

Plaintiff excepts to the foregoing ruling
 & prays that said motion & said ruling
 & his said exception be made a part
 of the record of said cause & of this court
 & that he have thirty days to present a
 bill of exceptions & it is so ordered

J. J. Jones
 Judge &c.

J. K. Lee - Plff

vs
 Margaret M. McDonald &
 D. C. Hopple -
 Dftrs.

November Term 1893.

This day comes one of the Defendants herein - Margaret
 McDonald & moves the Court to dismiss this
 action & strike same from the Docket because
 the Plaintiff J. K. Lee is a non resident & he has
 failed & refused to give security or to make de-
 posit for costs under a notice served upon his
 Atty - which said notice is made a part hereof.

To
 Joseph J. Clemmons

By ~~subscribing~~
 Atty for Margaret McDonald

November 27th - 1893 -

Charles Torrey as Executor of John Brown dec'd.
 Plaintiff

James A. Bishop, defendant

Charles Torrey, as Executor of John Brown dec'd.
 Plaintiff

Julia A. Forbes, defendant.

The plaintiff moves the court to set aside,
 rescind and annul the order of severance
 of the above entitled causes made at the

Spring Term of ~~this~~ Court 1893 because
the action of the defendant, Bishop in mov-
ing for such severance was in violation of
the agreement in writing filed in this
cause and dated March 31, 1892 and
which is referred to as a part of this
motion. Moreover it is agreed between

the parties, that "the disclaimers filed
by the defendants in the above entitled
causes merge with same, and that both
of said causes may be consolidated ~~as~~
~~one cause~~ and tried as one cause,"
and because the court erred in granting
such severance against the exceptions of
the plaintiff,

Nov 27/93

Frederick B. Smiley
att'y for motion

Pillars Toney, Plaintiff
Cousin

Charles Toney is executor of John Brown, deceased
y. Plaintiff.

Eliza Forbes, defendant.

The plaintiff moves
the court to set aside, vacate and annul
the order made at the Spring Term of 1893
of this Court, requiring the plaintiff to
pay the costs in this cause, because the
records show that said cause had been con-
solidated by agreement of counsel with that of
plaintiff against Eliza Forbes, and as shown by
agreement dated 31st day of March A.D. 1892 in
file in this cause and said cause could
not be tried at said term by reason of the
death of the ~~plaintiff~~ defendant ^{Forbes} since
the preceding term of this Court

Nov 27/93

Frederick B. Smiley
att'y for motion

Pillars Toney, Plaintiff
Cousin

Charles Torrey as Executor of John Brown, deceased
 is plain iff
 James A. Bishop ~~and Elisha~~ defendant
 Same is plain iff
 Elisha Forbes defendant - 1

Consolidated
Cause

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 The plain iff moves the court to re-tax the costs in this cause because the Clerk in taxing costs since the order of severance has charged them wholly against the plain iff in the cause of Charles Torrey as Executor &c. vs James A. Bishop, whereas said costs were equally made in the case of Charles Torrey as Executor &c. versus Elisha Forbes, and said costs should have been prorated between the two causes and not applied wholly to the Cause of Charles Torrey as Executor &c. versus James A. Bishop,

2 - Because, the costs are excessive in charging for ^{defendants} ~~as~~ ^{witnesses} E. Forbes, who is the defendant himself and Stephen Fulford, Arthur Everett, Antiea Jackson, George W. Landon Jr., Cecil Styron, James Lipscomb, D. C. Stapleton, W. H. Gargue, John W. Carter in addition to more than two other witnesses to prove the adverse possession of the defendants;

November 27/83.

Pellius Torrey Plaintiff
 Contra

Isaac B. Smiley
 for motion

Motion Denied.