

1846-015 SOUTHAMPTON COUNTY  
CHANCERY PAPERS

DARDEN VS. GARDNER'S ADM'X. et al  
11/1846

other surnames: GORDNER,  
Lawrence

250  
21  
271

16.66  
75  
17.41

24

Darden

v. } Papers-

Gardners army. Lab

1846 An. Pennsylv.

Darden

v. } Stat. Rules

Gardners army 1863

Elisha Darden and all other creditors of Lemuel R Gardner dec?

against

Nancy Gardner admx. of Lemuel R Gardner dec? and also in her own right. Thomas Lawrence James W Gardner & Samuel & Margaret R Gardner the two last infants.

1845 July 22<sup>d</sup> Subpoena issued retble. to August Rules.

" Aug. R. Subpoena ret. returned on all the parties except Thomas Lawrence, who cannot be found. - Bill filed -

" Sept. " J. D. Mapenbury assigned gr. and litem to infants.

" Oct. " Answer of infants filed Gen. Rep. thereto. Cause set for hearing as to Dpts of Nancy Gardner as admx. & in her own right & James W Gardner -

" Dec. set for hearing as to infants

Darden

2 { Phil & Cab

Gorduroc

August 1845.

(P. 25)

To the Hon. Judge of the Circuit & Sup. Court of Law  
& Chancery for the County of Southampton. In Ch.  
Humbly complaining ~~sheweth~~ unto your Honor, your  
complainant Elisha Gordon and all other creditors  
of Samuel R. Gordon deceased who may come in and ~~pay~~  
tribute to the expenses of this suit, that in the year  
Samuel R. Gordon of the County aforesaid departed  
this life intestate, leaving a widow Nancy Gordon  
who afterwards qualified as his administratrix and  
three children to wit: James M. Gordon, Margaret Gordon  
the last two of whom <sup>or infants under age</sup> his only heirs at law, that at the death of  
the said Gordon, he was indebted, with one Thomas Lawrence  
<sup>who is insolvent</sup> to your complainant, in the sum of \$226.27, due by spe-  
cialty, with certain credits thereon endorsed, and on the  
7<sup>th</sup> May 1845, your complainant obtained a judgment  
against the said Nancy Gordon admx: of Samuel R. Gordon  
for the amount due on said specialty, as will appear  
from exhibit - A. herewith filed as part of this bill  
that the said Gordon left a small personal estate, which  
has been administered by his admx: and is totally insuffi-  
cient to discharge his debts. Your complainant also states  
that the said Samuel R. Gordon died seized and possessed  
of a tract of land lying in the County aforesaid and  
containing abt. 160 acres, which in a court of Chancery  
may be applied to the payment of the debt due your  
complainant. That your complt: has frequently applied  
to the admx: of the said S. R. Gordon, to pay the said  
debt, but she has heretofore refused on the plea that  
she had "no assets" In tender consideration of all which,  
your complainant, being nevertheless except in a court  
of equity, and to the end that justice may be done  
prays that Nancy Gordon, admx: of Sam: R. Gordon  
and also in her own right, Thomas Lawrence, James M. Gordon and  
Margaret Gordon, the last two of whom are infants under 21 years  
of age by some person <sup>and his person to defend them</sup> made defendants to this bill, that the sd



Dear dear & others

2 } Answer of  
Infants, by de

Gordon's adms &c

1845 October Rules

Answer of Samuel Gordon and Margaret Gordon, infants  
of Samuel R. Gordon dec'd. by J. D. Mappenburg, their guar-  
dian ad litem, to a bill of complaint against them & others  
by Eliza Gordon & others, in the Cir. Sup. Court of Law  
& Ch. for Southampton County - In Chancery -

This defendants saving & reserving &c. says that he is  
not acquainted with the facts stated in the bill  
and submits the interest of the infants to the  
judgment and protection of the court - And being  
advised prays hence to be dismissed the court  
with costs &c. J. D. Mappenburg -

5<sup>th</sup> ad litem

656

Darden

to } Sp<sup>a</sup> in Chy

Darden's army V

1845 August Rules

Excluded from all the parties except Thomas  
Lawrence who cannot be found  
Messersing

16.64.  
73.  
17.41

232  
24  
2.71

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Nancy Gardner administratrix of*  
*Samuel R Gardner dec'd.* and also in her own right *Thomas*  
*Lawrence James M Gardner.* and *Samuel & Margaret*  
*Gardner* the two last infants *ye* —

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the  
County of Southampton, at the Rules to be holden for the said Court on the first Monday in  
*August* — next, to answer a Bill in Chancery exhibited against *them* in  
the said Court by *Elisha Darden* and all other creditors of *the*  
*Samuel R Gardner dec'd* —

And unless *they* shall answer the said Bill within <sup>*two*</sup> ~~four~~ months thereafter, the Court will  
take the same for confessed, and decree accordingly. And this *they* shall in no wise  
omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON  
R. EDWARDS, Clerk of our said Court, at the Court-house, the *22<sup>nd</sup>* day of  
*July* 1845, in the *70<sup>th</sup>* year of the Commonwealth.

*L R Edwards Clk*

[One Copy to be delivered each Defendant.]



§236.27.

Two days after date we Thomas Lawrence and Samuel R Gardner bind ourselves and each of our heirs, executors and assigns jointly and severally to pay unto Elisha Darden guardian of George Lawrence and Margaret Lawrence the just and full sum of two hundred and twenty six dollars and twenty seven cents for value received. Witness our hands and seals this 15<sup>th</sup> day of April 1839.

Thomas Lawrence (Seal)

Samuel R Gardner (Seal)

1843 Sept. 9 Rec<sup>d</sup> ninety dollars in part of the within. Elisha Darden.

1844 May 2<sup>d</sup> Rec<sup>d</sup> Fifty dollars in part of the within. Elisha Darden.

Elisha Darden

Southampton Circuit Superior Court May 7<sup>th</sup> 1845

Elisha Darden

against

Nancy Gardner administratrix of Samuel R Gardner dec<sup>d</sup>

Plff } In Debt  
Def

The defendant still failing to appear on the motion of the plaintiff by his attorney it is considered by the Court that the plaintiff recover against the defendant the sum of Two hundred and twenty six dollars and twenty seven cents with legal interest thereon from the 15<sup>th</sup> day of April 1839 till paid the debt and interest in the declaration mentioned and his costs by him about his suit in this behalf expended To be levied of the goods and chattels of the decedant in the hands of the defendant to be administered. And the said defendant in Money of this Judgment is to be credited for \$90. paid September 9<sup>th</sup> 1843 for \$50. paid May 2<sup>d</sup> 1844 -  
Plffs costs \$6.55.

Copies. Teste. L R Edwards Clk