

1867-01 Southampton County Chancery Vaughan, Cecil C. vs Gay, Josiah P. (Edwards, L.R. Guardian  
(ad litem))

Others.

Vaughan, Antoinette

Crumpler, Joseph J.

" , Elizabeth

Gay, Littleton A.

Gay, Laura A.

Gay, William E.

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Vaughan 1114 1/2  
Gay is also  
as 3 Bill  
Gay

1866 August Rules

To The Honorable Richard B. Baker judge of the  
Circuit Court of Southampton County in  
chancery sitting

Humly complaining your orators Cecil C.  
Vaughan and Antoinette his wife who before  
marriage was Gay, Joseph J. Cotnam and Elizabeth  
his wife who before marriage was Gay and  
Lettitia A. Gay shew unto your Honor that  
in the year ~~1860~~ <sup>1861</sup> William E. Gay  
intermarried with Laura A. Gay who owned in  
fee simple a tract of land lying in Southampton  
County containing  $3-17/2$  acres, that in the year  
Laura A. Gay departed this life her husband  
Wm E. Gay surviving her and leaving five  
children to wit, Antoinette married to C. C. Vaughan  
Elizabeth married to J. J. Cotnam Lettitia A.  
Gay, Josiah P. Gay and Wm E. Gay the two last  
infants, her heirs at law, that Wm E. Gay  
upon the death of his wife took possession of the  
said tract of land as tenant by the the curtesy  
and held the same until his death which  
occurred sometime in the fall of 1862; that  
since his death one of the children Wm E. Gay  
has died, under age, unmarried, and  
intestate, leaving your orators and Josiah  
P. Gay his heirs at law.

Your orators shew further that since the  
death of their father Wm E. Gay, the said  
tract of land has been rented out, and that  
some time since a division or rather a  
sale of the said land and a division of the  
purchase money among the heirs at law

of the said Laura A. Gay, they state further  
that in their opinion a sale of the land  
would be much more to the interest of all  
the parties concerned than a division or  
partition, that there is but one dwelling house  
and outlay upon the said land, and they  
are satisfied the land would bring more in  
one body than if sold in four separate  
tracts, and therefore they ask for a sale.

It is tender consideration whyn't and  
inasmuch as your orators are without relief  
except in a court of equity. They therefore pray  
that Isaac D. Gay be infant by some fit and  
proper person his guardian ad litem appointed  
for that purpose may be made a party defendant  
to this bill and compel him as full and perfect  
adverser make to the allegations therein contained  
as if he had been summoned more fully and  
specially interrogated, that the court would  
decide either a partition of the said tract of  
land among the heirs of Laura A. Gay or  
what they most prefer and believe would be  
better for all parties interested a sale of the  
said land a division of the purchase  
money according to the rights of the parties  
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 in no duty bound your orators  
will ever pray.

Shanes J. G.



The answer of Forcible & Gay an infant by L. R. Edwards his guardian ad litem appointed for that purpose to a bill in chancery by L. A. Gay and others vs him.

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 knows nothing of the facts set forth in the plaintiffs' bill, but submits the interests of his ward to the care of this court whose peculiar duty it is to protect the rights of infants and having fully answered prays hence to be discharged with his costs &c

Shanda counsel  
for deft

Vanughan & Wife  
v } Stat. Rules

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In Southampton Circuit Court.

Oecil C. Vaughan & Antoinette his wife who before marriage was Gay, Joseph  
G. Crumpler and Elizabeth his wife who before marriage was Gay and Littleton et  
Gay

against  
Josiah P. Gay an infant by L. R. Edwards his guardian ad litem

1866 July 27. Summons issued

" Aug. R - Bill filed. L. R. Edwards assigned guardian ad litem to Deft.

" Ans. of Deft. Gen. Rep. thereto -

Sept. R - Cause set for hearing

67 " May T. Dismissed

Vaughan & Wife P

v. { Sum. Chs.

Gay.

1866 Aug. Rules



Court of Sessions County of

to be held for the said Court on the first Monday in

and have then this writ. Witness EDWIN R. EDWARDS, Clerk of said Court, in the  
County this day of 1866, in the  
Court of the Commonwealth.

# THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY---GREETING.

WE COMMAND YOU to summon

*Josiah P Gay & H<sup>m</sup>. E Gay, infants*

to appear at the Clerk's office of our

*Circuit*

Court of Southampton County, at

the Rules to be holden for the said Court on the first Monday in

*August*  
*next* to answer a bill in  
Chancery exhibited against *them* in our said Court by Cecil C Vaughan &  
Antoinette his wife & others

and have then there this writ.

Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the

Courthouse this *27<sup>th</sup>* day of

*July*

186*6*, in the

*9<sup>th</sup>*

year of the Commonwealth.

*L R Edwards*

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to } Papers

Gay.