1858-026 SOUTHAMPTON COUNTY CHANCERY PAPERS

CRUMPLER and Wife US. VAUGHAN et al
4/1858

other SURNAME: Wiggins

Commissioners wise
vs 3 Bill, answer
& Decree.
Vanghaus by se

1857 Dec. Dismissed.

1858 Mar. Rest.

" Apr. " Costs

To the worshipful comty court of Southampton in
Chancery sitting

Humbly complaining your orators Augustus
Crumplin and Virginia F. his wife who before her marriage
was Vaughan shew unto your worships that in the year
Thomas Vaughan of Southampton County departed
this life intestate leaving considerable estate both real and
personal and leaving Maria C Vaughan his widow and
Virginia F. Crumplin who was Vaughan. Cecil C, Francis
M, Richard E, and Maria F Vaughan his children his
distributees and heirs at law, your Orators shew further
that Maria C Vaughan his widow after the death of
her husband Thomas Vaughan, was endowed in his
lands and had one third of the slaves allotted to her
for life as her distributable share in the same. That
subsequently she intermarries with a Mr Wiggins of this
county (Southampton) and has recently died leaving
eight slaves which she held for life belonging to the estate
of Thomas Vaughan which now revert back and belong
to his children named above in fee simple, your
orators state that they were desirous that the court would
allot to them one fifth of the same as their distributable
share, for tender consideration whereof and inasmuch as
your orators are without relief in a court of law and only
entitled to relief in a court of equity where such matters are
peculiarly cognizable, they therefore humbly pray that
Cecil C, Francis M, Richard E, and Maria F Vaughan who are
infants may by some fit and proper person their guardian
ad litem appointed for that purpose be made parties defendants
to this bill and compelled them as full and perfect answer make
to the allegations therein contained as if they had been
thereto more fully and specially interrogated, and that the
court would decree that one fifth in value of the slaves
which Maria Wiggins formerly Vaughan now eight in
formerly held

may be allotted to them
number as their distributable share, and that the court would
grant such other and general relief the premises considered as
equity may dictate and the nature of their case may require and
as in duty bound your complainants will ever pray &c

Shands J.C.

The joint answer of Cecil B, Francis M, Richard L, and
Maria L Vaughan infants by Daniel W Cobb their guardian
ad litem, to a bill in chancery by Augustus Compton and
wife &c Thus

This defendant for answer to the said bill
or as much thereof as he is advised it is material for him to
answer, answering says that he has no objection to the
court's granting the prayer of the plaintiffs, and moreover
places his cause under the care of this court whose peculiar
duty it is to protect the rights of infants and having fully
answered prays hence to be dismissed with his costs &c

Shands J.C.

Compton and wife
vs
Z Decree
Vaughans &c

By consent of parties this day this
came on to be heard on the bill, answer and general
replication thereto and on the argument of the plaintiffs
counsel, On the hearing whereof the court, doth adjudge,
order, and decree, that Daniel W Cobb, Matthew W Vaughan
and Leonard C Cobb who are hereby appointed special
commissioners for that purpose and any two of whom may
act, shall after having given notice to all the parties interested
proceed to allot one fifth in value of the eight slaves
which Maria C Virgins held for life and which have reverted
back to Thomas Vaughans estate by her death, and if the
said commissioners find it impossible to allot one fifth in
value in kind then they may allot one to effect the
allotment in value, and report their proceedings to court
in order to a further decree

But the said commissioners shall not proceed to
act under this decree until they or some one for them
shall have executed in the clerks office of this court
a bond in the penalty of two thousand dollars conditioned
as the law directs, for a faithful performance of
this decree

Crumpler Louise Kf

F. Lachenbeer

Vaughan Kf

Southampton County Court December 21st 1857.

Augustus Crumpler & Virginia F his wife, who before her marriage was Vaughan Pltffs

against

} In Chancery

Orrel C. Frances M. Richard L. and Marcus T. Vaughan infants by Daniel W Cobb their guardian ad litem Deffts

By consent of parties this day this cause came on to be heard on the bill, answer and general replication thereto and on the argument of the plaintiffs Counsel, on the hearing whereof the Court doth adjudge, order and decree, that Daniel W Cobb. Matthew W Vaughan and Leonard C. Cobb who are hereby appointed Special Commissioners for that purpose, and any two of whom may act, shall after having given notice to all the parties interested proceed to allot one fifth in value of the eight slaves which Marcus T Vaughan held for life and which have reverted back to Thomas Vaughans estate by her death, and if the said Commissioners find it impossible to allot one fifth in value in kind then they may sell one to effect the allotment in value, and report their proceedings to Court in order to a further decree.

But the said Commissioners shall not proceed to act under this decree until they or some one for them shall have executed in the Clerks Office of this Court a bond in the penalty of two thousand dollars conditioned as the law directs, for a faithful performance of this decree.

A Copy

Teste J R Edwards clk

Commission civile
et 3
Pauliane

1858 Mar. Const.

Commissions apost

Commissioners Report

Daniel W Cobb and Leonard C Cobb commissioners appointed by a decree of the county Court of Southampton at December Term 1857 beg leave to report that in obedience to the said decree on the 28th of December 1857, they proceeded to act, and made the following valuation and division, the eight slaves were valued as follows Sandy $350, Liza and child Harriet $700 Ben $450, Anna $300, Taylor $250, Sally $200, Marcilla $175, total value $2425, and they allotted to Augustus Cowan and Virginia T. his wife two Negroes to wit Anna valued at $300 and Marcilla valued at $175, Total Value $475 and they pain to them the sum of $10 making the sum of $485 one fifth in value of the eight slaves which were the dower slaves of Mariah O Wiggins formerly Vaughan your commissioners state that it was unnecessary to sell any for a division as they were able to effect a division in kind, all of which is respectfully submitted

Daniel W. Cobb
L. C. Cobb

Feby 25th 1858

Know all men by these presents that we Daniel W Cobb. Leonard C Cobb & Matthew W Vaughan are held and firmly bound unto the Commonwealth of Virginia in the just and full Sum of two thousand Dollars good & lawful money of Virginia. to the payment whereof well and truly to be made we bind ourselves our heirs Executors and administrators. jointly & severally firmly by these Presents Sealed with our Seals and dated this 28 day of December 1857

The Condition of the above obligation is such that if the above bound Daniel W. Cobb Leonard C. Cobb & Matthew W Vaughan the Commissioners appointed by a decree of the County Court of Southampton entered on the 21st day of December 1857. in a Suit therein depending between Augustus Crumpler & Wife pltffs. and Cecil C Vaughan & others Dfts. for purposes in the said decree mentioned shall faithfully discharge their duties as such Commissioners then the above obligation to be void or else to remain in full force and virtue.

Witness

Daniel W Cobb (Seal)
William F. Cobb (Seal)
(Seal)