

1867 - 11

Santhampton County

Bingard, Susannah R. et al

(Appointmont of
Executors)

Susannah R Bingard

Zelinda A Bingard

Benjamin A Bingard

Minor Children and heirs
of Oliver and Mary Bingard

State of Indiana, and that said House will pass
all other such orders as the nature of the case may
require, and as is duly bound your petitioners will
pray so

Wm H. Rellou J. S.

Bill 1000

3

Bill 1000

Petition

To The Hon. Richard H. Baker Judge of the Circuit Court
of Southampton County - In Chancery sitting -

Your
petitioner Jesse Henley respectfully represents
to your Honor, that he has been lawfully appointed
and qualified in the Court of Common Pleas
for the County of Rush State of Indiana, as guardian
of the persons and estates of Sannanah, M.
Bimford, Zelinda A Bimford and Benjamin O
Bimford minor orphans of Oliver and Mary
Bimford dead.

That he executed bond and security
sufficient to insure his accountability for the
whole amount of the estate of his wards, 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 both residents
of Rush County State of Indiana, in which County
he qualified as guardian as aforesaid. That the
removal of the property of his said wards from this
State will not impair their rights or be prejudicial
to the interests either of the wards or any other person.
That the said wards are entitled to \$2000 - arising
from the sale of their father Oliver Bimford, ^{in this Court} dead, and
your petitioner prays that he file this
petition under the provisions of the 125th Chapter
of the Code of Va. in reference to Foreign Guardians.
To the end therefore he may pray your Honor to make
an order authorizing your petitioner, to and for,
recover and receive all the money and other personal
property, which may belong to his said wards, as if he
were appointed the guardian of the said wards in this
State, and remove the same to the County of Rush

Oct 9. 551

Guardianship of
Susannah R. Binford
Zelinda A. Binford &
Benjamin O. Binford
Minor children and heirs of
Oliver and Mary Binford, de'd

Appointment
of Guardian

Be it remembered that on
the 30th day of January A.D. 1867. the same be-
ing in vacation. Jesse Henley came and filed
in the Office of the clerk of the Court of Com-
mon Pleas of Rush County, Indiana. the follow-
ing Petition duly affirmed to according to law
for Letters of Guardianship on the persons and
Estate of Susannah R. Binford, Zelinda A. Bin-
ford & Benjamin O. Binford. Children and minor
heirs of Oliver and Mary Binford. both deceased,
which is in these words & figures. to wit:-

Petition

"State of Indiana, Rush County, ss. In the Rush
Common Pleas Court. 1st Term 1867. Jesse Henley rep-
resents to said Court that Susannah R. Binford
born 7th of 5th month, 1851. Zelinda A. Binford
born 3rd of 10th month, 1853. and Benjamin O.
Binford. born 7th of 8th month, 1856. Children of
Oliver and Mary Binford both de'd. are un-
represented by any Guardian in this Court or
elsewhere - that said wards have coming to them
in Virginia from their Father's Estate some

Eighteen Hundred or Two Thousand Dollars
as near as he can ascertain which needs the
attention of a Guardian - said Susannah being
over 14 years of age has selected applicant as
her Guardian, and he prays the Court to grant
him Letters of Guardianship and affirms the
facts above set forth are true &c Jesse Henley.
Subscribed and affirmed to before me this
23 January 1867. B. D. Singly clk. 5 ch sec stamp

Also at the same time said Jesse Henley filed
in the office of said clerk the following bond
properly conditioned as Guardian of said minor
and in the penal sum of Five Thousand Dollars
with Josiah C. Winford a freeholder of said
County as surety thereon, which said bond is
approved of by said clerk, and in these words, to wit:

Bond

"Know all men by these Presents, That we, Jesse
Henley and Josiah C. Winford all inhabitants
of the State of Indiana, are held and firmly bound
unto the State of Indiana, in the penal sum of
Five Thousand dollars, for the payment of which,
well and truly to be made, we bind ourselves, our
heirs, executors and administrators, jointly and
severally, firmly by these presents, Sealed with
our seals, and dated this 23rd day of January
1867. Whereas, the above named and bounden
Jesse Henley, has been duly appointed by the clerk
of the Court of Common Pleas of the County of Rush,
in the state aforesaid, Guardian of the persons
and Estates of Susannah C. Winford, Jeline A.
Winford and Benjamin C. Winford Minor Heirs
of Oliver and Mary Winford, deceased, and

Letters of Guardianship have been duly granted to him by said Clerk. Now, therefore, the conditions of the above obligation is to the effect following, to wit: That the said Jesse Henley shall faithfully perform the duties of his said trust as such Guardian, then and in that case said obligation shall cease, and be null and void, otherwise to be and remain in full force and virtue in law.

Jesse Henley
Josiah C. Binford

1867

Approved of by the clerk this 23rd day of January, 1867. Attest: J. C. Binford, Clerk.

Also at the same time the said Jesse Henley files the following Qualifications as Guardian of said minors, in these words and figures to wit: "State of Indiana, Rush County, ss: Jesse Henley Guardian of the persons and Estates of Susannah R. Gelinda A. and Benjamin C. Binford being duly affirmed before the Clerk of said Court of Common Pleas of the County aforesaid, upon his affirmation that he will faithfully and honestly discharge the trust and duties devolving upon him as such Guardian.

Qualifications

Jesse Henley.

In Witness of which, I, Benjamin C. Binford, Clerk of said Court, hereunto set my hand, this 23rd day of January 1867. J. C. Binford, Clerk. Thereupon the Clerk of said Court being satisfied with said petition, Bond and qualifications, and being satisfied that the said Jesse Henley is a suitable person to take the Guardianship of said minors, issues to him the following Letter of Guardianship herein, which is in these words, to wit: Attest J. C. Binford, Clerk.

Letters.

I, Benjamin F. Singley, Clerk of the Court of Common Pleas within and for the County of Rush, in the State of Indiana, do hereby certify, that Jesse Henley has been duly appointed by the Clerk of the Court of Common Pleas of said County, Guardian of the persons and Estates of Susannah R. Binford, Gelinda A. Binford and Benjamin O. Binford Minor Heirs of Oliver and Mary Binford dec'd. and the said Jesse Henley, having duly qualified and given bond as such Guardian, he is duly authorized to take upon himself the performance of the duties of the trust of such Guardianship, according to law. Witness my hand and ^{the} Seal of said Court, this 23rd day of January in the year of our Lord 1867. B. F. Singley Clerk.

And afterwards, to-wit: at a Term of the Common Pleas Court of Rush County, Indiana, begun holden and continued at the Court House in the Town of Rushville in said County and State, on Tuesday, the 26th day of February 1867, the same being the 8th Judicial day, of the February Term 1867, of said Court, and that being the time and place, fixed by law for holding a Term of said Court, before the Honorable William R. West, sole Judge of the 11th Common Pleas District of the State of Indiana, of which the County of Rush forms a part, the following appears of Record in this Guardianship.

O. B. No 10. 92 to-wit: Come now Benjamin F. Singley, Clerk of this Court and files the following Report of the appointment of Jesse Henley, Guardian of the persons & Estates Susannah R. Gelinda A. and Benjamin O. Binford, Minor Heirs of Oliver and Mary Binford

State of Indiana 3
Rush County 3²⁰

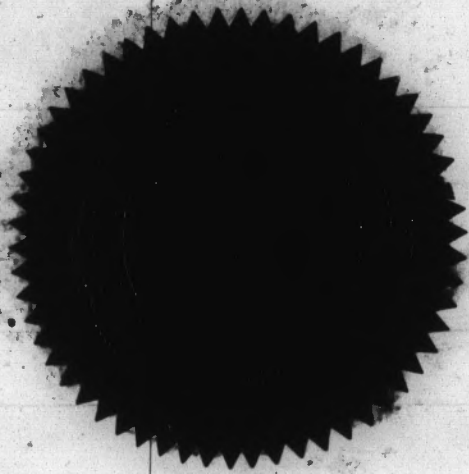
I Benjamin F. Ingley Clerk of the Court of Common Pleas in and for said County do hereby certify the above and foregoing to be a full true and complete transcript of all the proceedings had in the Guardianship of said Minors including the Petition, Bond, Qualifications, Letters and Confirmation of the Court of the acts of the Clerk therein as the same appears from the records of said Court now on file in my Office, and I further certify that I am the proper and legal Custodian of such records,

Witness my name and the seal of said Court at Rushville this the 17th day of April A.D. 1867.

B. F. Ingley Clerk of the Court of Common Pleas of Rush County Indiana,

State of Indiana 3
Rush County 3²⁰

I William Allen Judge of the Twenty-second (22nd) Common Pleas District of the State of Indiana of which District said County of Rush is now a part, do hereby certify that Benjamin F. Ingley who has made and signed the foregoing Certificate is an acting and legally authorized, duly elected and qualified Clerk of the Court of Common Pleas of Rush County Indiana and that his signature above is genuine



Witness my name and the seal of
said Court Common Pleas County of
Rushville this the 17th day of April
A.D. 1867.

William A. Cullen
Judge Com. Pleas Dist.
2d

Burford
as } oran.
Burford.

May 17. 1867.

To the interest

R. H. Baker

John Henry Esq. of Suramont R. Zelinda A and Benjamin
O Binford

as

Suramont R. Zelinda A and Benjamin O Binford

on petition

This

day this case came on to be heard on the petition
of John Henry guardian of Suramont R. Zelinda A and
Benjamin O Binford, on the production of sat-
isfactory proof according to the provisions of the
Act of Assembly concerning non resident guar-
dians and wards. ^{and it appearing to the court that notice of this application has been} permission and authority are hereby
^{published and conveyed} given to John Henry guardian of Suramont R. Zelinda
A and Benjamin O Binford, all residents of Creek
County in the State of Indiana, to demand, receive
and for and recover and remove any money or other
personal property to the said wards due and belonging
within the jurisdiction of this Court from the
State of Virginia to the said County of Creek, State
of Indiana the place of residence of the said John
Henry and his aforesaid wards