April Term 1868

Adjourned to Friday at 1 P.M.

Oct 9. 1863.

Friday, Evidence for Complainant closed

Mr Juvenal, appeared for Defendant

Mr Eldridge for Complainant stated that he considered the evidence closed and declined appearing.

Mr Juvenal called Daniel Smith

Daniel Smith Sworn. I am the superintendant of Monument Cemetery. It is little over seven years since I took charged of the ground. This book (referring to a receipt book) is the property of the Company. This is the margenal permit for the depositing of a body in a vault. The receipt shows that the body of D. P. Chatterton aged Nineteen years was upon the 30th of March 1854, deposited in the receiving vault for the Monument Cemetery of Philadelphia with marginal reference: by the then superintendant, who is since deceased, viz: removed May 16, 1854" witness also refers to book of the same Company called Register of Interments page 264, the entry referred to is in the handwriting of the late superintendant as follows, "Daniel P. Chatterton Nineteen years March 28, 1854, date of death May 10 1854 date of interment, single U States aged 19 years Consumption See B lot 228, 1 South" I have noticed that grave I have looked at it recently there is no railing on that lot there is no monument no head or foot stone. There is no board or anything which can tell who is buried there The only guide I had to find the lot is the book of interments and its index.

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Cross Examined by Mr Robert Chatterton, There is one other grave in that lot. I cannot tell who is interred there unless I had the name, then I could tell the name is registered in that book. There is another grave in that lot of a child of Robert M & Josephine Chatterton aged about one year as Mr Robert Chatterton informed me, and the fact is admitted. The lot No 228 Sect B, Monument Cemetery stands in the name of Josephine Chatterton upon the Registers of lot owners in the Monument Cemetery. Daniel P. Chatterton aged 19 yrs, died March 28, 1854, deposited in the receiving March 30. 1854, removed from the vault and interred in the lot No. 228 Section B. May 10 1854, single a native of the U. States died of Consumption, grave south on the lot. Frank Chatterton aged 3 months, died March 6, 1856 Interred in the lot No 228 Section B on March 8, 1856 a native of the U. States died of Catarh fever. Grave 4 south in the lot. This is shown by the register of deaths and Bureals in the Monument Cemetery. (This memorandum signed by Daniel Smith, Superintendant is appended Marked "C"

Daniel Smith

Mr Juvenal offers in evidence two deeds marked (C. W. L.) "C" and "D" one dated 25 July 1856. John A. Brown and wife to John Chatterton, recorded July 30, 1856. Book R. D. W. No 90 page 287 for property on the east side 11 st 382 feet north of Girard Avenue, being in front 17 feet 4 in depth 85 feet, The other dated 26 February 1857 John Millikin and wife to John Chatterton, recorded July 15. 1859 in Book A. D. B. No. 75 page 28 for property south side of Cap St 172 feet west of 12 in front 15 feet