

Wing

replied generally, and thereupon issue being joined, between the Parties the case stood
in abeyance till the next Court

Thos. T. T. T.

Sept. 1864
In Case of
John O. Hart vs. William Hart and

Plt. }
Def. }

This day came the parties by their attorneys and the motion of the deft
by his attorney who pleases fully acquiesces, debts of Superior dignity and no appts
taken to which the attorney for the Plt. replied generally, and thereupon issue being
joined came also a Jury to wit: Edwin Lewis, Charles Jennings, Henry Johnson
Theodore Dwyer, John T. Burrows, William E. Daugherty, William Lawrence, Reed
Darsen, Joseph Pope, Joseph Bynum, William Butler and Benjamin Whipple
who being sworn took and sworn the truth to speak upon the issue aforesaid signed
brought here into Court a verdict in the words following to wit: "We the Jury
find for the Plaintiff and award him damages to Sixty Six dollars with interest
thereon from the 9th of Decr 1864 we also find that the deft. hath not acquiesced
fully the goods and chattels, rights and credits which came of his testator and that
there are not debts of Superior dignity to the Plaintiff demand. Therefore it
is consented by the Court that the Plaintiff recover of the defendant the sum of Sixty
Six dollars with interest thereon to be computed after the rate of Six per centum per annum
from the 9th of December 1864 till Paid the damages aforesaid, in form aforesaid,
except and his costs by him about his Suit in this behalf expended, to be paid of
the goods and chattels of the deft. in the hands of the deft. to be administered, if so
much thereof he hath if not then the costs aforesaid, to be paid of his own proper
goods and chattels, and the said defendant in money &c

Absent Benj. T. T. Present Carr Bowers Esq. Justice

Ordered that the Sheriff of this County take into his hands the estate of Simon
Morgan and administer the same with the will annexed therein, according
to law and return an account thereof to the Court

Wm. Williamson

Plt. }
Def. }

Sept.
Simon Boykin

This day came the parties by their attorneys and thereupon came a Jury to wit:
Joseph Long, Miller Womble, Lawrence Dwyer, Joseph O. Fairclough, William Barnes, David
Burrows, Anna Stephenson, Henry Applewhite, Joshua Whitney, Samuel Griffin, James
Carruth, and James Wapner, who being sworn took and sworn the truth to speak upon the
issue aforesaid, The defendant by his attorney moves the Court to instruct the Jury that
the lapse of time from the date of the account in this cause, to the time of presentation
this Suit was a presumption of payment, and the Court being advised in opinion, the
motion was overruled, Thereupon the defendant by his counsel excepted, and drew a bill
of exceptions which was signed and sealed by the Court, and the Jury found for the
Plaintiff and award him damages to \$47.6 with interest from the
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