

1853-013

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

VAUGHAN'S EXECUTORS VS. PARKER etal

11/1853

other surnames: Nelms,  
Niemeyer, Dunston,  
Moyler, Nelmes,  
Ridley, Drewry

Vaughans Care

v. } Papers

Vaughan & Co

1853 November

Vaughans Error

or } Stat. Rules

Vaughan Jr

Thomas Ridley & Samuel Drury Exors of Henry B. Vaughan dec<sup>d</sup>.

against

William Parker. Fayette Parker. Virginia Parker. Thomas Vaughan. H. V. Stiemeyer & his wife Martha G. formerly Vaughan. Elijah Nelson. Rebecca & Ann Parker and her younger sister Fredericka. Thomas Parker. Edwin Moyer. Henry V. Adelaide. Josephine. Thomas and Mary Dunston children of Edmund Dunston & Mary L his wife. & Henry B & Anna G Vaughan children of Charles A Vaughan - the said Rebecca. Anna. Thomas & Fredericka Parker. Edwin Moyer. Henry V. Adelaide. Josephine. Thomas & Mary Dunston. Henry B & Anna G. Vaughan infants of tender years by S R Edwards their guardian ad litem.

1852<sup>nd</sup> Feb<sup>r</sup> 10<sup>th</sup> Summons issued.

- " Mar. R. Sum<sup>s</sup> not Executed on Fayette & Virginia Parker, Thomas Vaughan. H. V. Stiemeyer & wife. Elijah Nelson. & Rebecca, Anna, Fredericka & Thomas Parker. W<sup>m</sup> Parker not found. there no inhabitants - Bill filed. S R Edwards assigned gen<sup>l</sup> ad litem to infant Deft<sup>s</sup> Anor<sup>s</sup> of infants. G. Rep<sup>s</sup>: therto Deere nisi v. adult Deft<sup>s</sup> except W<sup>m</sup> Parker - now Sum<sup>s</sup> v. him.
- " Apr. R. (1<sup>st</sup> Monday) Bill taken for confessed as to the adult Deft<sup>s</sup> except W<sup>m</sup> Parker Deere nisi v. him. ~~Sum<sup>s</sup> not Executed on~~ ~~is not found~~
- " " (last Monday). Bill taken for confessed as to Deft. W<sup>m</sup> Parker - venue set for hearing as to other Deft<sup>s</sup> on the bill &c
- " May T. Deere for accounts.
- " Nov. T. Deere confirming rept.

Vaughan, Exr:

2 } Bill in  
3 } Chancery

Vaughan & c

Copy will and file herewith

1853 March Rules

To the Hon. Judge of the Circuit Court for the  
County of Southampton - In Chancery -  
Humbly complaining, sheweth your complainants Thos<sup>as</sup>  
Pridley and Samuel Dewey Executors of Henry B Baughman  
decd: that sometime since the said Henry B Baughman died  
having previously made his last will and testament, which  
has been duly admitted to probat in the County Court of South-  
ampton, a certified copy of which is herewith filed as part  
of this bill; and that your complainants, who are appointed  
Executors in said will, have qualified as such in the Court  
last mentioned - That the said Baughman then testator, left a  
large estate, of some eighty or ninety thousand dollars, princi-  
pally in personal property, which your complainants have  
now in their hands, and which they are desiring, as they are  
bound to do, to administer according to law. Having some  
doubts and difficulty with regard to some of the bequests in the  
will, and certain legal questions growing out of them, your  
complainants have thought it best for all parties concerned, to  
bring the whole matter before the Court in order to have the  
said estate properly settled and distributed under its direction.

Your complainants, therefore, beg leave to call your Honor's  
attention to the 1<sup>st</sup> 2<sup>d</sup> 3<sup>d</sup> 4<sup>th</sup> and 9 clauses of said will, in which  
certain parcels of land are devised. All the land mentioned in the  
said clauses, was sold in the lifetime of the testator, and your  
complainants wish to be advised whether the proceeds of sale belong  
to the parties to whom the land was given or to Edmund Abbotson  
the residuary legatee, under the 16<sup>th</sup> clause.

In the 5<sup>th</sup> clause the testator bequeathes "unto William Parker, two  
thousand to him and his heirs forever" - Your complainants pre-  
sume that it would be proper for them to pay to the said Par-  
ker, two thousand dollars.

In the 7<sup>th</sup> clause, the testator bequeathes to certain parties, a bond which  
he held against their father, James M. Parker, due the 2<sup>d</sup> July 1846  
and your complainants wish to be instructed whether the interest  
due on said bond does not also belong to said parties.

In the 9<sup>th</sup> clause the testator bequeathes to the children of Edmund

Durston and Mary L. his wife; certain property - to wit - 250  
barrels corn, 12000 lbs of wool - 6 mules - 3000 lbs of pork - and the sons and  
pigs and young shoats at the machine pens and sheep pens - Your  
complainants state that none of said property above named, save  
the pork, was found in the possession of the testator on his  
death; and they desire to be advised whether they are to pay to the leg-  
-ates therein named, the equivalent of said property in money, and  
if so, what amount

In the 10<sup>th</sup> and 11<sup>th</sup> clauses the testator bequeaths to Henry B. Vaughan  
son of Charles A. Vaughan, ten thousand dollars; and to Anna  
E. Vaughan, daughter of said Vaughan, five thousand dollars -  
Both of said legatees being minors and residents of the State  
of Mississippi, and having no qualified guardian in this State  
your complainants wish to be advised what disposition to make  
of their legacies

Your complainants also state, that subsequent to the execution  
of the will, and before the death of the testator, one of the negro  
slaves bequeathed to Thomas Vaughan in the 14<sup>th</sup> clause, gave birth  
to a child which is still living; and not being willing to decide  
to whom the child belongs, are desirous to be instructed to ~~what~~  
~~the said child belongs~~ what disposition to make of it.

Your complainants further state that they have paid all  
the debts of their testator so far as they are advised, that they are  
ready to render an account of their transactions, and to dis-  
-tribute the estate in their hands according to the terms of the  
will, under the direction of the Court - that they have already  
made settlements with some of the legatees under the will,  
but do not consider it advisable for them to proceed further  
except under the direction and advice of the Court

In tender consideration of the facts before stated, your  
complainants pray that William Parker, Fayette Parker,  
Virginia Parker, Thomas Vaughan, H. V. Adams and his wife  
Martha C. formerly, Vaughan, Elizabeth Adams, Rebecca, and  
Anna Parker and her younger sister Fredericka, Thomas  
Parker, Edwin Boyles; Henry V. Adelaide, Josephine,  
Thomas and Mary Durston, children of Edmund Durston and

Mary L. his wife, and Henry B. and Anna E. Vaughan, chil-  
-dren of Charles A. Vaughan, (the said Rebecca, Anna, Thomas  
and Fredericka Parker, Edwin Boyles, Henry V. Adelaide  
Josephine, Thomas and Mary Durston, Henry B. and Anna E.  
Vaughan being infants of tender years, by some set-off paper  
person to defend them in this suit.) be made dependants to  
this bill - that said dependants answer the petition, and that your  
Honor will direct your complainants to render an account  
of their transactions as Executors as aforesaid before a Commissioner  
of this Court, who may also be directed to state accounts between  
your complainants and each of the legatees under the will;  
and finally that your Honor will direct the payment and dis-  
-tribution of the funds in their hands according to law, and  
the rights of the parties - and grant them such other and gen-  
-eral relief as may be necessary and proper - and they will as in  
duty bound ever pray

M. S. S. A. Goddard

Attest  
S

Vaccinations Exor.

is } Ans of infants

Parker & P

1853 March Rules



The joint and separate answer of Rebecca, Anna, Frederika & Thomas Parker, Edward Moyer, Henry V, Adalaide, Josephine, Thomas & Mary Dunston & Henry D & Ann Vaughan infants under the age of twenty one years by L R Edwards their guardians ad litem to a bill in Chancery exhibited against them and others in the Circuit Court of Southampton County by Thomas Ridley & Samuel Drury Executors of Henry D. Vaughan dec<sup>d</sup>.

These defendants having & reserving to themselves all benefit of law for answer to said bill or to do much thereof as they are advised it is material for them to answer unto. Answering say they believe the facts set forth therein to be true, but being infants they submit their rights & interest to the protection of the Court. And having answered pray to be dismissed &c

L R Edwards for &c

Vaughan, Exor:

i } done

Vaughan

To be entered

R. H. Baker

May 10 - 53.

Vaughan, Exor:

2

Vaughan or the

Circuit Court May Term 1853.

The bill of the complainants having been taken for confessed at rules as to the defendants Thomas Vaughan, William Postrow, Fayette Postrow, Virginia Postrow, Elijah Holmes and H. Beckman and his wife Martha, who still fail to appear and answer, ~~on motions of the complainants, by counsel, the bill is taken for confessed as to those defendants~~ - And the cause coming on to be heard on the bill and exhibits therewith filed, answers of the in-ford-defendants by their guardian ad litem, and general replications thereto, was argued by counsel. On consideration whereof, the Court <sup>with</sup> ~~with~~ <sup>advising</sup> any principle involved in the <sup>case</sup> doth adjudge, order and decree that Samuel Drury and Thomas Ridley render before a Comr. of this Court an account of their transactions as executors of Henry B. Vaughan dead: and also an account of any payments which may have been made by them to any of the legatees under the will of said Henry B. Vaughan in full or just part satisfaction of their legacies, so as to show what amount is still due each of said legatees, and what amount remains in their hands after payment of the legacies - That said Comr. also take an account showing the value in money of any legacies, ~~bequeathed~~ <sup>bequeathed</sup> other than those specific legacies, bequeathed in said will, and which were not in the possession of said Henry B. Vaughan at his death; which accounts said Comr. is directed to accit. state and report together with any matters specially stated deemed pertinent by himself or which may be required to be so stated by either of the parties

Vaughan, E. W.  
v 3 Copy secured  
Vaughan, E. W.

July 18<sup>th</sup> 1853.

In Southampton Circuit Court, May Term, 1853.  
Thomas Ridley & Samuel Drewry executors of Henry B.  
Vaughan dec<sup>d</sup>. Plaintiffs  
against

William Parker, Fayette Parker, Virginia Parker,  
N. V. Wimsyer & his wife Martha C. formerly Vaughan  
Thomas Vaughan & others defendants.

The bill of the complainants having  
been taken for confessed at rules as to the  
defendants, Thomas Vaughan, William Parker,  
Fayette Parker, Virginia Parker, Elijah Nelson,  
(and N. V. Wimsyer (and his wife Martha,  
who still fail to appear (and answers (and the  
cause coming on to be heard on the bill (and  
exhibits therewith filed, answers of the infant  
defendants by their guardian ad litem (and  
general replications thereto, was argued by  
counsel. On consideration whereof, the  
Court not deciding any principle involved  
in the cause, doth adjudge, order (and decree  
that Samuel Drewry (and Thomas Ridley render  
before a Commissioner of this Court an account  
of their transactions as executors of Henry  
B. Vaughan dec<sup>d</sup>. and also an account of any  
payments which may have been made by  
them to any of the legates under the will  
of said Henry B. Vaughan in full or in  
part satisfaction of their legacies so as to  
show what amount is still due each of said  
legates, (and what amount remains in their  
hands after payment of the legacies. That  
said Commissioner also take an account  
showing the value in money of any legacies  
other than specific legacies bequeathed in  
said will (and which were not in the

possession of said Henry B. Vaughan at his death,  
which accounts said Commissioner is directed to audit,  
state and report to Court together with any matters  
specially stated deemed pertinent by himself, or  
which may be required to be so stated by  
either of the parties.

Very  
truly,  
yours,

Henry S. Howard, D.C.

Vaughan's Pass:

is } Recess

Vaughan's

To be entered.

R. H. Baker

Nov. Term 1853.

Vaughan's Exors:

i

Secur

Vaughan's other

This day this cause came on finally to be heard on the papers formerly read, together with the report of Comrs. Goodwyn made pursuant to the order of May term 1853, to which no exception has been filed, and was argued by counsel - On consideration whereof the Court, confirming said report, doth adjudge, order and decree that Thomas Ridley and Samuel Dacey Executors of Henry B. Vaughan decd. pay to Hayetta Poston the sum of \$1.10 with interest thereon from the 10<sup>th</sup> of January 1853 - To Virginia Poston the sum of 70 cents with like interest - To William Poston the sum of 79 cents with interest thereon from the 5<sup>th</sup> of March 1853 - To Edward Moughton the sum of four thousand three hundred and thirty dollars and 56 cents with interest thereon from the 18<sup>th</sup> of July 1853 - That Thomas Vaughan pay to the said Ridley and Dacey Executors as aforesaid, the sum of \$10.54 with interest thereon from the 18<sup>th</sup> of December 1852

The Court doth further order, adjudge and decree that the said Thomas Ridley and Samuel Dacey Executors of Henry B. Vaughan deliver to Edward Moughton the negro child (Gilbert), in the bill mentioned, born between the date of the testator, with and his chest; and that said Executors, out of the sum of \$100 retained in their hands for the purpose, pay the costs of this suit, ~~together with other charges against the estate of their testator, and~~ ~~and if any amount remains in their hands, after satisfying said costs and charges, that they pay the same~~ <sup>pay the same</sup> to the said Edward Moughton

But the execution of this decree is to be suspended until the provision at law of the said Edward Moughton, or some other persons, shall execute to said Executors, refunding bond unconditioned according to law in the penalty of \$5000 if the said Executors shall require the execution of said bond -



**THE COMMONWEALTH OF VIRGINIA,**

To the Sheriff of Southampton County, Greeting:

We command you that you summon *William Parker, Fayette Parker,*  
*Virginia Parker, Thomas Vaughan, H. V. Nimmer & his wife*  
*Maria C. Elizabeth Nelson, Rebecca Ann Fredericka, & Thomas*  
*Parker, Edmund Moyer, Henry V. Adelaide, Josephine, Thomas*  
*& Mary Dunston, Henry B. & John E. Vaughan*

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *March* next, to answer a Bill in Chancery exhibited against *them* in the said Court by

*Thomas Ridley & Samuel Drury Exors. of Henry B. Vaughan*

And unless ~~\_\_\_\_\_ shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this \_\_\_\_\_ shall in no wise omit, under the penalty of £100.~~ And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *10<sup>th</sup>* day of *February* 1853, in the *47<sup>th</sup>* year of the Commonwealth.

*L. R. Edwards*

[One Copy to be delivered each Defendant.]

Executed by Gaytha Parker, Virginia Parker, Thomas  
Vaughan, H. B. Kurnin & his wife Martha C.  
Elizabeth Adams, Rebecca, Anna Friederika &  
Thomas Parker the 21<sup>st</sup> Feb<sup>y</sup> 1853 by de-  
claring to each a copy.

Wm Parker not found

Edwin Maylor, Henry V., ~~Adair~~, Josephine, Wm. &  
Mary Dunston, Henry B. & Ann C Vaughan are

not residents of my county.

L. Jones Depty of  
S. Kello Shff

Vaughans Exec.

to } Sp. Chy.

Parker &

1853. March. Rules

**THE COMMONWEALTH OF VIRGINIA,**

To the Sheriff of Southampton County, Greeting:

We command you that you summon *William Parker, Fayette Parker, Virginia Parker, Thomas Vaughan, H. V. Niemeyer and his wife Martha C. Elijah Nelson, Rebecca, Anna, Fredericka and Thomas Parker, Edwin Moyer, Henry V. Sidelands, Josephine, Thomas and Mary Dunston, Henry B and Ann E. Vaughan*

to appear at the Clerk's Office of our Circuit ~~Superior~~ Court ~~of Law and Chancery~~ for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *March* next, to answer a Bill in Chancery exhibited against *them* in the said Court by

*Thomas Ridley & Samuel Drury Exors. of Henry B Vaughan*

~~And unless~~ shall answer the said Bill within four months thereafter, the Court will take ~~the same for~~ confessed, and decree accordingly. And this ~~shall in no wise omit, under the penalty of \$100.~~ And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *10<sup>th</sup>* day of *February* 1853, in the *77<sup>th</sup>* year of the Commonwealth.

*L. R. Edwards Clk*

[One Copy to be delivered each Defendant.]

**THE COMMONWEALTH OF VIRGINIA,**

To the Sheriff of Southampton County, Greeting:

We command you that you summon *William Parker, Fanny Parker,*  
*Virginia Parker, Thomas Vaughan, A. V. Nigmes, his wife*  
*Martha C. Elijah Nims, Rebecca, Anna, Fredericka, & Thomas*  
*Parker, Edwin Lottouler, Henry D. Adelaide, Josephine, Thomas &*  
*Mary Dunston, Henry B. & Anna C. Vaughan*

to appear at the Clerk's Office of our Circuit ~~Superior~~ Court of ~~Law and Chancery~~ for the County  
of Southampton, at the Rules to be holden for the said Court on the first Monday in *March*  
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

*Thomas Ridley & Samuel Drury, Execs. of Henry B. Vaughan*

And unless ~~shall answer the said Bill within four months thereafter, the Court will take~~  
~~the same for confessed, and decree accordingly. And this~~ shall in no wise omit, under  
the penalty of ~~£100.~~ And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk  
of our said Court, at the Court-house, the *10<sup>th</sup>* day of *February* 1853, in the  
*77* year of the Commonwealth.

*L. R. Edwards*

[One Copy to be delivered each Defendant.]

Executed on Wm R Parker the 21 day March  
1853 by delivering a copy of the within

to James Dept of  
S. H. Ho. Staff

Wilmington Geo

to J. Dept. Clerk

Parker Geo

1853 Wm R Parker

SUMMONS.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Southampton* County, GREETING:

YOU are hereby commanded to summon

*William Parker*

if he be found within your Bailiwick, to appear at the Clerk's office of our *Quorum* court for Southampton County, at the Rules to be holden for the said Court, on the first Monday in *April* next, to answer

*a bill in chancery exhibited against him & others in our said Court by Thomas Ridley & Samuel Drury Executors of Henry B. Vaughan dec<sup>d</sup>*

And have then there this writ. Witness L. R. Edwards, Clerk of our said Court, at the office aforesaid, this *7<sup>th</sup>* day of *March* 185*3*, in the *77* th year of our foundation.

*L. R. Edwards*

Vancouver Exor

2 } Committee

Vancouver

Executed

W. H. [unclear] Dept  
of S. Kellashoff

Shiff. & Notices

4.00

M<sup>rs</sup> Parker, Fayette Parker, Virginia Parker, A V Steenyer & his  
wife Martha C, Tho<sup>s</sup> Vaughan, Elijah Adams, Rebecca, Tho<sup>s</sup>,  
Anna, and Fredericka Parker, Corinn Mayler, Henry V. Ad. laid,  
Josephine, Tho<sup>s</sup> and Mary, Dunstan, Henry B and Anna C.

Vaughan, the two last named by A R Eon and their B<sup>s</sup> children  
The above named parties are hereby notified that  
pursuant to a Decree of the Circuit Court for the County  
of Southampton, at May Term 1853. the undersigned Court  
has appointed the 18<sup>th</sup> day of July next, at his office in  
Jamaica for the purpose of taking the several  
accounts therein directed at which time and place the  
said parties may appear with any evidence in their possession  
June 1853  
A Copy. W<sup>m</sup> S. Goodry, C<sup>lerk</sup>.



The Estate of Henry B Vaughan

In account with Samuel Dreyer & Thomas Ridley - Exors:

1852			Dr:	Cr:	Put
Aug: 16	By amt: found in the house			366 66	
"	" Sally Hoopes	brod & Put		227 72	
"	" Davis Barrett	"		156 70	
"	" Elijah Adams	"		814 25	
"	" Thomas Myrick	"		1948 33	
"	" W. S. Meador	"		1383 55	
"	" Same "	"		1383 55	
"	" Jos. H. Barkman	"		1040 00	
"	" Same "	"		304 85	
"	" Same "	"		115 93	
"	" Alexander Myrick	"		104 30	
"	" Augustus Williams	"		30 80	
"	" James H. Deberry	"		210 26	
"	" John H. P. Smith	"		319 16	
"	" F. J. Meaburn	"		78 92	
"	" Walter Myrick	"		1040 00	
"	" J. H. Wood	"		545 33	
"	" Richard T. Smith	"		87 05	
"	" John L. Long	"		630 79	
"	" James H. Deberry	"		280 31	
"	" Allen D. Ramsey	"		184 53	
"	" Francis R. Brown	"		843 73	
"	" Peter L. Beckman	"		515 00	
"	" John H. Gurley	"		419 06	
"	" James H. Sebrall	"		323 78	
"	" Edmund H. Durston	"		604 44	
"	" Same "	"		347 25	
"	" W. H. Nicholson	"		325 14	
"	" Augustus R. DeLoach	"		207 62	
"	" Charlotte Bryant	"		1122 43	
"	" John Y. Meason	"		2594 16	
"	" Same "	"		2080 33	
	amt car: found			20836 53	

1852

Aug: 16	amt. brought forward	\$ 20856 53
By amt:	W. P. Westbrooks bondobal	724 14
" "	W. S. Goodwyn	518 00
" "	J. W. Hutchins	826 26
" "	George W. Peete	77 80
" "	M. J. Davis	129 49
" "	Benj. Devony	1087 42
" "	James D Bryant	512 42
" "	John B Chamberlup	155 30
" "	C. C. Whitfield	21 00
" "	Jos. W. Claude	728 00
" "	James H. Person	419 74
" "	William A Jones	1074 33
" "	S. A. W. Stensome	1551 50
" "	John T Allison	5063 67
" "	William E Starnell	1477 51
" "	John D Heyrick	539 71
" "	John M. Gurley	417 93
" "	Same	200 69
" "	M. S. Peete	517 34
" "	Claude & Pope	898 28
" "	R. F. Dillard	572 58
" "	A. B. Urquhart	346 55
" "	W. F. Barrett	230 00
" "	W. M. Everett	71 40
" "	M. J. Selruel	874 79
" "	Luson Lamb	111 21
" "	E. Britto	736 40
" "	Saml. Barkowd	326 03
" "	Thodore Tregvant	330 01
" "	H. P. Pope	1898 00
" "	R. J. Darden	232 76
	amt. Car. found	43546 99

1852

Aug: 16	amt brought forward	43546 99
By amt:	Jeffer S Barkowd bondobal	2265 79
" "	Peter & Beckman act. &	10 00
" "	Richard Darden	5 80
" "	Certificate of Spirit. & Int.	1025 00
" "	recd. of B. S. Hunt. sale of produce	1607 17
" "	Five Coupon bonds on City of Petersburg and Int.	21169 66
" "	James W. Parker bondobal	5133 03
Decr:	To amt paid Gholson & Jones attys:	30 00
" "	James Drake act.	50
" "	J. W. Bland admr. de mdr.	36 30
" "	A. H. Stephenson	1 00
" "	Thomas Vaughan	450 00
" "	Thomas Urquhart. mdr.	15 00
" "	R. C. Gray	9 19
" "	J. M. Gurley mdr.	10 50
" "	E. Adams	2 00
" "	R. F. Parker	5 00
" "	A. L. Pond	45 00
" "	Jeffer S Barkowd	45 69
" "	Sturmy & White	66 91
" "	Thomas Vaughan	4 38
" "	Sheriff. Tax account de-	165 86
" "	Same. Col. interstanc Tax	1661 20
" "	W. S. Goodwyn atty. ac-	60 00
" "	reserved to pay debt, Comr. & other exp.	100 00
" "	Commissioning on \$74763.44	3738 17
" 31	By bal: due the Estate	68276 54
1853		74763 44 74763 44
July 1	By bal: due Estate brought down with Int there on from this day	\$ 68276 54

W. S. Goodwyn Comr.

The Comrs: state specially that the following claims were found in the possession of their testator, against persons who have died insolvent - to wit -

Bond v Jere. Stephenson - due July 1 <sup>st</sup> 1842	\$ 66 77
" v S. B. Gray - " Octo: 25 <sup>th</sup> 1833	228 23
" v James J. Atkinson - " Decr: 25 <sup>th</sup> 1836	45 20
" v Cassin Linnem - " Octo: 30 <sup>th</sup> 1832	15 00
" v Saml. Wallace - " Nov: 2 <sup>nd</sup> 1842	19 37

M. S. Goodenough Comr:

Account showing the value in money, of legacies, other than specific legacies, bequeathed in the will of H. B. Vaughan to Henry D. Adair, Josephine, Thomas and Mary Derriston, which were not found in the possession of said Vaughan at his death

1853 May 10	210 barrels corn at \$2.20 p: bbl.	\$ 462 00
	4800 lbs fodder at 62 1/2 cts: p: hundred -	30 00
	3000 lbs pork at \$7.75 p: hundred	232 50
	2 Amos at \$100 each -	200 00
	Value of all in money	\$ 924 50

The Comr: states specially that the above account shows all the legacies and their value in money, other than specific legacies, which were not found in the possession of said Vaughan at his death - the value of the several legacies above reported was agreed upon between the Executors and the guardians at law of the legates and accepted by the said guardians, and accepted by them in full satisfaction of the legacies

M. S. Goodenough Comr:

Thomas Vaughan Legatee

1852 In account with Executors of Henry B. Vaughan

Decr: 18	By amt pecuniary legacy due July 18 <sup>th</sup> 1853	\$ 10 000 00
	To amt deducted to give present value	338 17
	" " 2 p: ct: State tax on legacy	202 00
	" " Do " " on specific legacies valued by appraisers at \$5247.94	100 95
	" " " " paid legatee this day	9371 42
	" bal: due the Executors	10 54
		<u>10 010 54 10 010 54</u>
	" " " bal: due Executors brought down	\$ 10 54
	with int thereon from this day	

H. V. Niemeyer & wife Martha Legatee

1852 In account with Executors of Henry B. Vaughan

Decr: 18	By amt: legacy due July 18 <sup>th</sup> 1853	\$ 5 000 00
	To amt deducted to give present value	169 00
	" " 2 p: ct: State tax on legacy	100
	" " Do " " do specific legacy valued by appraisers at \$625.00	12 50
	" " " " paid legatee this day	4718 82
	" bal: due Executors	" 32
		<u>5 000 32 5 000 32</u>
	" bal: due Executors brought down	" 32

Fayette Parker Legatee

1853 In account with Executors of H. B. Vaughan

January 10	By amt legacy due July 18 <sup>th</sup> 1853	\$ 1 000 00
	To amt: deducted to give present value	29 26
	" " 2 p: ct: State tax on legacy	20 00
	" " Do " " specific legacy	14 92
	valued at \$746.16 2/3 per bond -	64 18 1000 00

1853

Jan 10	Amount brot forward	64 18	1000 00
	To amt paid legatee this day	934 72	
	By bal: due legatee	1 10	
		1000 00	1000 00
" "	By bal: due legatee brot down		\$ 1 10

Virginia Partner Legatee

In account with Executors of H. B. Vaughan

1853	Jan 10	By amt: legacy due July 18 <sup>th</sup> 1853	\$ 800 00
		To amt: deducted to give present value	23 38
		" " 2 p. ct: state tax on legacy	16 00
		" " do " do specific legacy valued at \$ 746.16	14 92
	" "	" " " paid legatee this day	745 00
	" "	" bal: due legatee	" 70
			800 00 800 00
" "		By bal: due legatee brot down	\$ " 70

Anna Partner Legatee

In account with Executors of H. B. Vaughan

1853	Jan 22	By amt: legacy due July 18 <sup>th</sup> 1853	\$ 1000 00
		To amt: deducted to give present value	28 50
		" " 2 p. ct: state tax on legacy	20 00
		" " do " do specific legacy - val. \$ 746.16	14 92
	" "	" " " paid J. M. Partner, Guardian	936 58
			1000 00 1000 00

Fredricka Partner Legatee

In account with Executors of H. B. Vaughan

1853	Jan 22	By amt legacy due July 18 <sup>th</sup> 1853	\$ 1000 00
		To amt: deducted to give present value	28 50
		" " 2 p. ct: state tax on legacy	20 00
		" " do " do specific legacy - val. at \$ 746.16	14 92
	" "	" " " paid J. M. Partner, Guardian	936 58
			1000 00 1000 00

Rebecca Partner Legatee

In account with Executors of H. B. Vaughan

1853	Jan 22	By amt: legacy due July 18 <sup>th</sup> 1853	\$ 1000 00
		To amt: deducted to give present value	28 50
		" " 2 p. ct: state tax on legacy	20 00
		" " do " do specific legacy valued at \$ 1246.16	24 92
	" "	" " " paid J. M. Partner, Guardian	926 58
			1000 00 1000 00

Thomas Partner Legatee

In account with Executors of H. B. Vaughan

1853	Jan 22	By amt: legacy due July 18 <sup>th</sup> 1853	\$ 3000 00
		To amt: deducted to give present value	83 50
		" " 2 p. ct: state tax on legacy	60 00
		" " do " do on specific legacy - val. \$ 746.16	14 92
	" "	" " " paid J. M. Partner, Guardian	2839 58
			3000 00 3000 00

William Partner Legatee

In account with Executors of H. B. Vaughan

1853	March 5	By amt: legacy due July 18 <sup>th</sup> 1853	\$ 2000 00
		To amt: deducted to give present value	43 29
		Par: forward	43 29 2000 00

1853

March 57	amts brot forward	\$ 43 29	\$ 2000 00
	To amt 2 p. ct. State tax on legacy	240 00	
	" " Do " " on spec. legacy val. at \$746.16	14 92	
	" " paid Aug. 20 <sup>th</sup> 1852 - 2 p. ct. to date	378 57	
	" " " Jan. 1 <sup>st</sup> 1853 - 2 p. ct. to date	303 25	
	" " " this day	1219 18	
	By bal. due legatee	" 79	
		<u>2000 00</u>	<u>2000 00</u>

By bal. due legatee brot down \$ " 79

1853

Edevord Ellinger - Legatee

In account with Executors of H. B. Vaughan

March 3 <sup>d</sup>	By amt legacy due July 18 <sup>th</sup> 1853	\$ 6000 00
	To amt to be deducted to give present value	132 02
	" " 2 p. ct. State tax on legacy	120 00
	" " " paid B. L. Dillard, Guardian	5747 98
		<u>6000 00</u>
		<u>6000 00</u>

Elijah Adams - Legatee

1852

In account with Executors of Henry B. Vaughan

Decr: 21	By amt. legacy due July 18 <sup>th</sup> 1853	\$ 1000 00
	To amt deducted to give present value	33 38
	" " 2 p. ct. State tax on legacy	20 00
	" " " paid legatee this day	946 62
		<u>1000 00</u>
		<u>1000 00</u>

Henry O. Dunston - Legatee

1853 In account with Executors of H. B. Vaughan

May 10	By amt legacy due July 18 <sup>th</sup> 1853	\$ 5000 00
	To amt deducted to give present value	36 02
	" " 2 p. ct. State tax on legacy	100 00
	" " paid C. F. Dunston, Guardian	4843 98
		<u>5000 00</u>
		<u>5000 00</u>

1853 Henry O., Adalaid, Josephine, Thomas & Mary Dunston - Legatees

In account with Executors of H. B. Vaughan

May 10	By amt. value of legacies, as p. a ct. stated	\$ 924 50
	To amt 2 p. ct. State tax on legacies leguanted	
	valued by appraisers at \$7458-00	149 16
	" " paid C. F. Dunston, Guardian	775 34
		<u>924 50</u>
		<u>924 50</u>

1853 Henry B. Vaughan - Legatee

June 18 In account with Executors of H. B. Vaughan

	By amt legacy due July 18 <sup>th</sup> 1853	\$ 10,000 00
	To amt. deducted to give present value	29 74
	" " 2 p. ct. State tax on legacy	200 00
	" " paid C. A. Vaughan, guardian	9750 26
		<u>10,000 00</u>
		<u>10,000 00</u>

1853 Anna E. Vaughan, Legatee

June 18 In account with H. B. Vaughan, Executors

	By amt. legacy due July 18 <sup>th</sup> 1853	\$ 5000 00
	To amt. deducted to give present value	24 87
	" " 2 p. ct. State tax on legacy	100 00
	" " paid C. A. Vaughan, guardian	4875 13
		<u>5000 00</u>
		<u>5000 00</u>



of some doubt as to the proper construction of the law imposing a tax  
on collateral inheritances. The Executors, in their settlement with the  
several legacies, deducted the tax from the several legacies

Commissioner's office - July 18<sup>th</sup> 1853 -

The undersigned Commissioner begs leave to report  
the annexed accounts and statements, made pursuant  
to the order of May Term 1853, in the chancery suit of Vaughan  
Execr. v Vaughan others -

All of which are respectfully submitted

Sheriff's fee - \$ 4.00

Commiss: fee - \$ 65.00

chd: to the Executors

M. S. G. Comr

M. S. Goodwyn Comr

1853 July 29<sup>th</sup> REC<sup>d</sup>

Vaughan's Execr:  
vs  
Comr: Report  
Vaughan &c

Henry B. Vaughans

Will

Vaughans Ex.

& } Exhibit.

Parker & P



I Henry B. Vaughan of the County of Southampton in the state of Virginia do make this as and for my last Will and Testament hereby revoking all former wills or testaments hereto made by me.

- 1<sup>st</sup> I give and bequeath unto Anna Parker and her younger sister the tract of land I bought of Edith Turner and William G. Dozman, also the tract I purchased of the Indian Trustees in 1820 all lying on the north side of the Belfield road. I also give them one thousand dollars each, and in case either of them should die before they should arrive to the age of eighteen years I then desire that the survivor shall have the sum of the one so dying -
- 2<sup>nd</sup> I give and bequeath unto Fayette Parker the tract of land called Drumgoles containing One hundred and ninety acres as lately surveyed by Thomas B. Worrell as will appear by the plat of the same. I also give one thousand dollars to her and her heirs forever -
- 3<sup>rd</sup> I give and bequeath unto Virginia Parker the tract of land called the Triggant tract containing two hundred and seventy six acres as lately surveyed by Thomas B. Worrell as aforesaid. also Eight hundred dollars to her and her heirs forever -
- 4<sup>th</sup> I give and bequeath unto Rebecca Parker the tract of land called the Parkum tract containing two hundred and ninety and a half acres as lately surveyed by Thomas B. Worrell as aforesaid: also a negro girl Cate and One thousand dollars to her and her heirs forever -
- 5<sup>th</sup> I give and bequeath unto William Parker Two thousand - to him and his heirs forever -
- 6<sup>th</sup> I give and bequeath unto Thomas Parker three thousand dollars, but in case he should die before he arrives to the age of twenty one years, the three thousand <sup>dollars</sup>  
I give and bequeath to Ann E. Vaughan daughter of Charles A. Vaughan to her and her heirs forever -
- 7<sup>th</sup> I give and bequeath unto William, Fayette, Virginia, Rebecca, Thomas, Anna Parker and their younger sister a bond which I hold against their father James W. Parker for three thousand seven hundred and fifty four dollars and ninety seven cents due July 4<sup>th</sup> 1846 to them and their heirs forever -
- 8<sup>th</sup> I give and bequeath unto Edward Moyer son of John D. Moyer six thousand dollars but in case he should die before he arrives to the age of twenty ~~one~~ years I give the said six thousand dollars to his half brothers and sister George, Andrew

and Virginia Rose to be equally divided among them or such of them as may be living at his death.

9<sup>th</sup> I give and bequeath unto Henry V. Adelaide, Josephine, Thomas and Mary Dunston children of Edmund Dunston & Mary & his wife of the state of North Carolina the land I bought of James Triguant and what is called the Indian outlet which I purchased of James F. French containing 369 acres also the following slaves Viz. Old Tom, Jemmy, Archer, Bill, Miles, young Tom, Wyatt, Harbert & Liza Matt. 250 barrels of corn 12,000<sup>lbs</sup> of fodder 6 Mules, 3,000<sup>lbs</sup> of pork 30 head of cattle 2 yoke of Oxen, all the sows and pigs and young shoats at the Machine pen and Steep pen, 3 double free born ploughs, 3 single do. 6 plow frames, 15 plow hoes 6 Coulters and plow gear for the same, one steer cart wheels and yoke, one waggon and gear, 6 grub hoes, 6 axes, 6 wheeling hoes, and one half of the pots and pans and Ovens and half the top fodder and shucks. And I direct that the said plantation shall be kept up with negroes, stock & p<sup>r</sup>o<sup>p</sup>er for the benefit of the child<sup>r</sup>en aforesaid until the eldest one of them arrives to the age of twenty one years old and that then an equal division of the same be made between them or such of them as may be then living. If either of the children should die after such division before arriving at twenty one years of age his her or their portion as the case may be shall go to the survivors or survivor.

10<sup>th</sup> I give and bequeath unto Henry B. Vaughan son of Charles N. Vaughan of Mississippi ten thousand dollars to him and his heirs forever.

11<sup>th</sup> I give and bequeath unto Ann E. Vaughan daughter of said Charles N. Vaughan five thousand dollars to her and her heirs forever.

12<sup>th</sup> I give and bequeath unto my friend Elijah Adams one thousand dollars to him and his heirs forever.

13<sup>th</sup> I give and bequeath unto my niece Martha C. Vaughan my negro girl Mary and five thousand dollars to her and her heirs forever.

14<sup>th</sup> I give and bequeath unto Thomas Vaughan all the lands wherem I live lying in the forks of the roads leading to Cross Keys and Bellfield and the following slaves Viz. Margaret and two children Peter & Jim, Ellick, Henry, Manuel & Frank which he has over at Mrs. Deberys all my horses, all my household furniture all my china, crockery ware, and silver spoons, all my tubs pail and trays, the balance of my carts and wheels all my ploughs, gear & p<sup>r</sup>o<sup>p</sup>er not before given away and the other half of my pots, pans and ovens, my boiler

Cotton gin and gear running works 2000<sup>lbs</sup> of pork and all the sows and pigs and small shoats in the lot at the house out at the gate at the old pen and at the new ground pen 200 bbls of corn 12,000<sup>lbs</sup> of fodder and the other half of my top fodder and shucks 20 head of cattle 2 yoke of Steers an yokes 6 plow hoes 3 Coulters and the balance of my plow frames, 4 grub hoes, the balance of my wheeling hoes and ten thousand dollars to him and his heirs forever.

15<sup>th</sup> I give and bequeath unto Henry V. Dunston five thousand dollars but in case he should die before he arrives to the age of twenty one years I give the said five thousand dollars to his brothers <sup>and sisters</sup> in the same way as heretofore named to them and their heirs forever.

16<sup>th</sup> I give and bequeath unto Edward Moyer the balance of my estate but in case he should die before he arrives to the age of twenty one years I give the said balance to George Rose, Andrew Rose and Virginia Rose to them and their heirs forever.

Lastly, I appoint my friends Thomas Ridley and Samuel Drury executors of this my last Will and testament. In witness whereof I have hereunto set my hand and affixed my seal this 10<sup>th</sup> day of July 1851.

Signed, published and delivered by the said.

Henry B. Vaughan to be his last Will and Testament in presence of us who signed our names as witnesses thereto in his presence and at his request.

Henry B. Vaughan (Seal)

At a Court held for the County of Southampton the 16<sup>th</sup> day of August 1852  
This writing purporting to be the last Will and Testament of Henry B. Vaughan dec<sup>d</sup>. was this day produced to the Court and there being no subscribing witnesses thereto Wm. J. Goodroy and Jesse S. Barkham being sworn severally deposed and said that they are well acquainted with the hand writing of the said Henry B. Vaughan and that they verily believe that the writing and the name thereto are wholly in the proper hand writing of the said Henry B. Vaughan and therefore this said writing is ordered to be recorded as the true last Will and Testament of the said Henry B. Vaughan dec<sup>d</sup>. and on the motion of Thomas Ridley and Saml. Drury the executors therein named who entered into bond with security according to law and the said Ridley took the oath required by Liberty being reserved to

the said Drowy hereafter to take the said oath) certificate is granted the said  
Ridley for obtaining a probat of the said will in due form and liberty being reserved  
to the said Drowy to join in the said probat when he shall think fit.

Teste

L. R. Edwards Ck

Attest

Teste. L. R. Edwards Ck