

This is a copy of an original of the will of John Vardaman of New Castle County Delaware dated March 17, 1714. This document was sent to the State Archives by a Vardaman family descendant and is being preserved.

THE STATE OF DELAWARE, ss. I, Clerk of the Peace, do hereby certify that the foregoing is a true and correct copy of the original of the will of John Vardaman of New Castle County Delaware, as the same appears from the records of the Court of Probates of the County of New Castle, Delaware, and as the same is a part of the records of the Court of Probates of the County of New Castle, Delaware, and as the same is a part of the records of the Court of Probates of the County of New Castle, Delaware.

In Testimony Whereof, I have hereunto set my hand and the seal of the Court of Probates of the County of New Castle, Delaware, at Dover, Delaware, this 17th day of March, 1901.

Wm. H. ...
Clerk of the Peace

Vardaman, John 1714

MARCH 17, 1714

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REG OF WILLS, N.C.P.O.
PROBATE FILES
VANEMAN, WILLIAM TO VAUGHAN, HORACE

January 29, 2000

David,

This is a copy of an abstract of the will of John Vardaman of New Castle County (Delaware/Pennsylvania) dated March 1,¹ 1714. This document was sent to me by Mrs. Dorothy Tierney of Natchitoches, LA, a Vardaman family descendant and researcher, in 1988.

Note that the three counties comprising the state of Delaware as we know it, New Castle, Kent and Sussex, became part of the Province of Pennsylvania in 1682. Although it briefly gained its own deputy governor in 1691, it was "reunited" with Pennsylvania under one governor in 1693. In 1704 Delaware established its own separate legislature and in 1710 its own executive council; however, it remained nominally a part of the Province of Pennsylvania under the Pennsylvania governor until 1776 when it was organized as a separate state.

This probably explains the passage in George Leland Summer's book, *Historical and Genealogical Annals of Newberry County, SC*, wherein he writes:


"William Vardeman came from Pennsylvania with his family before the Rev. War. He settled near Hunting Fork, between the Enoree and Tyger Rivers. He made his will February 4, 1783, and died about 1788, leaving widow Bridgit and children: John, William, Peter and James. James inherited the home plantation at Hunting Fork. Some of the other sons moved to Georgia and Alabama. James sold his lands later, so it is probable he, too, went to Alabama."

There are some errors in this passage:

(1) William Vardaman originally moved from Delaware (then part of Pennsylvania) to Virginia ca 1734 and only much later (ca 1766) to South Carolina.

(2) Hunting Fork is a branch of Indian Creek which is a western tributary of the Enoree River about 10 miles upstream from where the Enoree joins the Broad River. The Tyger River, north of the Enoree, runs roughly parallel to the Enoree and joins the Broad River approximately 6 miles north of the Enoree. Indian Creek and its tributaries all lie west of the Enoree, consequently the Vardaman lands on Hunting Fork could not lie *between* the Enoree and Tyger. Instead, they lie just to the west of the Enoree.

(3) While it is true that James' three sons all moved to Georgia and two of the three later moved on to Alabama, only one of William's other sons did so. Two of William's other three sons (John and Peter) moved from Virginia to Kentucky while William, Jr., did in fact move from Virginia to Wilkes County, GA. James, never moved to Georgia but, instead, died in Newberry County, SC, in 1797.

Also, please note the mark that John Vardaman is supposed to have used when signing documents, , a circle with a crossed T inside. It is very interesting that an Israel Peterson,

believed to be a son of Peter and Karen Peterson of New Castle County, Pennsylvania (Delaware), and brother-in-law of William Vardaman used a mark which was a crossed T with an additional bar through the middle of the T as $\overline{\text{T}}$.

JHV *JHV*

Will: John Vardaman
1714/15
New Castle County, Delaware

.....

In the Name of God Amen I John Vardaman of Apoquinny Creek in the County of New Castle upon Delaware being this Seventeenth day of March in the first year of Our Sovereign Lord George by the Grace of God of Great Britaine France and Ireland King Defender of the Faith in Anno Dom 1714/15 sick in body but of perfect mind & memory calling to mind the uncertainty of this life and well knowing that all flesh must Dye doth make this my last will & Testament in manner & form following -

Imp^{re} I give my Soule into the hand of God that Gave it (to) me and my body to the Earth to be Decently Buryed at the Discretion of my executrix hereafter named no ways doubting but at the Resurrection my soule and Body shall be again united by the Mighty power of God where I shall secure full Remission & forgiveness of all my sins thru the Merits of my Dear & Blessed Savior & Redeemer Jesus Christ and (illegible word) all what goods both reall & personall which the Lord has been pleased to bless me with in this life, I give and bequeath as followeth -

Item I will & it is my will that all such debts which in Right of Conscience I owe unto any person & the probate of this my last will be Duely paid.

Item I give and bequeath unto my well beloved wife Margaret Vardaman all my Estate Reall & personall to be & remain unto her during her naturall Life with full power that if my son Johannes will come & live with his mother and be industrious to work & clear and pay for my land and plantation that then after my wife's Death he my said son Johannes have all the land & the plantation paying unto each of my children to wit Christopher & William Vardaman & Jane Margrita Vardaman Thirty pounds each within such Convenient time as he shall be able to pay it after each Child comes to age But in case my son Johannes will not come & live with his mother that then & in such case my Loving wife shall have the Liberty to choose who she pleases to live with her and not to be molested but to clear the land and pay unto the abov^d Johannes the Sume of thirty pounds & also thirty pounds apiece unto each of my said children as she is able & all my estate both reall & personall to be & remain unto her and her heirs forever But if my son Johannes will come & be Dutyfull & live with his mother & that he help to pay for the Land & pay the above l^d legacies to his Brother and to his sister that then & in such case that after my loving wifes death all my Estate Reale & personall shall be & remain unto him the said Johannes & his heirs forever -

Item I nominate & ordain my well beloved wife Margarett Vardaman my whole & sole executrix of this my last will & testament Disannulling & Disallowing all former wills heretofore by me made Ratifying & Confirming this to be my last will & testament & none other. In witness whereof I have hereunto sett my hand & seale the day & year first above written -

Signed Sealed published)
& Declared By the Testator)
this to be his last will &)
Testament in presence of us)

Then came Capt. John Heally Charles Ford & John Danielly in their own proper persons before me Isaac Gooding one of his Maj'ies Justices of the Peace for the County of New Castle on Delaware & Deposed on the Holy Evangelist as followeth. Viz: That upon the Seventeenth Day of this instant the within and above will was audibly read unto him the said John Vardaman then being in perfect memory & understanding did Declare plainly & heartily that the same was his Mind & Full desire & Going to sett up in his bed to signe the same a qualm came over his stomach & so lay down & remained Insensable untill he Dyed and farther Saith not. Swornes before me

Isaac Gooding

APRIL 5, 1715

(seal) By the test(imony) of these presents I Rowland Fitz Gerald, Dept^r Reg^r for the probate of wills Granting let(tres) of Adminastoren for the County of New Castle on Delaware by virtue of a commission from the Hon^{ble} Charles (?), 1^d Governor of the Counties of New Castle, Kent

and Sussex on Delaware & Province of Pennsylvania Doe Make known unto all men that the fifth day of April in the yeare of our Lord one thousand seven hundred and fifteen at New Castle in the county of New Castle afore^{sd} before me the Dep^y Reg^r afore^{sd} was proved approved and In.....ed the last Will and Testat^t of John Vardaman late of the s^d county of New Castle dec^d to these presents annexed - having whilst he lived & at the time of his death Goods Rights and Creditts in diverse places within the same county by meanes whereof the full disposition of all and singular the Goods Rights & creditts of the s^d dec^d and granting the administration thereof as above The Hearing of arr^t Cabrulation or (?) of the s^d administⁿ and the final discharge & dismissal from the same unto me are manifestly knowne to belong and the administration of all & singular the Goods Rights and creditts of the s^d dec^d and his last Will and Testament any manner or ways concerning was granted unto Margaret Vardaman executrix in the same Testament named chiefly of well & truly administering the same & making a true and Perfect Inventory of all and singular the Goods Rights and Creditts of the s^d dec^d and exhibiting the same unto the Reg^r office at New Castle at or before the Tenth day of August next ... (illegible) Rendering a just & true acct calculation or reckoning ... (illegible) thereunto required ... (illegible) solemnly sworne in Testimony whereof I have caused the seale of the s^d office to be affixed dated at New Castle the fifth day of April in the first yeare of the Reigne of King George of Great Brittain -Annog. Dom. 1715.

Rowl^d Fitz Gerald Depty Reg^r

.....

It is unclear from the above document whether John Vardaman was able to sign the document before he "lay down & remained insensable" or whether it remained unsigned. The xerox copy merely has a mark of some sort - a circle with a crossed "T" in the center- but, unlike other documents of the period, it fails to read:

his
John (T) Vardaman
mark

..... he died without signing.

In the name of God Amen I John Vardaman
of Apoguinny Creek in the County of New Castle upon Delaware
Being this Seventeenth Day of March In the first year of Our
Sovereign Lord George by the Grace of God of Great Brittain
France & Ireland King Defend. of the Faith et. Anno Dom 1714/15
Sick in Body but of perfect Mind & Memory calling to mind the
Uncertainty of this Life, & well knowing that all flesh must Dye Doe
make this my last will & Testament in Manner & form following —

Item I give my Soul into the hand of God that gave it me & my body
to the Earth to be Decently Buried at the Discretion of my Executors
hereafter named no ways Doubting but at the Resurrection my
Soul & Body shall be again United by the mighty power of God
where I shall receive Remission & forgiveness of all my sins thro
the merits of my Dear & blessed Saviour & Redeemer Jesus
Christ And Touching all what Goods both real & personall —
which the Lord has been pleased to bless me with in this life I give
and bequeath as followeth —

Item I will it is my will that all such Debts which in Right
of Conscience I owe unto any person & the Probat of this my
last will be Duely paid. # # # # #

Item I give & bequeath unto my well beloved Wife Margaret
Vardaman all my Estate, Real & personall to be & remain
unto her During her Naturall Life with full power that if
my Son Johannes will come & live with his Mother and be
industrious to work & Clear and pay for my land & Plantation
That then after my wifes Death he my said Son Johannes —
have all the land & the plantation paying unto each of my
Children to wit Christopher & William Vardaman & Jane
Margrita Vardaman Thirty pounds each within such
convenient time as he shall be able to pay it after each
Child comes to age. But in Case my Son Johannes will not
come & live with his Mother that then & in such Case my
Living wife shall have the Liberty to Choose who she
pleases to live with her & not to be molested but to Clear

The Land & pay unto the aboves^d Johannes the Sum^e of Thirty
pounds & also Thirty pounds a piece unto each of my said Children
as she is able & all my Estate both Reale & personall to be & remain
unto her and her heires for ever. But if my son Johannes will come
& be Dutyfull & live with his Mother & that he help to pay for
the Land & pay the aboves^d Legacies to his Brothers & to his Sister
That then & in such Case that after my loving wifes Death all my
Estate Reale & personall shall be & remain unto him the said
Johannes & his heires for ever. # # # # #

Item I nominate & Ordain my well beloved wife Margarette Vardaman
my whole & Sole Executrix of this my last will & Testament —
Disannulling & Disallowing all former Wills heretofore by me
made Ratifying & Confirming this to be my last will & Testam^t
& none other. In WITNESS whereof I have hereunto sett
my hand & seale the Day & Year first above written

Signed Sealed published
& Declared by the Testator
this to be his last will &
Testam^t in presence of us

March the 21st: 1714

Then Came Capt^l John Heally, Charles Ford, & John
Danielly in their own proper persons before me
Isaac Gooding one of his Majties Justices of the peace for
the County of Newcastle on Delaware & Deposited on the
holy Evangelist as followeth Viz^t That upon the
seventeenth Day of this Instant the within & above
Will was audibly read unto him the said John Vardaman
Then being in perfect Memory & Understanding
Did declare plainly & heartily that the same was his
Mind & full Desire & Going to sett up his Bed to

Signe the same a Qualm came over his Stomack & so Lay-
Down & Remained Incapable, untill he Dyed - And farther
saith not.

Sworne before me
Jase Gooding

¹¹¹
a Copy of Mr Vardaman
wile & Secret -

W. H. dated March 17 1714

By Margaret Vardaman

By the Honor of these presents Rowland
Fitz Gerald Dep^y

Req^d for the goods & of Wills & Administrations of Administration
or for the County of Newcastle on Tyne by virtue of a
Commission from the Hon^{ble} Charles Gookin Esq^r Lieut^{nt}
~~Governor~~ Governor of the Council of the said
Plant^{ations} & Subject on Tyne & Province of Pennsylvania
to make known unto all men that the fifth

Day of April in the Year of our Lord
the thousand seven hundred & fifteen at Newcastle
in the County of Newcastle afores^d before me the Deputy
Req^d afores^d was shown approved & Injuncted the last Will &
Testament of John Vandaman late of the County of
Newcastle Esq^r to the persons annexed having whilst
he lived at the time of his Death Goods Rights &
Credits in diverse places within the same County or means
whereof the full Disposition of all and singular the Goods Rights
& Credits of the said Esq^r and granting the Admission thereof
to wit the clearing of Acc^{ts} Calculation or reckoning of
the said Admission and the final Discharge & Dismission from
the same unto Me as Warrantably known to belong and
the Admission of all & singular the Goods Rights Credits of
the said Esq^r under his last Will and Testament any manner
of way or manner was granted unto M^{rs} Margarette
Vandaman Rec^{te}rix

in the same Testament named & truly & truly Administered
the same & making a true & perfect Inventory of all and
singular the Goods Rights & Credits of the said Esq^r and
Exhibiting the same into the Esq^r's Office at Newcastle at
or before the Tenth Day of August next
to wit of Rendering a true & true Acc^{ts} Calculation or
Reckoning when thereunto required being solemnly sworn
in Testimony whereof I have caused the Seal of the
said Office to be Affixed Dated at Newcastle the fifth
Day of April in the first Year of
the Reigne of King George of Great Britain or
Anno Domⁱⁿⁱ 1715.

Rowland Fitz Gerald Dep^y Reg
