

1849-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GARDNER ^{ad} VS EDWARDS, GUARDIAN ^{of} Gardner &
al 1849

other surnames: Murfee,
Johnson, Langston, Langsten,
Darden

Gardner vs

vs { Bill and vs dene

Colvards gardian ad litem

1846 Jan. Dene as filed

Mar. Report of dene amended

Apr. Dene amended

Aug. Report

Sept. Dene as filed

Nov. Intervening Longston & wife
filed their petition & are made
parties

Dec. Dene as filed

1847. Feb. Longston & wife
filed their petition & are made parties &
Dene as filed

June - Dene

1848 Oct. Report

Nov. Rep^t confirmed

1849 Dene amended

Wks. has heard

To the worshipping County Court of Southampton
in Chancery sitting

Humbly complaining your
complainants Nancy Gardner and Simon Mumfere shew
unto your worship That in the year 1861 Samuel R
Gardner of the county of Southampton departed this
life intestate leaving considerable estate both personal
and real and leaving Nancy Gardner his widow who
qualified as his administratrix and James M., Morgan
and Samuel Gardner his children (the two last named
being infants of tender years) his only heirs and
distributors at law That he left a tract of land lying in
the county of Southampton containing about 150 acres
which your complainants an advised can be sold under
the act of assembly for such cases made and provided
as your complainants allege That the share of the
heirs will not amount to \$300 a piece your
complainants further state that James M. Gardner one
of the heirs of Samuel R Gardner did sold his interest
in the said tract of land to Simon Mumfere one of
your complainants they also state that one Eliza
Gardner who recovered a judgment against the estate of
the said Samuel R Gardner some time since on a
bond binding the heirs has since brought a suit in
chancery in the circuit superior court of law and
chancery for the county of Southampton to subject
the above mentioned tract of land to the payment of
his debt. In these considerations whereof and inasmuch as
your complainants are without remedy at law and entitled
to relief only in a court of Equity they therefore humbly
pray that your worship would make Margaret and Samuel
Gardner infants of tender years by some fit and proper person
their guardian ad litem parties defendant to this bill and
compel him as full and perfect answer make to the
allegations therein contained as if he had been therein
personally and specially interrogated and that your
wship would decree first that one third in value of
the said tract of land be assigned to Nancy Gardner
widow of Samuel R Gardner died as her dower then
the remainder of the said land be sold and the
money arising from the said sale to go first to
pay the debt of Eliza Gardner and the remainder of
the money be divided into three equal parts to Simon
Mumfere as assignee of James M. Gardner Margaret
Gardner and Samuel Gardner and that your

worship would grant such other and general relief the
prerogative considered as equity may dictate and the nature of
their case may require and as in duty bound your complai-
ants will ever pray &c

Parker & Shands Jr.

Answer of Sittleton R Edwards guardian ad litem of
Margaret and Samuel Gardner infants of tender years
to a bill of complaint exhibited against them by
Nancy Gardner and Simon Murfee

This defendant for answer to the said bill
or as much thereof as he is advised it is material for
him to answer answering say that he knows nothing
of facts stated in the complainants bill but places
the interests of the infant defendants under the
protection of the court whose judicial duty it is
to guard the interests of minors and having
fully answered says to be hence dispensed with his
costs &c

Gardner
Edwards guardian ad litem for

By consent of parties this cause
came on this day to be heard on the bill and answer and
was argued by counsel on consideration whereof the court
doth adjudge, order, and decree that James Maplesbury, James
Murfee and Manning Smith be appointed commissioners
any two of whom may act that they assign to Nancy
Gardner the third in value of the tract land lying in
the county of Southampton containing 150 acres
whereof Samuel R Gardner died seized and possessed and
that James R Murfee be appointed special commissioner
who after having given due notice of the time and
place of sale by advertisement at the court house door
and other public places in the county shall sell
the remainder of the said tract of land including the
reversionary interest in the widow's dower for enough
cash to pay the expenses of sale and this decree and the
remainder of the purchase money on a credit of
months the commissioners receiving the title to the said
land until the whole purchase money shall have
been paid and out of the money arising from the
sale of the said land pay first the judgment
together with the interest and costs thereon which

Elisha Jordan has record against the estate of Samuel
R Gardner doth the said judgment finding the heirs as well
as administratrix and divide the remainder if any into
three equal parts and assign one part to Simon
Murfee assignee of Samuel M. Gardner one part to
Margaret Gardner and one part to Samuel Gardner
and make report to the court in order to a final
decree

Petition of Timothy
E. Langston and
wife filed in
suit of Gardner vs
Gardner

Nov: Ct. 1846.

Nov. 16th 1846 Paid of L. P. Edwards the sum of ten
dollars

To The Honorable Justices of the County Court of Southampton
in Chancery sitting:

The Petition of Timothy E. Langston
and wife, respectfully sheweth, that a suit is now depending
in this Court in favor of Nancy Gardner & others, against
~~James R. Gardner~~ ^{Margaret} Gardner and Samuel Gardner ~~Infants of Samuel~~
R. Gardner dec^d for the purpose of assigning over to the
said Nancy and also to recover debts due by the estate
of said Samuel R. Gardner. Your petitioners further shew
that the estate of the said Gardner is justly indebted to
him in the sum of \$31.66 with interest from the 4th
day of Dec^r 1841, less paid and \$6.12 costs. That at
the March Term of this Court 1845, he recovered an
Judgment against the said Nancy Gardner administratrix of
Samuel R. Gardner dec^d. That execution issued upon
said Judgment and that the same was returned by the
Sheriff of this County "no effects". all which will appear
by the Ind: Execution and Bond filed herewith and
marked (A) which your petitioners pray may be taken
as a part of their petition. That the said Bond
binds the heirs of the said Gardner and is entitled to
its share of the proceeds of the sale of the Lands of the
Intestate. Your petitioners deny that the ^{heirs of} said Lands
should go towards the payment of the said debt, and
that they ought to be permitted to share and participate
with the said complainants and others in the benefit
of any decree which may be made in the said suit
for the distribution of the real estate of the said Gardner.
That the Lands have been sold and a decree has
been entered by which the sales of the said Lands have been
directed to be distributed, though the subject matter
of the suit is still under the control of the Court. Your
Petitioners therefore pray to be made parties to the said
suit according to the usual practice in Courts of Equity
and consent to submit to such Terms as may be imposed
on them for this purpose by this Court.

Prentiss. Atty for Petitioners

Gardner
" }
Gardner & Co

Petition of Jesse B Johnson
and wife

1847 February Term

To the worshipful justices of the County Court of
Southampton in Chancery sitting

The petition of Jesse B Johnson and
his wife, respectfully sheweth that a suit is depend-
ing in this court in favor of Nancy Gardner
and others against Margaret, & Lemuel Gardner
infants of Lemuel R Gardner dec'd for the pur-
pose of assigning dower to the said Nancy
Gardner and also to recover debts due by the estate
of the said Lemuel R Gardner. Your petitioners
further show that Josiah Smith qualified as guar-
dian of your fernal petitioner and executed bond
according to law with the said Lemuel R Gardner
Wm P Croft and Thomas Harcum his securities. That
your petitioners instituted a suit against the said
Smith & his securities, and at the last Term of the Circuit
Superior Court of Law & Chancery for the County of Southamp-
ton, obtained a decree against the said Smith, Wm P Croft,
Thos Harcum, Nancy Gardner adm'x of Lemuel
R Gardner dec'd for \$66.29 with interest on \$52.53
past thereof from the 1st of January 1842 till paid &
\$42.25 Costs, an execution issued thereon, and there
are no effects of the said Lemuel R Gardner on which
to levy the same, all of which will appear by the decree
& execution herewith filed marked (A) and prayed to be
taken as a part of this petition. The said Josiah Smith
and Wm P Croft are notoriously insolvent and your peti-
tioners have no remedy except against Thomas Har-
cum, and the estate of the said Lemuel R Gardner.
That the said decree binds the heirs of the said Lemuel
R Gardner, and is entitled to its share of the proceeds of
the sale of the lands of said intestate. Your petitioners
desire that the proceeds of said land should go towards
the payment of such part of said decree as the estate
of the said Lemuel R Gardner is in equity bound
for. That they ought to be permitted to share & participate with
the said complainants & others in the benefit of any decree which

may be made in said suit, for the distribution of the real estate of the said Gardner. That the lands have been sold and a decree has been entered by which the sales of the lands have been directed to be distributed, though the subject matter of the suit is still under the control of the court. Your petitioners therefore pray to be made parties to the said suit according to the usual practice in courts of equity and consent to submit to such terms as may be imposed on them for this purpose by the Court.

Chambliss & Mosserburg pro petitioners

Gardner
vs } In Chancery
Gardner

This cause came on this day to be again heard on the papers formerly read and upon the petition of Jesse B Johnson & wife and was argued by counsel. On consideration whereof the court doth adjudge, order & decree, that James Whurfee the commissioner in this cause pay to Jesse B Johnson the sum of \$22.17 with interest on \$17.51 part thereof from the 1st of January 1842 till paid, and \$13.68 costs of their suit in the circuit Superior Court; That the said commissioner will pay the said amount to Jesse B Johnson, and the balance pay over to the heirs of Samuel B Gardner dec'd or those claiming under them, as is directed by the decree day ~~December~~ 1846 entered in this cause.

Gardner

a. } Copy Book

Gardner

Southampton January Court 1846.

Nancy Gardner and Simon Murfee

against

Plffs

In Chancery

Margaret Leonard Gardner infants &c by J. R. Edwards

their guardian ad litem.

Defts

By consent of parties this cause came on this day to be heard on the bill and answer and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that James Mapenburgh, James Murfee & Benjamin F Smith be appointed Commissioners any two of whom may act, that they assign to Nancy Gardner as her dower one third in value of the tract land lying in the County of Southampton containing 150 acres whereof Lemuel R Gardner died seized and possessed, and that James W Murfee be appointed Special Commissioner, who after having given due notice of the time and place of sale by advertisement at the Courthouse door and other public places in the County, shall sell the remainder of the said tract of land including the reversionary interest in the Meadows dower for enough cash to pay the expenses of sale and this decree, and the remainder of the purchase money on a credit of months - the Commissioner reserving the title to the said land until the whole purchase money shall have been paid - and out of the money arising from the sale of said land pay first the judgment together with the interest and costs thereon which Elisha Gardner has recovered against the estate of Lemuel R Gardner dec. the said judgment binding the heirs as well as administratrix - and divide the remainder if any into three equal parts and assign one part to Simon Murfee assignee of James M Gardner, one part to Margaret Gardner & one part to Lemuel Gardner - and make report to the Court in order to a final decree.

Like's Costs \$2.38.

H Copy

Teste.

J. R. Edwards

Gardner et al:

i } Amended Decree

Gardner & Peltier

March Court - 1846

Southampton County. March Court 1846

Gordon and others

2 3 In Chancery

Gordon, &c ad litem

This day this cause came on again to be heard by consent of parties, and the agent of the Court on the papers formerly read in the cause, and was argued by counsel. On consideration whereof, it appearing to the Court that there are other debts existing against the estate of Samuel R. Gordon which bind the real estate of said Gordon, for the payment of which, no provision is made in the decree in this cause rendered at January Court 1846 the Court doth adjudge, order and decree that James W. Mumple the special Commissioner appointed in said last named decree give public notice for at least two months at the Court House door, requiring all persons holding claims against the estate of said Samuel R. Gordon, which bind his real estate, to produce them at an appointed time and place most convenient. And the Court doth further order & decree that said Commr., after paying the debt, but & costs of Elisha A. Gordon provided for in the decree of January Court 1846, pay off in equal proportions, all other claims which may be produced against the said Samuel R. Gordon, binding his real estate, and if any of the proceeds of the sale of the land remain after paying, such claims, that he pay one third of the same to Simon Mumple assignee of James W. Gordon, and the other two thirds to the guardian at law of the infants Samuel and Margaret Gordon. And that he report his proceedings to Court in order to a final decree -

report the same to Court, together with any matters deemed necessary to be stated -

Gardner
v 3 Dever
Edward

ACopy

Southampton March Court. 1846

Nancy Gardner and Simon Munroe
against

Deft.

Margaret & Samuel Gardner infants &c by J.R. Edwards
their Guardian ad litem

Defts

This day this cause came on again to be heard by consent of parties and the report of the Court as the papers formerly read in the cause and was argued by counsel on consideration whereof it appearing to the Court that there are other debts existing against the estate of Samuel R Gardner dec'd which bind the real estate of said Gardner for the payment of which no provision is made in the decree in this cause rendered at January Court 1846 the Court doth adjudge order and decree that James Whitford the special Com appointed in said last term's decree give public notice for at least two months at the Court house doors requiring all persons holding claims against the estate of said Samuel R Gardner who bind his real estate to produce them at an appointed time and place most convenient; and the Court doth further order & decree that said Com after paying the debt int. & costs of Charles Gardner provided for in the decree of January Court 1846 pay off in equal proportion all other claims which may be produced against the said Samuel R Gardner binding his real estate and if any of the proceeds of the sale of the land remain after paying such claims that he pay one third of the same to Simon Munroe assignee of James M Gardner; and the other two thirds to the Guardians ad litem of the infants Samuel and Margaret Gardner; and that he report his proceedings to Court in order to a final decree Report the same to Court together with any matters deemed necessary to be stated

Test J.R. Edwards Clls

Gardner } Amundsen
v }
Edward } Secum

1846 April. Form

[Faint, illegible handwritten text, likely bleed-through from the reverse side of the page.]

Gardner & Murphy ~~Plffs~~

vs

Mt L Gardner & Edwards vs a Lien Defds

This day this cause came on again to be heard on the papers formerly read and was argued by Counsel on consideration whereof the Court doth order, adjudge and decree, that the former decree in this cause, be so amended as to require the special Commissioner James W. Murphy, after ascertaining the debts outstanding against the estate of Samuel R. Gardner, that bind the land, to report the same to the Court, instead of proceeding to disburse the fund as directed in former decree.

Gardner &c

v. } Esq. Dene

Gardner &c

Southampton April Court 1846
Nancy Gardner & Simon Murfey.

Plff } In Chancery
Dfts }

against
Margaret Leonard Gardner infants &c

This day this cause came on again to be heard on the papers formerly read and was argued by counsel: On consideration whereof the Court order adjudge and decree that the former decree in this cause be so amended as to require the Special Commissioner James W Murfey. after ~~ascertaining~~ ascertaining the debts outstanding against the estate of Samuel R Gardner that bind the lands. to report the same to the Court instead of proceeding to ~~disburse~~ disburse the funds as directed in former decrees

Attest
Jas R Edwards Ck

Gardner & Co
10 E
Gardner & Co 3rd and 4th Sts

1846 September

Decree

Gardner vs sb
v { Deane
Gardner jr ad litem

This day this cause came on again to heard on the papers formerly read and the report of James W. Murphree Special Commissioner and was argued by counsel on consideration whereof the court doth adjudges order and decree that out of the money arising from the sale of the said tract of land he pay first the expenses of sale be then the bonds which he has reported binding him and remainder divide into three equal parts and assign one part to Simon Murphree assignee of James W. Gardner one part to Margaret Gardner and the remaining part to Samuel Gardner

Gaydon
3 Over
Gaydon

Southampton County Court Records Term 1848
Nancy Gardner and Simon Muford vs
against

Margaret & Leonard Gardner infants & vs
This day this cause came on again to be heard in the papers
formerly read and the report of James W. Muford Special
Commissioner and was argued by Counsel on consideration
whereof the Court didt adjudge order and decree that out of
the money arising from the sale of the said tract of land
his pay first the expenses of sale & then the bonds which
he has reported binding him and remainder divided into three
equal parts and assign one part to Simon Muford
the second of James W. Muford one part to Margaret Gardner
and the remaining part to Samuel Gardner

Attest

Test J. R. Edwards

Cost \$3.00

Gardner
as { Doer
Gardner

0.1 m

This day this cause came on to be heard again
 on the papers formerly read and upon the petition
 of Jesse B Johnson & wife, and was argued by counsel,
 On consideration whereof the court doth adjudge,
 order, & decree, that James W Murfee the commissioner in
 this cause pay to Jesse B Johnson the sum of Twenty Two
 Dollars and Seventeen cents with interest on Seventeen Dollars
 and Fifty one cents part thereof from the 1st of January
 1842 till paid, and Thirteen Dollars and eight cents costs
 of their suit in the Circuit Superior Court, That the said
 commissioner pay the said amount to Jesse B Johnson,
 and the balance pay over to the heirs of Lemuel B Gard-
 ner and on those claiming under them as is directed
 by the decree entered in this cause on the ~~day~~ day of
 Decemr. 1846

A Copy

22-12
 2

Debt of 22.87
 Int on 17.51 from Aug 1832 to 1st July - 1846 6.91
 ... Cost 13.08
 42.86
 Commission 2.00
 44.86

Gundner

W 3 h cly
Deene

Gundners &c

December
1826 Amundsen Tenn

Gardner
vs In Chy:
Gardner &c

This Cause came on this day to be again heard upon the papers formerly read, and upon the Petition filed in this Cause by Timothy E. Langster and wife, and was argued by Counsel: On Consideration whereof the Court with a Judge, order and decree that, James W. Murfee the Commisiner in this Cause pay unto Timothy E. Langster and wife, the sum of Thirtyone Dollars and sixty six cents, with Interest from the 4th day of December 1841, till paid, and Six dollars and twelve cents costs of his suit at Law, the Court being satisfied that the Bond upon which the Judgment was founded bound the heirs of the said Gardner. That the said Commisiner will pay the said amount to Langster, and the Balance pay over to the heirs of Lem. R. Gardner dec'd or those claiming under him. as is directed by the decree of the day of September 1846, entered in this Cause.

Southampton December Court 1846

Nancy Gardner and Simon Murfer

Plffs

against

Margaret & Leonard Gardner infants &c by S.R.

vs Chy

Edwards their Guardian ad litem

30th Feb

This cause came on this day to be again heard upon the papers formerly read and upon the Petition filed in this cause by Timothy O Sangston and wife and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that Simon W Murfer the Commissioner in this cause pay unto Timothy O Sangston and wife the sum of Thirty one dollars and sixty six cents with interest from the 4th day of December 1841 till paid and six dollars and twelve cents costs of his suit at Law the Court being satisfied that the bond upon which the Judgment was founded bound the heirs of the said Gardner That the said Commissioner will pay the said amount to Sangston and the balance pay over to the heirs of Lem R Gardner or those claiming under him as is directed by the decree of the day of September 1846 entered in this cause.

Teste S.R. Edwards Clk

Clk's costs 97 cents.

Gardner

a }

Gardner

msb L1781

Garnett
v
Edward } Amended Decree

This day this cause came on again to be heard on the papers formerly read and report of the Court made in pursuance of an order of Court on consideration whereof it appearing to the Court that funds sufficient to satisfy and pay off all claims now outstanding against the estate are in the hand of the Court and it further appearing that debts binding the realty have been paid out of the personally to an amount more than equal to the debts now outstanding on open accounts it is ordered and decreed that the Court pay off any claim duly authenticated and report to the Court -

Gardner

a } Copy Devere

Gardner

Southampton June Court 1849.

Nancy Gardner & Simon Murfee
against

Margaret & Lemuel Gardner infants &c

Peffs } In Chancery
Defts }

This day this cause came on again to be heard on the papers formerly read and report of the Commissioner made in pursuance of an order of Court. On consideration whereof it appearing to the Court that funds sufficient to satisfy and pay of all claims now outstanding against the estate are in the hands of the Commissioner - And it further appearing that debts bidding the reality have been paid out of the personally to an amount more than ^{equal to} the debts now outstanding on open accounts. It is ordered and decreed that the Commissioner pay off any claim duly authenticated and report to the Court.

Clerks Costs £ 2.82

e the copy

Teste L R Edwards Ck

Garmon de

7

Garmon de

1869 Dec 10

Gardner &c

"

} Secum

Edwards guardian ad litem

This day this cause came on again
to be heard on the papers previously read and
was argued & considered on considera-
tion whereof the Court doth adjudge
order and direct that the Commissioner
James W. Murphy execute a deed
with special warranty to Simon
Murphy for the land in his report
mentioned

Comm. Report

Upon Mrs.
Nancy Gardner

for 3 Dollars
12th Decr

1846 March Term

Agreeably to the quoted decree, we, Geo. Ed. Mapsbury
and Herman S. Smith, Comrs. have proceeded to allot Mrs.
Nancy Ellison, relict of Sam. A. Ellison dec'd one third
in value of the above named tract of land - We have
ascertained by survey that it contains two hundred and
fourteen acres instead of only 150 acres. We have there-
fore allotted Mrs. Nancy Ellison, sixty two and a half
acres as her share. Commencing at the large red oak
in the road near the shop occupied by Jacob's Lumber, in
a line between this tract and Union Mangle, thence N.
80 E. 132 p. along a new line of marked trees across
the plantation to the large ditch on the back part of
the plantation; thence S. $74\frac{1}{2}$ E. 69 p. along a new line of
marked trees to a post stake on the large ditch, in the line of
Mansfield Holland, thence up the large ditch along a
line of marked trees the various courses thereof 40 p.
to a black gum at the corner of the plantation, thence
S. 15 W. 76 p. along a line of marked in a small branch
to a corner of this tract in Mrs. Holland's line; thence
N. 69 W. 28 p. along a line between this tract and
Mrs. Holland to a dead oak; thence N. 49 W. 42 p.
to a dogwood near the Co. Quay road in Union Man-
gler's line; thence N. 34 W. 47 p. along a line of marked
trees on the road side to a rotten stump near a per-
simum tree bush; thence N. 32 W. 32 p. to the be-
ginning. In allotting the above we have reserved
for the purchase of the other two thirds the free use and

benefit of the larger ditch which runs through the glower
and the privilege of keeping it open to him, his heirs and
assigns forever - We have subjected the owner to the a-
bove as it is a mutual benefit and advantage to
each part and parcel thereof and as the other two
thirds would not be equal without the privilege and
said advantage above mentioned - All of which
is respectfully submitted, from under our hands and
seals this day of A.D. 1845 -

We thought it best to have it surveyed and therefore
had it done by Jas. W. Munger and ascertained
the quantity to be as is before mentioned (3 1/4 acres)

J. D. Mansbury

W. T. Munger

A Report Upon
The Sales of
Sands of S.R. Custer

181,6 Aug. Court

Agreeably to the decree returned with the Court's Report upon the division of the tract and parcels of land belonging to the estate of Lem. R. Garrison dec'd, I proceeded to sell, ^{on 14th of Feb. last} the said tract and parcels of land of which the said Lem. R. Garrison died seized and possessed, subject to the various debts, upon a credit of six months, excepting the expenses, and have taken a bond for the balance of the sales of Simon Munger. The purchaser has paid the sales as follows viz

The tract of land to Simon Munger for \$525.35

Expenses —

Lauver's fee (Paid)	\$10.—
Clerk's do. (Paid)	2.38
Mr. O. M. Mappin's fee for division	3.—
Hemming & Smith's " " "	3.—
Chariot Carriers ca. \$1.50	3.—
Surveying and dividing	6.—
Comps. on 300 vol. for 5 per.	15.—
Dr. on 225.35 at 2 1/2 per.	5.63
Simon Munger's Bond	474.34
	<u>\$525.35</u>

Total Balance \$474.34

And agreeably to the said decree before mentioned I have paid the debt due ^{and the cost of the decree} Eliza Anderson of 206.31 which leaves a balance of 271.03

Agreeably to the amended decree of ^{March and} Apr. L. Court 1836 I proceeded to take a list of the debts for which the said estate Lem. R. Garrison is bound and have with submit a list of all that have been presented, and a judgment, on a note binding the heirs of Lem. R. Garrison dec'd in favour of Mrs. F. Garrison for ten dollars, with int. from the 6th of Apr. 1837

two pairs —

Court and Comv. — \$1.33

A judgment on a note binding the heirs of Lewis.
R. Gardner dec. in favour of Mrs. Mary A. Doughty
for Eleven dol. and 64 Cts with int- from
the 1st Dec. 1841 till paid

Cost and Costs -

\$1.38

A judgment in favour of Elbert Vaughan
a judgment of Wm. Vaughan on note binding
the heirs of Lewis. R. Gardner dec. for 14
and 75 Cts. with int- from 20th of Sept.
1840 till paid

Costs 30. & Costs, 48

978

A judgment on a bond binding the heirs
of Lewis. R. Gardner, in favour of A. L.
Gardner for the sum Nineteen dollars and
78 Cts. with int. from 18th day of Sept. 1844
till paid

Costs and Costs

\$1.73

Jas. M. Munger

Union Transfer paid letter no. 4.
and return sent to pay J.
Langston's debt and costs

Aug. 15th 1847 J. M. Mungfer Com.
J. M. Mungfer paid of the Union Society
44 dollars and 81 cents to pay sundry
claims and account Aug. 5th 1848
J. M. Mungfer Com.

J. Mungfer is

Debit	Credit	
16.15	44.09	
26.85	81.02	
<u>14.00</u>		
	10.00	Balance

Union Transfer paid of the Society
44 dollars and 81 cents
to pay J. Langston's claim
and account Aug. 5th 1848
J. M. Mungfer Com.

Albion and J. Simon Munger, promise to pay
or cause to be well and truly paid unto Ed.
Mr. Munger, Comm. for the benefit of Simon
Lundon infant child of Lem. R. Lundon, dec.
the just and full value of forty seven
dollars and nine cents for his por-
tion of the balance of the net proceeds of
the sale of the traps and parcels of skins
of which Lem. R. Lundon died seized and
possessed. For which payt. well and truly
to be made, I bind myself my joint and
several heirs. Witness my hand and seal
this 10th day of Oct. 1846

Attest
#57.09

J. Munger

I agreeably to the annexed order, I have paid the bonds as reported by me, bearing the heirs of Lem. R. Garrison dec'd.

A judgment on a bond in favour of Mrs. Mary A. Weybright Sub. and Costs included 11.61

A judgment on a bond in favour of Man. T. Carfarms Sub. and Costs included 15.70

A judgment on a bond in favour of Elbert Vaughan Ap. g. m. of Man. Vaughan Sub. & Costs. 10.21

A judgment in favour of A. L. Garrison against Lem. R. Garrison on security for Rev. C. Smith Sub. and Costs 24.18

It is paid Mr. Munroe Constable 66.70

Clerks fees paid 1.25

Commissioner's fee for admitting dets. and making up acct 2.00

1846 44.95

Aug. 14th Balance due of sales after paying in Darius's debt as reported 271.03

Dec. 18th Sub. on 271.03 to this day 5.19

276.22

R. balance due this day 201.27

276.22

Which net balance, I have divided into three equal shares of 92 2/3 each dollar and nine cents and have assigned one share to Simon Munroe

as agents of James M. Cassner, and have taken
 Simon Mungfer's bonds, viz one for fifty seven dol.
 and nine cents for the benefit of Margaret Cassner
 and another bond for the like amt for the benefit
 of Lemuel Cassner infant children of Sam
 R. Cassner and all of which in brief respect
 fully submitted since under my hand this 10th
 of December 1846 James M. Mungfer Comr.

Jan. 18th 1847

After the above was arranged and settled, as
 reported. It was ordered by the court and affirmed
 decree that S. M. Mungfer Comr. should pay
 J. E. Langston's debt and costs, of forty seven
 dol. and 57 cents, and clerk's fees of 97th - where
 upon Simon Mungfer refused of his portion fifteen
 dol. and 16 cents and paid on each of the bonds
 fifteen dol. and fifteen cents making 48.48

Wm. M. Mungfer Comr.

Subsequently at same Court 1847 It was ordered
 that S. M. Mungfer, Comr. should pay any claim
 duly authenticated, and it has been decreed as
 H. Annals decree that I should pay upon
 B. Johnson claim and costs which upon
 on the 8th May 1848 Simon Mungfer paid upon
 each note twenty six dollars and 81 cents and upon

of his part 81 cents and six dollars
 and 81 cents, to pay the following claims - viz

A claim in favour of Mrs. Tangleam	due the 11 th Aug 1845	\$5.30	
Int. on the same till 5 th May 1848		1.26	
Costs of lawsuit 20 th Coms. 39 th		.59	\$8.25
A claim in favour of Mrs. Harcourt	due Oct. 12 th 1844	\$9.-	
Int. till 5 th May 1848		1.92	
Cost of lawsuit 20 th Coms. 50 th		1.66	
Am't of certificates		5.66	17.52
A claim in favour of Geo. Brown	due July 30 th 1843	10.-	
Int. till 5 th May 1848		2.85	
Cost of lawsuit 20 th Coms. 55 th		.95	13.87
A claim upon execution in favour of Mrs. B. Edwards due Jan. 1 st 1845		\$5.20	
Int. till 5 th May 1848		1.02	
Printers costs / Clerk's fees		5.17	
Shiffs 1.65 / Carriage 3.25		4.93	14.54
A claim in favour of Mrs. Holland	due Dec. 25 th 1836	\$11.20	
Int. till 5 th May 1848		7.13	
Cost of lawsuit 20 th Coms. 97 th		1.57	20.50
Clerk's fee in this suit 2.82 / Case on behalf 33 th			3.35
Clerk's ticket of shipper in suit apt. 1 st 1848			36
			\$50.43

And on 17th July 1848 Union Munroe paid again
upon bank note fourteen dollars and five and one
third cents and refused of his portion as of the first
division, the sum amt. of \$16.05⁵ ¹²/₁₀₀ to
be paid to B. Shuman's claim. Whereupon B. Shu-
man & W. Munroe, Coors. paid the said amt. B. Shuman
with as follows: Cash — \$22.17
date on 17. 57 from Aug 1842 1.91
the 17th July 1848
Certs as of. across — 13.08 = 42.16

1848 October Term.

James Smiths Report
J. Shuman's
Done —

The Bonds with the evidence as of this report and the
papers in the Cause is most respectfully submitted
after paying the above claims as are shown with reports
to me where is only ten cents and some cents
exclusive of debt which is the principal due on
each Note — I hope the court will receive the
papers and means me from further duty and re-
sponsibility —
Wm. N. Munroe Coors
Oct 7 1848