It appearing to the satisfaction of the Court, that the plaintiff is not an inhabitant of this State, on the motion of the defendant by his attorney, it is ordered that this suit be dismissed at the cost of the plaintiff, unless security for the payment of such costs and damages as may be awarded the defendant and also of the fees which will become due from the plaintiff to the Officers of this Court be given within the block within sixty days from this day -

Polly Gardner by Hardy Rauls her next friend

against

James W Burdett

Diff

affd

§ 124.

§ 124.

By consent as well of the plaintiff by her Counsel as of the defendant on his proper person it is ordered that this suit be dismissed, and that the defendant pay to the plaintiff her costs the largest fee accepted.

Thomas J Proctor administrator of Anne Proctor dec^d. Anne Proctor, Mary A Proctor, Robert Proctor, Joseph Proctor, John Proctor, and Elizabeth Proctor the five last of whom are infants under the age of twenty one years and who sue by the said Anne Proctor their sister and next friend

against

Alfred P Bailey, Edward A Bailey, William A Bailey, John A Bailey & Annants his wife, formerly Bailey, Edward W Bailey, Sarah A Bailey, Eliza J Bailey, & Henrietta P Bailey the four last infants by Edwards Wells their guardian ad litem appointed to defend them in this suit. Mary Proctor in her own right and as administrator of Sarah A Proctor dec^d. Frederick W Scott, Anne W Scott, Elizabeth Scott, William P Scott & Jonathan Scott. the two last infants under the age of twenty one years by Edwards Wells their guardian ad litem appointed to defend them in this suit.

Diff

This Cause in which the defendants appear to have been duly examined on the adult defendants and the bill having been filed for more than four months to which there is no answer by the said adult defendants the same as to them is taken for confessed, and the cause coming on to be heard on the bill of the plaintiff, the answers of the infant defendants the exhibits filed, the deposition of the witness Matthew Drake and a copy of the record of the conviction of the said Matthew Drake for the crime of Murder and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the testimony of the said Matthew Drake contained in the said deposition be perjured and made binding on the parties to this suit, and that the same be used as evidence in any future suit between them. The Court doth further decree the costs of this suit be paid by the plaintiffs -