

1870-02

Seventhampton County - Chanery

Vaughan, Martha V

vs

Vaughan, Cecil & al

"  
To Sule dits"

Wm H. Vaughan

Martha Vaughan Edgewood  
Wm H. Vaughan acting  
for her share

Vaughan

} Papers

Vaughan

Vaughan by se

vs { Bill

Vaughans

1870 April Rules

To the Honorable E. P. Pitts judge of the circuit  
Court of Southampton County in chancery sitting

Humly complaining your oration Martha  
C Vaughan a married woman who sees by Charles  
Porter her next friend sheweth unto your  
Honor that sometime since she married  
Mr C Vaughan who is now very much  
in debt and that all his estate is likely to  
be taken to pay his debts, your oration states  
further that sometime since to wit in  
1860 Mr E Gay now dead as commissioner  
acting under a decree of the chancery court  
sold a small tract of land for division  
among the children of Richard C Parker  
to wit John B Higgins and his wife Mary  
Mr C Vaughan and his wife Martha C  
your Oration, Anne C Parker, Thomas W  
Oliver and his wife Alice S, and Robert  
Parker five distributives and that Charles W  
Holland became the purchaser for  
\$1000 executing a bond with Maudie Holland  
his security and retaining the title until  
the purchase <sup>money</sup> was paid sometime after  
Mr E Gay the commissioner died without  
collecting the bond indeed it has  
not been paid as yet and Holland still  
failing to pay the bond Cecil C Vaughan

was appointed commissioner in place of Mr  
E Gay with instructions to sell the land again  
in the court Holland did not pay the  
said bond in sixty days, Cecil C Vaughan  
acting under this decree has again sold  
the said land for less than Holland  
paid for it but will hold the said Obligors  
in the bond responsible for the residue  
of the bond which is as far as your  
oration is advised good, so there will be  
in all probability some \$1500 in the  
hands of Cecil C Vaughan for distribution  
among Richard Parkers children to one  
fifth of which your oration is entitled, This  
money has never been under the control  
of her husband Mr C C Vaughan in any  
manner nor has he reduced it into  
possession, Your Oration is advised that  
this money arising from the sale of land  
belonging to her and never having been  
reduced into the possession or in any manner  
under the control <sup>of her husband</sup> is not liable to her  
husbands debt but that the court will  
have it settled upon her for maintenance  
and support

In Under consideration wherof and  
inasmuch as your oration is without relief  
at law and only entitled to relief in a

court of equity where such matters are  
peculiarly cognizable she therefore prays that  
Cecil C Vaughan and Mr C C Vaughan  
may be made parties defendant to this bill  
and compel them as full and perfect  
answer make to the allegations therein  
contained as they had been thereto more fully  
and specially interrogated, That the court  
would decree whatever amount may be  
found due from Cecil C Vaughan  
commissioner as assignee to her to settle  
on your oration for her sole and separate  
use free from all the control of her  
husband and free from the creditors and  
debts of the said Mr C C Vaughan and  
that the court would grant such other  
and general relief the premises considered  
as equity may dictate and the nature of  
her case may require and as in duty  
bound your oration will ever pray  
me  
Charles J. J.

Vaughan

to } Com. Bond

Vaughan

Know all men by these presents that we Joshua Prellow  
W B Wiggins — are held and firmly bound unto  
the Commonwealth of Virginia in the just and full sum of three hundred  
dollars to which payment well and truly to be made to the said Commonwealth  
we bind ourselves, our heirs, executors and administrators jointly and severally,  
firmly by these presents. Sealed with our seals and dated this 18<sup>th</sup> day of  
December A D 1871

The condition of the above obligation is such that whereas by a  
decree of the Circuit Court of Southampton County rendered on the 10<sup>th</sup>  
in a suit by <sup>in a suit by</sup> ~~in a suit by~~ <sup>of Vaughan by J. B. Vaughan</sup> ~~of Vaughan by J. B. Vaughan~~  
day of November 1871. It was among other things adjudged ordered and  
decreed that C. B. Vaughan pay to Joshua Prellow a certain sum of money to  
be held and used by him for the sole use and benefit of Martha Virginia Vaughan  
wife of Wm. H. Vaughan. Now if the said Joshua Prellow shall faithfully  
discharge the duties of his said office or trust under said decree then the above  
obligation to be void or else to remain in full force and virtue.

Joshua Prellow (Seal)  
John B. Wiggins (Seal)

Executed by delivering each to Vaughan  
Hunt & Vaughan each a copy of this  
Summons.

W. L. Briggs atty  
for D. S. Dole Chff

Vaughan  
Sum. Chy.

Vaughan

1870 April Rules

**THE COMMONWEALTH OF VIRGINIA,**

**To the Sheriff of the County of Southampton---Greeting:**

We command you to summon *Cecil C. Vaughan & W. H. Vaughan*

if *they* be found within your bailiwick, to appear at the Clerk's Office of our Court of 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 them in our said Court by *Martha V Vaughan* who sues by *Joshua Irelow her next friend*

And have then there this writ. *Oswin White*

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this *16* day of *March* A. D., 18*80*, in the *94* year of the Commonwealth.

*O. White Clk*

Land sold \$745 - by James Lewis &  
Kangaroo Corner for sale

1669  
2400  
14510  
1.6  
4.0 3-5

Vaughan

v { Stat. Rules

Vaughans

*IN Southampton Circuit Court.*

*Martha V Vaughan a married woman who sues by Joshua Pithlow her next friend*

*against*

*Cecil C Vaughan & Wm H. Vaughan*

*1870 March 16 Summons issued & 2*

*" April Rules. Summons ret'd. Ex't Bill filed & D. nisi v. Dft's.*

*" May " Bill taken for Confessed Cause set for hearing & 3*