

1861-13

Southampton County - Chancery

Ship, William L. (Guardian) vs Branch, Laura

Estate settlement

William L Ship

Guardian

Petition

Nov.

May term 1861

To The Hon. Richard H. Baker Judge of the Circuit
Court of Southampton County - I hereby setting -
Your Petitioner, William L. Ship, respectfully
represents to Your Honor. That he has been lawfully
appointed and qualified, in the County Court of
Fayette County, State of Tennessee, as the Guardian
of Laura Branch, minor orphan of R H & V C Branch
deceased:

That he executed bond and security sufficient
to insure his accountability for the whole amount
of his said ward's estate, which may probably come
to his hands or be received by him - and he herewith
files a transcript of the record of his qualifica-
tion, annexed it as a part of this petition -
That your Petitioner and his said ward, are
both residents of Fayette County, Tennessee
in which County he qualified as Guardian
aforesaid -

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

That the said ward, is entitled under the will
of Joseph W. Sumner, to a legacy of \$800.00, which
sum is now in the hands of William H. Sumner
Administrator with the will annexed of Joseph W.

W Sumnerell

Your Petitioner, further states
that he files this petition under the provisions
of the 129th Chapter of the Code of Virginia, in
reference to Foreign Guardians -
To it and therefore he prays your
Honor, to make an order authorizing your
petitioner, to sue for, recover, and receive all
the money and other personal property, which
may belong to his said ward, as if he were appoin-
ted a guardian to the said ward in this State,
and remove the same to the County of
Hagerstown, in the State of Tennessee, and
all such other orders as the nature of
the case may require -

As in duty bound

Wm H Patterson for
Plaintiff -

"A"

Mr L Shipp

Grand & c

Certified Copy

Col. Geo. & P. 1. 60



Monday 7th January Term County Court 1861
Court met pursuant to adjournment; Present and
presiding, Worshipful Charles Lynn, Chairman & W^m Rhodes,
R. A. McKelitt, W. Love, Leonard Black, A. M. Shaw, Geo. W. Adams,
B. B. Benson, D. E. Palmer, H. Thornton, John B. Smith,
J. W. Black, J. W. Dyer, W^m Johnson, Saml. Eubanks,
W^m C. Reeves, Robert Morrow, James E. Mason, H. D.
Sherrard, Thos. J. Roach, S. Redout, & Geo. W. Dood Esquire,
Justices of the Peace in and for said County, John D. Stanley
Sheriff & W^m A. Robertson Clerk.

When the following proceeding was had, to wit,
"Upon application, it is ordered by the Court, that
William L. Ship, be appointed Guardian for Laura
Branch, Minor Orphan of P. A. and V. C. Branch
Decedent; And thereupon the said William L. Ship came
into open Court, and entered into Bond, Conditioned as
the law directs, in the sum of Sixteen Hundred dollars,
and John W. Ship and Joseph Arbuckle as his sureties
on said Bond; all of whom appeared in open Court
and signed and severally acknowledged said Bond as
principals and sureties thereto, which said Bond was
approved and ^{Received} ~~approved~~ by the Court, and ordered to
be recorded; And the said William L. Ship was thus
duly qualified as such Guardian as aforesaid, in
open Court, as required by law."

(Copy of Bond)

"Know all men by these Presents, that We, William L.
Ship, John W. Ship, and Joseph Arbuckle, all of the
County of Fayette, and State of Tennessee, are held and firmly
bound unto the State of Tennessee, in the sum of Sixteen
Hundred dollars, to be paid to the State of Tennessee in
Trust for the benefit of the Child herein after named,

committed to the care and tuition of the said William L Ship, which payment well and truly to be made, we bind ourselves, and each of our heirs, Executors, Administrators, jointly, severally, by these presents... Witness, our hands and seals, this 7th day of January, in the year 1861

The Condition of the above obligation is such, that whereas the above named William L Ship, is this day constituted and appointed Guardian to Laura Branch, minor Orphan of R. H. and V. C. Branch deceased: Now, if the said William L Ship, shall faithfully execute said Guardianship, by securing, and improving, all the Estate of said Laura Branch, until she arrives at the full age, or do sooner thereunto required, and then render a plain and true account of said Guardianship, on Oath, before the Chairman of said County Court, and deliver up, pay to, or pay for the said Laura Branch, Minor of R. H. and V. C. Branch deceased, of all such Estates as she ought to be possessed of, or to such other person, or persons as shall be duly empowered or authorized, to receive the same: Then this obligation to be void, otherwise to remain in full force and virtue, according to the true intent and meaning thereof.

ack^d W. L. Ship E.E.
ack^d John W Ship E.E.
ack^d Joseph Ashmeade E.E.

State of Tennessee, I, William H. Robertson, Clerk of the Haystack County ³ County Court of said County, do hereby certify that the foregoing transcript, is a full, true, and correct copy of the proceedings had in the County Court of said County of Haystack, in the State of Tennessee, in regard to the appointment of William L Ship Guardian for Laura Branch, together with the Bond executed by said W. L. Ship, as such

Guardian, as the same appears on the Minutes of said Court, on Record, and on file in my office.

Witness my hand at office, in the Town of Summerville, The 14th day of February 1861. W. H. Robertson Clerk
By A. David D.C.

State of Tennessee, I, R. S. Nesbitt, Chairman of the Haystack County ³ County Court of said County, do hereby certify, that William H. Robertson, whose name appears to the foregoing Certificate, is now and was at the time of the date thereof, Clerk of the County Court of said County of Haystack, in the State of Tennessee, duly Elected, and qualified; and that Amos David, whose genuine Official Signature appears thereto, is now and was at the time of signing the same Deputy Clerk of said County Court, legally appointed, and duly qualified, and that full faith and credit are due to all his official acts as such.

In Witness Whereof I have hereunto set my hand and private seal, (there being no seal of office) this the 14th day of February 1861.

R. S. Nesbitt, J. P. (Seal)

State of Tennessee, I, W. H. Robertson, Clerk of the County Court of said Haystack County ³ County, do certify that R. S. Nesbitt, whose genuine Signature appears to the foregoing Certificate, is now and was at the time of signing the same, Acting Chairman of the County Court of said County, duly Elected and qualified, and that full faith and credit are due to all his official acts as such.

In Witness Whereof I have hereunto set my hand, and affixed the seal of said Court, at office in the Town of Summerville, The 14th day of Feb. 1861. W. H. Robertson Clerk
By A. David D.C.

Wm L Ship
Guardian

Order of Publication

NOTICE.—I hereby give notice that I shall apply to the Circuit Court of Southampton county for permission of William H. Summerell, Administrator of Joseph T. W. Summerell, or any other person in the State of Virginia, to pay over and deliver to me all personal property and money in his or their hands, belonging to my ward, Laura Branch, in the said county of Virginia, I being the lawfully appointed Guardian of the said minor in Fayette County, State of Tennessee. And also, for authority to sue for and recover and receive all money or personal property which may belong to my said ward in the State of Virginia, including the accruing rents of her real estate in like manner, as if I were appointed Guardian of said ward in the State of Virginia, and remove the same to the State of Tennessee.
mh 96-law4w WILLIAM L. SHIP, Guard'n.

Printers Fee.

\$2.50

I hereby certify that the annexed notice of application to the Circuit Court of Southampton County, has been published in the Daily Transcript, a newspaper printed in Portsmouth, Va, once a week for four successive weeks, commencing on the 28th March 1861.

J. D. Fiske,

Ed Daily Transcript,

William L. Ship

Deer

Oct. Court
~~the term~~ 1861

To be entered

R. 14. B.

1861 November Term

William L Ship Guardian of Laura Branch -

This day this cause
came on to be heard on the petition of William L Ship Guardian
of Laura Branch, on the production of satisfactory proof,
according to the provisions of the act of Assembly
concerning non-resident Guardians and wards -
permission and authority are hereby given
to William L Ship Guardian of Laura Branch,
both residents of Fayette County Tennessee,
to demand, receive, sue for, and recover and
remove - any money or other personal property,
in the said ward then and belonging, within
the jurisdiction of this Court, from
the State of Virginia, to the said County
of Fayette, State of Tennessee. The
place of residence of said William L
Ship and his aforesaid ward -