

1853-003 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DUNSTANG, GUARDIAN, PETITION OF 5/1853

See also: Vaughans' Guardian, petition 1853

Other surnames: Vaughan,
Ridley, Drewry

J
E. F. Dunstun
Guard & Co.

Petitioners.

1853 May Term.

To the Court - Richard H. Balthus. Judge
of the Circuit Court of Southampton
County.

I am Petitioner, Edmund L. Lumsden
respectfully represents to your Honor. That he
has been lawfully appointed and qualified, in
Court of pleas and quarter sessions, for the
County of Bedford N.H. as the Guardian of his
infant children, Henry W. Adair, Josephine,
Thomas and Mary Lumsden.

That he executed, Bond and security, sufficient
to ensure this accountability for the whole
amount of the said Maros^d. estate, which
may probably come to his hands or be
received by him - and he herewith
files, a transcript of the record of his
qualification, marked (A), as a part of this
petition.

That your Petitioner and his said wards
are all residents of Bedford County, N.H.
in which County, he qualified as Guardian
of said estate.

That the removal of the property of his said
wards from this State will not impair the
rights or ~~impair~~ be prejudicial to the interests
of either the wards, or of any other person.

That his said wards are entitled under
the will of Henry B. Vaughan, jointly to
the moneys appraised to \$5775- and to
other personal property worth about \$1000-

and one of his wards, Henry W. Lumsden is
entitled to a specific legacy of \$5000- all
which is now in the hands of Thomas
Ridley and Samuel Drury Executors of H. B.
Vaughan.

Yam. Petitioner, further states, that he
finds this petition, under the provisions of
the 129th Chapter of the Code of Virginia -
and he prays your Honor, to make an
order authorizing your petitioner, to see for
money and receive all the money and
other personal property, which may belong
to his said wards, as if he were appointed
a Guardian to the said wards in this state
and receive the same to the security of
Hestera in the State of North Carolina
and all such other cases as the
nature of the case may require
As in and to be bound &c.

Chas. H. Map 9 - for the
Petitioner

E. F. Johnston.

Sen. M.

R. H. Baker

May Ct. 1853.

Edmund F. Lenniston, Guardian.
of Henry V. Adelaar, Josephine
Thomas and Mary - Lenniston.

This day this cause came on
to be heard on the Petition of Edmund F. Lenniston.
on the production of satisfactory proof, according
to the provisions of the act of assembly concerning
non resident Guardians and Wards - prescription
and authority are hereby given to Edmund F.
Lenniston, Guardian of Henry V. Adelaar,
Josephine, Thomas and Mary Lenniston, all of
whom are residents of Hertford County,
North Carolina - to demand, receive, sue for,
and recover - and receive - any money or other
personal property to the said Wards or either of them
are and belonging, within the jurisdiction of this
Court, from the State of Virginia, to the said
County of Hertford N.C. The place of residence
of the said Edmund F. Lenniston and his aforesaid
Wards -

Verdun,

The affidavit of William Beal —
taken before me Justice of the Peace in and for the
County of Southampton. To be read, as the hearing
of a Petition of E. F. Lumsden. Guardian of Henry
V. Adelaide, Josephine, Thomas and Mary Lumsden.
in the Circuit Court of Southampton.
This affidavit states, That he has full opportunity
of knowing — and that James Jordan — John
Farrar, Thomas W. Reddick Kenneth Rayner
and J. A. Anderson, whose names are signed
to the Bond filed in this cause — as securities of
Eduard F. Lumsden, Guardian to Henry V. Adelaide
Josephine — Thomas and Mary Lumsden. in the penalty
of Twenty five thousand dollars — are good and
sufficient for the penalty of said Bond — and
sufficient to meet the accountability of said Guardian
for all the estate of his said wards, likely to come in
his hands

William Beal

This affidavit was taken before me this 2nd
day of May 1853 —

~~James~~

James Magel JP

CITY OF PETERSBURG, To Wit:

TO Thomas Ridley and Samuel Drewry, Executors of Henry B. Vaughan, and to all others interested in the estates of Henry V., Adelaide, Josephine, Thomas and Mary Dunstan, infant children of Edmund F. Dunstan—

Take notice, that I, having qualified as Guardian to Henry V., Adelaide, Josephine, Thomas and Mary Dunstan, in the county of Hertford, North Carolina, shall, at the next term of the Circuit Court for the county of Southampton, Virginia, to be holden in the month of May, petition the said court for leave and authority to ask, demand, sue for and receive such money or other estate belonging to the said infants, in the hands of the Executors of H. B. Vaughan, or any other person, and to remove the same to Hertford county, North Carolina, where my said wards and myself reside.

EDMUND F. DUNSTAN,

Guardian to Henry V., Adelaide, Josephine, Thomss
and Mary Dunstan. fe 1 w4w

Personally appeared before me, an Alderman of said city, *John G. Harwood*, Clerk of the Intelligencer Office, and made oath that the annexed Order of Publication has been published weekly for *four* weeks successively. Given under my hand, this *15th* day of *March* 18*53*.

Printed for \$1.87

W E Hunter Clk.

State of North Carolina.

Be it Remembered, That at a County Court of
Here and There Sessions, held for a Hertford County, at the Court
house in Winton, on the Fourth Monday in November, in the Year
of our Lord, One Thousand eight hundred and fifty Two. 1852
The following Justices present and holding said Court, to wit:
Gedwin C. Moore, a Abraham Thomas, a Horace H. Jones
and William W. Mitchell Esquires.

On Motion, it is Ordered by the Court, that . . .
Edmund F. Dinstein be and is hereby appointed Guardian to
Henry V. Dinstein, a Adeline Dinstein, Josephine Dinstein, Thomas
Dinstein, and a Mary Dinstein "his own infant Children" who enter
into bond for the period of a Twenty five Thousand Dollars
with Joseph Jordan, John Tideman, Thomas W. Riddick a Kenneth Roper
and John a the Auditors a Committee Thereof, which bond was tendered
to the Court, and the Court being satisfied Therewith, the same was
accepted.

The following is a Copy of said a Bond.

State of North Carolina

a Hertford County I a know all Men by these presents That we
Edmund F. Dinstein as principal, and the Others, undersigned as
Securities, are held and firmly bound unto the State of North Carolina
in the sum of a Twenty five Thousand Dollars, lawful Money of the
United States, to be paid to the said State of North Carolina
as aforesaid. For which payment, well and truly to be made, we
bind ourselves, our heirs, executors, and a Administrators, jointly by
these presents, sealed with our seals, and dated this Ninth day of
November, in the Year of our Lord, One Thousand eight hundred and
fifty Two.

The Condition of the above Obligation is Such, That whereas
the above bounden Edmund F. Dinstein has been Constituted and
appointed Guardian to Henry V. Dinstein, a Adeline Dinstein,
a Josephine Dinstein, Thomas Dinstein, and a Mary Dinstein, his
own infant Children by appointment of a Hertford County Court at
November Term 1852 of said Court as by reference to its Records
will appear. Now if the said Edmund F. Dinstein shall
faithfully execute said Guardianship, by securing and improving

all the Estate of the said Henry V. & his wife, Josephine, Thomas, and Henry, that shall come into his possession, for the benefit of the said Henry V. & his wife, Josephine, Thomas and Henry, until they, and each shall arrive at full age, or be sooner acquired Thereto, and then render a plain and true account of his said Guardianship on Oath before the Justices of our said Court, and deliver up, pay to or for the said Henry V. Dunston, & his wife, Dunston, Josephine Dunston, Thomas Dunston, and Henry Dunston, of all such Estate or Estates as they, and each, ought to be possessed of, or to such other persons as shall be lawfully empowered, or authorized to receive the same, and the profits arising therefrom, then, this Obligation to be void, otherwise to remain in full force and virtue.

signed sealed and acknowledged
in the presence of
David & A. G. Jones Witnesses as
to Dunston, Jordan, Freeman & Reddick

Edm^d F. Dunston Seal

Jos. Jordan Seal

John Freeman Seal

McConfer Witnesses as to
J. A. Anderson in his own
attorney for Kenneth Rayner

Thos. W. Reddick Seal

Kenneth Rayner Seal

by J. A. Anderson his attorney

J. A. Anderson Seal

Copy of Power of Attorney from Kenneth Rayner to J. A. Anderson

State of North Carolina

Hartford County I know all Men by their presents, that J. Kenneth Rayner of said County, have constituted and made by these presents, and now do constitute in special, and make John A. Anderson of same County to be my true and lawful attorney in fact for the purposes herein after mentioned, hereby authorizing him for me, and in my name to sign, seal, and deliver my Guardianship Bond hereafter to be executed by Edmund F. Dunston as Guardian to his own infant children

under appointment hereafter to be made by Hartford County Court I being one of the Justices to the said bond with such Oath, as may be given by said Court, to be approved by my said attorney and the same when executed to be Obligating in me as One of the Obligors and Sureties to said bond as effectually to all intents and purposes, as if done by myself.

Witness my hand and seal this 28th day of September
A. D. 1852.

K. Rayner Seal

In presence of
H. N. H. Smith

State of North Carolina
Hartford County
Court of Pleas and Quarter Sessions
November Term 1852

The execution of this Power of Attorney was duly proved in open Court by the Oath of H. N. H. Smith the subscribing Witness Thereto, and Ordered to be Recorded.

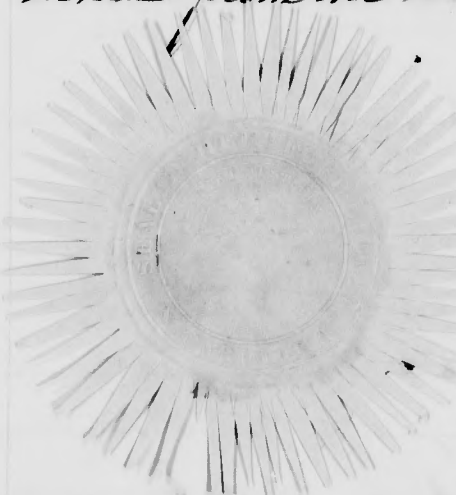
Test M. Conner Clerk

State of North Carolina

J. Lewis M. Conner Clerk of the County Court of
Pleas and Quarter Sessions of Hartford County State of North Carolina,
do Certify the foregoing to be a true and correct Transcript as
taken from the Records of my Office.

In Testimony whereof, I have hereunto
subscribed my name and affixed the Seal
of my Office at Winton this first day of
December Anno Domini 1852, and in the 7th
Year of our Independence.

M. Conner Clerk



State of North Carolina
I, John A. Anderson, Chairman of the
Court of Pleas and Quarter Sessions of Johnston
County, do hereby Certify, that Lewis M. Conner
whose Signature appears, to the annexed Certificate
is the Clerk of our Said Court, duly Commissioned
and qualified and that said Certificate is in the
form of Law, and that due faith and Credit is
and ought to be given all his official acts.
In Witness Whereof I have hereunto set my
hand Seal, having no Seal of Office at Wanton the
8th day of December A.D. 1852 and in the 7th year
of our Independence

J. A. Anderson P. Seal
Chairman