

1853-014 SOUTHAMPTON COUNTY
CHANCERY PAPERS

VAUGHANS, GUARDIAN, PETITION of. S/1853

Charles et Vaughan ^{Esq}

Petition

1853. May Term.

To the Hon. Richard H. B. Allen, Judge of the Circuit-
Court for the County of Southampton

Your petitioner Charles H. Vaughan guardian of his two children Henry B. and Ann Eliza Vaughan, all residents and citizens of the County of Adams, State of Mississippi, respectfully represents that sometime since he qualified as guardian to his two children above named in the Probate Court of the County and State last mentioned, and executed before said Court two bonds for the faithful discharge of his trusts, one in the penalty of twenty thousand dollars and the other in the penalty of ten thousand dollars, both well and properly secured - (all of which will appear from a transcript of the record of said Court, properly certified and herewith filed as part of this petition) - that in the year 1852, Henry B. Vaughan, the uncle of your petitioner, and a resident and citizen of the County of Southampton, State of Virginia, died, having previously executed his last will and testament, in which legacies are bequeathed to the children and wards of your petitioner above named - to wit - the sum of ten thousand dollars to the said Henry B. Vaughan, and the sum of five thousand dollars to the said Ann Eliza Vaughan - that said last will and testament has been admitted to probate in the County Court of the County last named; and that Samuel Greary and Thomas Pridley, the Executors therein named, have duly qualified as such and taken charge of all the effects of their testator - Your petitioner also represents that a chancery suit has been instituted in the Circuit Court of the County and State last named, for the purpose of settling and distributing the estate of the said Henry B. Vaughan decd. among those entitled, in which suit, all persons interested are made parties, including the above named two wards of your petitioner -

In consideration of the facts before stated, and by virtue of a law of Virginia in such cases made and provided, your petitioner prays that he may be permitted, by an order of Court, as proper guardian of his two wards above named, to receive from the said Executors of Henry B. Vaughan decd., the amount in their hands due his said wards; and also that he may be authorized as guardian as aforesaid to sue for, recover and receive all money or personal property in the County last named, which may belong to his said wards, and remove the same to the County

of Adams, State of Mississippi- Your petitioners further state, that
his two sons before mentioned, are his children, all of whom are resi-
dents of the County of Adams in the State of Mississippi, and that
the removal of the money or property aforesaid from the State of
Virginia, will not impair the rights or be prejudicial to the in-
terests, either of the words, or of any other person - that your Honor
will grant the necessary order to enable your petitioners, to obtain the object
of his petition, and he will as in duty bound ever pray &c.

Charles A. Vaughan Esq.
By M. L. L. Gordon, his attorney

C. A. Vaughan

En Petition

encl

R. H. Baker

May Co. '53

Charles St. Vaughan Esq. dec. 2
On petition 3

May Term 1853

This day this cause came on to be heard on the petition of Charles St. Vaughan guardian of Henry B. and Anne Eliza Vaughan, together with the exhibits filed therewith; and it appearing to the Court that the said Charles St. Vaughan guardian as aforesaid, has procured in the mode prescribed by law for such cases made and provided, the Court doth order that permission and authority be and is hereby given to the said Charles St. Vaughan guardian of Henry B. and Anne Eliza Vaughan, residents of Adams County in the State of Mississippi, to demand, receive ^{over} ~~over~~ due for, and receive and remove, all money or other personal property to the said words or estate of them due and belonging, within the jurisdiction of this Court, from the State of Virginia to the said County of Adams in the State of Mississippi, the place of residence of the said Vaughan and his aforesaid words -

Order Publication

Vaughan case

TO All Whom it May Concern—

Notice is hereby given that application will be made to the Circuit Court of the county of Southampton and State of Virginia, on the first day of its session in May next, by the undersigned, who has qualified as guardian of Henry B. and Ann Eliza Vaughan, in Adams county, Mississippi, for an order of Court authorizing him to sue for, recover, receive and remove, all money or personal property belonging to his wards in the county and state above named; at which time all persons interested may appear and contest the same.

CHARLES N. VAUGHAN, Guardian
mh 29—w4w of Henry B. and Ann Eliza Vaughan.

CITY OF PETERSBURG, To Wit:

Personally appeared before me, an Alderman of said city, *John D. Harwood* Clerk of the Intelligencer Office, and made oath that the annexed Order of Publication has been published weekly for ~~four~~ weeks successively. Given under my hand, this 27th day of *April* 1853.

Printers fee \$1.87

Rec'd payment, of Col. A.C. Bruce.

By John D. Harwood.

W.C. Hunter A.D.

Ester:

Henry B. Vaughan
v Ann Eliza Vaughan

Transcrip^t

charged

1. The State of Mississippi
Adams County ^{sees} Proceedings before the Honorable Deuben
Bullock, Judge of the Probate Court of
Adams County State aforesaid at a
Term of said Court, begun and held at the
Court House in and for said county on the
fourth Monday in February A.D. Eighteen
hundred and fifty three

Be it remembered that a term of the Probate Court, of Adams
County, begun and held at the Court House thereof on the day and
year aforesaid, Charles M. Vaughan by Ralph Nath Esquire
his Solicitor filed in our said Court his certain petition in the follow-
ing words and figures, to wit;

To the Honorable Deuben Bullock Judge
of the Probate Court of Adams County
Mississippi;

Respectfully represents the petition of Charles M.
Vaughan a resident and citizen of said County, that Henry B.
Vaughan the uncle of your petitioner, and a resident and citizen of
the County of South Hampton in the State of Virginia lately died
leaving a last Will and Testament, which has been duly probated
in said last mentioned County and State, wherein said Testator
bequeathed to the children of your petitioner the sum of Fifteen
Thousand Dollars, namely, to Henry B. Vaughan the Son of
your petitioner the sum of Ten Thousand Dollars and to Ann
Eliza Vaughan the daughter of your petitioner the sum of Five
Thousand Dollars, and that both of said children are minors
under the age of fourteen years.

Further I shew that for a lawful
demand and payment of said legacies, your petitioner is advised
that the appointment of a guardian with due qualifications is
necessary

necessary.

That your petitioner is desirous of being appointed such guardian, and for this purpose hereby offers to take the oath and enter in the bond prescribed by law and tenders for his securities Alexander H. Farrar and William H. Fox, residents and Citizens of said County, whom your petitioner believes to be good and sufficient, to secure a faithful guardianship in the premises.

Your petitioner therefore prays letters of guardianship of said minors, to be granted according to the Statute, And for such other relief as to your Honor may seem meet.

And your petitioner shall ever pray &c.

Sworn to and subscribed in open Court,

February 28. 1853.

Rich^d A. Inge Clerk

Filed February 28. 1853

Rich^d A. Inge Clerk

And thereupon the Court made the following order in the premises, to wit:

In the matter of the guardianship of Henry B. Vaughan, and Ann Eliza Vaughan, minors:

Upon reading and filing the petition of Charles H. Vaughan, this day preferred, it is ordered by the Court that letters of guardianship be granted to him of the persons and estates of said Henry B. Vaughan and Ann Eliza Vaughan upon his taking the oath prescribed by law and entering two several bonds one for the sum of Twenty Thousand Dollars for the said Henry B. Vaughan and the other for the sum of Ten Thousand Dollars for the said Ann Eliza Vaughan, with Alexander H. Farrar and William H. Fox as his sureties. And the said Charles H. Vaughan having thereupon appeared in open Court and taken said oath and together with said sureties signed, sealed and delivered

Said

3 said bonds, said letters of guardianship are accordingly granted to him and ordered to be issued and recorded according to Law.

Which said bonds having been thereupon signed, sealed and delivered, and said letters of guardianship issued and recorded are in the words and figures following, to wit:

The State of Mississippi,
Adams County & ^{sc.} Probate Court of said County.

Know all men by these presents, That we Charles K. Vaughan, Alexander K. Farrar and William H. Fox are held and firmly bound unto the State of Mississippi in the sum of Twenty Thousand Dollars to be paid to the said State of Mississippi; to which payment, well and truly to be made, we bind ourselves, and every of us, our and every of our heirs, Executors, and administrators for the whole, and in the whole, jointly and severally firmly by these presents; sealed with our seals and dated this twenty eighth day of February Eighteen hundred and fifty three.

The condition of the above obligation is such, That if the above bound Charles K. Vaughan as Guardian to Henry B. Vaughan of Adams County, shall faithfully account with the Probate Court of Adams County, as directed by law for the management of the property and estate of the Ward under his care, and shall also deliver up the said property, agreeably to the order of the said Court, or the directions of law, and shall in all respects perform the duty of Guardian to the said Henry B. Vaughan according to laws, then the above obligation shall cease; it shall otherwise remain in full force and virtue in law.

Signed, sealed and delivered in

Presence of
Richard A. Inge
Clerk

C. K. Vaughan
A. K. Farrar,
Wm. H. Fox



24. The State of Mississippi,
Adams County } set: Probate Court of said County.

Know all men by these presents, That we
Charles N. Vaughan, Alexander N. Farrar and William N. Fox
are held and firmly bound unto the State of Mississippi in the
sum of Ten Thousand Dollars to be paid to the said State of
Mississippi; to which payment, Well and truly to be made, we bind
ourselves and every of us, our and every of our heirs, Executors,
and administrators for the whole, and in the whole, jointly and
severally, firmly by these presents: sealed with our seals and dated
this twenty Eighth day of February Eighteen hundred and fifty three

The condition of the above obligation is such, That if the above
bound Charles N. Vaughan as Guardian to Ann Eliza Vaughan
of Adams County, shall faithfully account with the Probate Court
of Adams County, as directed by law for the management of the prop-
erty and estate of the Ward under his care, and shall also deliver up
the said property, agreeably to the order of the said Court, or the
directions of law, and shall in all respects perform the duty of
Guardian to the said Ann Eliza Vaughan according to Law, then
the above obligation shall cease; it shall otherwise remain in full
force and virtue in law

Signed sealed and delivered

in presence of

Rich^d A. Ingo Clerk }

C. N. Vaughan

A. N. Farrar

Wm N. Fox

LS

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State of Mississippi

Adams County } By the Probate Court of said County

Be it remembered that at the February Term in the year One
Thousand eight hundred and fifty three of said Court, Charles N.
Vaughan having entered into bond with sufficient security as directed
by law was appointed Guardian of the person and Estate real
and personal of Henry B. Vaughan. And he is hereby author-
ized

5. is and required faithfully to execute his office and trust as guardian aforesaid to deliver into the office of the Clerk of the Court aforesaid, within three months from the date hereof, an Inventory on oath of all the estate real and personal of the said Infant; also yearly or whenever thereunto required by lawful authority, to render a just and true account of his guardianship and to do and perform whatsoever of him as guardian aforesaid shall be required by the Statutes which now are or hereafter may be made and provided in that behalf.

L.S.

Witness, Reuben Bullock Esquire, Judge of Probate of said County, this Twenty Eighth day of February in the Year one thousand Eight hundred and fifty three.

Richd. A. Inge Clerk

State of Mississippi
Adams County

By the Probate Court of said County.

Be it remembered that at the February Term in the year One Thousand Eight hundred and fifty three of said County, Charles N. Vaughan, having entered into bond with sufficient security as directed by law was appointed guardian of the person and estate, real and personal of Ann Eliza Vaughan. And he is hereby authorized and required faithfully to execute his office and trust as guardian aforesaid, to deliver into the office of the Clerk of the Court aforesaid within three months from the date hereof an Inventory on oath of all the estate real and personal of the said Infant; also yearly or whenever thereunto required by lawful authority, to render a just and true account of his guardianship and to do and perform whatsoever of him as guardian aforesaid shall be required by the Statutes which now are or hereafter may be made and provided in that behalf.

L.S.

Witness, Reuben Bullock Esquire, Judge of

6 of Probate
of said County, this Twenty Eighth day of February in the year
one thousand Eight hundred and fifty three
R. A. Inge Clerk

The State of Mississippi
Adams County 3 v. 3-
Probate Court of said County do hereby certify that the foregoing
five pages and part of this one, contain a true and perfect transcript
of the Original Papers and proceedings filed and had in the cause
therein stated, as fully and completely as the same remain of record
and on file in my office.

In Testimony whereof I have hereunto set
my hand and the seal of said Court, at
the City of Natchez this Fifth day
of March A. D. 1853.

R. A. Inge
Clerk

The State of Mississippi
Adams County 3 v. 3-
I Stephen Bullock Judge of
the Probate Court (Sole and presiding) of the County of Adams & State aforesaid
do hereby certify that Richard A. Inge, whose genuine Signature app-
ears to the foregoing certificate and attestation is and was at the date
thereof Clerk of said Court, duly elected qualified and commis-
sioned, that his said certificate and attestation are in due form
of law and that all of his acts in the premises are and ought to be
entitled to full faith and credit in judicature and thereout
Given under my hand and Seal at the City
of Natchez this fifth day of March A. D.
1853.

R. Bullock Seal

Judge of Probate

7. The State of Mississippi
Adams County 3 Oct.

I, Richard A. Inge Clerk of
the Probate Court of said County, do hereby certify that Reuben
Bullock whose genuine signature appears to the foregoing certifi-
cate is and was at the date thereof, Judge of said Court, (Sole
and presiding) duly qualified and commissioned, and that all of
his acts in the premises are and ought to be entitled to full
faith and credit in judicature and thereout.

In Testimony whereof I have hereunto set
my hand and the seal of said Court this
fifth March 1858.

Richard A. Inge
Clerk