

Probate, NC, Union, THOMAS JOINER 1852

W. H. SIMPSON, administrator of
JOHN FOARD, deceased

vs.

E. C. STEWART & C. Q. LEMMOND, executors of
SILAS P. STEWART, deceased

ELI STEWART, executor of
H. STEWART, deceased

SILAS P. STEWART, administrator of THOMAS JOINER, deceased.

Two thirds of the neat estate of THOMAS JOINER as made out by committee of court,
June 29, 1847, just for 5 years & 6 months.

JOHN FOARD, who had been summoned to produce an assignment, SARAH SAUNDERS had made
to BRITTON JOINER of her interest in THOMAS JOINER estate appeared and produced the
same which is filed.

W. T. LEMMOND who after being duly sworn deposeth & saith that he wrote the
assignment and saw SARAH SAUNDERS sign, seal and deliver the same to BRITTON
JOINER.

Q: Was SARAH SAUNDERS reputed to be the child of THOMAS JOINER

A: She was, or I always understood so.

Q: How many children had THOMAS JOINER

A: Three. SARAH, BRITTON, & JESSE

Q. By Deft. Was THOMAS JOINER dad when she made the assignment?

A. He was.

And further he saith not.

Probate, NC, Union, THOMAS JOINER 1852

This suit, having been referred to the undersigned by an order of the county court at the last term to take an account and report. After duly notifying the parties I proceeded on the first day of January, 1853, to take said account and report as follows:

I find that there was a settlement made of the estate of **THOMAS JOINER**, deceased, by a committee of court on the 29th June, 1847. The amount of the estate then, was \$91.25. The amount of vouchers & commissions was \$6.78. Balance to the heirs was \$64.47.

When the parties met before me they agreed to be governed by said settlement.

The plaintiff claims two shares of the estate of **THOMAS JOINER**, deceased, which would be \$46.98 & interest for 5 years + 6 months is \$14.18, making \$57.16. The defendant objected to the assignment made by **SARAH SAUNDERS** to **BRITTON JOINER**, which is filed marked A. The defendant offered two receipts as advancements, one of which is in the following words & c.

April 14, 1844, Received of John Flow seven dollars for **THOMAS JOINER** by me.

BRITTON JOINER

Which the plaintiff objected to, and was ruled out by the undersigned. I find due to the plaintiff, **W. H. SIMPSON**, administrator of **BRITTON JOINER**, deceased, the sum of \$57.16.

Respectfully submitted,

J. M. STEWART

Probate, NC, Union, THOMAS JOINER 1852

W. H. SIMPSON, administrator

vs

E. C. STEWART & C. Q. LEMMOND, executors
of S. P. STEWART, deceased

Report

\$5 Allowed

Probate, NC, Union, THOMAS JOINER 1852

State of North Carolina

To the sheriff of Mecklenburg County greeting

You are hereby command to summon **JOHN FOARD** "du astecaim" to produce before me and assignment from Sarah Sanders to **BRITTON JOINER** carrying all her interest in **THOMAS JOINER** estate personally to be and appear before the clerk of court of pleas and quarter sessions at the courthouse in Monroe on the first day in January next then and there to testify and the truth to say in behalf of **W. H. SIMPSON** administrator and a certain matter of controversy before the said Court depending and then and there to be tried where in **W. H. SIMPSON** administrator is plaintiff and **E. C. STEWART** and **C. Q. LEMMOND** are defendant and this you shall in no wise omit under the penalty prescribed by law.

Witness **J. M. STEWART** Clerk of our said court at office the first Monday in October and in the 77th year of American independence 1852

J. M. STEWART Clerk

Probate, NC, Union, THOMAS JOINER 1852

W. H. SIMPSON, administrator

vs

E. C. STEWART
C. Q. LEMMOND, executors
of **S. P. STEWART**, deceased
and others

Sub for Plaintiff

JOHN FOARD

to

1 January 1853
before the clerk

Executed on the 31 of December
1852

for **ALEXANDER**, Shff
by **Z. MORRIS**, DS

Probate, NC, Union, THOMAS JOINER 1852

State of North Carolina

The sheriff of Union County greeting

You are hereby commanded to take the body of **S. P. STEWART** and summons **ELI STEWART** executor of **H. STEWART** deceased if to be found in your county, and then safely keep, so that you have them before the justices are County Court of pleas and quarter sessions, at the next court to be held for the county of Union at the courthouse in Monroe on the first Monday in April next, then and there to answer the state of North Carolina upon the relation of **W. H. SIMPSON** two of **BRITTON JOINER** deceased of a plea that they Render unto him the sum of \$400 which they owe and justly detain to his damaged \$200.

Herein fail not and have you been in there this writ.

Witness **J. M. STEWART** Clerk of our said court, at office the 10th first Monday in January and in the 76 the year of our independence A. D. 1852

Issued the 20th day of January 1852

J. M. STEWART Clerk

Probate, NC, Union, THOMAS JOINER 1852

State of North Carolina
on the relation of **W. H. SIMPSON**

Executor of **B. JOINER** deceased

vs

S. P. STEWART administrator **THOMAS JOINER** deceased
ELI STEWART executor **H. STEWART** deceased

WRIT debt

April term 1852

Executed and bond filed
D. RUSHING Sheriff
AUSTIN, DS

Probate, NC, Union, THOMAS JOINER 1852

State of North Carolina

The sheriff of Union County greeting

You are hereby commanded to summon **W. T. LEMMOND** personally to be in appear before the clerk of our County Court of pleas and quarter sessions at the courthouse in Monroe on the 29th of June instant then there to testify, and the truth to say, in behalf of plaintiff in a certain matter of controversy before the said Court depending, and then in there to be tried, where in wh Simpson is plaintiff and S. P. Stewart and others is defendant.

And this you shall in no wise omit, under the penalty prescribed by law.

Witness **J. M. STEWART** Clerk of our said court at office the first Monday in April in the 76 the year of American independence A. D. 1852

J. M. STEWART Clerk

duplicate

Probate, NC, Union, THOMAS JOINER 1852

W. H. SIMPSON administrator

vs

E. C. STEWART

C. Q. LEMMOND executor

ELI STEWART executor

H. STEWART deceased

Mr. **E. C. STEWART** and **C. Q. LEMMOND** you will please to take notice that I shall proceed at the courthouse in Monroe on the first day of January 1853 to take account in the above case when and where you are notified to attend if you see proper this 21st of December 1852

J. M. STEWART

Probate, NC, Union, THOMAS JOINER 1852

W. H. SIMPSON administrator
vs
E. C. STEWART executor and others

Notice
to
1st of January 1853

Executed by leaving a copy of this notice
at the residence of **E. C. STEWART** the
22nd day of December 1852

D. RUSHING Sheriff

Probate, NC, Union, THOMAS JOINER 1852

W. H. SIMPSON

vs

S. P. STEWART et al

Mr. **W. H. SIMPSON**, Sir, please to take notice that I shall proceed to take the account in this case on the 29 instant in the clerk's office in Monroe when and where you are notified to attend this 22nd of January 1852.

J. M. STEWART Clerk

Probate, NC, Union, THOMAS JOINER 1852

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Transcribed from original documents by Brent R. Brian & Martha M. Brian.

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Martha M. Brian
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