1856-008 Chancery Causes: Caroline Vaughn & Lucinda Jane Vaughan, by & C vs Elbert Vaughn & al
Isle of Wight County

Lucinda Jane Vaughn vs Elbert Vaughn & al

other SURNAMES: Fowler, Carr Blanchard, Lawrence, Vaughan

To the Hon: Richd. H Baker judge of the Circuit Court of Isle of Wight County, In Chancery sitting, humbly complaining unto your honor, your orators Caroline Vaughn, and Lucinda Jane Vaughn an infant who sues by her next friend Caroline Vaughn states that sometime in the year 1845, one Lemuel Vaughn departed this life, after having made and published his last Will and testament which was admitted to probat and record in the Clerks office of the said County; a copy of which marked "A," is herewith filed and prayed to be taken as a part of this Bill. By the 3d Item of said Will, the said Testator, gave to his granddaughter Jane Vaughn (who is your orator Lucinda Jane Vaughn as above called) the tract of Land called the John Carr tract- two negroes, Nelly & Milly her child & $100 in Cash: he further say, "also all of my Crop of every description now growing on the John Carr plantation, or which may hereafter grow thereon I leave to remain on the said plantation for the use of my son Elbert Vaughn's family and at his" your orators will state that Elbert Vaughn is the father of the said Jane Vaughn & the husband of Caroline Vaughn, and they constituted all the family of said Elbert Vaughn. Elbert Vaughn qualified as guardian to your orator Jane Vaughn and so continued until the year 1853. ——— when he was removed by the Order of the County Court of Isle of Wight, and one Archd. Foster was appointed in his stead as will appear by the "Orders" Marked "B & C" and which are prayed to be considered as a parts of this Bill. your orators further shew that for several years they have been abandoned by the said Elbert Vaughn the husband & father, during which time your orators have resided on the John Carr tract of Land- and do now reside there, while the said Elbert Vaughn was living in illicit intercourse with a female by whom he had several children as it is said. He continued to waste the estate of his ward Jane Vaughn, until his authority was extinguished by his said removal; but not until he had sold, Milly one of the negroes given by Lemuel Vaughn to his granddaughter Jane, which took place some 4 or 5 years ago- since then he has sold a mulatto negro, a boy named Jacob the son of Nelly given as aforesaid to your orator Jane, for the sum of $310. Worth $200 a part of the price of Jacob, he purchased a tract of Land of one William Blanchard being the same conveyed by a deed bearing date the 24th of September 1853- Marked "D" and prayed to be taken as a part of this Bill. This Land though bought entirely with the money for which Jacob

old, and therefore being the money of Jane Vaughn - was by the directions of Elbert Vaughn conveyed to her, jointly with Sally A. M. L, Margaret M, & Elbert I Lawrence who, viz, Sally A. M. L, Margaret M, & Elbert I Lawrence are the illegimate children of the said Elbert Vaughn, begotten on the female with whom he has been several years living & for whom he has abandoned as aforesaid his wife & daughter. Then illegimate children above named are all infants under the age of twenty one years.

Your Orators charge, that the transaction aforesaid, and the said deed are fraudulent & void - That, buying the said land with the money of your orator Jane Vaughn who at the time was the ward of Elbert Vaughn was not only a breach of trust on his part, but entitles your orator to have the said land in lieu of the money or negro if the ~~they~~ neither the money or ~~land~~ negro can be procured - That the consideration moving entirely from & being paid solely by Jane Vaughn creates a trust on said land for her exclusive benefit, and that the said three names who are voluntary ones as to Elbert Vaughn, are but trustees at most for the benefit of your orator Jane Vaughn; and the respective pray that the said land may be conveyed, by a decree of this Court, to her as her own property, or held as a fund to secure and make good the money for which Jacob sold Sally & all other negroes for which the said Elbert Vaughn as her former guardian, may be indebted to her - as he qualified without giving security as enjoined, the will of her grandfather stipulated.

Your Orators state that some confusion exists upon the intention of their testator in the said 3d Item of his will - whether he intended all the property, negroes, as well Crops on the said John Carr tract, to be left and to remain on the said farm for the benefit of Elbert Vaughn's family or not - The present Guardian, (Archd. Fowler) of Jane Vaughn conceives that the negroes given are the exclusive property of his ward, whereas your orator, Caroline, who is the wife of Elbert Vaughn & the mother of Jane Vaughn contends, that all the property was designed for their support, she being, at the time of said testators decease one of said Vaughn's family, and is now, in legal contemplation and according to the intention of said will; they therefore pray the respective rights of the several parties may be determined under the will of their testator. They are without adequate remedy save in this humble court. They pray that Elbert Vaughn, Sally Ann Martha Louisa Lawrence, Margaret Maria Lawrence, Elbert I. Lawrence the last named being infants, and Archd Fowler guardian of Jane Vaughn, may be made parties defendant to this Bill and be compelled to answer the same.

That Elbert Vaughn as guardian to Jane Vaughn be compelled to render an account of his transactions before a Commr. of this Court. and that he in his answer state to whom he sold, negroes, Milly and Jacob, and for what sums - & the circumstances of the purchase of the said tract, conveyed by Wm Howland & the deed aforesaid, and respond to all allegations in this Bill made, particularly as well to that circumstance transaction as to all other facts. and ~~grant all~~ & your orators pray that a decree may be rendered, conveying the said land to your orator Jane Vaughn and any & all other relief, in the premises, which may be meet and proper. & grant the Commonwealth's subpoena

Caroline Vaughn
Lucinda Jane Vaughn by her
next friend
By Bo. Hatchfield & Thos Ellis

N. B. The copy of the Will of Vaughn used by the counsel in preparing this Bill was very different from the true one, and hence relief in some respects is prayed for which is not sustained or necessary under the true copy.

Vaughan
v. Bell & Amo. Rule
Vaughan &c.

Feby. rule 1854 Bell & Lacey
Ans. & Sur. & cpt. aff.

March rule 1854 gov. to
Testim. aff. to sixth inst.
filed accordingly

Aff. rule dis for hearing

May 1854 dismissed as to
Caroline Vaughan & Rule.
Injunction & Rec. to amd. Bill
& rule nisi perp. &
& rule nisi perp.

Aug. 7. 1854, amd. bill filed
& sup. cp. & dem. nisi as to
portion.

Sept. rule. 1854 Sol. for hearing

Octo. 1854. Dem. a. B. p. 30.

March 25th 1855. Com. report
filed.

May 1855. rpt. accepted &
Sept. 16. 1855 add. rpt. filed
Octo. 1855 Decree for Sale &c.
p. 60.
Nov. 5th 1855. cost. Bond cp.
& fild

May 1856. Rule ni.
Conf.

July 7. 1856
rpt. filed
Octo. 1856. final
decree. p. 88.

The Answer of Elbert Vaughn to a Bill filed against him & others, by Jane Vaughn & Caroline Vaughn in the Circuit Court of this County.

This respondent saving & excepting &c, for answer to so much of said Bill as he is advertised it is material for him to answer, says that the fact as alleged in said Bill, viz, that the negro Jacob who belonged to said Jane Vaughn who was a ward of this respondent, was sold by this respondent for the sum of $310, and he got Enoch Vaughn to take the money and buy the said tract of land in said Deed and Bill referred to, and with said money or $300 of which the said land was bought & paid for: and the deed executed by Wm Mandrow to Jane Vaughn, Sally A M d, Margaret M, & Elbert F Lawrence as is stated in said Bill mentioned. That the money or price of said land was the money of Jane Vaughn & having answered fully to

Elbert F Vaughn

Elbert Vaughn's answer

Feby. 2nd, 1837 filed

Vaughan v.
et, z. Cty
Vaughan

To the Hon. Richd. H. Baker judge of the Circuit Court of Isle of Wight County
In Chancery sitting, humbly complaining sheweth unto your honor, by this
their Amended bill, your orator Lucinda Jane Vaughn an infant who sues
by Archd. Fowler her next friend - that by her original bill heretofore filed
in this cause, your orator stated that Elbert Vaughn her guardian at the time
and when guardian had wasted her estate in many ways & continued to
do so, till he was removed by the County Court of Isle of Wight Coty.
that he sold a negro named Jacob bequeathed to her by her grandfather
Lemuel Vaughn, and with the proceeds of sale purchased a tract of
land of one William Blanchard, & had the same conveyed
by a deed bearing date the 24. Sep. 1853, conveyed to her, jointly with
Sally A. M.t, Margaret M, & Elbert J. Lawrence who (the three last
named,) are the illegitimate children of the said Elbert Vaughn -
your orator further stated, and she now repeats the charge, that the
said land so conveyed, was purchased and paid for entirely with
money belonging to your orator, - that is to say, with the price of
Jacob sold as aforesaid, and that therefore the said land does belong
solely to her, and she prays that the decree as set for in said bill
be rendered by this Hon. Court, and that Wm. H. Vaughn who qualified
that in any event that the said tract of land conveyed as aforesaid by Mr Blan-
chard, of the 24. Sept. 1853, be held subject to the payment of such sums
as shall be found to be due her by her said guardian Elbert Vaughn
who qualified without giving bond & who is totally insolvent: that
Wm. H. Vaughn who qualified as executor of the last will & testament
of her grandfather, Lemuel Vaughn and, be made party defendant to
these bills and be compelled to answer the same & these how & in
what manner, if it be necessary, he has settled the estate of his testator -
& what sums he has paid over to Elbert Vaughn her guardian - &
if necessary, that he render an account of his transactions as Executor
of the said Lemuel Vaughn &c. & grant - all other & necessary relief
which may be meet & fit in the premises

Whitfield & M

Vaughn
v
Andrews

Vaughans.

Filed Aug. 7. 1854

Vaughan. —

V Fowler's Assn

Vaughan

Feby. 2nd 1854 folio

The Answer of Archd. Fowler as guardian to Jane Vaughn to a Bill filed against him &c. by Caroline & Jane Vaughn &c.

This respondent saving & excepting &c. for answer to the said Bill says that he has qualified as guardian to the said Jane Vaughn as is stated in said Bill, and as far as he knows, he believes that the facts as stated in said Bill are true, and he unites in the prayer therein, that the rights of his said Ward under the will of her testator & Grandfather, to the property therein bequeathed & devised may be distinctly ascertained, & will for his Ward & the interests of other Claimants. & having acted pro bono

&c

Vaughan
V. Infant
aeris
Vaughan

Maulmain, 1854
folio

To the Hon'ble Richd. H. Baker Judge of the Circuit Court of Law & Chancery, for Chy. sitting, here

The joint and separate Answer of Sally A. M. L. Margaret M. & Elbert J. Lawrence by Nathaniel P. young appointed their Guardian ad litem, to defend them in a suit filed by Jane Vaughan & her next friend & Caroline Vaughn, against them and als: These several defendants by their said Guard. ad litem N. P young, for answer to so much of said Bill as they are advised it is material for them to answer, say that they are all infants under the age of twenty one years, and respecting leave to submit themselves and submit in the matters stated in complainants Bill, to the protection of this honorable court, and having answered pray leave to be dismissed

N. P. Young gdn ad litem

Lucinda J. Vaughan
for fi. fa. & a.

3 Sum. in
Cby.

vs.

Elbert Vaughan and als

1 Feby. 1834 Cir. Ct.

Whitfield Sp.

Executed by delivering a true
copy of the within to Elbert Vaughan
Sally Ann Lawrence Margaret
Mirah Lawrence and Elbert
John Lawrence on 1st day
of July. 1834

S. B. Lawrence D.S.

Jno. J. Hare Shff.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight *County, Greeting:*

WE COMMAND YOU to summon Elbert Vaughan, Sally Ann Martha Louisa Lawrence, Margaret Mariah Lawrence and Elbert John Lawrence (last 3 infants)

to appear at the Rules at the Clerk's Office of the Circuit Court of Isle of Wight County, on the first Monday in February next, to answer a bill in Chancery exhibited against them by Lucinda Jane Vaughan an infant, who sues by Archibald Fowler, her next friend, and Caroline Vaughan

And have then there this writ. Witness, Nathl P. Young Clerk of our said Court, at the Courthouse, the 21st day of January 1854, and in the 78th year of the Commonwealth.

N P Young c c

Lucinda J. Vaughan
pr. next friend

vs. Trover & Con. Am. $1.00

Elbert Vaughan Def.

10 August 1883

Whitfield Sh.

Delivered a true copy
of the within to
Elbert Vaughan &
William Vaughan
July 11th 1883

P. E. Quarles D.S.
for J. Hall Sh. F.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—GREETING.

YOU ARE HEREBY COMMANDED TO SUMMON Elbert Vaughan, William H. Vaughan Executor of Samuel Vaughan dec'd and Sally A. M. Lawrence, Margaret M. Lawrence and Albert S. Lawrence, the last three being infants

to appear at the Clerk's Office, of our Circuit Court for Isle of Wight county, on the first Monday in August next, to answer an amended bill filed in said Court against them by Lucinda Ann Vaughan for Archibald Foster her next friend.

of a plea of

damages

and have then and there this Summons.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this 8th day of July, 1854, in the 79 year of the Commonwealth.

N. P. Young c.c.

Vaughan

m 3 Jan.

Vaughan Esq.

Feb 14th. March 1805

Excuse my delay
to the Vaughans
I have copied
and sent a Fair
copy for H Blum
Chief Justice Mar
H Hallett
Blum Hall

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County, GREETING.

YOU ARE HEREBY COMMANDED TO SUMMON Micah Vaughan and William Blanchard

N. P. Young Commissioner of the

to appear before the Judge of the Circuit Court of Isle of Wight county, at the Court House of said county, on the 14th day of March 1855 term next, to testify and the truth to say ~~on behalf of~~

in a certain matter of controversy in our said Court, ~~before our said Judge~~ depending and undetermined between Lucinda J Vaughan pltf. & Elbert Vaughan & others defts.

and this ~~Our~~ shall in no wise omit, under the penalty of $300 : and have then and there this Subpœna. *Witness*, N. P. YOUNG, Clerk of our said Court, at his Office, this 7 day of March 1855, in the 79 year of the Commonwealth.

N. P. Young cc

The deposition of William H. Vaughan taken on the 16th May 1854, to be read as evidence in a suit pending in the Chancery Court of Isle of Wight County - wherein Lucinda Jane Vaughan - V. Vaught & als: in the Circuit Court of Isle of Wight County - in Chancery:

William H. Vaughan, having been duly sworn & sworn as follows -

Question: state what you know of the circumstances of the purchase of a tract of land & the execution of a deed therefor by W. Blanchard - bearing date 24 September 1853, in which deed Lucinda Jane Vaughan, & Sally A. M. L, Margaret M, & Elbert John Lawrence are the Vendees -:

Ans: Elbert D. Vaughan the father & guardian to Lucinda J. Vaughan - stated to me, that he had sold Jacob a negro belonging to said Lucinda Jane Vaughan, and with the money had bought the land in the said deed conveyed - he asked me to read the deed, and to tell him (Elbert) what I thought of his having the deed made, to Sally, Margaret & Elbert Lawrence - stating that he had sold the negro Jacob, and put the money in Uncle Vaughn's hand, to buy the Land. & he had done so - This was before the deed was ever delivered or recorded - I told him it was all wrong. he stated he had had the deed so made, that "he might keep his bastard children, the sd Sally, Margaret & Elbert Lawrence off, off the Public"

Question. How has Elbert Vaughan been living, or with whom?

Ans. He has abandoned his legal wife Caroline Vaughan for about three four years: and during that time he has been living with Susan Lawrence the mother of the said Sally, Margaret, & Elbert Lawrence - & further this deponent saith not.

W. H. Vaughan

Isle of Wight County.

The foregoing deposition of Wm H. Vaughan was sworn to & taken before me a justice of the peace of said County. Witness my hand this 16th May 1854.

A. R. Butler J.P.

We waive notice & agree that the deposition of W. H. Vaughn be read as evidence in the case. 18th May 1854

R. H. Whitfield & atty for
Manistee, Linder, & Albert Vaughn
N. P. Young & Dr. & Atty

Dep. Bowman & Vaughn

11

Mr. Jane Vaughan

1847. *To* JOSIAH HOLLEMAN, *Sheriff of Isle of Wight,* DR.

To Revenue Tax on 104 acres of Land, - - - 37

" " on Slaves, - - -

" " on Carriage Gig Horses, -

" " on Watch Clock Piano -

County Levy, - - - - - - -

Parish Levy, - - - - - - -

Received Payment,

Josiah P Gay *Deputy*

For JOSIAH HOLLEMAN, *Sheriff.*

Jane Vaughan

" 37

July 1848 Elbert Vaughn

To Exum Turner Dctr

To fourteen Days Tuition of his Daughter Jane at 4 Cents pr Day $\frac{14}{4}$ $\frac{}{56}$ cents pay the Within To —

Paid October 23 1848 Lot W Corbit, Exum Turner

Pd. Ligery
Octo. 1846

35

Dr. Jain Vaughan bequea

Dr. Jain Vaughan legatee of Samuel Vaughan dcd
In account with Elbert D Vaughan her guard. Cr.

		$	c	$	c
1847 Dec. 31	To p.d for keeping expensive negroes	15	00		
" " "	By land rent for 1847	"	"	25	00
	ballance due the orphan			15	00
1848 Dec 31	To pay for keeping expensive negroes	30	00	10	00
" " "	By land rent for 1848.	"	"	16	50
" " "	" Interest on the ballance of 47				60
		30	00	27	10
1848 Dec 31	To ballance Due the guardian	27	10		
		$2	90		

V

Jane Vaughan

31

Mrs Jane Vaughan

To W. P. JORDAN, *Sheriff of Isle of Wight County,* Dr.

				$	cts.
1850.	County levies at 48 cents,		-		
"	Parish do. at 24 cents,		-		
"	Reveuue tax on	Slaves, at 32 cents,	-		
"	" on	Horses, at 10 cents,	-		
"	" on	Four wheel Carriage,	-		
"	" on	Two " "	-		
"	" on	Gold Watch	-		
"	" on	Lever "	-		
"	" on	Other "	-		
"	" on	Metalic Clock,	-		
"	" on	Other "	-		
"	" on	Town Lot, No.	-		
"	" on	Interest,	-		
"	" on 104	Acres of Land,	-	31	
	Clerks' Fees,	-	-		
	Commissioners' Fees,	-	-		
	Militia Fines,	-	-		

Received Payment,

Jos. P. Gay Deputy for W. P. JORDAN, Sheriff.

V.

Jane Vaughan

37

68

105

Mr. Jane Vaughan

To W. P. JORDAN, Sheriff of Isle-of-Wight County, - *Dr.*

1851.

				$
To	County levies at 68 cents,	-	-	
—	Revenue on	slaves at 38 cents,	-	
—	Do. on	horses at 12 cents,	-	
—	Do. on	four and two wheel carriages,	-	
—	Do. on	gold watches,	-	
—	Do. on	patent lever or lepine silver watches,	-	
—	Do. on	other - do.	-	
—	Do. on	metalic clocks,	-	
—	Do. on	other do.	-	
—	Do. on	piano	-	
—	Do. on	oz. silver plate,	-	
—	Do. on	$ interest or profits &c. at 1½ per cent,		
—	Do. on 104	acres of land,	-	37
	Clerk's Fees,	-	-	
	Commissioners' fees,	-	-	
	Militia fines,	-	-	
	Received Payment,			$

Jno. P. Lyon 60

Mr. Jane Vaughn

To *Thomas Hall*, Sheriff of Isle of Wight Co., Dr.

1853

To Capitation tax at 10c., - -

" County levies at cts. - - -

" Parish levies at cts. - - -

" Slaves at 60 cts. - - -

" Revenue on personal property, - -

" 3⅓ per cent. on $ interest received

" Tax on $ am't of bonds - -

" 104 Acres of land - - - -

" Clerk's fees $; Commissioner's $

Received Payment,

$ 62

H B Eaman & Co
for T Hall Sh

James Vaughan

62

Amanda Ann Vaughan
1st fn?

vs Comm.th Defdt.

Elbert D. Vaughan Def.

March 2 5th 1855.
Felo.

Dr. Estate of Lewis Vaughan 1

1840					
Dec.	31	To Balance due creditor	pr. Cr.		$ 100 00
1841					
Dec.	31	To paid for keeping apparent negroes	15 00		
"	"	" paid Simm's account for tempering saw	3		
"	"	" Paid tax on land	3		
"	"	" Balance due Estate pr. Cr. fol.	14 50	100 00	
			$ 31 00	100 00	
1845					
Dec.	31	To paid for keeping apparent negroes	20 00		
"		" paid for Letter	56		
"	"	" Balance due Est creditor pr. Cr.	2 83	114 88	
			$ 23 34	114 88	
1849					
Dec.	31	To Board one Father of mine 2 days	35 00		
"	"	" Balance due creditor pr. Cr. fol.	7 66	117 71	
			$ 42 66	117 71	
1850					
Dec.	31	To board one Negro two days	4 00		
"	"	" paid tax on Land	31		
"	"	" Balance per Contra	17	124 37	
			$ 47 45	124 37	
1851					
Dec.	31	To paid Tax on Land	37		
"	"	" Boarding Attorney one day this year	10 00		
"	"	" Balance per Contra	44	131 94	
			$ 47 91	131 94	
1852					
Dec.	31	To paid Tax on Land	35		
"	"	" Board one Attorney this year	40 00		
"	"	" balance per Contra	71	10 81	
			$ 46 36	139 45	
1853					
Dec.	31	To board Attorney 5 days	10 00		
"	"	" paid Tax on land this year	13		
"	"	" Balance per Contra	22	146 59	
			$ 45 84	146 59	

In account with Edward A. Vaughan Executor &c.

1840					
Oct.	13	By cash rec'd by my grandfather			$ 100 00
1847					
Jany	1	By balance due creditor last year			100 00
Dec.	31	By interest on balance due you	6 00		
"	"	By cost of Court " "	25 00		
			$ 31 00	100 00	
1845					
Jany	1	By balance due creditor last year pr. fol.		114 88	
Dec.	31	By cost of Court this year	10 50		
"	"	By interest on balance of last year	5 84		
"	"		$ 23 34	114 88	
1849					
Jany.	1	By balance due pr. debt. pr. fol.		117 71	
Dec.	31	By interest on Note & Cash	7 66		
"	"	By cost of Court this year	35 00		
			$ 42 66	117 71	
1850					
Jany	1	By balance due pr. debt. pr. fol.		124 37	
Dec.	31	" Cash rec'd this year	40 00		
"	"	" interest on balance to date	7 45		
			$ 47 45	124 37	
1851					
Jany.	1	By balance due creditor pr. fol.		131 94	
Dec.	31	" interest on balance to date	7 91		
"	"	" Cash rec'd this year	40 00		
			$ 47 91	131 94	
1852					
Jany.	1	By balance per debt pr. fol.		139 45	
Dec.	31	By Cash rec'd this year	40 00		
"	"	" interest on balance to date	6 36		
			$ 46 36	139 45	
1853					
Jany.	1	Balance per debt pr. fol.		146 59	
Dec.	5	Interest on bal. to date when cash was received by Executor of Estate	7 84		
"	"	" By cash this year	40 00		
			$ 47 84	146 59	

The examination of Elbert D. Vaughan and Uriah Vaughan
and William Blanchard
of lawful age, taken on the 14th. day of March 1855 before
A. P. Young one of the Commissioners in Chancery of the
Circuit Court of Isle of Wight County, at the office of
said Commissioner, in pursuance of a decree of the
said Court pronounced on the 19th. day of October
1854, in a suit therein pending between Lucinda I.
Vaughan an infant suing by Archd. Fowler her next friend
plaintiff, and Elbert Vaughan, Sally A. M. L. Lawrence,
Margaret M. Lawrence, Elbert D. Lawrence (the last three
infants) and Wm. H. Vaughan Exor of Jesse Vaughan
dec'd. defendants, to be use by the said Commissioner
as evidence touching the enquiry "whether the land
charged to have been purchased of Blanchard was
so purchased with the money or property of the said
infant plaintiff" which enquiry the said Commissioner
is required by said decree to make & report.

Elbert D. Vaughan being first duly sworn answers &
says.

Ques. 1. Did you sell a negro named Jacob which belonged to
your ward Lucinda I. Vaughan the pltff?

Ans. 1. I did.

Ques. 2. How much did you receive for said negro Jacob?

Ans. 2. I received for said negro three hundred & ten dollars.

Ques. 3. What use did you make of the money so received for
Jacob?

Ans. 3. I gave it to Uriah Vaughan to buy the land from
Blanchard above referred to.

And further this deponent saith not.

Elbert D Vaughan

Uriah Vaughan being first duly sworn answers says.

Quest. 1. Did you receive the amount ($310) from E. D. Vaughan which he says he gave you to purchase the land from Blanchard?

Ans. 1. I received from Elbert D. Vaughan $300.

Quest. 2. What use did you make of the $300. received by you from E. D. Vaughan? & do you or do you not believe the same was received from sale of the negro Jacob referred to in his deposition?

Ans. 2. I paid it for the land as purchased from Blanchard, and I believe the money ($300.) was received from the sale of the negro Jacob as stated by E. D. Vaughan.

Quest. at the request of Pltf. Counsel.

Do you think it best for the infant Plaintiff that the land be kept, or would you advise it to be sold?

Ans. I am of opinion that the interest of the infant would be most promoted by a sale of the land.

And further this deponent says not.

Uriah Vaughan

William Blanchard being first duly sworn says.

Quest. at request of Pltf. Counsel.

Do you think it best for the interest of the infant Plaintiff, that the land be kept, or would you advise a sale of it?

Ans. Being under the impression that the land will sell now for a fair price, I would think it best for it to be sold.

And further this deponent saith not.

William Blanchard

Commissioners Office

Isle of Wight Courthouse March 14. 1855

To the Circuit Court of Isle of Wight County

Pursuant to a decree of the Circuit Court of Isle of Wight County, pronounced on the 19th. day of October 1854 in a cause therein pending wherein Lucinda I. Vaughan by Uriah Vaughan her next friend plaintiff against Elbert Vaughan, Sally A. M. E. Lawrence, Margaret M. Lawrence, & Robert L. Lawrence (the last three infants) and William H. Vaughan Exor. of Samuel Vaughan dec'd. Defendants. The undersigned one of the Commissioners of the said Court, who was directed to take an account of the transactions of of Elbert Vaughan as late guardian of the plaintiff Lucinda Jane Vaughan, and also to ascertain and report to the Court whether the land charged to have been purchased of Blanchard was so purchased with the money or property of the said infant Plaintiff, Reports to the Court, that on the 8th. day of February 1855, he issued notices against the several parties aforesaid requiring them to attend at his office on the 14th. day of March 1855 at which time & place pursuant to said notice, the said Elbert D. Vaughan & Uriah Vaughan attended; And the said Elbert D. Vaughan did before the Commissioner a statement of all the money he had received or become chargeable with, or had disbursed for his said Ward Lucinda Jane Vaughan from the first day of October 1846, to the 5th day of December 1853, together with the vouchers for the same. Whereupon examined the vouchers stated & settled the foregoing account of the said Elbert D. Vaughan transactions as guardian of said Lucinda Jane Vaughan and find a balance due the said ward of one hundred forty seven dollars & eighty one cents on the 5th day of December 1853,

The Commissioner further reports to the Court

that the plaintiff adduced before him on behalf of said pltf. Three witnesses, Elbert R. Vaughan, Uriah Vaughan and William Blanchard whose evidence, your Commissioner proceeded to take in writing. That from said evidence, your Commissioner has ascertained that the land referred to as having been purchased of Blanchard was purchased with the money of Rhoenda Jane Vaughan claimed by Elbert Vaughan from the sale of a negro slave the property of said Rhoenda Jane Vaughan. At the request of the plaintiffs counsel your Commissioner further reports that, from the evidence of Uriah Vaughan and William Blanchard, it appears that the interest of the said infant Rhoenda Jane Vaughan would be promoted by a sale of the land so purchased from Blanchard.

Your Commissioner further reports that after the completion of said account and enquiry he retained the same in his office ten days for the examination of the parties, during which time no exception was filed to the same. The decree, notices and evidence aforesaid, are herewith filed.

Given under my hand as Commissioner of the said Circuit Court, this 14th. day of March 1855.

A. P. Toney

Statement of fees.

Time employed in writing notices, taking evidence, making account report & issuing opns. for witnesses 8½ hours — £6.37

Chgd. to Pltff.

Wm. D. Vaughan for delivering notices	1.50
Pltff. for issuing opns.	.16
Uriah Vaughan attendance as witness	1.31
William Blanchard " " "	1.70

Lucinda J. Vaughan

Pr. f. d.

a. d. d.

v. Wm. Capt.

Lawrence Co.

Sept. 16. 1835 filed.

Dr. Lucinda Jane Vaughan In account with Elbert D. Vaughan her guardian Cr.

1846 Dec.	31	To balance due ward of prec.	$ 100 00	1846 Oct.	1	By this sum cash legacy from grandfather	$ 100 00
1847 Dec.	31	To paid for keeping expenses negroes	15 00	1847 Jany.	1	By balance due last year	100 00
"	"	" paid Cont. Avenue for transfering land	75	Dec.	31	" interest on balance to date	6 00
"	"	" paid tax on land	37	"	"	" rent of land	25 00
"	"	" balance due ward profts. & prec.	14 88 100 00				$ 31 00 $ 100 00
			$ 31 00 $ 100 00	1848 Jany.	1	By balance due ward last year	114 88
1848 Dec.	31	To paid for keeping expenses negroes	20 00	Dec.	31	By rent of land this year	16 50
		" paid for tuition	56	"	"	By interest on bal. of last year	6 89
"	"	" Balance due ward profts. & prc.	2 83 114 88				$ 23 39 $ 114 88
			$ 23 39 $ 114 88	1849 Jany.	1	By balance due ward of last year prof & prc.	117 71
1849 Dec.	31	To board and cloths of ward this year	35 00	July	31	By sale of negro woman Milly to H. D. Moore	225 00
				Dec.	31	By rent of land this year	35 00
"	"	Balance due ward profts & prc.	12 68 342 71	"	"	By interest on $225. (sale of Milly) to date	7 56
			$ 47 68 $ 342 71	"	"	By interest on bal. of last year	7 62
							$ 47 68 $ 342 71
1850 Dec.	31	To board and clothing this year	40 00	1850 Jany.	1	By balance due last year profts. & prc.	355 39
		" paid tax on land	31	Dec.	31	By rents three this year	40 00
"	"	" balance due ward profts. & prc.	21 01 355 39	"	"	By interest on balance to date	21 32
			$ 61 32 $ 355 39				$ 61 32 $ 355 39
1851 Dec.	31	To paid tax on land	37	1851 Jany.	1	By balance due last year	376 40
"	"	" board & Clothing this year	40 00	Dec.	31	" interest on bal. to date	22 58
"	"	" balance due ward profts. & prc.	22 21 376 40	"	"	" rents and hires this year	40 00
			$ 62 58 $ 376 40				$ 62 58 $ 376 40
1852 Dec.	31	To paid Doct. Gatlin mill bill	7 25	1852 Jany.	1	By balance due last year	398 61
"	"	" board & Clothing this year	40 00	Dec.	31	" interest on balance to date	23 91
"	"	" balance of profts & prec.	16 66 398 61	"	"	" rents and hires this year	40 00
			$ 63 91 $ 398 61				$ 63 91 $ 398 61
1853 Dec.	5	To board and clothing this year	40	1853 Jany.	1	By balance due last year	415 27
		" paid tax on land	62	Sept.	1	By sale of Negro Jacob	310 00
				Dec.	5	By int. on $310 from 1st Sept to date	4 90
"	"	" balance due ward profts. & prc.	27 45 725 27	"	"	By rents and hires this year	23 10
			$ 68 07 $ 725 27	"	"	By int. on last years balance to date	23 17
							$ 68 07 $ 725 27

Commissioners Office Isle of Wight County
Sept. 15th 1855.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of said Circuit Court pronounced on the 17th. day of May 1855 in a cause therein pending between Lucinda J. Vaughan by Archd. Fowler her next friend plaintiff, and Sally A. M. K. Margaret M. and Elbert D. Laurence, and Wm. H. Vaughan executor of Samuel Vaughan, defendants - The undersigned, one of the Commissioners of said Court, has made up the foregoing additional account of the transaction of Elbert D. Vaughan as guardian of the plaintiff Lucinda J. Vaughan, from additional evidence laid before him, shewing that on the 5th. day of December 1853, the said Elbert D. Vaughan was indebted to the said Lucinda J. Vaughan the sum of $752:72. In the foregoing account the guardian is charged with the amounts of Sale of negros Milly and Jacob with interest to the date from the time the same was received by him.

Your Commissioner further reports that notice of the time and place of stating the foregoing account was duly sent to the parties - and that after the completion of said account, he retained the same in his office ten days for the examination of the parties, during which time no exception was filed thereto - The decree and notice are herewith filed.

Given under my hand as a Commissioner of the said Circuit Court this day and year first aforesaid.

N. P. Young

Statement of fee
Time employed in stating acct. & making rept. 2 62
Then gave a half hours 1 00
Stff. for delivering notice
charged to Pltff. $3.62

Isle of Wight Co (to wit)

Having been appointed a Special Commissioner according to the above decree, in the case of Vaughan &c. V. Vaughan &c. for the purposes therein specified. I beg leave now to report to his Honour, the worshipful Court of Isle of Wight (as follows) I did on the 23d day of Dec. 1865 expose the real estate above mentioned to public Auction, when Elisha Lainsford became the purchaser for the sum of three hundred and forty dollars, and fifty cents out of which I paid the allowance of $20.75 cents Clerks fees $13.50 Comm. fees $9.00 Sheff fees $4.40 cts, Wm H Vaughan Uriah Vaughan and Wm Blanchard fees for delivering Notices $4.50 together with my commissions which is $15.81 cents, which leaves a neat balance of two hundred and seventy two dollars and fifty four cents, for which amt I have taken a bond as per statement below and hereto annexed according to the directions of the above decree. All of which is most respectfully submitted to your Worship.

Archibald Fowlow
Com

Statement. amt. of sale. $340.50

Lawyers fee -	pd.	$20.75
Clerks Fees	"	13.50
Comrs.	"	9.00
Sheffs.	"	4.40
Delivering Notices	"	4.50
Comm. on Sale.	"	15.81
		$67.96
Bond to Cal.		272.54
		$340.50

At a Circuit Court Continued and held for Isle of Wight County on the 20th day of October 1855.

Lucinda Jane Vaughan an infant, who sues by Archibald Fowler her next friend and Caroline Vaughan . . Plffs

Against } In Chancery

Elbert Vaughan, Sally Ann Martha Louisa Lawrence, Margaret Mariah Lawrence (and Elbert John Lawrence the last three infants. . . . . Defts

This Cause Came on again to be heard on the papers formerly read. And the report made by Commissioner Young, under the order of the October Term 1854. and of May 1855. to which no exceptions have been filed, And was argued by Counsel - on consideration whereof the Court doth confirm the said report, And doth order - adjudge and decree that Lucinda J. Vaughan recover of the said Elbert Vaughan - the sum of Seven Hundred and fifty two dollars - and Seventy two Cents - with interest on Seven Hundred and twenty five dollars and twenty Seven Cents - a part thereof - from the 3th day of December 1853 till paid, And it appearing to the Court that the tract of land in the Bill mentioned, being the same conveyed by one William Blanchard - by a deed bearing date the 24th September 1853. - to Lucinda Jane Vaughan - Sally Ann, Martha L, Margaret M, and Elbert J. Lawrence, was purchased by Elbert D Vaughan with money in his hands belonging to his ward - Lucinda J Vaughan, And that the interest of the said Lucinda J. Vaughan will be promoted by a sale of the same, the Court doth further order - adjudge and decree that unless the said Sally A, Margaret M, Martha L, and Elbert J. Lawrence - or some one for them shall pay to the said Lucinda J. Vaughan - or her legal guardian the sum of Money with interest as aforesaid - on or before the first day of December next, that the said Archibald Fowler who is hereby appointed a Commissioner for such purpose, After having advertised the time & place of Sale for at least 20 days - at the door of the Courthouse and at other public places near the premises, Sell

at public auction, to the highest bidder on the premises - the said tract of land, On a credit of six months (save so much as may be necessary to pay the expenses of the Suit & Sale - which may be in Cash) taking a bond for net balance with good security - and retain also a lein on the premises: (and report to the Court an account of his proceedings - returning the bond with his report - in order to other and further order in the Cause. But this decree is to be suspended tile the said Fowler execute a bond with sufficient Security before the Clerk of this Court - in the penalty of One thousand dollars - Conditioned according to law.

Attn. for Story $15.75 A Copy
Clk. fee 13.00 Teste.
Com. " 9.00
Sh'ff. " 4.40
Wm A. Vaughan for 3 days 1.50
Wm A. Vaughan for attendance as Wit. 3 1.30
W. T. Rowland do. 1.70
Costs $47.15

A. D. Young cc.

Nov. Dec. 1. 1856 Rec'd of A. P. Young Clk. of the Circuit Court of Isle of Wight the bonds of Elisha Pankfield & Elisha Pankfield payable to A. Fowler Com. & which was filed with this suit. A. Fowler

Vaughan Fols.
vs. Copy Decree
Vaughan Fols
Aug. 7. 1856 Filed
Report Aug. 7. 1856

Vaughns
v.
Vaughns

Decree

This cause came on to be heard on the Bill & Answers, replications thereto and exhibits &c was argued by Counsel: on Consideration whereof the Court doth order, adjudge & decree that the Bill be dismissed as to Caroline Vaughn one of the Complainants and Archibald Fowler one of the Defendants: and leave is give to amend the Bill —

Vaughan

Vaughn

To be sent

Enc?

In the Circuit Court of Pike Superior Court
Oct. 19. 1852.

Lucinda Jane Vaughan an infant who sues by Archibald Fowler her next friend and Caroline Vaughan Plff.

Against } In Chy.

Elbert Vaughan, Sally Ann Martha Louisa Lawrence, Margaret Mariah Lawrence and Elbert John Lawrence (the last 3 infants &c) Wm H. Vaughan adm'r of Lemuel Vaughan dec'd Defts.

This Cause came on this day to be again heard on the papers formerly read, the examination of witnesses, and the amended Bill taken for confessed as the rules against the defendant W. H. Vaughan adm'r of Lemuel Vaughan dec'd. and was argued by Counsel, On Consideration Whereof the Court doth adjudge, order and decree, that a commissioner of this Court take an account of Elbert Vaughans transactions as the Guardian of the infant plaintiff Jane Vaughan, and that the said Com'r ascertain and report to the Court whether the land charged to have been purchased of Blanchard was so purchased with the money or property of the said infant plaintiff & make report.

A Copy
Test

A. J. Young cc

Sept

Vaughan

w. ½ Copy Deeds

Vaughan Vols.

Notice to 14th. Month

1835.

Vaughn
v.
Vaughn & als

Decree

This cause came on again to be heard on the papers formerly read, and the report of Commissioner N. P. Young made in pursuance of a decretal Order of October Term 1854, to which no exception has been filed & was argued by counsel, On consideration whereof the Court doth confirm said report, and doth further Order adjudge & decree, that the said Plaintiff, Lucinda Jane Vaughn, recover of Elbert D Vaughn her guardian, the sum of $147.87½, with interest thereon from the 5th day of December 1853, till paid. as per report of said Commissioner: and the Court being of the opinion that the land in the proceeding mentioned was purchased with the money belonging to the said Lucinda J. Vaughn, by the said Elbert Vaughn her late guardian, doth adjudge, order & decree, that Archibald Fowler who is hereby appointed a Commissioner for such purpose, do sell at public auction, on a credit of six months, the said land in the said proceeding mentioned, after having given 20 days notice of the time & place of sale: and take of the purchaser, bond with ample security for the proceeds of sale & the same pay over to the legal Guardian of the said Lucinda J. Vaughn. But this decree is to be suspended till the said Fowler execute bond before the Clerk of this Court in the penalty of $1000.00 conditioned according to law. and report an account of his proceedings &c.

& Leave is reserved to the plaintiff to apply for any further order for an additional account against her late guardian Elbert Vaughn.

This cause came on this day to be
again heard on the papers formerly read
& on the report of the Comrs. taken pursuant
to a decree entered on the day of Oct.
1854, on consideration whereof the Court
without at this time deciding upon the
propriety of the said report, doth order
& decree that the said report be
recommitted to the same Comrs. for
re examination and report according to
the principles settled by the decree
aforesaid & make report &c.

Vaughn Deane
for
Pltffs.

To be entered
R. H. B.
Nov. 6. 55

X

5

Lucinda J. Vaughan by her next friend &c:
vs. Decree.
Elbert Vaughan & als:

This Cause came on again to be heard on the papers formerly read, and the Report made by Commissioner Young, under the Order of the October Term 1854, and of May 1855. to which no exception has been filed, and was argued by Counsel on consideration whereof the Court doth confirm the said Report: and doth order, adjudge and decree that Lucinda J. Vaughan recover of the said Elbert Vaughan the sum of $752.72 cents with interest on $725.27 a part thereof from the 3rd day of December 1853, till paid

and it appearing to the Court, that the tract of Land in the Bills mentioned, being the same Conveyed by one William Blanchard, by a deed bearing date the 24th September 1853, to Lucinda J. Vaughan, Sally Ann, Martha L, Margaret M, & Elbert J. Lawrence, was purchased by Elbert D. Vaughan with money in his hand belonging to his ward Lucinda J. Vaughan, and that the interest of the said Lucinda J Vaughan will be promoted by a sale of the same, the Court doth further order, adjudge and decree that unless, the said Sally A, Margaret M, Martha L, & Elbert J Lawrence, or some one for them shall pay, to the said Lucinda J Vaughan or her legal guardian, the sum of money ~~aforesaid~~ with interest on or before the 1st day of December next, that the said Archibald Fowler who is hereby appointed a Commissioner for such purpose, after having advertised the time and place of sale, for at least twenty days, at the door of the Court House & three public places near the premises, sell, at public auction, to the highest bidder, the said tract of Land, on a credit of six months, (& as much as may be required to pay the expenses of this suit and sale, which may be in Cash) for the said balance, taking a bond with good security & retaining also a lien on the premises: and report to this Court an account of his proceedings, in order to other & further order in the cause - but this decree is to be suspended, till the said Fowler execute a bond, with sufficient security, before the Clerk of this Court, in the penalty of $1000. conditioned according to Law. &c -

Vaughan
v
Vaughan

Levins
Oct. 5-55

To be entered
R. K. 12.
Oct 20. 1855.

Ent.

11

At a Circuit Court held for the County of Isle of Wight on the 16th day of May 1855.

At a Circuit Court Continued and held for the County of Isle of Wight on the 17th day of May 1855.

Lucinda J Vaughan an infant who sues by Archibald Fowler her next friend and Caroline Vaughan Plffs

against

Elbert Vaughan, Sally Ann Marshal Louisa Lawrence, Margaret Mariah Lawrence and Elbert John Lawrence last 3 infants Defts

This Cause Came on this day to be again heard on the papers formerly read and on the report of Comr. Baker, pursuant to a decree entered on the —— day of October 1854, on Consideration whereof the Court without at this term deciding upon the propriety of the said report, doth adjudge order and decree that the said report be recommitted to the same Commissioner for re examination and report, according to the principals settled by the decree aforesaid. & make report

A Copy
Teste

F. C. Latimer DC

Commissioners office Aug. 8th. 1855.

The pltffs. and defendants in the above decree are duly notified that I have appointed the Wednesday the 5th of Sept. to take, at my office at Isle of Wight Court house, the accounts required by the above decree, when they will attend.

N. P. Young Com.

I acknowledge the Service of the within Summons

Elbert D Vaughan

I acknowledge the Service of the within Summons

Archabald Hunter

Vaughan
vs
Bell & Jones
Vaughan Dec.

Note!

Should the decree authorizing the Commissioner to execute a deed to the Purchaser, or not, on the payment of the payment of the Amount of the bond?

Lucinda A Vaughan pr fri

vs Decree

Vaughans & als.

This Cause came on again to be heard on the papers formerly read, and the Report of Commissioner A. Fowler, made in pursuance of the decree herein entered on the 20th day of October 1855, to which no exceptions having been filed, and was argued by Counsel, On Consideration whereof the Court ~~doth~~ confirms said Report ~~and the Court~~ executed by Elisha Fowler Esq. bearing date 23d Oct. 1855 & doth order, adjudge and decree, that the bond for $272.54, in the said Report mentioned, be delivered by the Clerk of the Court, to the said Lucinda A Vaughan, or her legal guardian, upon his ~~filing with~~ leaving a receipt for the same to be filed among the papers in this Cause - and that the plff recover of the defendant Elbert Vaughan her costs in this behalf expended, and the Court doth further ~~including the sum of $10 dollars for the conveyance heretofore executed~~ ad: as &c: that A. P. Garey a special Comr. hereby appointed for the purpose, upon the delivery of the said bond as aforesaid convey the tract of land in the said Report referred to, by a good and sufficient deed to Elbert Vaughan ~~the~~ purchaser thereof

Vaughan pr/s'
vs Deane.
Vaughan 033

To be entered
R. W. Baker
Oct. Co. 1856.

Vaughn
v.
Vaughn.

Notes -

At the last Term, the Bill was dismissed as to several of the parties, with leave to amend and to make new parties - This has been done; and the simple question is as to the Land bought with the proceeds of Jacob a negro of Jane Vaughan the plaintiff - A decree directing the Land be conveyed to Jane Vaughan is asked for: Is it proper in the same suit, or in the same decree, to direct an acct. of the transaction of Elbert Vaughan the former Guardian to Jane; and also of the transacting of M. H. Vaughan the executor of Lemd. Vaughan decd. Not being certain as to the extent of the remedy in this suit and as to these objects is, the reason why a decree is not prepared accordingly -

Vaughan vs Vaughan This cause came on this day to be again heard upon the papers formerly read, the examination of witnesses, and the amended bill taken for confessed at the rules against the defendant M. H. Vaughan admr. of Lemuel Vaughan deceased, and was argued by counsel: On consideration whereof the court doth adjudge, order and decree that a commr. of this court take an account of Elbert Vaughan's transactions as late guardian of the infant plff Jane Vaughan, and that the said commr ascertain and report to the court whether the land charged to have been purchased of Blanchard, was so purchased with the money or property of the said infant plaintiff, and report &c.

Vaughan

v

Vaughan

1 decree for settlement of Elliott Vaughan's acc^{ts}. as guardian of Sarah his ward

2. decree that Court enquire and state whether the land bought of Blanchard was or was not bought with the money or property of the said ward.

To be entered

R. H. B.

Oct. Co. '54

2

Exceptions

Dear Nat.

Enclosed is the declaration of Mountfort V. Ball fill up the blank at the bottom, with the damages as in the Summons- also in the Acc of Holland V Hedges put last with you yesterday -

In the case of Darden V Vaughan - I wish you to take evidence on these points - 1st Did the land in the Bill mentioned was bought with the money for which the negro sold - 2d Whether the interest of the infant Complainant, will be promoted by keeping the land or not - & all other matter specified in the Bill - & I would like to see the "papers" in Clayton V Summerill

Yr truly
R. H. Whitfield

I Lemuel Vaughan a native of the state of Virginia (and an inhabitant of the county of Isle of wight in said state, being weak in body, but of sound mind and memory, do make and ordain this to be my last will and testament in manner and form as followes viz:

After the payment of my just debts, I lend to my wife Elizabeth Vaughan, one third part of all my estate, for and during her natural life or widow hood, and after her death or mariage, I give the same to be ~~equally~~ divided between the following persons, and in the folowing portions, to William H. Vaughan One ninth, to Uriah Vaughan one ninth, to Lawson Vaughan one ninth, to Beverly Vaughan one ninth, to Lemuel Vaughan one Ninth, to My daughter Edith Vaughan one Ninth, to Elizabeth Vaughan one Ninth, and to my two grand Children Henry Jane Darden, Lavinia B. Darden, One ninth and to the two grandsons Beverly C Vaughan and James W Vaughan one ninth, to them and to their heirs forever.

2nd " I give to my daughter Melinda Travis One Dollar to her and her heirs forever.

3rd " I give to my said daughter Ann Vaughan the dwelling & Ellen Vaughan, the Sam Carr tract of land, with the appurtenances thereto belonging, also two Negroes, Mandy, Polly and one child named Milly, also all the stock, house hold and kitchen furniture of every description which I purchased at the sale of Elbert Vaughans property, Also One hundred dollars in cash, to her and to her heirs forever.

4th " I give to my son Uriah Vaughan the Jonas Bradham plantation, Containing One hundred and twenty five acres, more or less, to him and to his heirs forever.

5th " I give to my son Lawson Vaughan the whole of the Anna Carr tract of land also a part of the Home tract called the Buzzard pond, running from the main road along the old pathway to the Moses Scott tract of land, to him and to his heirs forever.

6th " I give to my son Beverly Vaughan, the Moses Scott tract

tract of land, also a part of the Home tract to be cut off by running from the old path way at Lawson Vaughans Corner along the main road to the Corner of my fence, Thence along the old Darden path to Callis, to the Darden land, thence along the Darden line to the Moses Scott land as aforesaid, to him and to his heirs forever.

7th I give to my son Samuel Vaughan all the residue of My Home tract of land with the appurtenances thereunto belonging to him and to his heirs forever.

8th I give to my two grand sons Beverly R. Vaughan and James M. Vaughan the tract of land called the John Roe tract, to be equally divided between them, and to their heirs forever.

9th I give to my Daughter Edith Vaughan One Negro girl named Fanny and her future increase, also I give to my daughter Elizabeth One Negro girl named Alsey and her future increase, to them and to their heirs forever.

10th All the residue of my estate of what Nature or Kind soever it may be, I give to be divided among the following persons (and in the following portions, to Wm H. Vaughan one Ninth, to Uriah Vaughan one Ninth, to Lawson Vaughan one Ninth, to Beverly Vaughan One Ninth, to Samuel Vaughan One Ninth, to My daughter Edith Vaughan One Ninth, to my daughter Elizabeth Vaughan one ninth, and One Ninth to my two grand daughters Cherry Jane & Lavina B. Darden, And one Ninth to my two grand sons Beverly R and James M. Vaughan, to them and to their heirs forever.

11th I hereby appoint my son Elbert Vaughan to be the lawful guardian of my grand daughter Jane Vaughan, with a request that the court take his bond, as such, without being required to give any security, Lastly: I hereby Nominate and appoint my friend William M. Jones and My son Wm H. Vaughan the lawful executors of this my last will and testament, hereby revoking and annulling all other or former wills and testaments by me heretofore made. In witness whereof the said Samuel Vaughan hath hereunto set his hand and seal the eleventh day of July A. D. 1845. Signed, Sealed, and acknowledged to be the last will and testament in the presence of

Archibald Fowler
William G. Bradshaw
Henry M. Daughtry

Samuel Vaughan (Seal)

In Isle of wight County Court September Tt. 1845 The foregoing last will and testament of Samuel Vaughan decd. was proved by the oaths of Archibald Fowler, William G. Bradshaw and Henry M. Daughtry the witnesses thereto, and ordered to be recorded, and William H. Vaughan qualified as executor.

A Copy.

Teste N. P. Young cc

Lemuel Vaughan's

Will

"A." Copy

In the County Court of Isle of Wight County
September first 1845.

On the motion of Elbert D. Vaughan, who is, by the will of Kemuel Vaughan dec'd, appointed guardian of Lucinda Jane Vaughan & he doth assume upon himself the guardianship aforesaid, and thereupon, he gave bond (without security as directed in said will) in the penalty of $1500. Conditioned according to law.

Test

T. J. Young cc.

Edward Vaughan

gor. of Davinder Jean

Vaughan

Exhibit "B" with Bill

of Review.

In the County Court of Isle Lafayette County

December 3rd. 1833.

Lucinda Jane Vaughan, daughter of Elbert D. Vaughan, made choice of Archibald Fowler as her guardian; and thereupon, with William H. Lawrence his security, who justified, they entered into and acknowledged their bond in the penalty of $1200. conditioned according to law.

A Copy.

Test A. P. Youngs

Archd. Foster gdn.
of Lucinda L. Vaughan
et al
order

Exhibit "C"

This Deed made the 24th of September in the year of our Lord. One Thousand Eight hundred and fifty three, Between William Blanchard of the County of Isle of Wight and State of Virginia of the one part, and Lucinda Jane Vaughan, Sally Ann Martha Louisa Lawrence, Margaret Mariah Lawrence, Elbert John Lawrence, of the County and State aforesaid of the other part, Witnesseth, That in consideration of three hundred dollars in hand paid the said William Blanchard for himself, doth grant unto the said Lucinda Jane Vaughan, Sally Ann Martha Louisa Lawrence, Margaret Mariah Lawrence, Elbert John Lawrence. a certain tract or parcel of land lying in the County of Isle of Wight and State of Virginia, and bounded by the lands of the said William Blanchard, Wiley Councill & the Kinsale Swamp, Containing by estimation One hundred and Thirty Seven acres, be the same more or less, The said William Blanchard Covenants that he will warrant generally the property hereby conveyed, witness the following Signatures and Seal. Dated the day and year above written.

Signed in the presence of
B. A. Vaughan
George W. Holland
W. H. Lawrence

W. Blanchard Seal

In the clerks office of Isle of Wight County Court Oct. 19th 1853. This deed was received, and was proved by the oaths of B. A. Vaughan and William H. Lawrence two of the witnesses thereto, and was ordered to be recorded.

Teste

W. E. Lawrence

Wm. Blanchard

to

Deed

Lucinda L. Vaughan +
others.

A Copy.

Exhibit with Bill
"D"

Elbert L. Vaughan

To W. J. Galling

1852			
Aug 19	Visit woman Sally	2	00
" "	Son Lemuel		75
" 20	Visit "	2	00
" 21	Visit "	2	00
	Medicine for child		50
		$7	25

Received by order on
Thomas Perkins for payment
W. J. Galling

1846 May 2 Jane Vaughan. To the com. of the R. Dr.
Transferring 104 acres of land by will 75

Abr. Vellines

In the Circuit Court of Isle of Wight County Octo. 19. 1854.

Lucinda Jane Vaughan an infant who sues by Archibald Foster her next friend ~~as Cordin Vaugh~~ Plaintiffs

Against

In Chancery

Elbert Vaughan, Sally A. M. C. Laurence, Margaret M. Laurence, Elbert J. Laurence (last three infants) and William H. Vaughan sons of Samuel Vaughan Defendants

"The Court doth adjudge order and decree that a Commissioner of this Court take an account of Elbert Vaughan transaction as late guardian of the infant plaintiff Jane Vaughan; and that the said Commissioner ascertain and report to the Court whether the land charged to have been purchased of Blanchard, was so purchased with the money or property of the said infant plaintiff, and make report."

Extract from decree

Test N. P. Young D.

The plaintiff and defendants in the foregoing decree are hereby notified, That I have fixed upon the 14th. day of March next if fair, if not, the next fair day thereafter (Sundays excepted) to take and settle in my office, at the Courthouse of Isle of Wight County, the account mentioned in the annexed extract of decree, and also to take evidence to enable me to make any other report in said decree required. at which time & place you are required to attend.

Given under my hand, as Commissioner in Chancery of the said Court this 8th. day of February 1855. at my office.

N. P. Young Com.

We acknowledge Service of the within notice

Arch.d Fowler.
Elbert D Vaughan

Vaughan v. Ld.
in. Ej Notice
Vaughan &c.

In the Circuit Court of Isle of Wight County octo 19-1854
Lucinda Jane Vaughan an infant who sues by archibald
Fowler her next friend plaintiff against } In Chancery
Elbert Vaughan Sally. A. M. L Lawrence Margaret. M. Lawrence
Elbert. L. Lawrence (last three infants) and William. H. Vaughan
admr. of Samuel Vaughan . . . Defendants the Court doth
adjudge order and decree that a Commissioner of this Court take
an account of Elbert Vaughan transactions as late guardian
of the infant plaintiff Jane Vaughan and that the said
Commissioner ascertain and report to the Court whether the land
charged to have been purchased of Blanchard was so purchased
with the money or property of the said infant plaintiff and make
Report

Extract from decree
Teste N. P. Young cc.

The plaintiff and defendants in the foregoing suite are hereby
notified that I have fixed upon the 14th day of march next if
fair if not the next fair day thereafter (Sunday Excepted) to
take and settle in my office at the courthouse of Isle of Wight
County the accounts mentions in the annexed extract of decree
and also to take order and decree to enable me to make any other
Report in said decree required at which time and place
you are required to attend given under my hand as
Commissioner in Chancery of the said Court this 6th day of
February 1855 at my office

N. P. Young Comr.

E. D. Vaughan
notice

Vaughan

v. } Com^l. Bond

Vaughan Adm^r

Nov. 5th 1855 Executed
& filed Security justified.

N. P. Conrad

KNOW ALL MEN BY THESE PRESENTS, *That we,* Archibald Fowler and Irvin W. Duck

are held and firmly bound unto the Commonwealth of Virginia in the sum of One Thousand Dollars. ——— to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this fifth day of November, in the year of our Lord, one thousand eight hundred and fifty five

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the Circuit Court of Isle of Wight county pronounced on the 20th day of October 1855 in a cause depending in the ~~said~~ Court in which Lucinda Jane Vaughan an infant who sues by Archibald Fowler her next friend and Caroline Vaughan ——— plaintiff, and and Elbert Vaughan, Sally A M L Lawrence Margaret M. Lawrence and Elbert John Lawrence the last three infants ——— defendant, the above bound Archibald Fowler ——— was appointed a special Commissioner ~~to~~ after having advertised the time & plan of Sale for at least 20 days at the door of the court house & at other public places near the premises, Sell at public auction, to the highest bidder on the premises the said tract of land, on a credit of six months (save so much as may be necessary to pay expenses of the Suit & Sale, which may be in cash) taking bond for the net balance with good security and retain also a lien on the premises: and report to the court and account of his proceedings returning the bond with his report in order to ~~finally decree~~ further and other order in the Cause.

Now if the above bound Archibald Fowler ——— shall faithfully discharge his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered in the presence of
A. P. Perry cd.

Arch.d Fowler L.S.

L.S.

L.S.

Vaughan

Rule v. Com.

v. A. Fowler

Vaughan &c.

To Oct. 1856.

Whittle.

Executed and

a true copy

delivered D.

J. Hall

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Archibald Fowler

to appear before the Judge of the Court Court of the county of Isle of Wight aforesaid, on the first day of October Term next, to show cause why ~~an Information should not be filed~~ he should not be attached for failing to return a writ of ~~against~~ ~~in said Court, on the~~ day of ~~, 185 , on a presentment~~ ~~for~~ a dower procured in said Court at October term 1855, appointing him a Commissioner to allot certain lots in said dower mentioned in the suit of Amanda J. Vaughan v. Elbert D. Vaughan &c.

and have then there this Writ. *Witness*, NATH'L. P. YOUNG, Clerk of our said Court, at his Office, the 25th day of May, 1856, and in the 80th year of the Commonwealth.

N. P. Young cd.