

responsible to this exceptant *Robert Oliver*. And, *lastly*, Because *The Cape Sable Company* cannot be held liable for the claim of *James Neilson*, No. 6, until it shall have been proved that *P. G. Lechleitner* and *G. Troost* are insolvent, which has not been shewn and is not the fact.

The defendant *Charles Carroll* excepted to this report. *First*. Because it does not award to him, as a judgment creditor, whose claims are No. 2, 3, 4 and 5, a preference to all other claims. *Secondly*. Because it should have allowed no other claims than that of *Robert Oliver*, No. 1, and that of this exceptant. *Thirdly*. Because it allows the claim of *P. G. Lechleitner*, No. 15 and 16, when, in fact, he is largely indebted to *The Cape Sable Company*. *Fourthly*. Because *P. G. Lechleitner* is not charged with many, and large sums of money, that appear from the proceedings to be due from him to *The Cape Sable Company*. *Fifthly*. Because it does not allow the judgments marked as claims No. 1, 2, 3, 4 and 5.

*Phitip G. Lechleitner* for himself, and on behalf of *J. J. Vanderkemp*, executor of *Paul Busti*, excepts to this report. *First*. Because it is wrong in admitting the claim of *Robert Oliver* as a *bona fide* and regular judgment. *Secondly*. Because *Oliver's* claim is altogether inadmissible, as an equitable claim, or as that of a general creditor; is unsustained by any evidence; and is barred by the statute of limitations. *Thirdly*. Because *Carroll's* claim is not sustained by any evidence; is not admissible as a *bona fide* and regular judgment claim; or as that of an equitable or of a general creditor; and is barred by the statute of limitations. *Fourthly*. Because the claims of *Eli Balderson* and *James Neilson* are unsupported by any evidence; and are barred by the statute of limitations. *Fifthly*. Because it has rejected from his claim, No. 16, the items designated as expenditures since the last entry in *The Cape Sable Company's* books of December 31st, 1828; and also those designated as the third, sixth, seventh, and eighth, or last errors claimed by him to be corrected; and insists, that the amount of capital, additional capital, and negro capital, ought to be deducted from the amount of his claim. *Sixthly*. Because it insists, that the assignment to *James Neilson* and *Rosewell L. Colt* by this exceptant, entitles *Neilson's* claim to be paid out of this exceptant's claim, No. 16, in preference to *Paul Busti*. *Seventhly*. Because it ought to have allowed his claim absolutely and fully as he has stated it, and without any reservation or deduction. And