## Vardaman, John 1714 April 5, 1715

Copies for reference only from the original in the Custody of the Delaware Public Archives, Hall of Records, Dover, Delaware 19901. Permission for reproduction must be obtained.

Volume Page

REESE WILLS, NOPO, PROSATE FILES David,

This is a copy of an abstract of the will of John Vardaman of New Castle County (Delaware/Pennsylvania) dated March 1, 1714. This document was sent to me by Mrs. Dorothay 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:

- 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,  $\bigoplus$ , 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  $\mp$ .

JHV <sub>y(</sub>√

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

In the Name of God Amen I John Vardaman of Apoquininny 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 -

Impre 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 Rody 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 abovd 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  $\mathbf{l}^d$  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 fir-

st 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 Oastle 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 stomack & so lay down & remained Insensable untill he Dyed and farther Saith not. Swornes before me

APRIL 5, 1715

(seal) By the test(imony) of these presents I Rowland Fits Gerald, Deptr Regr 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 Honble Charles (?), 1d 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 aforesd before me the Depy Regr aforesd was proved approved and In...ed the last Will and Testat of John Vardaman late of the sd county of New Castle decd to these presents annexed - having while st 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 sd decd and granting the administration thereof as above The Hearing of arrt Cabrulation or (?) of the sd administn and the final discharge & dismission from the same unto me are manifestly knowne to belong and the administration of all & singular the Goods Rights and creditts of the sd decd and his last Will and Testament any manner or ways concerning was granted unto Margarett 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 so decd and exhibitting the same unto the Regtr 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 sd office to be affixed dated at New Castle the fifth day of April in the first years of the Reigne of King George of Great Brittain -Annog. Dom. 1715. Rowld Fitz Gerald Depty Regr

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:

John (F) Vardaman mark

T among the died without signing.

In the name of God their I John Vandaman of apoquining Creek in the County of new Caste upon Delawere being this Seventeenth Day of march In the first year of our france & freland Sing Defend of the faith et annoy Dom 19/4/10 Sich in body Out of perfect mind & memory falling to mind the uncertainty of this Life & well knowing that all floth must Die Doe make this my last will & Testament in manner & form following -Jup: - fleve my loule into the hand of god that gave it me to my body to the larth to be Decently Burged at the Deferention of my locustion here after named ho ways Doubting but at the Resurrection my Soul's Rody shad be again United by the mighty power of god where Is hale receive demission & for giveness of all musins there the meritts of my Dear & blefed Sarrout & Redeemer fefusa Christ and Foriching all what goods both reals of frimale which the Lord has been pleased to blefs me with in this xife ffive and bequeath as followeth from Juile is it is my will that all then Deb to which in Right of Conseience Jowe Unto any foron & the Provat of this one-Last with be Ducky paid. If of A of A A A A A Them I give & bequeath unto my well beloved Wife Man carete Vandaman all my Estate Real & personale to be & remain unto her During her naturale Life with full power that of my Son Johannes will come & wive with his mother and be Industrious to work & Clear and pay for my land & Hantation That then after my wifes Death he my Said Son Johannes have all the land & the plantation paying unto Each of my Chi Dren to lort Christopher & William Vardaman & Jane. margrike Vardaman Therty pounds lack within Such Convenient time as he Shale he able to pay it after lack

The Land & pay unto the aboves? Johannes the Jume of Thirty pounds & also Thirty pounds a perce unto Each of my Said Cho Dren as She is able & all my Estate both Reale & fromale to be & remain unto her and her herres for hver . That if my Son Ishannes wite Eme I be Duty file & live with his mother is that he help to pay for the Land & pay the above so Legacie to his Inother & to his Sister That then is in Such Case that after me dowing wifes Death all my Estate Reale & personale Shall be & remain unto him the Said -Johannes & his heires for her. A A A A A tem Inominate & Ordain my well beloved wife Margarett Vardaman Disannulling & Disallowing all former will hereto fore by me made Ratifying & Confirming this to be my last with & Festan. + none other. IL wittiels whereof Thave hereunte Sett My hand & Seale the Day & Gear first above witten Ligned Sealed privilished ) this to be his Last with & Festam. in prenee of us J

March the 21: 1714 - = Then Came Both John Heally Charles ford & John Danielly in their own proper persons before me

Isaac Gooding One of his Matte Justice of the seace for the Country of new Castle on Delaware & covered on the

holy wangelist as followeth Vig. That upon the

Seventeenthe Day of their Instant The inthin & above

Signe the Same a Qualm came over his stomach & So Vay -Down & Remained Incapable, untile he Dyed - and farther South not.

Twome before me -Isaac Gooding