

Vardaman, John 1714

MARCH 21, 1714

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REG OF WILLS, NCPD.

PROBATE FILES

VANEMAN, WILLIAM TO VAUGHAN, HORACE

1740321-DE-

Will - VARDEMAN

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,<sup>1</sup> 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<sup>re</sup> 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<sup>d</sup> Johannes the Sum 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<sup>d</sup> 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 Margaret 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<sup>r</sup> Reg<sup>r</sup> 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<sup>ble</sup> Charles (?), 1<sup>d</sup> 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<sup>sd</sup> before me the Dep<sup>y</sup> Reg<sup>r</sup> afore<sup>sd</sup> was proved approved and In.....ed the last Will and Testat<sup>t</sup> of John Vardaman late of the s<sup>d</sup> county of New Castle dec<sup>d</sup> 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<sup>d</sup> dec<sup>d</sup> and granting the administration thereof as above The Hearing of arr<sup>t</sup> Cabrulation or (?) of the s<sup>d</sup> administ<sup>n</sup> 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<sup>d</sup> dec<sup>d</sup> 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<sup>d</sup> dec<sup>d</sup> and exhibiting the same unto the Reg<sup>r</sup> 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<sup>d</sup> 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<sup>d</sup> Fitz Gerald Depty Reg<sup>r</sup>

.....

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<sup>d</sup> Johannes the Sum<sup>e</sup> 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<sup>d</sup> 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<sup>t</sup>  
& 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<sup>t</sup> in presence of us

March the 21<sup>st</sup>: 1714 - -

Then Came Capt<sup>l</sup> 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<sup>t</sup> 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

<sup>111</sup>  
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<sup>y</sup>

Req<sup>d</sup> for the goods of William Granting of Adm<sup>on</sup>  
or for the County of Newcastle on Galway by virtue of a  
Commission from the Hon<sup>ble</sup> Charles Gookin Esq<sup>r</sup> Lieut<sup>g</sup>  
~~Governour of the County of the said~~ Gov<sup>er</sup>neur of the County of the said  
Adm<sup>on</sup> & Subj<sup>es</sup> on Galway & provinc<sup>e</sup> of Pennsylvania  
to make known unto all men that the fifth

Day of April in the year of our Lord  
one thousand seven hundred & fifteen at Newcastle  
in the County of Newcastle afores<sup>d</sup> before me the Dep<sup>y</sup>  
Req<sup>d</sup> afores<sup>d</sup> was present & approved & instructed the last will &  
testam<sup>t</sup> of John Vandaman late of the County of  
Newcastle Esq<sup>r</sup> to the persons named 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 sa<sup>d</sup> Esq<sup>r</sup> and granting the Adm<sup>on</sup> thereof  
to wit the clearing of Acct<sup>s</sup> calculation or reckoning of  
the sa<sup>d</sup> Adm<sup>on</sup> and the final discharge & dismissal from  
the same unto me are named & known to belong and  
the Adm<sup>on</sup> of all & singular the goods rights & credits of  
the sa<sup>d</sup> Esq<sup>r</sup> under his last will and testam<sup>t</sup> any manner  
of way concerning was granted unto M<sup>rs</sup> Margaret  
Vandaman Deceitrix

in the same testam<sup>t</sup> named & truly & truly Admin<sup>str</sup>  
the same & making a true & perfect Inventory of all and  
singular the goods rights & credits of the sa<sup>d</sup> Esq<sup>r</sup> and  
exhibiting the same into the Esq<sup>r</sup>'s Office at Newcastle at  
or before the Tenth Day of August next  
Value of rendering a true & true Acct<sup>s</sup> calculation or  
reckoning when thereunto required being solemnly sworn  
in testim<sup>o</sup> whereof I have caused the seal of the  
sa<sup>d</sup> Office to be affixed Dated at Newcastle the fifth  
Day of April in the first year of  
the Reign of King George of Great Britain or  
Ann<sup>y</sup> Dom<sup>o</sup> 1715.

Rowland Fitz Gerald Dep<sup>y</sup> Reg<sup>d</sup>  
