

1847-029

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VAUGHAN_{next} VS. VAUGHAN'S GUARDIAN

v al

6/1847

Vaughan

is 3 bill answers to decm

Edwards gave as letter

1846 Decr. Decm as filed

1847 March Decm amended

" May Repals.

" June Rep. Confm.

To the worshipping county court of Southampton in
chancery sitting

Humbly complaining your com-
plainant Martha M Vaughan in her own right and as
executrix of the last will and Testament of Anthony
Vaughan died sheweth to your worship that in the year
— Anthony Vaughan of the county of Southampton
died leaving considerable estate both personal and real
having first duly made his last will and Testament whereby
your complainant was together with one William Edwards
(who never qualified) ^{was} appointed executor who duly qualified
on the same in the county court of Southampton having
first given bond and security according to law that the
said Anthony ^{Vaughan} left your complainant who was his wife
and Louisa J. and Shadrach Vaughan his children
his only heirs and legates at law your complainant further
sheweth unto your worship that she proceeded to administer
the estate of her testator and that for the purpose of paying
the debts of the testator she has sold all the personal
estate except the negroes all of whom were specifically
devised to your complainant and the two above mentioned
children and that to pay the debts due from the estate
she has advanced the sum of \$410.57 out of her own
pocket as will appear by the last commissioners report
which shows that balance to be now due her on
account of the said estate that the only property which
the two children Louisa J. and Shadrach now have
is about two negroes a piece bequeathed to them
by their father Anthony Vaughan whose hires
will barely give them a scanty support your
complainant is fully advised of the fact that to raise
the amount which the estate owes that as executrix
she could sell any part of the property and make
all the legates contribute equally towards paying
the same but is willing and desires that the negroes
given to her for life should be sold that the children
may not be deprived of their only means of support
and she asks of the court is that after paying of this
debt which the estate now owes is that of the balance
they would allow her a fair portion of the money
in fee in lieu of her life estate your complainant
is sure that this arrangement would benefit all parties
except herself and that nothing but that interest which
she feels in the welfare of her children has prompted
her to it.

In tender consideration whereof and inasmuch as your complainant is without remedy at law and only entitled to relief in a court of equity she therefore humbly prays that you would make Conise. J. and Frederick Vaughan by some fit and proper person their guardian ad litem parties defendant to this bill and compel them as full and perfect answer make thereto as if he had themselves more fully and specially interrogated and that your worship would decree that the negro woman Mary and her three children bequeathed to your complainant by the last will and testament of ~~the~~ of Anthony Vaughan died be sold and that out of the money arising from such sale be paid first the debt which the estate owes and that out of the balance a reasonable part be paid to your complainant in lieu of the life estate she has in the whole and the balance go to the distributees at law and that your worship would grant such other and general relief as equity may dictate and the circumstances of her case may require and as in duty bound your complainant will ever pray be

Shand Pr.

Answer of G. R. Edwards guardian ad litem for Conise J. and Frederick Vaughan infants of tender years to a bill exhibited as there in the county court of Southampton by Martha M. Vaughan in her own right and as executrix of Anthony Vaughan Decd

This defendant saving us for answer to the said bill or to as much thereof as he is advised it is material for him to answer says he knows nothing of the facts stated in Plaintiffs bill but leaves the interest of the infant defendants in the care of the court whose guardian duty it is to protect the rights of infants and having fully answered prays to be hence discharged with his costs

Vaughan

Decree

Edwards gu^{ad} ad litem

This day this cause came on to be heard on the bill of Plaintiffs and answer of the defendants and was signed by counsel on behalf of the

court doth adjudge order and decree that Martha M. Vaughan be appointed a commissioner and that after having given due notice of the time and place of sale she proceed to sell for cash a negro woman named Mary and three children belonging to the estate of Anthony Vaughan decd and make a report to this court in order to a final decree

Vaughan

Decree

Edward 9th ad litem fore

This day this cause came on
to be heard on by consent of parties on bill and answer
and was argued by counsel on the hearing whereof the
court doth signify, order, and decree, That Martha N.
Vaughan be appointed a commissioner who shall
after having given due notice of the time and place
of sale ~~shall~~ proceed to sell at public auction to the
highest bidder for cash a negro woman named
Mray and her three children belonging to the estate
of Anthony Vaughan dec^d and out of the money
arising from such sale after having first paid the
expenses attending this decree the court doth signify
order and decree that one third of the money
be allotted to the said Martha N. Vaughan in
lieu of her life estate that the sum of \$410.57^{the}
be applied to the payment of debt due from the
estate of Anthony Vaughan to Martha N. Vaughan
and the balance be divided equally between
Louisa Jane Vaughan, and Edward Vaughan,
children of Anthony Vaughan dec^d and
make report to this court

Vancouver

is

} Amundsen

Edwards ^{gus} ad litteras

1847 March Four

Vaughan

vs 3

Edwards gu^{on} ad litem

This day this cause came on again to be heard on the papers formally made by consent of parties and was argued by counsel on consideration whereof the court doth adjudge order and decree that the sum of \$410.58 the debt due from the estate of Anthony Vaughan to Martha M. Vaughan be raised by contribution among Martha M. Vaughan, Lavinia Jane Vaughan and Frederick Vaughan the legatus and heirs at law of Anthony Vaughan dec^d

Vaughan

2 3 Diver

Edwards & Co

Abing

Southampton County December Court. 1846

Martha N Vaughan in her own right and as
 executrix of Anthony Vaughan dec'd

Plff

against
 S. P. Edwards Guardian ad litem for Louisa S and
 Phedrick Vaughan infants of tender years.

Defts

This day this cause came on to be heard on by consent of
 parties on bill and answer and was argued by counsel on the
 hearing whereof the court doth adjudge order and decree that
 Martha N Vaughan be appointed a Commissioner who shall after
 having given due notice of the time and place of sale proceed
 to sell at public auction to the highest bidder for cash (a Negro
 woman named Mary and her three children belonging to the
 estate of Anthony Vaughan dec'd and out of the money arising
 from such sale after having first paid the expenses attending
 this decree the Court doth adjudge order and decree that one
 third of the money be allotted to the said Martha N Vaughan
 in lieu of her life estate that the sum of four hundred and
 ten dollars and fifty seven cents be applied to the payment
 of the debt due from the estate of Anthony Vaughan to Martha
 N Vaughan and the balance be divided equally between
 Louisa Sarah Vaughan and Phedrick Vaughan children of
 Anthony Vaughan dec'd and make Report to this Court

Saw for \$10.00

Trster S. P. Edwards Ck

Cash for 3.38

\$13.38

By Virtue of the above decree the undersigned Commissioner having duly given notice of
 the time and place of Sale. proceeded to sell Negro woman Mary and her three children as follows

Mary and the 2 younger children for	\$600.00
Girl Priscilla the oldest child	85.25
	485.25
Deduct Cost of Suit	\$12.38
Commission for selling (on Order for paying money)	19.70
	32.08
Net amount of Sale	453.17
Deduct 1/3 in lieu of the life Est	151.39
Balance due to the estate of Anthony Vaughan	302.78

Balance made the sale of Mary children

See amended Decree March Court 1847 & Report Thereto annexed Martha N. Vaughan

1857. March 11th

My dear Sir,
I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

I am, Sir, very respectfully,
Your obedient servant,
J. B. Smith

J. B. Smith

Vaughan

to } Co. Deane

Vaughans

Southampton March Court 1857.

Martha A Vaughan in her own right and as Executrix of Anthony Vaughan dec^d

against

J R Edwards guardian ad litem to Louisa J Vaughan
& Shadrach Vaughan infants &c

Deff:

} In Chancery

Plts }

This day this cause came on again to be heard on the papers formerly read by consent of parties and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree the sum of \$410.57. the due from the estate of Anthony Vaughan to Martha A Vaughan be raised by contribution among Martha A Vaughan, Louisa Jane Vaughan & Shadrach Vaughan the legatees thereof at Law of Anthony Vaughan dec^d.
Additional clks costs. 36 Cents.

A Copy

Teste.

J R Edwards Ck

Nett Amount of Sale of Negro woman Mary & children sold for debt in this cause obtained December Court 1857. after deducting cost of such Commission for selling and one third allowed Martha M Vaughan for her life estate in said Negroes \$302.78

clerk's cost on amended decree 36

302.42

Amount of debt due from A Vaughan Est to Martha M Vaughan \$410.57.

of this debt M. M Vaughan has to contribute herself 136.85 $\frac{2}{3}$

This amount to be contributed by Louisa Jane & Shadrach Vaughan \$ 273.71 $\frac{1}{3}$ 273.71 $\frac{2}{3}$

Balance due A. Vaughan Est after paying debt due M. M Vaughan \$ 29.70 $\frac{2}{3}$

By this Amount Paid to J. Edwards guardian to ^{Louisa} Jane Vaughan \$ 14.85 $\frac{2}{3}$

" This Amount transferred to my account as guardian of J. Vaughan 14.85 $\frac{2}{3}$ 29.70 $\frac{2}{3}$

All of which is respectfully submitted to the county court of Southampton Martha M. Vaughan