Creath, George W. vs Smith, Zenas 1852 Wayne Co. 308/4
" , Carrol A Athens, James A
" , Charles W.

558/14

Wayne Circuit Court March Term 1852
Record of the proceedings of the Circuit Court of Wayne County at a Court began and held at the Court House in the Town of Greenville in Said County on the Second Monday of March A.D 1852 present the Honorable Harrison Hough Judge of Said Court
Monday the first day of the term and 8th day of the month
Among other proceedings the following were had

George W Creath and others
Versus
Tenas Smith & James A Atkins
} On Bill of Review

The Defendants come into Court by N W. Watkins their attorney and file a Demurer to the Complainants bill

Wayne Circuit Court March Term 1852
Tuesday 2nd day of the term & 9th day of the month present Honorable Harrison Hough Judge of Said Court,
Among other proceedings the following were had

George W Creath & others
Versus
Tenas Smith & James A Atkins
} On Bill of Review

And now at this time comes the parties by their attornies and by consent this cause is continued till the next term of this Court on Demurer without prejudice to trial, at the next term of this Court

(2)

Wayne County Circuit Court September Term 1853
Tuesday 2nd day of the Term and 14th day of the
month present Honorable Harrison Hough Judge
of said Court
Among other proceedings the following were had.

George W Breath & others versus Genas Smith & James Cattins	Bill of Review

And now at this time comes the parties by their attorneys and this cause having been taken up on the bill of complainants and demurer of defendants and the Court after having heard the arguments of Counsel and being thereof advised doth sustain said demurer and adjudge and decree that said bill be dismissed for want of Equity therein and that said defendants have and recover of and from said complainants their Cost and charges in and about this suit expended, To which opinion of the Court in sustaining said demurer and dismissing said bill said complainants being herein Court except and tender their bill of exceptions and pray the same may be signed sealed and made a part of the record in this cause which is accordingly done, The complainants then herein Court pray an appeal to be granted them in this cause to the Supreme Court and having filed an affidavit as the law requires said appeal is granted by the Court and the proceedings and papers herein ordered to be certified to said Supreme Court

1

George W Breath & others
against
Venas Smith & James A Atkins

In Wayne Circuit Court State of Missouri
Bill of Review

Be it remembered that at this the September Term of the said Circuit Court and on the second day of said Court and fourteenth day of said month in the year of our God 1852 said cause came on to be heard upon the bill and demurrer in the case which said bill is as follows to wit

In the Circuit Court for the County of Wayne and State of Missouri March Term A.D. 1852

To the Honorable said Circuit Court

Your Complainants George W Breath and Carrol A Breath and Charles W Breath minors under the age of twenty one years by their next friend herein said George W Breath and Albert F Breath Samuel W Breath Joseph S. White and Sophia E his wife late Sophia E. Breath and John E. Past and Martha his wife late Martha Breath all heirs and legal representatives of William Breath late of said County deceased respectfully make known to this Honorable Court that one Venas Smith of said County & State filed in this Court his Original Bill in Chancery at the October Term thereof year Eighteen hundred and forty one the ninth day of said month year aforesaid against one James A Atkins as Administrator of the Estate of said William Breath deceased and said Martha his Widow and said Albert F Breath Samuel W Breath George W Breath Carrol A Breath Charles W Breath Sophia E Breath and Emily S. Breath till then infant heirs of said William Breath deceased except said Martha Breath who was then the Widow of said

deceased setting forth among other things that Genas Smith and William Breath in his life time had been partners in trade doing business in the Town of Granville in said County as Merchants under the firm and style of Smith and Breath and that said Genas Smith having advanced more stock in trade than said William Breath he the said William Breath to place and make his stock in trade more nearly equal to that of the said Genas Smith he and his said Wife Martha Breath conveyed to said firm of Smith and Breath the following real Estate, to wit five certain lots or parcels of land in said Town of Granville in the County aforesaid Named and designated on the plot of said Town as lots number three and and four seven, nineteen and twenty, except so much of said lot number seven as was then owned and occupied by said James O. Atkins also one tract of land conveyed to said William Breath by One Ransom S. Betts and Polly his wife by deed bearing date twenty first day of October Year Eighteen hundred and twenty Eight and bounded as follows To wit Beginning at an apple tree thence running South fifteen degrees West three hundred and thirty poles and two links to a stake, thence South Seventy five degrees East three hundred and four poles to a stake, thence North fifteen degrees East, three hundred and thirty six poles and two links to a stake, thence North Seventy five degrees West three hundred and four poles to the beginning excepting three hundred acres, and also forty one acres before that time conveyed by said Ransom S. Betts and also the South West quarter of South East quarter of Section number Twelve, Township number twenty eight North of Range number

five East, containing forty acres also the North East quarter of the South East quarter of Section Eleven, Township twenty Eight, North of Range five East, containing also forty acres also the North West quarter of the South West quarter of Section twelve Township Twenty Eight, North of Range five East containg also forty acres also the North west fractional quarter of the North East fractional quarter of Section thirteen Township twenty Eight North of Range five East containing sixteen acres and fifty hundreths, also the South West quarter of the South West fractional quarter of fractional Section twelve, Township twenty Eight, North of Range five East, containing twenty four acres and forty hundreths, making in all about four hundred and sixty acres of land exclusive of said four lots, and that said four lots number three four and part of lot number Seven and lots number thirteen and twenty, were conveyed as aforesaid by deed bearing date tenth day of June Eighteen hundred and thirty Eight for the sum of five hundred dollars, and that said several tracts and parcels of land were conveyed as aforesaid on the fourth day of June year Eighteen hundred and thirty Eight for the sum of two thousand dollars, and that after the conveyance of said lands and lots as aforesaid the same and the price thereof was entered in the books of said firm of Breath & Smith by said William Breath as so much Stock in trade advanced by him to said firm, for the purpose of carrying on the trade and business of Merchants as aforesaid, and that it was agreed by and between the said Genas Smith and said William Breath that the same was

partnership property, and that they said Genas Smith and William Breath being ignorant of the law, treated as such and supposed it would, as personal property serving to the surviving partner for the payment of debts due and owing by said firm, and that under the same impression the said Genas Smith and William Breath purchased of one John D. Cook a lot of ground in said Town of Greenville known on the Map of said Town as lot number twenty ~~eight~~ six adjoining to the public Square, and that the same was conveyed by said Cook and wife by deed to said Breath and Smith for the sum of one hundred and fifty dollars, and that the said price was entered on the Books of said firm as so much stock in trade, and further that one Henry W Newberry being indebted to the said Genas Smith and William Breath as Merchants aforesaid, for payment of said debt executed, on the tenth day of January Eighteen hundred and thirty Eight for the sum of two hundred and twenty Eight dollars and sixty eight cents a deed to the firm of Breath and Smith by the name of William Breath and Genas Smith, for lots number fifty eight fifty ~~nine~~ sixty sixty one sixty two sixty three sixty four sixty five sixty six and sixty seven in said Town of Greenville in discharge of said debt, further that said lots so transferred by said Newberry were paid for out of the joint funds of said Smith and Breath, and that for the land and lots so transferred by said William Breath and wife a credit was entered to said Breath on the books of said firm as a credit of stock and cash advanced to said firm and that the same was always treated not as

faint but as partnership property during the life of said Breath, and that said William Breath died in May year Eighteen hundred and thirty nine intestate leaving said Martha his widow, and the said Albert F Breath Samuel W Breath, George W Breath, Carroll A Breath Sophia E Breath Charles W Breath and Emily J Breath his Children all minors under the age of twenty One years, praying that a Guardian ad litem be appointed for said minors; and said James A Atkins had obtained letters of Administration on the Estate of said William Breath deceased and praying that all said parties be made parties defendants to said bill, and further that by the death of said William Breath, the undivided half of said lots and lands if not treated as partnership property would descend to said minor heirs, in equal parts after deducting the widows dower therein, and liable to be partitioned out among them, or otherwise disposed of to satisfy the debts individually due by said William Breath, and that thereby said Jonas Smith would be greatly injured; and further that at the death of said Breath the said firm of Breath & Smith was largely indebted for goods wares and Merchandize, and other outlays and necessaries about the carrying on the business as Merchants aforesaid; and that the debts and liabilities of said firm could not be met and discharged, the means not being in the possession, hands or control of said Jonas Smith as surviving partner as aforesaid as the same become due; and that by reason

whereof the said Genas Smith was liable to be greatly harrassed and distressed and his own individual property taken to satisfy the debts of said firm and that said Genas Smith did not believe that said liabilities could be met unless said lands and lots should be sold and the funds arising therefrom be paid and passed over to him said Genas Smith as surviving partner of said firm for that purpose. The said bill of said Genas Smith therefore prayed that commissioners might be appointed to assign dower to said Martha widow of said William Breath, in said lands and lots, and that should said commissioners report that dower could not be assigned therein that the Court might order and decree that said lots and lands should be sold and that from the money arising from the sale thereof said Martha might receive such portion as the Court might order in lieu of dower; and that the balance be applied to settling and cancelling the debts and liabilities of said firm; and that the Court should appoint some suitable person as trustee to make sale of said property and dispose of the proceeds as aforesaid, and as the Court might order, decree and direct. And complainants further shew that the Court then and there on the motion of Green W Davis Esq Solicitor for complainant in said original bill appointed said James A Atkins

Guardian ad litem for said minor heirs of said William Breath deceased; and that said Guardian, without the knowledge of Complainants and without consulting them and without their consent appeared to said proceedings in the name of said minors, and answered the bill of said Genas Smith for himself as Administrator of said William Breath deceased, and as Guardian for the said minor heirs of said deceased, admitting generally the allegations and charges therein and consenting to a decree therein according to the prayer of said complainant in said Original bill, and that said answer of said Guardian and Administrator was not under oath as by law and the course of Equity proceedings it ought to have been, and further that said Martha Widow of said deceased, not being cognizant of the law, and unacquainted with the business of said husband, and not suspecting that any advantage was sought to be obtained against her and her infant children, was induced to appear to said proceeding and answer the bill exhibited as aforesaid, whereby she alledges that the matters and things charged in said bill were true so far as she knew and believed, and consented that in the event the Commissioners prayed to be appointed to assign her dower in said lands and to ~~lots~~ should report against the propriety of assigning the same that she would accept such proportion of the sale, thereof as the Court should order and decree in lieu of her said dower, and further that said answer was not under oath as the law directs. And Complainants further shew

that the Court then and there appointed L. H. Flinn, Wiley Wallis, and B. F. Selvent commissioners to assign dower in said lands and lots as aforesaid, that said commissioners proceeded at once and at the same term of said Court at which said Bill was filed and they were appointed commissioners, to the discharge of the duties of their said commission, and reported that dower in said lands and lots could not be assigned without great injury thereto,, And your complainants further shew that said Cause was then taken up at the same term of said Court at which said Original Bill was filed as aforesaid, and was heard and determined by the Court, when the Court then and there on the tenth day of October year Eighteen hundred and forty as aforesaid, decreed, ordered and adjudged the said cause in favor of the said complainant Genas Smith upon said bill answer and exhibits in the cause and without other proof preserved in the records and proceedings of said cause according to the rules and practice in Court of Equity, that the Court then and there as aforesaid found that said lands and lots were held as so much stock in trade by said firm of Breath and Smith, that they were always considered and treated as such; that said firm was largely in debt for goods, wares and Merchandize, and that said lands and lots were necessary to defray the liabilities of said firm, and that unless they were so made liable the said Genas Smith would be greatly injured, and thereupon

decreed and adjudged that said lands and lots should be sold on the third day of November year Eighteen hundred and forty at the Court house door in the Town of Greenville in said County of Wayne State aforesaid to the highest bidder, giving at least twenty days notice of the time and place of sale, One credit of twelve months taking bond and approved security; and appointed One James N Henderson trustee to make such sale and generally to carry into such decree; and that the monies arising from such sale should be placed in the hands of said Genas Smith as such surviving partner of the firm of Breath and Smith, and that such monies should be accounted as partnership effects, reserving what should be adjudged to be paid to the Widow as aforesaid; and that such trustee should report to the next term of said Court his proceedings under said order, And Complainants further shew that said Trustee Henderson did proceed to sell said lands and lots, according to the order of said Court as aforesaid, and made report of his proceedings under said order at the June term of said Court in the year Eighteen hundred and forty one, on the Twenty ninth day of said month of June, which was excepted and approved by the Court, whereby it appears that at said sale - said Genas Smith became the purchaser of all of said lands and lots except lots number three and four in said Town of Greenville before described which were

(2)

purchased by James A Atkins for the sum of One hundred and fifty dollars, and that said lands and lots brought the sum of two thousand four hundred and eighteen dollars; and that said Trustee Henderson executed deeds of conveyance to said parties Genas Smith and James A Atkins for the lands and lots respectively purchased by them as aforesaid, And Complainants further shew that said Genas Smith hath appropriated to himself the whole amount of the sales of said lands and lots amounting to the said sum of two thousand four hundred and Eighteen dollars, and that he hath never accounted for the same or any part thereof to Complainants or to any one for them, and that he never made an exhibit of the true state and condition of said partnership affairs to Complainants, or to any tribunal having jurisdiction thereof nor hath said James A. Atkins such administrator aforesaid required or compelled him to account for said monies or exhibit such true and perfect account of the affairs of said firm, Your Complainants are informed and believe that the Cash and Stock of Merchandize on hand and the debts by note book account and otherwise due said firm at the time of the decease of said William Breath far exceeded the debts owing by said firm, and that had the business of said firm been managed with proper prudence and caution there ought to have been a large surplus out of the business and assets of said firm, coming to the Estate of said deceased, to be distributed to his

Creditors and legal representatives. For your Complainants are informed and believe that at the time of the death of the said deceased the Cash and Stock of Merchandise on hand amounted to about the sum of ten thousand dollars, and that the debts due said firm as aforesaid amounted to about the sum of fifteen thousand dollars, and that the debts due by said firm could not have exceeded the sum of ten thousand dollars then under a ~~aforesaid~~ and prudent management of the affairs of said firm there must have been a surplus as aforesaid and that the sale of said lands and lots would have been wholly unnecessary to pay said debts, and your Complainant are fully impressed with the belief from all the information which they can obtain as to the real State and Condition of said firm, that such will appear to the satisfaction of this Court, if said Original proceedings are re-opened and proved by proper and apt allegations, proofs and proceedings, and your complainants are also thoroughly impressed with the belief from information which they believe that said Genas Smith has collected much the greater proportion of the old debts of said firm were then necessary to pay the debts thereof, and that he has converted the same together with the amount of the sale of said real Estate to his own individual use; and has wrongfully neglected to account for the same.

in any manner whatever. And complainants further shew that said Martha Breath Widow as aforesaid hath never received any dower in said lands and lots, or any sum of money in lieu thereof, but that she has been compelled to raise and Educate her said minor children as best she could upon her own individual exertions and industry. And Complainants further shew that there is no Equity in said Original bill of said Jenas. Smith, especially in that there is no fair and specific Statement of the debts, liabilities and assets of said firm, accompanied by a true inventory and schedule of the Stock and Cash on hand and the debts, assets and liabilities of said firm, at the time of the death of said deceased, whereby the Court might judge, independent of the naked opinion and belief, of said Jenas Smith, whether he was really in danger of being greatly injured as alledged in said bill, unless the Court subjected said lands and lots to be treated as partnership effects and go exclusively to the payment of the debts of said firm, and whereby the Court might judge whether said firm was really insolvent and by mor shalling the accounts of said firm do justice between those interested; and also in this, that it is no where charged in said bill or proved on the trial of said cause, said William Breath

in his life time executed any deed or memorandum in writing, signed by said Breath or any agent by him thereunto lawfully authorized, whereby said lands and lots were converted into personal stock in trade as other assets of said firm, but the contrary appeareth by the deeds and exhibits to said bill, wherein it is shown that said conveyance were made to William Breath and Jenas Smith, their heirs and assigns forever in joint and common tenancy, and also by the fact that in said bill said complainant endeavors to wave the force of the law in this behalf by alledging ignorance on the part of himself and said Breath of the law in such cases, as if ignorance of the law would excuse, or confer rights under the Statute in such cases provided. For there are divers other good reasons said bill is without Equity, and should have been dismissed, And said complainants further shew that said decree in said Original Cause, and other proceedings therein except as in the case of the widow's dower as aforesaid have been fully carried into effect, all of which will more fully and at large appear reference being had to said Original Bill, answers, decree reports of said Commissioners and trustee, and other proceedings in said cause remaining of record in this Honorable Court, And complainants further aver that in the aforesaid decree bearing date the tenth day of October year Eighteen hundred and forty aforesaid and in the judgement

therein contained and proceedings under the same, there is manifest error, for that it appears by said decree that this Court then and there adjudged said Original cause in favor of said Elnas Smith, whereas said cause should have been adjudged in favor of your complainants, and said Original bill dismissed from out of this Court for want of Equity; and for that also, the Court then and there decreed and adjudged said lands and lots to be personal stock in trade in said firm, and ordered that they be sold and the proceeds of such sale, except what should be paid the widow, to be paid into the hands of said surviving partner, to be appropriated by him exclusively to the payment of the debts of said firm without any warrant in law or Equity therefor, and without any allegation in said bill or any proof in said cause, that said William Breath in his life time had executed any deed or memorandum in writing, or any one agent thereunto had been by him lawfully authorized to do so, whereby said lands and lots were converted into personal stock and held by said firm as other stock in trade, and made liable for the debts of said firm as other personal chases and chattels; and for that also, the Court then and there decreed and adjudged said lands and lots to be sold and the proceeds thereof so appropriated, without any allegation in the bill showing the true state or condition of said firm, or

without any such proof on the trial of said cause, and without the necessary schedule, inventories of the true state and condition of the affairs of said firm, being exhibited in said Court, whereby Equity could judge of the propriety of such decree and protect the rights of all concerned and especially of the minor heirs of said deceased, and for that also, the Court then and there decreed and adjudged said lands and lots to go and be disposed of as other personal chattels and chases, and divested thereby the title of complainants as heirs and legal representatives of deceased contrary to and without or against law; and for that also, said Court then and there decreed and adjudged as aforesaid without requiring said answers of said James A Atkins as Administrator aforesaid and as such Guardian sworn to and made under oath as the law regulating Equity practice requires, and for that also, the Court then and there decreed and adjudged as aforesaid, upon said answer of said guardian ad litem not under oath as aforesaid and upon the consent of such guardian in his said answer, whereas by law such infants were incapable of giving any such consent by guardian or attorney, and for that also, the Court then and there proceeded to hear and determine said cause and to order ~~and~~ decree and adjudge the same as aforesaid, upon the Bill, answers and exhibits, and without other proof as appears from the record and proceedings in said

Cause, Contrary to law, and the practice of Courts of Equity; and for that also, the Court then and there as aforesaid decreed and adjudged said Cause against Complainants, the Minors absolutely without giving day to them or answering at age to shew Cause against said decree and proceedings, Contrary to the Course and practice of Courts of Equity in such cases, and for that also, the Court then and there proceeded to decree and adjudge, and did decree and adjudge the sale of said lands and lots to be made and had at a time and place when no Court of Record was in Session, and that the proceeds of such sale should be placed ~~in~~ exclusively into the hands of said Genas Smith and in preference to all others whether creditors, heirs or others interested therein contrary to laws of the land, and to Equity and good Conscience, and for that also, the residue of said decree is Consequentially erroneous, and Complainants do humbly insist that said bill ought to have been dismissed out of this Court, wherefore Complainants charge that said decree and proceedings are wholly illegal and void and ought not to have been had; and that said Cause and decree therein pronounced ought to be reviewed by this Honorable Court and said decree reversed for Error apparent therein, and that said bill ought to be dismissed, and that the proceedings under said decree, and the deeds executed by said Trustee Henderson to said Smith and others as aforesaid, ought to be annulled and held for naught, and your Complainants restored by order and decree of this Court to their said rights and the full possession and

enjoyment of their undivided one half interest in said lands and lots as heirs of said William Creath deceased and be decreed a fair compensation for the exclusive use and enjoyment of the same by said defendants Smith and Atkins from the time of sale up to the making of such decree herein, And Complainants further shew that since said proceedings in said Original Cause said Emily T. Creath hath departed this life without issue leaving the rest of her said brothers and Sisters to inherit her share of said lands and lots in equal parts, and that said Martha Widow of said deceased hath since intermarried with said John E. Post; and that said Sophia E. Creath, hath intermarried with said Joseph S. White, whom, said Post and White, together with their said wives are asked to be made parties complainants with said Original parties in this behalf, and parties defendants to said Original Cause, when the Court shall order the same to be reviewed, wherefore ~~wherefore~~ Complainants pray that said Genas Smith and James A Atkins be made parties defendants to this proceeding and that they answer the same; and that said Original Cause and decree therein bearing date said tenth day of October year Eighteen hundred and forty as aforesaid, may be reviewed by this Court, and that said decree may be reversed and held for naught for Error apparent therein as aforesaid, and that said bill may be dismissed out of this Court; and that said Genas Smith and James A Atkins, by order and decree of this Court be compelled to deliver up said deeds so executed to them by Trustee Henderson as aforesaid and that the same be cancelled, and said sale and proceedings held for naught, and that your Complainants be restored to the full

possession and enjoyment of their rights, and that the Court decree them a fair Compensation for their exclusive use and enjoyment of said lands and lots by said defendants respectively, or otherwise account for interest on said purchase money, and that in the mean time, and until the Cause shall be received as aforesaid that said defendants shall be restrained ~~so~~ by the injunction of this Court from alienating and conveying said lands and lots so purchased by them respectively; and as in duty bound Complainants will ever pray &c.

George W Breath & others
Complainants By Solicitors
English Hill & Dot

The State of Missouri } ss
County of Wayne }

Personally appeared before, ~~me~~ the undersigned Clerk of the Circuit Court for the County and State aforesaid, George W Breath one of said Complainants, who for himself and said Complainants, makes oath and says that the facts set forth in the foregoing bill as stated are true to the best of his knowledge and belief

Sworn to and subscribed before me Clerk of the Circuit Court of Wayne County Missouri this 18th September 1851
Nixon Palmer Clerk Ct. Ct.

George W Breath

to which said defendants filed their demurrer, which is as follows

19.

George W Heath and others against Genas Smith & James A Atkins

in the Circuit Court of Wayne County

The Defendant demurs to the petition of Plantiff because it does not state facts sufficient to Constitute a cause of action in this. There are no defects apparent in the bill. There are no errors charged in the bill. There is no Equity in the bill There are no errors in law specified in the bill

Watkins Davis Carothers & Jackson
for Defts

Joinder in Demurer
J B. English & J A Hill attorneys
for Complainant

and the Court after having heard the argument in said Cause sustained said demurer, and adjudged and decreed said bill to be dismissed for want of Equity; To which opinion and adjudication of the Court in sustaining said demurer and dismissing said bill, plantiffs except and pray that this their bill of exceptions in this behalf, may be signed, sealed, and made a part of the record in this Cause. Which is accordingly done

H. Hough (Seal)

State of Missouri ss
County of Wayne

I George W Breath Clerk of the Circuit Court of the County of Wayne and State of Missouri certify that the foregoing is a true and complete copy of the proceedings in said Court, and of the record in the case of George W Breath and others against Geneas Smith and James A Atkins as the same now remain of record and on file in my office

In testimony whereof I have hereunto set my hand and affix the seal of said Court at office in Greenville this Seventeenth day of September Eighteen hundred and fifty two

George W Breath Clerk

Clerks fees copying petition & record 7.00
Certificate & Seal .50
$7.50
7.50
12.50

(14) 25

October Term 1852

George W. Creath
& others, Appelts.
vs.
Lenas Smith &
James A. Atkins, Respdts.

Filed 25th September 1852
Wm. S. Glanville, Clerk.

Creath & others
vs.
Smith & Atkins

In Sup. Court
October Term 1852.

The Respondents in this cause now come and pray this Court to ~~affirm the judgment~~ dismiss the appeal in this cause for the reason that the appellants have failed to file an assignment of errors ~~as the law requires~~. and prosecute their appeal as the law requires. Rev. Code 1845 page 904 Sec. 23.

Also because said Appellants have failed to file a statement of the case as required by rule of Court.

I. D. Cook for appellees
By I. Delafield his
atty &c.

25

Creath & others
vs.
Smith & Atkins

Sustained

Filed 22 October 1852
Wm S Glanville Clerk

George W Breath et al.
v
Zenas Smith et al.

Sutton Sup: Court
Oct. Term A.D. 1852

And now come appellants by their Atty T. Polk & move the Court to grant them leave to ~~the~~ withdraw the Record in this cause — Since this appeal has been dismissed & they are desirous of taking steps to bring their said cause again to this Court.

T. Polk P.Q

No 25

Sup: Ct. Oct. T. 1852

George W. Creath et al.
v
Zenas Smith et al.

Motion for leave to
withdraw Record
J. Polk P.Q.

Filed 14th Novr. 1852
Wm. F. Glanville
Clerk

Bankers Lien -