1872-019 Chancery Causes: John B. Norfleet, for +c + Michael Folk vs Mallory Vaughan's admr
Isle of Wight County + al

other SURNames: Ashburn, Uzzle, Kirby, Uzzell, Butler, McClenny (E Rawls + Company), Rawls, Purvis

Kilby p. v.

James B. Norfleet &c.

vs } Chancery Papers

Alex. N. Ashburn adm. of Mallory Vaughan dec'd and others.

1866.

Sept. Term 1866. Bill &c. filed. Sum. exp'd on def'ts. & return'd Sum. ad lib. issued & ret'd. ad lib. assign'd to Kelly. Ans. filed & sup. cross bill filed. Replic. to Ans. & cross bill filed. Testimony taken & filed.

Oct. Term. Bill to be taken pro confesso as to cross bill.

Oct. Term 1866 - Decree pro ass.

April 15. 1867 Rebut. filed

May 1867 - Continued.

Oct. " Decree for Cr. Pl.

May 1868 - Cont'd.

J. of 10th Cir. Ct.

Oct. 1868 - Cont'd

May 1869 - Decree for Def'ts

Oct 1869 - Cont'd

Remanded to this Ct.

Acts 1870. Summer
distribution &c.
Apl. 1871. Cond.
Acts. 1871 - Cont.
Apl. 1872. Final
decree

Kelly p. v

Jas. B. Norblet sol.

v. } Bill

Alexander D. Ashburn
adm of Mallory Vaughan
dec'd. sol.

1866.
Sep. rules Bill to be filed

Cir. ct. of St. Ob. Co.

be applied to your Complainants demand—
That the said Mallory Vaughan is justly
indebted to your Complainant, James B.
Moffett the sum of $145.97, with Interest
from the 18th day of May 1861., as will appear
by an account filed herewith marked (D)
Your Complainants pray that Dower in said
Land may be assigned to Mrs. Elizabeth Vaughan
widow of said Mallory Vaughan dec? or that she
may be paid in fee simple a sum equal to
the value of her Dower therein, if she shall
prefer to accept the same, and that if required
to pay your Complainants demand, that the Land,
aforesaid may be sold for that purpose—
In consideration whereof, and as this Court
has jurisdiction to grant all proper relief. To
the End your Complainants may, that Alexander
D. Ashburn administrator of Mallory Vaughan dec?
Elizabeth Vaughan (widow), William Uzzle
and Texana his wife, Sarah Ann Vaughan,
William Vaughan & Thomas Vaughan, the last
two Infants, & the unknown Legatees of Joseph
Vaughan dec? may be made defendants hereto,
and be required to answer the allegations herein—
and that the several prays of your Complainants
may be granted, and that all further relief
may be granted consistent with Equity &c
John R. Kilby p. q.

Augustus Outland, Meredith Butler & others —

That the said Mallory Vaughan left as his heirs and distributees, his widow named Elizabeth, and Eight children, to wit: Zephaniah; Joseph; Francis; William; Thomas; Sarah Ann; Texana, & Mallory —

That Zephaniah died after his father and over twenty one years of age; That Joseph died next, over twenty one years of age, & whilst in North Carolina, & as your Complainant learns made a will which was proved in one Court in North Carolina & giving his estate to some person or persons unknown to your Complainant;

That Francis has also died, under twenty one years of age: That Mallory has also died under twenty one years of age — That Texana is now the wife of Wm Wyllie — That William & Thomas are alive & under twenty one years of age — That Sarah Ann, being indebted to your Complainant Michael Volk has given him an order for $176, which she designed should be paid out of her part of said estate & which your said Complainant (Michael Volk) prays may be done), an order filed herewith marked (C),

Your Complainant prays that the accounts of Alexander D. Ashburn as adm. aforesaid may be duly settled, and that any Balance he may have in his hands may

To the Hon: Richard N. Baker, Judge of the Circuit Court of Isle of Wight County, in Chancery sitting — Complaining shew unto the Court, your Complainants, James B. Norfleet, who sues for himself and all other creditors of Mallory Vaughan dec'd. (and Michael Folk.

Your Complainants respectfully represent to the Court and say, that the said Mallory Vaughan died on the day of in the year , in the County of Isle of Wight, Intestate, (and that Alexander N. Ashburn duly qualified as his administrator in the County Court of Isle of Wight County, on the 7th. day of Octo. 1861 and took charge of his personal & Chattle estate, and has proceeded to administer the same, and has, had made out by a Commissioner of said Court, an account of his transactions as such, which your Complainants are willing to accept, so far as they are concerned, as prima facie correct — A copy of which account is filed herewith as also a copy of the order of Court granting such administration and are marked A. & B.

That the said Mallory Vaughan, died possessed of the following real estate to wit: (1st) A tract of four hundred acres, adjoining the lands of Anthony Parsons, Joseph Johnson, Miles Crumpler & others; (2d) A tract of one hundred and sixty acres, more or less, adjoining the lands of

Inflict &c.

v

Vaughan's adm'r &c

answer of
Infant defts.
by G.L. ad litem

The Joint and separate answer of William L Norman Vaughan, infants under 21 years old, by A. P. Young, their guardian ad litem, to a Bill in Chancery filed in the Circuit Court of Isle of Wight County by James B. Noblett &c. against Alexander H. Ashburn adm'r. of Mallory Vaughan dec'd. &al.

These Respondents say, that so far as they know or have any reason to believe, the facts set forth in the said Bill, are true, But being infants and ignorant of what is best for them, they can neither admit or deny the same, and they submit their rights in the premises to the Court & pray that no order or decree may be made inconsistent with the same.

Signed

Sept. 3rd 1866. Jno. N. Pegram made oath before me this 3rd day of Sept. 1866 that a copy of this summons was delivered to each of the adult defendants named in this summons.

John N. Pegram

Sworn to before me

N. A. Young C.C.C.

Jas. B. Neff Ctk

vs. } Sum. in

} Eq.

C.

A. M. Aulebaugh

& M. M. Vaughan

vs.

In Sept. Rule 1866

ret. ct.

Fidler Sq.

The Commonwealth of Virginia,

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

We command you to summon Alexander D. Cushman admr. of Mallon Vaughan dec'd, Elizabeth Vaughan (widow) William Uzzell & Jeryan his wife, Sarah Ann Vaughan, William Vaughan & Virginia Vaughan (the last two being infants & the two former legatees of Joseph Vaughan dec'd.

to appear on the first Monday in September

next, (being Rule day), at the Clerk's office, of the Circuit *Court for the County of Isle of Wight, directed to be holden at the Courthouse thereof, to answer* the bill in Chancery of James B. Mayhew who sues for himself & all other creditors of Mallon Vaughan dec'd. who may come in & contribute pro rata on the general terms

and have then and there this writ.

Witness, Nathaniel P. Young, Clerk of our said Court, this 31st *day of* August *1866, and in the* 91st *year of the Commonwealth.*

N. P. Young Cl'k

[A copy to be delivered to each defendant.]

Norfolk

S. Yaffort.

Vaughan

James B. Norfleet &c

vs.

A. N. Ashburn adm of Mallory Vaughan
dec'd & others.

This day John R. Kilby atty. for the
plaintiffs being duly sworn says that he has
heard & verily believes that the Unknown Legatees
of Joseph Vaughan dec'd is a non resident of
Virginia.

Signed

John R. Kilby atty
for Plt.

Sworn to before me
3rd Sept 1866.
H. P. Youngblood

Clerk will issue ord. of Pub. sent to
"Norfolk Virginian" by Wednesday, or I can
get published in time for Ct. mark my
name on left, at bottom / John R. Kilby p. q.

Inbleet &c

v

Vaughan adm &c

affidavit for
ord. of pub.

Inslent &c.

v.

Vaughans adw.

being this day sworn, says he has heard Rebecca that Joseph Vaughan a son of Mallory Vaughan dec'd, died over 21 years of age, in North Carolina & made advice disposing of his whole estate, but to whom he knows not.

signed

Furnished Tom Vaughan

To clothes to amt	$9.50
To 12½ mo board.	$100.00
	$109.50

Furnished Wm Vaughan

To Clothes to amt. of	14.00
" board	100.00
	$114.00

Furnished Malory, Vaughan

To clothes to amt	4.25
" Cash to buy clothes	25.00
	$29.25

Thomas Langham

1864

To Ashburn Arnold Dr.

Oct	10	To 1 3/4 yds Jaconet Muslin		1 33	
		3/4 yds Nainsook	9	1 13	2 46
	24	2 yds Cotton,			38
Nov	3	1 " Cloth,			7 50
		" 12 yds Linen	@ $10		120 00
					$131 96

Wm Vaughan

1862 — Wm Auburn & Watkins

Oct 11	17	½ [illegible]			87
		" 2 [illegible]			75
1862 Jan	1	" Cloth for pants	3	12	
		" 2½ yellow Cotton	2	50	
		" 1½ yd cloth for jacket	2	25	
		" Lining cloth	1	75	
		" [illegible]		50	
		" 12 yds board @ $10	120	00	134 00
					$155 62

Mary Hampton Jr.

1861 To Ashburn & Co

Dec ½ lbs Sanford's
" 1 lbs Rocks
" 1 lbs Shot
" 22 lbs Caps @ 6 1 32
" Cash to buy Caps 1 12

Furnished Sarah Vaughan

L to Cash $50.00

Rec'd. of A. H. Ashburn
Admr. of my Father, Mark
my Daughters Dist. Fifty
Dollars, to buy Clothes
with. given under my
hand this 16th day of
Jany 1864 I agree for
the above and to be
deducted from my part
of the Est.
Wit

Sarah A Vaughan
Wells Vaughan

Sarah Vaughan

Mrs E Vaughan

ape

Miss Elizabeth Vaughn

1861 To S. L. Davidson

Dec 30 ½ 2 Hats ⅞ ⅛ 2 75

1867 March 4 Rec'd Payment S. L. Davidson

per J. E. Nelson

Rhodes for Com
to
Mr Cunningham

Mr. A. H. Acheson

1863 Co. I. 4th Reg.

Nov. 2d 1 bbl com for Mrs Elizabeth Davidson $60.00

Nov 8th 1864 per Thos H Rhodes

Rec pay

Mr Vaughan (widow)

Statement of what I have furnished

1863 To cash — $150.00

" 65 C. G. Harden for Hay 2.75

" J. H. Rhodes for 2 bbls corn 60.00

" Jno R Watkins for carrying 10 bu corn 5.00

217.75

Miss Lyanna Vaughan

1864 To S G Darden

Jan 26	To 3 yds calico	34.50
	" 4 Spools cotton	10 00
	" 1 Coarse comb	3 00
	" 1 pumice	1 50
	" 1 cake B.B. Soap	2 50
	" 1 roll Tape	1 25
	" 1 cake whiting	1 00
	" ½ quire paper	1 25
	" 1 pk Envelopes	2 00
	" 1 Steel pen	25
	" 1 paper pins	3 00
		60.25

Rec'd pay't of A.N. Atchison Admr of
Mrs Lyanna Vaughan dec'd.
S. G. Darden

Furnished Texarkana Gaughan—	
Cash to buy clothes	20.00
Do 1 pr shoes—	2.50
" cash to L.G. Darden. for hire of clerking	60.25
	$82.75

Lay Donation
£52.15-

Lyceum Vaughan

1862 — To Cabinet Making,

Oct. 1 To Mirror — 2 50

Oct. 26 To Curtain Hangings Cedar — 20 00

" Cost of Window Fixtures — 00 85

$ 23 35

Jeanna Vaughan

Decr. 27th 1781 Rec'd the within Sum of Two Hundred
Dollars of Mr. Ashburn Admr. of Dalby Carham
Abram, S. Johnston

Malory Vaughans Est

1861 / to Abram Johnson &

2 6 3/4 Gals of whiskey at 3/ £ 33/

" 2 lbs Sodalon plantains 6/ 20

" 2 1/2 lbs of black peas 6/ 25

By cradles .30 7.87

Bal Due 2.37

7.07

Sworn to before me this 24 Dec 1863

by Abram Johnson & Mack

A. H. Ashburn
Adm.
£1.5D

1862. A. H. Ashburn & Wm. Vaughan

To the Col'n. of Lots of Wright & C. Co

Feb: Filing Recd'g. act. of Lots. $1.50

A. P. Gurney Co.

A. H. Ashburn
Adv.
Ac. 25

Pa'd
O. J. Abernethy
Atty

1861 Alex. H. Ashburn adm. of Mallory Vaughan
To the Clk. of Isle of Wight Co. Ct.

Dec. Qualfd. on his est. Recg. bond $1 45

Nov. Filing Recd. appraisl. 80

A. P. Young Co. $2 25

M. Vaughan, Esq
Acct #2035

Mrs Mahy Vaughan

1861	To A & Pell	Dr	
May 3	" makeing Coffin		18 00
17	" " 3 Sleeves		25
	" Set 2 weed hoes		10
31	" lay 2 P Shoes		2 00
			$, 20,35

Rec't Payment
Vaughan & Pell

Malory. Vaughan

#19.90

11. Mr Mallary Vaughan & 2 Sons.

1861. *To T. J. CLEMENTS, Sheriff of Isle of Wight County,* *Dr.*

To tax on 394	acres land, value $1669 50	6	68
" " 1	white males over 21, at 80cts.,		80
" "	free negroes " " at 80cts.,		
" " 3	slaves over 12 at $1,20,	3	60
" "	personal property, moneys, &c., value $355 -	1	42
" 3	county levies, at $1,08, (white)	3	24
"	do do " (F. N.)	.	.
" 2	do do " (slaves)	2	16
" Clerk's fees, $	...Commissioner's fees, $ ...		
" Militia fines,		2	00
		$19	90

Received payment, of A D Ashburn Admr
Thos J Clements Shff

James Vaughan
#2
Capt Says Co

Isle of Wight County, October the 20th 1850

First Battalion Court of Enquiry for the 29th Regiment.

Ordered that James Vaughan Esq be fined for not attending Muster on the 28th of April 1850

James Mills Clerk.

Norfleet

v.

Vaughan

Commissioner's Office, Isle of Wight Court House,

January 26th 1867

To James B. Norfleet, A. H. Ashburn adm's Elij.ª Vaughon Wm. Uzzell & Teyonna his wife & Sarah ann Vaughon & others

You are hereby notified that I have fixed upon the 28th day of February next, if fair, if not, the next fair day thereafter, (Sunday excepted), to take and settle, at my office, the following accounts:

First — An account of the transactions of Alexander H. Ashburn as adm.r of Mallory Vaughon dec'd.

Second — An account of the outstanding debts due by Mallory Vaughon dec'd. or his estate & their dignity.

Third — An account of the real estate of said Mallory Vaughon dec'd. & the fee simple & annual value of said land, and

Fourth — That the commissioner enquire whether the sale of said lands should be made to pay such outstanding debts, or whether a sale for partition among the heirs of said Mallory Vaughon dec'd. is desirable or not.

required to be taken by decree of Isle of Wight Circuit Court, rendered on the 19th day of October 1866, in a suit in Chancery depending in said Court, between James B. Norfleet who sues for himself & all other creditors of Mallory Vaughon dec'd. who may make themselves parties, plaintiff, & A. H. Ashburn adm.r of Mallory Vaughon dec'd., Elij.ª Vaughon widow Wm. Uzzell & Teyonna his wife, Sarah ann Vaughon Wm. & Thomas Vaughon (the last two infants) Defendants

at which time and place you are required to attend.

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

N. D. Young Com'r.

A copy. Teste

N. D. Young Com

Commissioner's Office, Isle of Wight Court House,

Jany 26th 1867

To James B. Norfleet, A. H. Ashburn admr, Eliz.a Vaughan, William Iggulden & Teresa his wife & Sarah Ann Vaughan & others

You are hereby notified that I have fixed upon the 28th day of February next, if fair, if not, the next fair day thereafter, (Sunday excepted), to take and settle, at my office, the following accounts:

"First, An account of the transactions of Alexander H. Ashburn as admr. of Mallory Vaughan decd.

Second—An account of the outstanding debts due by Mallory Vaughan decd, or his estate & their dignity.

Third—An account of the real estate of said Mallory Vaughan decd, & the fee simples & annual value of said land, &

Fourth, that the commissioner enquire whether the sale of said lands should be made to pay such outstanding debts, or whether a sale for partition among the heirs of said Mallory Vaughan decd, is desirable or not."

required to be taken by decree of Isle of Wight Circuit Court, rendered on the 19th day of October 1866, in a suit in Chancery depending in said Court, between

James B. Norfleet who sues for himself & all other creditors of Mallory Vaughan decd, who make themselves parties, pltffs: & A. H. Ashburn admr. of Mallory Vaughan decd, Eliz.a Vaughan (widow) Wm. Iggulden & Teresa his wife: Sarah Ann Vaughan, Wm. and Thomas Vaughan (the last two infants) Defts.

at which time and place you are required to attend.

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

N. D. Young Com'r.

A copy. Teste,

N. D. Young Com.

to the credetors of Mallory Vaughan decd. at the door of the Courthouse of said county on two successive County Court days - informing them that he had appointed the 28th. of February 1866 to take the report at his office the accounts required to be taken by the decree, he proceeded to take the same, but in consequence of the absence of necessary information was forced to continue the same from time to time until the date of this report, when the same were completed, and are here annexed marked

A. A. B. C. Account "A." of the Transactions of A. M. Ashburn as the administrator of Mallory Vaughan decd: shows that, on the 6th day of October 1865, there was a balance in the hands of the administrator of $796:44 of principal and $109.71 of interest, making $906.15. which balance is composed of assets, which came to the hands of the administrator in the due course of his administration, & with the exception of bonds amounting to $777.6 uncollected & one note in the hands of the administrator, in such Treasury notes (as per annexed statement X. except what has been disposed of by him, as will be seen by the annexed distributive account, and accounts of advancements made to the widow & surviving children / which later accounts are made at the request of Comm.r and are marked respectively - D. E. F. G. H. I. K.

B. Account B. shows the amount of debts found against the estate of Mallory Vaughan decd. amounting to $262.75

C. Account C. is of the real estate of Mallory Vaughan decd and shows the fee simple value thereof to be $1669.50, being the value at which the same is appraised on the Commissioners land book of the county, and the annual value, from the best information to be procured to be $25.00 - As this land is yielding nothing, comparatively, to the parties interested therein, and is, from the best information your commissioner can obtain, becoming less valuable every day, your Commissioner reports that he is of opinion the interests of the parties would be most promoted by a sale thereof; but he is unable to report whether the parties desire a sale or partition thereof, from the fact that they have left the county & he has not been able to ascertain their present place of abode.

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

J. P. Young Comr.

Commissioners fee, for
Dipping notice, making & settling
accounts $19.60

An account of the outstanding debts due by Mallory Vaughan dec'd. or his estate, and their dignity.

	1 st. Class- None			
	2 nd. Class- None			
	3 rd. Class-			
1C	An account due to James B. Norfleet the 18. May 1861 for	145	97	
	Interest thereon to 15. May 1867	52	60	198 57
K	An account due to Wm. R. Butler the 18. June 1861 for	34	47	
	Interest thereon to 15. May 1867	12	23	46 70
L	An acct. due to Jno. D. McClenny 1 Jany. 1861	12	50	
	Int. thereon to 15. May 1867	4	78	17 28
				$ 262 55

An account of the real estate of Mallory Vaughan dec'd. and the fee simple and annual value thereof.

A tract of 175 adjoining A. Person's Est. valued in fee simple at	525	00
A tract of 222 acres " Do. " " " "	999	00
A tract of 97 " " Stephen Holland " " "	145	50
Total fee simple value	$ 1669	50

Annual value of said land, estimated at . . $ 25 00

Commissioners Office, Isle of Wight Courthouse.
April 4th. 1867.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the Circuit Court of Isle of Wight County rendered on the 19th. day of October 1866 in the suit therein pending between James B. Norfleet & Michael Holt complainants, and Alexander H. Ashburn administrator of Mallory Vaughan dec'd; Elizabeth Vaughan widow of said Mallory Vaughan dec'd. and others defendants, and to the undersigned one of the Commissioners of said Court directed. Your Commissioner reports that, after issuing notices to the parties according to law, and which were duly served or acknowledged; and after stating notice

H

Dr. William Vaughan orphan of Mallory Vaughan dec'd.
In account with A. H. Ashburn adm'r. of said M. Vaughan dec'd.

1863					
Jany. 1865 Octo.	To paid your board & clothing 12 mos. in Confd. Money	135	62		
"	" interest on said advancement	22	37		
"	By your distribution share of father est. Confd. Money			75	57
	Balance due A. H. Ashburn in Confd. Money			82	42
		$157	99	$157	99

G.

Dr. Thomas Vaughan orphan of Mallory Vaughan dec'd.
In account with A. H. Ashburn adm'r. of said M. Vaughan dec'd.

1863					
Jany. 1865 Octo. 6	To paid your board & clothing in Confederate Money	132	70		
" "	" interest on said advancement	21	89		
" "	By your distribution share of father's estate			75	57
	Balance due A. H. Ashburn in Confederate money			79	02
		$154	59	$154	59

H.

Dr. Sarah A. Vaughan orphan of Mallory Vaughan dec'd.
In account with A. H. Ashburn adm'r. of Mallory Vaughan dec'd.

1864					
Jany. 6 1865 Octo. 6	To Cash advanced you per receipt in Confederate money	50	00		
" "	" interest on same to date	5	20		
" "	By your portion or distribution share of father's estate			75	57
" "	To balance due Sarah A. Vaughan	20	26		
		$75	51	$75	57

I.

Dr. Tescanna Vaughan orphan of Mallory Vaughan (Now wife of [illegible])
In acct. with A. H. Ashburn adm'r. of Mallory Vaughan dec'd.

1862					
Apl. 1864	To Cash advanced for Clothing, for you, in Confd. money.	82	75		
Jany. 1865	" Do. " " Do. " " " Do.	60	25		
Octo. 6	" interest on $82.75 from Apl. 1862	16	95		
	" " " $60.25 " Jany. 1864	6	30		
" "	By your distribution share of father's est.			75	57
	Balance due A. H. Ashburn in Confederate money			90	74
		$166	25	$166	25

K.

Mallory Vaughan orphan of Mallory Vaughan dec'd.
In account with A. H. Ashburn adm'r. of M. Vaughan dec'd.

1862					
Dec. 1865 Octo. 6	To paid for Clothing for you, in Confederate money	29	24		
" "	" interest on same to date	8	33		
	Balance due Mallory Vaughan in Confederate money	37	94		
" "	By your distribution share of your father's estate			75	57
		$75	51	$75	57

A.

Dr. The Estate of Mallory Vaughan dec'd:
In account with Alexander H. Ashburn his administrator.

1864						
Nov.	To said Haines & Peele act. omitted heretofore			20	35	
"	" Shff. of Isle of Wight taxes for 1861			19	90	
"	" Absa: Johnson act. omitted			2	57	
1865 Octo. 6	" Balance due the estate of principal & int.			796	44	109 71
1864				$839	26	$109 71
Octo.	By balance due the estate in Confederate money as per report made to the County Court (Pri. & Int.)			839	26	59 36
1865 Octo. 6	" interest on $839.26, the above princ., one year					50 35
				$839	26	$109 71

D.

Distributive account.

1865					
Octo. 6	By balance of principal, in Confederate Money, hereto fore				796 44
"	balance of interest, " " " " "				109 71
					906 15
	To Eliz.th Vaughan, widow, portion of same	1/3	302	05	
	" Nephaniel Vaughan, a son, " " "	1/8 of 2/3	75	51¼	
	" Joseph Vaughan (") " " " " "		75	51¼	
	" Francis Vaughan (") " " " " "		75	51¼	
	" William Vaughan (") " " " " "		75	51¼	
	" Thomas Vaughan (") " " " " "		75	51¼	
	" Sarah A. Vaughan (daughter) " " " " "		75	51¼	
	" Texanna (now the wife of Wm H. Wyatt) " " " "		75	51¼	
	" Mallory Vaughan (son) " " " " "		75	51¼	
			$906	15	$906 15

E.

Elizabeth Vaughan widow of Mallory Vaughan dec'd:
In account with Alex. H. Ashburne admr. of said M. Vaughan

1863				
Octo.	To Cash paid on your order, in Confederate Money,	150	00	
"	" paid J. H. Rhodes for corn for you " "	60	00	
"	" " Jno. R. Watkins hauling corn " "	5	00	
1865 Octo. 6	" interest on said advancements 2 years	25	80	
" "	" Balance due E. Vaughan in Confederate money	61	25	
" "	By your distributive share of husbands est. as above			302 05
		$302	05	$302 05
1867	To paid S. G. Darden for you in good currency	$ 2	75	
"	Balance due A. H. Ashburn in good Currency			$ 2 75

to Court with any matters Specially Stated deemed pertinent by him or that any of the parties may be required to be so Stated

Test. N. P. Young Clk.

Montfort Hale.

Copy Decree

Consd. Defdt

vs

Vaughan Hale.

Notice of 26th Jany. 1867

to 28th Feby. 1867.

and for a T. of Cause as

moved.

Return of Com'r. filed

Feb. 15. 1867.

In the Circuit Court held for the County of Isle of Wight County
October the 19th 1866.

James B Norfleet who Sues for himself & all other Creditors of
Mallory Vaughn decd. who may make themselves parties On
the usual terms

Compts

Against

In Chancery

Alexander A Ashburn Admr. of Mallory Vaughn decd. Elizabeth
Vaughn (Widow) William Wyzel & Teranna his wife Sarah
Ann Vaughn, William and Thomas Thomas the last two
infants & the unknown Legatee of Joseph Vaughn decd. Defts.

This Cause in which the plaintiff has proceeded in the Mode
prescribed by law against Absent defendants as to the Unknown
Legatee of Joseph Vaughn decd: Came on to be heard on the
Bill taken for Confessed as to the other adult defendants On
whom process had been duly executed and they Still failing to
Appear and Answer and on exhibits filed with the said Bill
and on the Answers of the infant Defendants by N. P. Young
their Guardian Ad litem and with genral Replication to
said Answer, and was argued by Counsel: On Consideration
whereof the Court doth Adjudge Order and Decree that a
Commissioner of this Court ascertain and Report:

First An Account of the transactions of Alexander A Ashburn as
Administrator of Mallory Vaughn decd.

Second An account of the Out Standing debts due by Mallory Vaughn decd.
or his estate and their dignity;—

Third An account of the Real Estate of said Mallory Vaughn decd and
the fee simple & Annual Value of said lands, and.

fourth That he inquire whether the Sale of said lands Should be made to
pay such out Standing debts or whether a Sale for partition Among
the heirs of said Mallory Vaughn decd is desirable or not & Make Report

Influenza

M.

Washam's adm

1865

Report of Com

Auburn

In the Circuit Court of Isle of Wight County.

The Undersigned Reports to Court, that pursuant to the decree of the October Term 1867 of the said Court, made in the cause of Jas. B. Norfleet &c. v. Vaughan's adm'r &c., that he has made effort to sell the land directed by said decree to be sold after advertising the same as therein directed, and has been unable to find any purchaser — That it will take all or nearly all the land of said deceased to pay his debts, and that a decree should be made to sell the whole — The Undersigned also reports to Court that he prefers not to act as Commissioner to make such sale and asks that some one else may be appointed for that purpose.

Respectfully submitted
A. H. Ashburn Com'r
P.K.
1st May 1868.

1869 Oct 4 Rec'd of John R. Kelly
Cow six dollars as cost at sale
#6. of Mallory Vaughans Lands under
Decree of Court.

T. J. Chunnett
C C

Mallory Vaughan Est-

6.81

7.88

14.69

Mr Mallory Vaughan Est

1869. To F. SMITH, Sheriff of Isle of Wight CO.

To Capitation Tax, at 60		
" County Levies, at		
" County Tax on Lands, Property, &c	1	80
" Revenue on Personal Property, Bonds, &c		
" 494 Acres of Land, valued at 16.69	5	01
Clerk's Fees, $; Commissioner's do.	6	87

Received Payment. of J R Hillyer

Sheriff.

E J Edwy *Deputy.*

Mallon Vaughan Ct
57
39 Not
v. 88

Mr. Mallory Vaughan Est

1868. **To E. L. ELEY, Sheriff of Isle of Wight Co. Dr.,**

To	Capitation Tax, 60 cents		
"	474 Acres of Land, value $ 1069		5 01
"	Ditto for county		2 60
"	County Levies at $2 05		
"	Rev. on personal property, bonds, &c		
"	Do. for county		
"	Clerk's Fees		7 81
"	Commissioner's Fees		

Received Payment of J. R. Tilley Exr

E. L. Eley D.S. *Sheriff.*

the Christian Sun a news paper published in Suffolk, and make report to Court: Taking bond and good security of the purchaser & retain the title to said lands until the further order of the Court and make report to Court. But no sale shall be made in this cause until the said John R. Kilby shall execute a Bond before the Clerk of this Court in his office, in the penalty of one thousand dollars payable to the Commonwealth of Virginia and Conditioned for the faithful execution of this decree & any other decree that may be made in this cause.

Advs. fee & tax	50.50
Cell. "	11.16
Stff.	4.50
Comm.	19.50
Costs to May 169	$85.66

A Copy.

Teste N. P. Young D.C.

Norfolk ss.

A Copy Decree
& Fi Fa Sale

Joseph Lee, a Dep. Clk.

In the Circuit Court of Isle of Wight County, May 8th 1869

James B. Norfleet who sues for himself & all the creditors of Mallory Vaughan decd. Pltf.

vs. In Chancery.

Alexander H. Ashburn, admr. of Mallory Vaughan decd. Elizabeth Vaughan (widow) Wm. Uzzell & Texanna his wife, Sarah Vaughan William Vaughan, & Thomas Vaughan (the last two infants) and the unknown legatee of Joseph Vaughan decd. Defts.

This cause came on this day to be again heard on the papers formerly read, and on the report of A. H. Ashburn made pursuant to the decree of Octo. 1867 of this Court, to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth confirm said report, and doth adjudge, order & decree that John R. Kilby, who is appointed Commissioner for that purpose, proceed to sell before the Courthouse door of said County, on some Court day, at auction on six months credit, with interest from date, except for a sum sufficient to pay the costs of this suit & expenses of sale, including a fee of fifty dollars to John R. Kilby plaintiff's attorney, which will be cash and pay to those entitled, the lands of which Mallory Vaughan died seized & possessed, or so much thereof as may be necessary for the purposes of this decree: and which lands are described as three parcels, one of one hundred and seventy acres, adjoining the lands of Anthony Person, one parcel of two hundred & twenty two acres adjoining the same, and one other parcel of ninety seven acres adjoining the lands of Stephen Holland & others, & which lands are to be sold subject to the dower therein of Mrs Elizabeth Vaughan widow of Mallory Vaughan decd. and only to be sold after the said John R. Kilby Commissioner as aforesaid, shall have given at least thirty days notice of such sale, by advertisement at the Court house door of said County, and other public places in said County, and also once a week for four successive weeks in

1870 July 22d Rec'd of the clerk of Isle of Wight Circuit Court as directed by Decree of May Term 1870 the following Bonds filed herein, to wit the Bond of Ethelred Rawls, Edward Rawls & Jefferson Parker for $40— of Jas. E. Johnson, Norris Johnson & Ralph Johnson for $530. & of Mills Crumpler, Gale Johnson & Albert B. Johnson for $140.

John R. Kilby Com'r

Complt &c
vs
Defts &
Sale

Vouchers &c.

Filed 7th 1870

By Balance brt. on $682.30

for which the following Bonds were given By Milly Crumpler, with Gale Johnson & A.B. Johnson his security, dated 4th Oct. 1869 & payable at 6 mos. Credit, with Interest from Date for $140.00

and Jas. E. Johnson, with Noah Johnson & W. Johnson his security on same terms for $530.00

and Ethelbert Rauls with Ed. Raines & Jesse Parker his security on same terms $40.00

$710.00

Balance due Jno. R. Kilby $82.30

The title to said Land retained till the further order of Court.

Respectfully submitted

John R. Kilby Comr.

To the Circuit Court of Isle of Wight County.

The Undersigned Reports to the said Court that pursuant to the decree of said Court made on the 18th day 1869 in the cause therein pending wherein Jas. B. Mallett &c. is plaintiff and Mallory Vaughan's adm'r. &c. defendants he proceeded to advertise the Lands whereof said Mallory Vaughan died seized and possessed, in the manner as directed by said decree, & did on the 4th day of October 1869 (being County Court day) sell the said Lands at auction before the Court house door of said County, on the terms named in said decree, when the tract of

170 acres was purchased by Milly Crumpler for $165.00
the 222 acres sold by Jas. E. Johnson " 610.00
the 97 " " " Ethelbert Rawls " 52.00
Making $827.00

of which there was rec'd in cash & paid to those entitled as follows.

3 per cent Com'r. on $300 =	$15.00
2 do. on $527	10.54
Paid Atty's fee.	50.50
" " Clerk's fee	11.16
" " Sheriff's fee.	4.50
" " Com'r. Young.	19.50
" " T. J. Clements Com'r	6.00
" " Taxes	14.00
" " for advertising in papers	3.50
" received for 3 deeds & stamps	10.00 = $ 144.70
Balance	$ 682.30

report of any outstanding debts against said Malony Vaughan, or his estate, & make report to Court

A Copy Teste

L. S. Youngblood.

Add. costs Estimated.

All. fees . . $2.50

No 8.

A. B. Moorfield et als:
vs. } Copy of
Decree —
M. Vaughan's estate

May Cir. Ct. 1870.

Fil'd [illegible]

In Isle of Wight Circuit Court. May 16th 1870.

Jas. B. Norfleet et als. Pltffs.

vs. In Chancery

A. H. Ashburn Admr. of M. Vaughan et als. Defts.

This cause came on this day to be again heard on the papers formerly read & on the report of Jno. R. Kilby Comr. made pursuant to the decree of the 18th of May 1869. to which report there is no exception, & was argued by Counsel. On consideration whereof the Court doth confirm the said report, & doth adjudge order and decree that Jno. R. Kilby Comr. as aforesaid, receive of the Clerk of this Court (who will deliver the same to him on his filing a Receipt for the same) the Bond of Ethelred Rawls, Edward Rawls & Jesse Parker for $40. & of James E. Johnson, Norris Johnson & Joseph Johnson of $30. & of Mills Crumpler, Gale Johnson & Albert B Johnson of $40. filed in the cause, & collect the same & make to the said Ethel Rawls, Jno. E. Johnson & Mills Crumpler, respectively deeds with special warranty for the real estate sold under proceedings in this cause in the usual form; And that the said Jno. R. Kilby, Comr. as aforesaid pay out of said moneys all costs that may remain unpaid, & then deposite the Balance of said money in the Norfolk Trust Co: subject to the the order of this Court & make report to Court, And it is ordered that a Comr. of this Court make a further

Inflect &c

21

Vaughan &c.

Report &

Collections

By amo. Comptr on $706:00

No deposite of the money has been made but the same is subject to the order of Court,

Respectfully submitted

John R Kelly · Com

To the Circuit Court of Nansemond County

The Undersigned reports to Court, that pursuant to the decree of the 16th of May 1870 made in the cause of J. B. Norfleet &c. against Mallory Vaughan's adm'r. &al., he received of the Clerk of said Court the several Bonds therein referred to & has proceeded to collect the same, and has made to the several purchasers of the real estate sold in said proceedings had in the cause with special warranty in the usual form. The following statement will show amount collected.

By amo. of Bond due by Ethelbert Rawls Edmund Rawls & Jefferson Rawls	$40.00
Int. from 4 Oct. 1869 to 22 July 1870	1.93
By Bond of Jas. E. Johnson, Travis Johnson & Jn. Johnson Jr	$530.00
Int. from 4 Oct. 1869 to 22 July 1870	25.62
By Bond of Miles Crumbley, Gale Johnson & Albert B. Johnson Jr	$110.00
" Int. from 4 Oct. 1869 to 22 July 1870.	6.73
Total	$744.28
To paid costs to Com'r. as per report of Sale - due — $32.30	
" returned to pay clerks fees	5.98 — 38.28
Nett Balance	$706.00

Wm Mallory Vaughan dec'
1860 & 61 To E. Pauls & Co Dr

To Bal. of acct	$81.97
Int. on do	37.60
	$118.97

Oct 12/69 Personally appeared before me Ethel Pauls and made oath to the justness of the above acct

Dixon W. Hitchcock J P

Wm. Mabry Vaughan Estate

March 29th 1866 — To Richard Eley Dr.

To making Coffin for Self — $12.00

To finding plank for grave — 1.00

$13.00

#13
Int 3.24
#16.24

M. Vaughan
Estate
#13.00 cr

13

Estate of Vaughan's Estate

1862 To T. J. CLEMENTS, Sheriff of Isle of Wight County, Dr.

To	tax on 394	acres land, value $1669.	$10 02
"	"	white males over 21, at 80cts.,	
"	"	free negroes " " at 80cts.,	
"	"	slaves over 12 at $1,20,	
"	"	personal property, moneys, &c., value $350	2 10
"		county levies, at $1,08, (white)	
"		do do " (F. N.)	
"		do do " (slaves)	
"	Clerk's fees, $	...Commissioner's fees, $	
"	Militia fines,		
		Received payment,	$12 12

Mallory Vaughans
Estate
#12 12
[illegible]
[illegible]

Jno. R. Kelly
Com'r.

Paid by
Jno. R. Kelly Com'r.

Norfleet &
Vaughan adm
Report of
Final payments

amo. bot. over ... ℔262:26.

To paid W. R. Butler purchaser
by deed of Record of Sally
ann Vaughan 1/5 Dr. ℔52:45.
" paid Wm. Vaughan 1/5 " 52.45
" " Thomas Vaughan 1/5 " 52.45
" " Wm. Izzle & Susana
his wife — 2/5 " 52.45
" " Mallory Vaughan 1/5 " 52.46 ℔262:26

The other heirs named had in the meantime died, never having married —

A deed has been executed to the purchaser as directed.

Respectfully submitted
John R. Kelly Com.

To the Circuit Court of Isle of Wight County.

The Undersigned reports to Court, that pursuant to the decree of said Court of the 19th of October 1870, made in the Cause of Jas. B. Moffett &c. against Mallory Vaughan's adm'r. &others, he has proceeded to distribute the sum of $706; referred to in said decree, as the following Statement will shew —

By amo't. as per said decree		$706.00
Int. from 22d. July, 1870 to 22d. July 1871. 7 mo's.		24.31
		$730.31
To paid a Dft. a/c. pr. rec'd	$12.12	
" " Richard Eley for Coffin &c. per rec't.	16.24	
" reserved for cts.	15.00	$43.36
Nett Balance		$686.95
To paid Jas. B. Moffett pr rec't. his Dft	$231.33	
To paid Wm R. Butler do.	54.26	
To paid Jno. D. McClemy do.	20.13	
To paid E. Rawlings & Co.	118.97	$424.69
Remainder		$262.26

which has been paid to the heirs as follows, as directed by said decree of 19th Oct. 1870. — to wit:

(over)

Debts against
Mallory Vaughan's Estate
Account B"

To James B. Noblett		℔198:57	
" Int. from 15th May 1867 to 22d. Feb. 1871 — 3y: 9m: 7d. on ℔145		32.76	℔231.33
To Wm R. Butler		℔46.70	
" Int. from 15 May 1867 to 22d. feb. 1871 — 3.y. 9m. 7d. on ℔34:47		7.56	℔54.26
To Jno. D. McClenny		℔17.28	
" Int. on ℔12.50 from 15 May 1867 to 22d. feb. 1871 — 3 y. 9m. 7d		2.85	℔20.13
Total amo. in decree.			℔305.72
To E. Rawls Ex'r.		℔—	118.97
			℔424.69

1871 Feb 22d Rec'd of Jno. R. Kelly the
several sums due as above.

Jas B Noblett	℔231:33
W. R. Butler	℔54.26
John R. Kelly Att'y for Jno. D. McClenny	20.13
John R. Kelly " E. Rawls Ex'r.	118.97
Richard Eley	16.24
W. H. Wyatt Receipt of same Receipted by Wm Vaughan	52.45
Wm Vaughan by A. Ashburn for Thos Vaughan	52.45
W. H. Wyatt A. Ashburn for Thos Vaughan	52.45

which is to
Wm Vaughan

Amy
Learning:

Heirs

~~Elizabeth~~

1 Zehanah o — died un 21 (4) †
2 Josiah died unmarried
3 Francis o died Heirs (3 †)
4 William.
5 Thomas
6 Sarah A. Vaughan m'd to Wm R. Butler. (2) †
7 Texana wife of Wm H. Izzle — (1) †.
8. Mallory Vaughan o died under 21. —
5 alive

(1) † act: dec. Wm Pearce
2 † see act: dec M. Holt.
3 † " " E. Rand, Ho O.
4 † " " " Ov.

1871 Feb 25 Rec'd of Jno. R. Kelly
Com. Fifty two dollars & forty five cents
being 1/5 of Balance in his hands arising
from sales of Lands of Mallory Vaughan's
Estate under decree of Isle of Wight
Nansemond County
Court in D. B. Corbett vs. Vaughan's Ex't.
Paid me under decree of Oct. Court
1870. I being purchaser of Sally Ann
Vaughans share as per deed recorded

W. R. Butler

In Isle of Wight Circuit Court, Oct. 19th 1870

Jos. B. Norfleet (who sues for himself & all other creditors of Mallory Vaughan dec'd &c ——— Pltffs:

vs: } In Chy:

S. A. Ashburn adm'r of Mallory Vaughan dec'd & others ——— Defts:

This Cause came on this day to be again heard, & on the Report of John R. Kilby Com'r made pursuant to the decree of the 16th of May 1870. to which Report there is no exception & was argued by Counsel: on consideration whereof the Court doth confirm the said Report & doth adjudge order & decree that so much of the decree of the 16th of May 1870. as directs the money therein refered to, to be deposited in the Norfolk Trust Company be rescinded: and the Court doth further adjudge, order & decree that the said John R. Kilby Com'r as aforesaid out of the sum of $706: the amount refered to in said Report. pay any costs or taxes that may remain unpaid, & then pay to the several creditors of Mallory Vaughan dec'd the sums due them as appears by account "B" of Com'r Young's Report of the 4th of April 1867, & the balance pay to the heirs of said Mallory Vaughan dec'd in

equal parts to wit: To Zephaniah Vaughan Joseph Vaughan, Francis Vaughan, Wm Vaughan, Thomas Vaughan, Sarah A Vaughan, Wm A. Uzzell & Zepanna his wife & Mallory Vaughan, & make Report to Court—

A Copy
Teste,

Mortgage et-als
vs: Copy of Decree
Vaughan's Admr &c
Oct. ct, 1870.

Mallett &c

v

Vaughan &c

1866

Oct Court Decree

To be entered

R. H. Baker

Endorsed

Norfleet &c. v. Vaughan &c

This cause in which the plaintiffs have proceeded in the mode prescribed by Law against absent defendants, as to the unknown Legatee of Joseph Vaughan dec'd, came on to be heard on the Bill taken for confessed as to the other adult defendants, on whom Process had been duly executed & they still failing to appear & answer, or exhibit, filed with said Bill, or the answer of the Infant defendants by A P Byrne their guardian ad litem with general replication to said answer, and was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that a Comm.r of this Court ascertain & report —

1st An account of the Transactions of A. H. Ashburn as adm.r of Mallory Vaughan deceased —

2d. An account of the outstanding debts owed by Mallory Vaughan dec'd, & his estate & their priority —

3d An account of the real estate of said Mallory Vaughan dec'd & the fee simple & annual Value of said Lands; and

4th That he enquire whether the sale of said Lands should be made to pay any such outstanding debts, or whether a sale for partition among the heirs of said Mallory Vaughan dec'd, is desirable or not, and make report to Court with any matters specially stated accord pertinent to this cause & that any of the parties may be required to be so stated

parties entitled / taking from the purchaser a Bond with sufficient security to retain the title till the further order of the Court — and make report to Court —

and the Court doth also adjudge order & decree that M. N. Watkins, John Johnson, Meredith D Butler & Miles Crumpler who are hereby appointed comrs. for that purpose, (any three of whom may act) proceed to set apart and assign unto Mrs. Elizabeth Vaughan widow of said Mallory Vaughan dec'd, for life, one third in value of the Lands whereof said Mallory Vaughan died seized & possessed as aud for her Dower therein, and as far as practicable in one parcel, and make report to Court — But no sale shall be made under this decree until the said Ashburn shall execute before the clerk of this Court in his office a Bond in the penalty of $ 800, conditioned for the faithful execution of this decree & any other decree that may be may be required to execute in this cause,

Norfleet &c
vs
Vaughan &c

1867
Oct. Ct. Decree

Norfleet &c. v. Vaughan &al.

This cause came on this day to be again heard on the papers formerly read and on the report of A. P. Young, Com'r. made pursuant to the decree of the 19th of Oct. 1866; to which report there is no exception and was argued by Counsel; Consideration whereof the Court doth confirm the said Report and doth adjudge, order & decree that Alexander H. Ashburn (who is hereby appointed Com'r. for that purpose) proceed to sell at auction before the Court house door of Isle of Wight County on some Court day, after having advertised the time and place of such sale for four weeks by notice at the Courthouse door of said County and at Windsor and Carrsville, and in the "Christian Sun" a Newspaper published at Suffolk once a week for four successive weeks, that part of the Land of which Mallory Vaughan died seized & possessed and described as a tract of Land in said County containing one hundred & seventy five acres, more or less adjoining the Lands of Anthony Person and others - The sale to be made on six months credit with Interest from date (except for a sum including an attorney's fee of $30. sufficient to pay Costs of Suit, Expenses of sale which he will receive in cash & pay to the

Influtt
v.
Vaughan &c
1869
May Court
Decree
Order Entered
E. J. Pitts

Entered

Lands and to be sold subject to the Dower therein of Mrs Elizabeth Vaughan widow of Mallory Vaughan dec'd, and only to be sold after the said John R. Kelly, Com'r as aforesaid, shall have given at least thirty days notice of such sale by advertisement at the Court house door of said County & other public places in said County and also once a week for four successive weeks in ~~a Newspaper~~ the "Christian Sun" a newspaper published at Suffolk, once a week for four successive weeks & make report to Court, taking Bond & good security of the purchaser & retain the title to said Lands, until the further order of the Court, and make report to Court.

But no sale shall be made in this cause until the said John R Kelly shall execute a Bond before the clerk of this Court in his office, in the penalty of $1000. payable to the Comth. of Virginia & conditioned for the faithful execution of this decree & any other decree ~~made in~~ that may be made in this cause

Moffett &c. vs. Vaughan adm &c.

This cause came on this day to be again heard on the papers formerly read & on the Report of C. A. Ashburn made pursuant to the decree of October Term 1867 of this Court - to which report there is no exception & was argued by Counsel: On consideration whereof the Court doth Confirm the said report and doth adjudge, order and decree that John R. Kelly who is appointed Com for that purpose proceed to sell before the Court house door of said County, on some Court day, at auction, on six months credit, with Interest from date (except for a sum sufficient to pay the costs of this suit & expenses of sale, including a fee of $50 to John R. Kelly Plaintiff's attorney, which will be cash and paid to him entitled) the Lands of which Mallory Vaughan died seized and possessed, or so much thereof as may be necessary for the purposes of this decree, and which Lands are described as three parcels - One of 170 acres, adjoining Anthony Person - one parcel of 222 acres, adjoining the same & one other parcel of 97 acres, adjoining the Lands of Stephen Holland & others, & which

and it is ordered that a Com
of this Court ~~shall~~ make a further
report of any outstanding debts against
said Mallory Vaughan, & his estate
and make report to Court.

Mayfield &
vs
Vaughan adr

1870
May 21. Decree
& be entered
Lester Reeves Jr

Com Rec'd
No 41

Nubbles &c.

vs.

Vaughan's adm. &al.

This cause came on this day to be again heard on the papers formerly read & on the report of Jno. R. Kelly, Comr. made pursuant to the decree of the 18th. of May 1869 - to which report there is no exception, and was argued by Counsel. On Consideration whereof the Court doth & Confirm the said Report & doth adjudge, order & decree that John R Kelly Comr as aforesaid, recive of the Clerk of this Court (who will deliver the same to him on his filing a Receipt for the same) the Bond of Ethelbert Rawls, Edward Rawls & Dyer Parker for $140. & of James E. Johnson, Norris Johnson & Smith Johnson of $ 530. & of Miles Crumpler Gale Johnson & Albert B. Johnson of $140. filed in the cause, and collect the same & make to the said Ethelbert Rawls, James E. Johnson & Miles Crumpler respectively, Deed with special warrant on the real estate sold under proceedings in this cause in the usual form: and that he the said John R. Kelly Comr. as aforesaid pay out of said money all costs that may remain paid & then deposite the Balance of said money, in the Norfolk Trust Co. subject to the order of this Court & make report to Court.

Norfleet &c

vs.

Vaughan &c

1870

Oct. Court. Decree

To be entered.

Geo. R Bloxr. Jr.

Encl. 24.

Moffett v. Vaughan

This cause came on this day to be again heard on the report of John R. Kilby, Comr. made pursuant to the decree of the 16 May 1870 — to which report there is no exception, and was argued, ~~and was~~ by Counsel. On Consideration whereof the Court doth confirm the said report and doth adjudge order and decree that so much of the decree of the 16th of May 1870 as directs the money therein referred to, to be deposited in the Moffett Trust Company be rescinded. And the Court doth adjudge order & decree that the said John R. Kilby Comr. as aforesaid out of the sum of $706: the amo: referred to in said Report, pay any costs or Fees that remain unpaid, and then pay to the several creditors of Mallory Vaughan dec'd. the sums due them as appears by ~~r~~ Comr's Young's Report of account. "B" of 4 April 1867, and the Balance pay to the heirs of said Mallory Vaughan dec'd. in equal parts, to wit. To Zephaniah Vaughan, Joseph Vaughan, Francis Vaughan William Vaughan, Thomas Vaughan, Sarah A. Vaughan, Wm. D. Uzzle & Emma his wife, & Mallory Vaughan, and make report to Court.

Moffett &
3
Vaughan adv

1872
afe. ct. final
decree.
To be entered
Geo. T. Slow.

Entered
5.

Norfleet &c

v.

Vaughan &c.

This cause came on this day to be again heard on the papers formerly read & on the report of John R Kelly Com'r, made pursuant to the decree of the 19th Oct. 1870 to which report there is no exception, and was argued by Counsel. On Consideration whereof the Court doth confirm the said report, and doth adjudge, order & decree that the proceedings had in this cause be confirmed & made final & binding between the parties, — and nothing more remaining to be done in this cause, it is ordered that the ~~Cause~~ same be removed from the Docket.

Indictment

on

Vaughan's adm'r &c

& Exhibits

filed with the Bill

Alexander H. Ashburn

Bond as Administrator

of Mallory Vaughan dec'd

Norfleet

v. } Feby.

Vaughan & dec'd. Sci. fa.

Copy. d.

In Isle of Wight County Court Octo. 7. 1861.

On the motion of Alexander H Ashburn (with the consent of the widow in writing) who made oath, and with Monkeith H. Watkins his security who justified, entered into & acknowledged a bond in the penalty of $8,000. or with condition — according to law. Administration is granted him on the estate of Mallary Vaughan decd: Ordered that said bond be recorded, and that Josiah P. Gay, Merit E. Warden, Jethro H. Rhodes & Thomas J. Marshall or any three after being first duly sworn, appraise the estate & make report as the law directs

Test

A. D. Young Clk

A. H. Ashburn & M. H. Watkins

A. D. Young Clk

Sarah A Vaughan

to

M. Polk

(C)

Mrs Sarah Ann Langham
To Michael Fitch

1867 for Board for 12 months ending with Feb 1868 $180

1868 for Board for 6 months ending with August 1868 90

$270

Pay the Within account
to Michael Fitch
Sarah Ann Langham

Mr Mallory Vaughan

1860 Bot of James R. Confleet

		Bal on 1859 Acc			19 63
Mch July 20	1	Set Cups and Saucers		25	
	1	" Plates		25	
	1	Dish		38	
	9 3/4	yds Ky Jeans	2/3	1 03	
	9 3/4	" Brn Cottons	6 3/4	17	
	1	pr Shoes		1 63	
	3	Straw Hats	1/6	75	4 46
Aug 9	1	Set Knives & Forks		1 00	
	5	yds Brn Cottons	6	30	
	6	" Kersey	22	1 32	
	8	" Muslin	1/6	2 00	
	8	" Ky Jeans	1/6	2 00	
	2	Shawls	2 75	5 50	
	7	yds Homespun	9	88	
	2	pr Blankets	2	4 00	
	1/2	Doz Plates	3/9	31	
	1	Set Cups and Saucers		25	
	1/2	Bbl Extra Flour	9	4 50	
	1	lb Coffee		19	
	3	Boys Caps	2/3	1 75	
	1	" "		75	
	1	Hat		87	
	2	pr Gents Brogans	9/	3 00	
	1	" Boys Do		1 25	29 26
	12	1 Cro Cap			1 00
1861 May 13	19	yds Marines Stripes	9	2 38	
	19	" Oznaburgs	9	2 37	
		Thread 1/6 Buttons	1/6	50	
	1	pr Shoes		1 50	
	1	" Pants		4 75	
	2	Bbl Herrings	6	12 00	23 50
					77 85

Amt Carried over

Amt Brot over 77 85

May 15 2 Mourning Merey 31 1 00
1 Pr Face Chain 87
1 " Pants 2 25
1 " Shoes 1 50
10 yds Calico 9 1 25
6¾ " Blk Ribbon 31 2 11
Hooks & Eyes 4½ Cotton 03 09
1½ yds Blk Galics 9 19 11 26
17 3 Pr Blk Silk Gloves 3/ 1 50
1⅛ yds Blk Berage 4/6 1 40
1⅞ " " Silk 6/ 1 88 4 78
" 1 Parasol 1 50
1 Pr Mitts 63
1 Pr Blk Hose 25 2 38
18 36 yds Check Cotton 9 4 50
20 " Blk Galics 9 2 50
1 Bonnet at Mr Reeds 4 75
1 Hoop Skirt 1 00
2 Pr Ms Shoes 1/3 1/6 3 75
1 " Gaiters 1 50
1 Parasol 2 50
26½ yds Blk Alapacca 3/ 1 32 5
3 Handkfs 1/6 75
3 Blk Lace Veil 6/ 3 00
2 Pr Blk Hose 1/ 50
22½ yds Blk Paper Lamb 9 2 75
3¾ " " Berage 4/6 2 81
3¾ " " Silk 6/ 3 75
1 Blk " Belt 38
1 " " 19
2 Blk Fans 2/6 75
1 Hoop 87
3 Papers Blk Pins 3 09 49 59
145 86

Amt Carried Forw

Amt Brot Forw 145 86

May 20 1 Carpet Bag 1 88
22 5 yds Gold Beans 9 63
4 " Blk Ribbon 9 50
3 Doz Whalebone 9 37
6 Spools Cotton 6 38 1 88
" 1 Bag for Defer 13
1 Coat for Jephaniah 2 75
3 Bunches Blk Braid 9 37 3 25
" 2 Corsetts 3/6 2 50
Sewing Silk 40 2 90
24 1 Round Comb 19
27 Goods for Shirts and Pants 4 09
June 3 Difference in Gaiters 50
Spool Cotton 05 75
5 1 Pr Shoes 1 50
1 Linen Coat 1 25
1 Carpet Bag 50
1 Hand Kf 10 3 75
July 29 1 Bbl Herrings 6 00
1 Pr Boots 4 00 10 00
1 74 55
1860 By Cash on 1859 Acc 6 13
Sept 7 " " 6 84
Nov 15 " 1 " Cap Net 38
Dec 22 " Cash of Son Joseph 10 50
1861 May 18 " Ribbon and Mitts Acc 1 73 28 58
145 97

Rt from 18 May 1861.

Sworn to by Jas. B. Mellen to a just account before me. aug 25 1866

John R. Kelly
Notary Public

(Exhibit D.)

Mr Mallory Vaughans

Ajc

With

James R Porter

2 Tracts of Land
1 of 400 adjoins
Land Bond on
Brown Mill
Crumpler &c
1 of 160 acres
adjoin aforesaid
Holland, Garrett
Butler &c

Rec'd	1860	Value
175	Vol.	525-
222	"	999
97	"	145.50

1861

175-	Vol.	525-
122	"	999
97	"	145.50

X

Statement of Sales & Ins. bonds in the hands of A. St Ashburn asst. of W. Vaughan decd.

One bond	U.S.	W R Bullen	$66 16/100	due	31st	apl.	1862
One "	"	J R Purvis	38 70/100	"	31	"	"
One "	"	"	25/100	"	1	Jan.	"
One "	"	"	3.70	"	"	"	"
"	"	"	G D Vaughan	14.00	"	31st	apl. 1862
"	due bill	"	J W Johnson	4.86	"	1st	June 1863

11267

SEAL

SEAL

SEAL

Signed, Sealed and Delivered
in the presence of }

to remain in full force and virtue.

his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise

Now, if the above bound _____ shall faithfully discharge

_____

_____

_____

Know all Men by these Presents, That we John R. Kilby

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 ____ day of ____ in the year of our Lord, one thousand eight hundred and Sixty One

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 18th day of May 1869 in a cause depending in the said Court, in which James R. Norfleet, who sues for himself and all other creditors of Mallory Vaughan dec'd ... Plaintiff, and Alex. H. Ashburn admr. of Mallory Vaughan and others ... Defendant, the above bound John R. Kilby was appointed a special Commissioner to sell the lands of which Mallory Vaughan died seized and possessed, or so much thereof as may be necessary for the purpose of said decree and make report &c

Now, if the above bound John R. Kilby 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. and any allowance that may be made in the case

Signed, Sealed and Delivered in the presence of

John R. Kilby SEAL.

J. P. Young SEAL.

SEAL.

Suffolk

J. R. Killy

9.00

Mr Young will
please file this in the
within case
J. R. K

Paid by J. R. Killy
Atty

NORFOLK, VA., Sept 24 1866

Mr. J. K. Kilby, P.M.

To THE NORFOLK VIRGINIAN, Dr.

1866

Sept 5 To ad 4 sqs 4w $4 00

James D. Nuffett &c

v. Vaughan [illegible] &c

Received payment

Richd Scruggs & Co

Norfleet & al. &c.
v. & ors petition
Vaughan & ors

Oct. 16./66 Filed

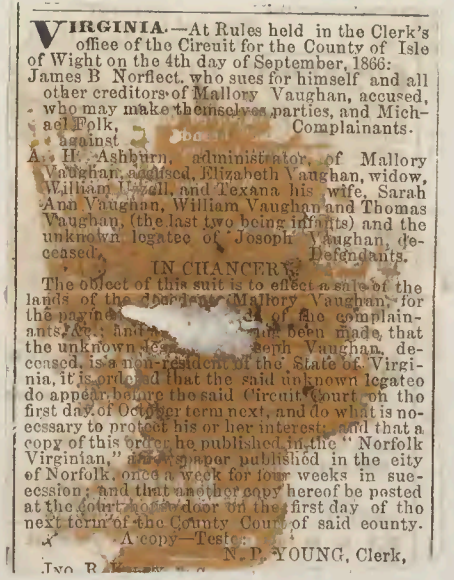
For m Gov

I, J. Ruhel Sewellen, editor of The Virginian, a newspaper printed in the City of Norfolk, in the State of Virginia, do hereby certify that the order hereto annexed has been published once a week for four successive weeks in the newspaper aforesaid.

Given under my hand this 4th day of October A. D. 1866.

J. Ruhel Sewellen

Cost of executing the said order, paid by the above-named plaintiff, ~~$2.50~~ $9.00



VIRGINIA.—At Rules held in the Clerk's office of the Circuit for the County of Isle of Wight on the 4th day of September, 1866:

James B Norfleet, who sues for himself and all other creditors of Mallory Vaughan, accused, who may make themselves parties, and Michael Folk, Complainants.

against

A. H. Ashburn, administrator, of Mallory Vaughan, accused, Elizabeth Vaughan, widow, William Udall, and Texana his wife, Sarah Ann Vaughan, William Vaughan and Thomas Vaughan, (the last two being infants) and the unknown legatee of Joseph Vaughan, deceased, Defendants.

IN CHANCERY.

The object of this suit is to effect a sale of the lands of the decedent, Mallory Vaughan, for the payment of the debts of the complainants, &c.; and it appearing to be made, that the unknown legatee of Joseph Vaughan, deceased, is a non-resident of the State of Virginia, it is ordered that the said unknown legatee do appear before the said Circuit Court on the first day of October term next, and do what is necessary to protect his or her interest; and that a copy of this order be published in the "Norfolk Virginian," a newspaper published in the city of Norfolk, once a week for four weeks in succession; and that another copy hereof be posted at the court-house door on the first day of the next term of the County Court of said county.

A copy—Teste:

N. P. YOUNG, Clerk,

Jno. R. [illegible] C.