

**NEW**

**FILE**

**BEGINS**

St. Charles Circuit Court  
Administrative  
July 1820

Box 95 Folder 31

Zumwalt, Andrew

Action: Heirs

General note: dedimus; deposition of  
Elizabeth Zumwalt regarding heirs of  
Andrew Zumwalt; deponent questioned  
by Reuben Noell & Daniel McCoy

To The Honorable Judge of the circuit courts of the north-  
-ern circuit of Missouri Territory sitting in St Charles  
county. Your petitioners Daniel McCoy and Rowen  
Noel of St Charles county who have intermarried with  
Rachel Zumault and Mary Zumault daughters  
and heiresses (with others) of Henry Zumault  
deceased pray your Honor to grant a decessus  
directed to any two Justices of the peace of the  
county of St Charles directed such Justices to take  
the Deposition of Elizabeth Zumault widow  
of Christopher Zumault deceased to perpetu-  
-ate the remembrance of the following facts  
to wit. To prove that Henry Zumault senr  
now deceased was the eldest son and heir at  
Law of Andrew Zumault deceased and  
that said Andrew Zumault died in the  
state of Virginia in Shannandoah County leav-  
-ing said Henry Zumault in full line, and  
that said Henry Zumault removed to the  
Missouri country in the then district of  
Upper Louisiana during the time of the  
Spanish Government therein and that he  
died in said country some time in the year  
1803 leaving leaving the said Rachel and Mary  
his Daughters and Catherine Elizabeths Mar-  
-garet. Susannah & Christina & Barbary  
Zumault his Daughters. and to prove  
that the said Henry Zumault deceased was the  
same Henry Zumault that sued and  
broke the will of his father respecting  
the devise of Lands at or near Little York  
in Pennsylvania and elsewhere, and to  
prove who were the other sons and Dau-  
-ghters of said Andrew Zumault dec-  
-eased and to prove who were the moth-

mother or mothers of the children of said  
Andrew Zurnault deceased and to prove  
the location situation and quantity of  
land owned and possessed by said And-  
rew Zurnault at the time of his death.  
Your petitioners state that said Elizabeth  
Zurnault the witness is the only person  
to their knowledge who has knowledge of  
the aforesaid facts. That she is very  
old and infirm and in all probability  
must soon die whereby your petitioners  
would be totally deprived of her testimony  
& as in duty will pray &c.

H Charles Court

Daniel McCoy & Reuben Nail  
being duly sworn upon their oaths say that  
they verily believe the facts stated in their forego-  
ing petition are true.

Sworn to & Subscribed before  
me a Justice of the peace in &  
for St Charles county this 7<sup>th</sup> day  
of March 1820

Daniel McCoy

Reuben Nail

James Green J P

June 8<sup>th</sup> 1820

William to copy  
in the testimony

TERRITORY OF MISSOURI,  
County of St. Charles, Circuit Court. }  
SS.

The United States of America to Roger Taylor and James H. *Admiral Rogers* Justices of the Peace of the County of St. Charles GREETING.

We, reposing special trust and confidence in your integrity and circumspection, do command and require you that you cause to come before you *Elyabeth Jurnwalt*

and *her* examining, upon *her* corporal oath, to be by you administered on the Holy Evangelists of Almighty God,

touching *her* knowledge of any thing that may relate to *Account, said not pointing in her name before any Judge or Justice*

*wherein she dealth the property of the heirs of Thomas Jurnwalt de ce deceased*

*and next to depahate the Vestmday of said Elyabeth* *deceased*, on the part of *Samuel Taylor* *Richard Wall*; and having reduced the said deposition, so taken by you as aforesaid, into writing, you send the same with this

Commission, closed under your seal, to our said Court with all convenient speed.

Witness *William Sherry* of our said Court at St. Charles this *thirtieth* day of *March* in the year of our Lord one thousand eight hundred and *twenty* and of our Independence the forty *four*

*Wm Sherry*

For our Friend  
Jules Stern 1820.

Amos. M. Day &  
Ruben M. Hall  
Witnesses before  
the Testimony of  
Elizabeth Sumner

Witnessed July 1820.  
Wm. Stewart p. b. b. b.

Filed 23rd July 1820.

Township of Mypowie }  
County of St Charles } 33

This day personally appeared before us the undersigned two  
Justices of the Peace in and for the County aforesaid Elizabeth  
Gumnatt and deposed and said that Andrew Gumnatt  
did in Henrico County and State of Virginia and that  
she knew nothing of the Property he did possess of but as to the  
heirs she believes that there was Henry Gumnatt George  
Gumnatt Elizabeth Gumnatt Anney Till Gumnatt  
Peggy Gumnatt which I have understood were by his first  
wife and that Christopher Gumnatt Catharine Gumnatt  
Jacob Gumnatt John Gumnatt Adam Gumnatt Andrew  
Gumnatt were by his last wife.

Question by Rubin Nowell

Do you know how the property was <sup>divided</sup> amongst the children

Answer

I do not

Question by the same

Do you know whether Andrew Gumnatt made a will

Answer

I do not

Question by Daniel McCoy

Do you know whether Henry Gumnatt that did in this



Country was ~~not~~ the same Henry Gummalt  
that was called the oldest son of Andrew Gummalt Deceased

Answer

yes I do

Question by Rubin North were you acquainted with  
the heirs of Henry Gummalt at his Death

Answer

Yes there was Christine Gummalt Elizabeth Gummalt  
Catherine Gummalt Rachael Gummalt Peggy Gummalt  
Barbery Gummalt Polly Gummalt Susannah Gummalt  
and further the deponent sayeth not

I wove and Subscribed Elizabeth ~~doe~~ Gummalt  
to this 8<sup>th</sup> day of June  
1820. G. H. Andrews

R Taylor J.P.