

The original probate files of Hendricks County, some from as early as 1823, are very fragile and are in storage. You are encouraged to use these digital images instead of seeking the originals as they are as complete, and more readable in many cases, than the originals.

ELI FOX

GUARDIANSHIP

1876

HENDRICKS COUNTY, INDIANA



No. 23 M. 3 p. 8.

HENDRICKS COMMON PLEAS COURT.

**PROBATE.**

GUARDIANSHIP OF

*Eli Fox, a person  
of unsound mind*

*Disposed of at  
September Term 1877*

*James S. Montgomery* Guardian.

*F. B. H. p. 242,*

*not taxed*

*Oct 17 1876*

Guardian's A



State of Indiana ) In the Hendricks Circuit  
Hendricks County ) Court September Term 1876  
John S. Montgomery )  
vs )  
Eli Fox ) Eli Fox declared a Lunatic  
In

1st. I Jones, S. Montgomery ~~John S. Montgomery~~ a Resident  
freeholder in and for the County and State  
aforesaid and of lawful age Complainant  
now here comes and represents and  
States to the Honorable the Judge of the  
Hendricks Circuit Court, That Eli  
Fox an inhabitant of Washington  
Township, Hendricks County and State  
of Indiana and the owner of personal  
property and Real estate of about the  
cash value of Two hundred Dollars  
is now and hath been a person of  
unsound mind, and incapable of managing  
and is unable to be produced or brought up to work  
his own estate, wherefore your petitioner  
asks the Court to order and cause that  
~~said, that the said Eli Fox. . . to be  
produced in said Court, and will~~  
~~to order and~~  
asks the Court, cause an issue to be  
made by the Clerk of the Hendricks Circuit  
Court, denying the facts set forth herein  
and will the Court cause a jury to  
be empaneled under the directions of  
said Court, to try <sup>the</sup> issue joined in said  
cause, and will the Court if said jury  
shall find <sup>that</sup> the said Eli Fox is a  
person of unsound mind, appoint a  
over



Guardian for the said Eli Fox  
 to have the custody of his person and the  
 management of his estate all according  
 to the statute in such case made and  
 provided, and your petitioner pays  
 for freight against the estate of the said  
 Eli Fox } for all costs &  
 have & have } Jas. Montgomery Petitioner  
 attys for Petitioner,

I William Irwin, being so directed by the  
 Court, hereby deny the material allegations  
 in the foregoing petition, and ask the Court to  
 require strict proof of the same  
 Wm Irwin Clerk

40

Jas. Montgomery  
 Petitioner

Wm  
 Eli Fox

Complaint to have  
 Eli Fox } found  
 a person of sound  
 mind. R

FILE

OCT  
 16  
 1876

Wm Irwin  
 Clerk

Wm. & have attys  
 for complainant



In the Matter of the alleged insanity of  
Eli Fox:

We the jury find that the above  
named Eli Fox is a resident of  
Hendricks County Indiana, and that  
he is a person of unsound mind  
and not capable of managing  
his own estate

John W. H. H.  
Foreman



In the matter of the  
Insanity of  
Eli Fox

Verdict of the jury

Filed Oct. 1<sup>st</sup> 1876  
Wm. Brown  
Clerk



**THE STATE OF INDIANA,** } **ss.**

**Application for Letters of Guardianship.**

*Hendricks* County.

The undersigned, applicant for letters of Guardianship on the persons and estates of  
*Eli Fox, a person* aged \_\_\_\_\_ years, 18  
*of unsound mind* aged \_\_\_\_\_ years, 18

aged \_\_\_\_\_ years, 18

aged \_\_\_\_\_ years, 18

aged \_\_\_\_\_ years, 18

aged \_\_\_\_\_ years, 18

aged \_\_\_\_\_ years, 18

aged \_\_\_\_\_ years, 18

~~minors heirs of~~ \_\_\_\_\_, late of \_\_\_\_\_

County, Indiana: said ~~minors~~ *Eli Fox* resides in *Hendricks* County, in the  
 State of Indiana, and ~~is~~ <sup>is</sup> the ~~joint~~ owner of Real Estate situate in said County, of  
 the probable value of *Five Hundred* Dollars,  
 has been conveyed away to *John Rounds* ~~which does not exist and said~~ which  
 which will rent annually for about the sum of *thirty* Dollars.

Said ~~Heirs~~ <sup>*Eli Fox*</sup> also owned personal property of the value of

*fifty* Dollars.

**State of Indiana, *Hendricks* County, ss:**

*James S. Montgomery* being duly sworn, says that the  
 material facts contained in the above statement and application for Letters of Guardian-  
 ship on the persons and estates of the persons therein named, are correct and true, as he  
 verily believes, and further saith not.

*James S. Montgomery*

Subscribed and sworn to before me this *17<sup>th</sup>* day of *October* 18*76*

*Am Irwin* Clerk,

Of the Circuit Court of *Hendricks* County.



~~Minor Heirs of~~

Eli Fox A person of un-  
sound Mind Deceased.

Jas S. Montgomery  
Guardian.

CIRCUIT COURT.

Application for  
LETTERS OF GUARDIANSHIP.

Filed Oct 17<sup>th</sup> 1876  
Wm. L. Irwin Clerk.



We, *James S. Montgomery and John M. Rice*

are bound unto the STATE OF INDIANA, in the sum of *Eleven Hundred and Twenty* Dollars, for the payment of which we bind ourselves, jointly and severally, firmly by these presents.

Sealed and dated this the *17<sup>th</sup>* day of *October* 187*6*

If the above bound *James S. Montgomery* will faithfully discharge his duties as guardian of the person and property of *Eli Fox, a person of unsound mind*

~~minor heir~~ of

~~deceased~~, then the above obligation is to be void, else to remain in force.

*James S. Montgomery* (Seal.)  
*John M. Rice* (Seal.)  
 (Seal.)

Approved

the *17*

day of *October*

187*6*

*Livingston H. Burford* Clerk  
 Of *Hendricks* Circuit Court.

State of Indiana, *Hendricks* County, ss:

I, *James S. Montgomery*, swear that I will honestly and faithfully discharge the duties of my trust as Guardian of *Eli Fox, a person of unsound mind*

~~minor heir~~ of

~~deceased~~, according to law; so help me God.

Subscribed and sworn to before me, this

*James S. Montgomery*  
*17<sup>th</sup>* day of *October* 187*6*  
*Wm. J. Smith* Clerk,  
 Of *Hendricks* Circuit Court.

State of Indiana, County, ss:

I, \_\_\_\_\_, Clerk of the Circuit Court of said County, certify that \_\_\_\_\_, of said County, has been appointed Guardian of the person and property of \_\_\_\_\_

minor heir of \_\_\_\_\_, Late of said County, deceased, and has qualified as such.

In Testimony Whereof, I have hereunto set my hand and the seal of said Court, the \_\_\_\_\_ day of \_\_\_\_\_ 187  
 \_\_\_\_\_ Clerk.



State of Indiana,

*Madison Co.*

County:

I, *John H. Rice*, swear that I am worth over and above my indebtedness, *Eighteen Hundred* Dollars, as I believe; so help me God.

*John H. Rice*

Subscribed and sworn to before me, the

*17<sup>th</sup>* day of *October* 187*6*

*Wm. J. Green* Clerk.

State of Indiana,

County:

I, \_\_\_\_\_, swear that I am worth over and above my indebtedness, \_\_\_\_\_ Dollars, as I believe; so help me God.

Subscribed and sworn to before me, the

\_\_\_\_\_ day of \_\_\_\_\_ 187

\_\_\_\_\_  
Clerk.

Filed

*17<sup>th</sup>*  
*October*

day of

187*6*

*Wm. J. Green* Clerk.

Deputy.

*Recorded page 78*

Guardian's Bond and Oath,  
WITH SURETIES.

CIRCUIT COURT.

*James S. Montgomery*  
GUARDIAN OF  
*Eli Fox, a person*  
*of unsound mind*



# GUARDIAN'S INVENTORY.

An Inventory and appraisement of the Property belonging to  
Ed. Fox, a person of unsound mind

, minor heir

made by James S. Montgomery, Guardian of said <sup>deceased,</sup> Ed. Fox  
 this 4<sup>th</sup> day of December 1896.

DR.

CR.

1	Four acres of Real Estate	\$475 00	
2	Three chairs	50	
3	Two beds and bed clothes	14 00	
4	One box	1 00	
5	Two flour barrels	25	
6	One meal sieve	25	
7	One Soap tub	10	
8	One Auger and Saw	1 00	
9	One pair of <del>ste</del> scales	40	
10	One bucket	20	
11	One stove and accels	2 00	
12	One hoe and ax	1 00	
13	Two tin pans	40	
14	Cupboard ware	8 00	
15	One coffee mill	30	
16	One smoothing iron	25	
17	One looking glass	1 00	
18	One trunk	1 10	
19	One fur	2 00	
20	One Clock	6 00	
21	Seven chickens	1 75	
22	One Basket	10	
23	One barrel of flour	5 00	
24	Coffee	40	
25	four bags corn	1 60	
26	Two mob	56 00	
27	Cash	41 80	
28	Amount paid and in debt		\$327 40
	<u>Total</u>	<u>\$658 00</u>	
		<u>310 40</u>	
	Rental value of the real estate per annum.	\$30 00	



State of Indiana, Hendricks County, ss:

I, James S. Montgomery Guardian of the minor  
heirs of Eli Fox a person of unsound mind, deceased swear that  
the foregoing is a true and complete Inventory of all the estate belonging to said Eli Fox  
which have come to my knowledge.

James S. Montgomery

Subscribed and sworn to before me this 15 day of December 1876

Wm. Linn Clerk.

HEIRS OF

Eli Fox

Unsound mind

DECEASED.

James S. Montgomery  
GUARDIAN.

Hendricks Circuit Court.

**INVENTORY.**

Filed Dec 15 1876

Wm. Linn Clerk.

Braden & Burford, Printers, Indianapolis, Ind.



# GUARDIAN'S ACCOUNT CURRENT.

State of Indiana, *Hendricks*

County, ss:

IN THE MATTER OF THE HEIRS OF

In the Circuit Court,

*Eli Fox a person of*  
*unsound mind Deceased*

*Hendricks County,*  
*September Term, 1877.*

REPORT No. 1

The undersigned, Guardian of the minor heirs of said decedent, to-wit:

*Eli Fox, a person of unsound mind*

Respectfully submits to said Court the following current report of his proceedings as such Guardian of said minor heirs, to-wit:

I am chargeable with personal  
property belonging to my  
ward to the amount according  
to inventory

Dols.

Cts.

163 00

Total Charges,

163 00

I also claim the following credits for sums by me laid out and expended in the Guardianship of said heirs, to-wit:

No. of  
Voucher.

Dols.

Cts.

1

*Robt John P. Round*

86

80

2

*Turned over to John W. Rice Ad-  
ministrator of Eli Fox deceased,  
personal property to the value*

12

50



The two notes mentioned in  
inventory, Nov. 26, I took full  
payment on them to the full amount,  
but the payors took a bit off,  
hence I ask credit for the  
amount -

Total amount of  
credits,

64 170

163 00

I respectfully state that my  
word departed this life on the  
8th day of May 1877, and that I  
have turned the real estate and  
residue of his personal estate  
over to his administrator,  
hence I ask to be discharged  
as guardian of Eli Fox.



## RECAPITULATION.

Total amount of Charges,

\$163.00

" " " Credits,

\$163.00

Leaving a balance in my hands at this Settlement of

0

State of Indiana, Hendricks County, ss:

I, James S. Montgomery, Guardian of

Eli Fox a person of unsound mind

minor heir of

~~deceased~~

that the foregoing report contains a full and true account of all moneys with which I am chargeable, as well as of all moneys laid out and expended, and that all statements therein contained are true and correct, so help me God.

James S. Montgomery

Subscribed and sworn to before me, the 11<sup>th</sup> day  
of October, 1877

Wm. Irvine

Clerk,

Circuit Court.



No.

In the Matter of the Heirs of

Eli Fox apson of  
unsound mind  
Deceased.

J. S. Montgomery  
Clerk.

Report No. 1

Total Charges,	-	\$ 163.00
Total Credits,	-	163.00
Balance Due,	-	0

Filed the 16 day of Oct 1877  
Jm Grim  
Clerk.

Letters of Guardianship issued

day of , 187.

Attorney.

Indianapolis Journal Print.

affirmed &  
Juleson



Received of James S. Montgomery  
Guardian of Eli Fox a person of  
unsound mind eighty one dollars and  
eighty cents for attendance and board  
rendered to said Fox

John P. Rownd

Arvon Ind.

Sep. 26<sup>th</sup> 1877

Received from James S. Montgomery  
Guardian of Eli Fox deceased,  
one bed and bedding appraised at \$9.00  
one Trunk appraised at \$1.50  
One gun and pouch appraised at \$2.00  
~~one bedstead appraised at \$1.50~~  
one note calling for \$35.00,

John W. Rice  
Administrator of  
the estate of Eli Fox  
deceased,



Voucher  
No. 1

FILED

OCT  
16  
1877

Am. Irving  
CLEVELAND

Voucher  
No. 2

FILED

OCT  
16  
1877

Am. Irving  
CLEVELAND



ELI FOX

GUARDIANSHIP

1876

HENDRICKS COUNTY, INDIANA

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