

(114) George Butler

Off

against Joseph Jordan, George G. Butler and Thomas D. Horrell administrators Lewis Horrell deceased.

The defendants Joseph Jordan and George G. Butler who are out of this country and against whom the plaintiff appears to have proceeded in the mode prescribed by law against absent defendant still failing to appear and answer, on motion of the plaintiff the Court doth take his bill for confessed as to those defendants; and the cause coming to be heard on the papers formerly read together with the report of the Commissioner to which there is no exception and was argued by Counsel: On consideration whereof the Court doth order adjudge, order and decree that the said debt be confirmed and that the defendants Joseph Jordan, George G. Butler and Thomas D. Horrell administrators of Lewis Horrell die pay to the plaintiff George Butler the sum of One hundred and Twenty three dollars and forty seven cents with interest from the 10th day of April 1827.

v Bill paid, and the costs expended in the prosecution of this suit -

Everett E. Magot

Off

against

Bennett R. Whitfield Executor of Maney Magot deceased

Deft

This day this cause was docketed by leave of Court and came on to be heard by consent on the bill, answer and exhibits and was argued by Counsel: On consideration whereof the Court doth order, adjudge and decree that Bennett R. Whitfield executor of Maney Magot deceased pay and deliver into the hands of Everett E. Magot guardian of John Magot, Sarah J. Magot and Henry E. Magot orphans of Maney Magot deceased the said negro slaves in his hands also the sum of three hundred dollars with interest thereon from the first day of January 1822 till paid, the same being the number of slaves and the amount of money demanded by the defendant to be due to the plaintiff by virtue of his qualification in the County of Southampton in the State of North Carolina as guardian as aforesaid; and the Court doth further adjudge, order and decree that upon the payment and satisfaction and delivery of the said sum of money and slaves to the said plaintiff, Bennett R. Whitfield as executor of Maney Magot deceased shall be discharged from all responsibility for the amount so to be paid and satisfied and delivered and the costs of this suit on his day to be paid by the plaintiff as guardian as aforesaid. But before the plaintiff can have the benefit of this decree, if required by the defendant, he shall execute and file in this cause, before the Clerk of this Court bond with sufficient security conditioned to refund due proportion of any debts or demands which may afterwards appear against the estate of Maney Magot deceased and the costs attending the recovery thereof.

Alfred S. Bailey administrator deceased now with the will annexed of James Scott deceased

Off

against

James Whithead

Deft

This cause came on this day to be heard, by consent of parties, on the bill, answer, with replication thereto, and exhibits, and was argued by Counsel: On consideration whereof, the Court being of opinion that the plaintiff ought to foreclose the mortgage executed to his testator the 2d December 1799 is barred by the lapse of time, doth adjudge, order and decree, that his bill be dismissed; and that he pay to the defendant his costs by him about his defense in this behalf expended.

Ordered that the Court be adjourned till to morrow morning ten o'clock.

Rich. H. Baker