

1839-027

SOUTHAMPTON COUNTY
CHANCERY PAPERS

CALVERT VS. BRIGGS' ADMINISTRATOR

2/1839

N.B. Several sheets pasted together

Other SURNAMES: LAWRENCE
DREWRY, RIPLEY

78 ~~72~~ 9

Walvert

as 3 Papers

Herzog's adv.

1836 Nov. 17th Inj. awarded.

Nov. 21st Bond & Security given
release of error filed Sp. & Sp. O.

Decr. Sp. Executed.

1837 Apr. Decr. for account Sp.

" Sept. 21st Report.

" Oct. Continued.

1838 Apr. Report recommitted.

" June 30. Report.

" Decr. Decr. for Poff 1st

Nausemond County Court.

This day Samuel Calvert who hath signed the foregoing Bill for an Injunction, Came before the subscriber a Justice of the Peace in and for the county aforesaid, who on de oath, that all the matters and things contained therein, so far as they depend upon his own knowledge are true: and that so far as they depend upon knowledge and information derived from others, he believes them to be true: Given under my hand and seal this fifteenth day of November a: d: 1836.

Wm. Piddock

An Injunctⁿ is awarded, according to the prayer
of the bill, on the usual terms -

To the Clk of the
circuit sup: court of
Law & chy^y for S^t.ampton
county.

Rich^d. H. Baker
17th Nov^r 1836.

Samuel Calvert
v^s M^r. Bill for master
Francis M. Boker in common
of Henry Briggs dec^d.
Exhibits filed.
A. E. C. D. C. E. G. H.

Southampton
C. S. C. G. & C.
(6216 records)

Jameson & Co. v. Co. v. Co.
The Hon^{ble} Samuel Calvert who has the honor to sign the foregoing Note
for an Injunction, came before the undersigned a Justice of the Peace in and for the
County of Hampshire, who made oath that he did the matter and things containing
therein as far as they relate to his own knowledge as true; and that
as far as they relate to other knowledge and information derived from
others he believes them to be true: Given under my hand and seal the
17th day of November A. D. 1836.
Rich^d. H. Baker

To the Honourable Richard H. Baker esquire Judge of the Circuit
Superior Court of Law and Chancery, for the County of Southampton.

Humblly complaining sheweth unto ~~the Honour~~ your orator Samuel Calvert:
That Samuel Calvert the father of your orator, formerly of the county
aforesaid, departed this life some time about the year one thousand eight
hundred and thirteen, having first duly made and published his last
will and testament in writing, whereby among other things he devised
and bequeathed as follows: "I give all the residue of my estate, of every nature
or kind whatsoever, I hereby direct my executor to sell ~~on~~ such terms and
credit as they may judge most advantageous: and after all my just debts
& funeral expenses are paid, whatsoever residue may be remaining either
from sales, debts due ~~me~~ or otherwise, I give and bequeath equally to
my beloved wife, Francis Calvert my sons Samuel Calvert, Baptist Morley
Calvert, Matthew Calvert, John Marsden Calvert, and William Calvert
to them and their heirs forever".

That one Henry Briggs late of the said
county, qualified in the estate in the county Court of Southampton in due form of law
on the 18th day of October - a.d. one thousand eight hundred and thirteen,
as administrator with the will annexed of the said Samuel Calvert the said
deceased, took upon himself the burden and execution thereof, received into his
hands and possession a considerable estate which he sold off, received
the proceeds of sales, paid off all his Testator's debts, and there remained
then a large balance in his hands liable to division among the Legates
but which at the in part distributed left several of the Legates unpaid as
will be presently shewn. That the said Henry Briggs administrator ~~as aforesaid~~
on or about the ~~18th~~ day of ~~October~~ a.d. 1823 having made up a record settlement
and audit of his transactions on the said estate caused the same to be returned to
the said County Court, which was admitted to record, and by which a balance
of \$1708.71. with interest on \$1086.25 part thereof from the 3rd day of December
1823 till paid was found due unto the estate from the said administrator, after
allowing the disbursements, and debts of the Testator, all of which being paid,
left the aforesaid balance for the Legates of the Testator.

Your orator files as exhibits herewith authenticated office copies
of the will of the said Samuel Calvert, the order of Court admitting the said
Henry Briggs to qualify as administrator as aforesaid, together with the
record audit & settlement aforesaid, marked A.B.C. which are prayed to
be taken and received as a part of this his Bill.

and your orator further shews unto your Honour
that he became largely indebted unto the said Henry Briggs adm^r as aforesaid
being for mortgages made at the sale of the estate of Samuel Calvert deceased,
said for which he executed his bond with his Uncle M^t. Calvert as his security.
That afterwards a suit was brought on the said bond in the late Superior
Court of Law for the county of Isle of Wight, against your orator as Executor
of the said M^t. Calvert who was bound as security as aforesaid, and a
judgment was rendered thereupon. That sometime thereafter to-wit, ~~on the~~
twenty first day of November a.d. 1826, your orator out of his own funds paid
off and discharged the said judgment, (which on the day and year last aforesaid,
after deducting the credits endorsed on the specialty, amounted to the sum of
Twelve hundred and ninety six dollars, and forty six Cents, as appears by the
receipt of Henry Briggs, attested by M^{rs}. E. Daughtry on the back of an office
copy of the said judgment, herewith filed as an exhibit marked (D.) and
prayed to be received and taken as a part of this bill.

and your orator further charges and avers, that
in the payment and settlement of his aforesaid debt, he as one of the six residuary Le-
gates under the will of his father received a credit for his share or portion from
the said Henry Briggs adm^r for the sum of Three hundred and sixteen dollars
and sixteen cents, being the one sixth part of the aforesaid sum of \$1826.95.
the principal & interest which the said administrator admitted to be in his hands,
and liable to division among the residuary Legates of his Testator. and here
your orator begs leave to refer to a paper marked (E) now produced and filed

as an Exhibit in the proper hand writing of the said Henry Briggs which is a calculation and statement handed your orator by the said Briggs, shewing the balance of his testator's estate in his hands, liable to division, and a demonstration by figures that each residuary legatee was entitled to receive from him the sum of \$315.15. - Your orator states moreover, that after raising all the ~~more~~ discounts he then had and ~~which~~ ^{more} discounts, were included the sums respectively due & owing to his brother Robert Morley Calvert & Matthew Calvert whose rights had been transferred and assigned over to him, he still was indebted unto said administrators the sum of ~~four~~ ^{four} hundred and twenty seven dollars upon which the said Briggs agreed to take the obligation of your orator, on demand payable to him as administrator of the said Samuel Calvert dec'd for the said balance of \$427. and which ~~was~~ ^{said} accordingly ~~done~~ ^{executed} on the said 21st day of November A.D. 1826, and the receipt upon the judgment herein before mentioned & referred to was given at the same time -

That the said Henry Briggs has departed this life, and one Francis M. Boykin hath qualified as his administrator in the County Court of Southampton, who applies to your orator for payment of the bond of \$427. herein before mentioned. Your orator replied to this application, that if Boykin the administrator of Briggs would allow him a discount for the proportion of John Mauden Calvert's claim on the estate of Samuel Calvert dec'd, whose claim & interest your orator had purchased by deed, bearing date the eleventh day of January 1827, and which the said Henry Briggs in his lifetime had agreed to allow, but which was never done owing in part to your orator's change of residence from Southampton, and from procrastination & delay on the said Briggs' part; and if the said Boykin would further allow as a discount the claim of his younger brother William Calvert, on the estate of his father, which claim your orator affirmed the said Boykin, or his agent, that he had the authority to receive, he as your orator was ready to go into a settlement and adjustment of the said debt. a refusal to allow your orator either of these discounts, was given, and your orator was instantly sued in this Court on the common law side of the docket, and at the October Term 1836 a judgment was obtained thereon by default, and the said Boykin advised as aforesaid either pay, or threatens to sue out an execution against your orator, and thereby most unjustly enforce the payment of the same.

Your orator refers to the deed from John M. Calvert to him dated the 11th day of January 1827, here filed as an Exhibit marked (B) and prayed to be taken as a part of this his bill - He also refers to an office copy of the bond of judgment last named, marked (C) which has been produced and prayed to be received as part of this his bill - That no defence was made to the said action at law, because your orator was advised that the discounts or set off, which he wished to get in were inadmissible at law, but that the same might and were properly receivable and would be admitted in a Court of Equity -

and your orator further charges and avers that he has purchased from his youngest brother William Calvert, now residing in the state of Alabama all his right title claim and interest, derived under the will of his late father Samuel Calvert the elder under which will the said William is not only a special, but also one of the six residuary legatees. That the deed of the said William Calvert conveying his right to your orator bears date the 12th day of October in the present year (1836) and was acknowledged before one John W. Townsend a Notary Public in and for the City & County of Mobile in the State of Alabama, with his Notarial seal & signature appended thereto, as was more fully and at large appear reference being had to the said deed now here produced, marked (D) and prayed to be received as part of this bill - Your orator states that if objection should be made to the mode of proof now offered in regard to the said deed, he will in due time use the necessary diligence to produce such proof as cannot be rejected. The residence of the grantor will not ~~enable~~ ^{enable} your orator to furnish any other proof at this time, of the transfer aforesaid -

Your orator is advised that the 2nd of the said ~~deed~~ ^{deed} of the estate of the said Samuel Calvert the elder dec'd herein before fully explained and set forth, to which his brother John Mauden Calvert and William Calvert

were entitled, together with the additional interest of the said William Calvert and which your orator has purchased as herein before shown, are in a Court of equity fair and proper discounts or set off against the judgment recovered by the said Francis M. Boykin as mor. of the said Henry Briggs dec'd against your orator, whilst at law by the said rules thereof, they could not be received or admitted.

That your orator ought to be admitted to the same relief and placed in the same condition, and succeed to all the rights benefits, and advantages to which the same John M. and William Calvert would be entitled were they now suing to recover their legacies - and your orator is advised that the only mode of relief left to him, is by an application to a Court of equity where matters of this nature are properly cognizable.

In Tender Consideration whereof and for as much as your orator is remediless in the premises, save by the aid and intervention of your Honour.

To the end therefore he prays, That the said Francis M. Boykin administrator of Henry Briggs dec'd. may be made a defendant hereto with apt and proper words to charge him, that he be compelled upon his corporal oath full true and perfect answer to make to all and singular the premises and allegations aforesaid, as if the same were here again repeated and he thereto interrogated.

That your Honour will be pleased to enjoin and restrain the said Francis M. Boykin administrator of Henry Briggs dec'd. and all other proper persons from proceedings on the said judgment at law, until the matters in controversy can be properly heard and decided in equity. That all proper accounts may be directed, if any should be found needed - and your orator prays that your Honour will grant such other and further relief in the premises as may seem more consistent with equity, justice and good conscience. - He prays the Commission of the writ of Subpoena of Nyon directed to Commanding &c.

Boon's. p. g.
Hedges -

Signed Samuel Calvert

*. although your orator was prepared, and intimated to the said Briggs a willingness to pay the said sum of \$427 but which he did not do at that time for the sequence of the understanding between himself and the said Briggs, that the said bond was to be liquidated or discharged ~~as soon as~~ ^{as soon as} the said bond was the discount of the several residuary legatees due ~~as soon as~~ ^{as soon as} as aforesaid to the said John M. and William Calvert, as soon as your orator could procure an assignment thereof to him - which as they were indebted to him, in an equity if not larger amount, it was believed by both your orator and the said Briggs could be readily done,

Isaac Wright County to wit
Personally appeared before me Edwin Morrison
a justice of the peace for the
County aforesaid Francis M. Boykin & made
oath that the facts set forth in the above number
upon his own knowledge & those set forth
upon the information of others he believes to
be true - Given under my hand and seal this
5th day of April in the year of our Lord
1837

E. Morrison JP

To the honorable Richard H Baker Judge
of the circuit superior court of law and chan-
cery for the County of Southampton,

The answer of Francis M Boykin adm^r
of Henry Briggs deceased to a bill of complaint
exhibited against him in this honorable court
by Samuel Belmont

The defendant reserving all right of exception
to the said bill either for matters of fact ~~and~~
law or form, for answer thereto on the such parts
thereof as he is advised it is material for
him to answer, admits he is the adm^r of
Henry Briggs deceased, who was the adm^r
of Samuel Belmont the elder deceased, with
the will annexed, & that in that character
the said Briggs, returned ~~an~~ account of
his transactions, shewing a balance due the
estate as stated in the complaint. bill, but as
is admitted in the bill, he had a final settlement
in his life time with all the legats, except
William & John Marrison with whom no
final settlement was made, but appears
from various vouchers in the possession
of this respondent, & found among his inter-
state papers, that various advances were made
to each, after the account before referred to was
returned, for board tuition necessary clothing &c
which this respondent believes & expects hereafter
to establish, will leave little if any thing due
to either of them, and he is and always has been
ready & willing to settle with the said legats
or their assigns, whenever called upon, & he pay
over any thing that may be found due, as it is
well known his intestate's estate is more than
amply sufficient, to pay all the just claims that

may exist against it.

This respondent knows nothing of the assignment of these claims, to the plaintiff, except what appears in the bill, & he expects the plaintiff in this, as in all other respects to make out his case fully and according to law. It appears however from the plaintiff's own showing, that the assignment of William Belvest to him was made in the State of Alabama on the 12th day of October 1836, only a few days before the judgment against him was rendered in the superior court of Southampton & long after the suit was instituted, & he submits it to this honorable court, whether even if under ^{other} circumstances it might be considered as an equitable ^{set-off} against a bond executed by him to the admors for articles purchased at the sale, he will be permitted, after ~~death~~ ^{death} ~~intituted~~ ^{intituted}, he will be permitted to purchase up old unliquidated & unascertained claims for that purpose, and thus involve the plaintiff at law, in a long, litigious & perhaps interminable controversy in chancery - but this respondent is advised that the claim set up on the part of the plaintiff is wholly inadmissible under the decisions of the court of appeals, & could not be sustained even if he himself was a creditor of the estate of Samuel Calvert the elder as legatee, & the bond upon which the judgment enjoined, was obtained, was executed by the plaintiff to the said Briggs as admors with the will annexed of Samuel Calvert for purchases made at the sale of the effects of the said Calvert & if there was any understanding, such as is spoken of in the bill, that the claims either of himself or any other of the legatees, ^{should} be set off against the bond, it is entirely unknown to this respondent.

and he requires of the plaintiff strict proof thereof he has no doubt from the character of his intestate for punctuality and ability to pay, any thing that he might owe, that he would have been ready to settle all terms, to settle with & pay them, & that if at the time of such settlement, the plaintiff was entitled by assignment to receive what was due to the said legacies, & he still held the plaintiff's bond that he would have been willing to have discounted the one against the other, but that he could not have entered into the agreement set forth as aforesaid is strongly to be inferred from the fact of his going on to make advancements to the said William & John Meriden afterwards & such being the state of the case this respondent submits to your honor, whether the claims aforesaid can be used for the purpose of tying him up in chancery for an indefinite period of time by injunction your respondent further answering says, that the bond upon which the judgment enjoined was obtained, was paid over by him & transferred to Jeremiah Cobb as the guardian of the infant children of Henry Briggs deceased in a part of their distributable proportion of his estate, & the suit aforesaid was brought by him the said Cobb for the benefit of his coors, although in the name of this respondent. It is true this respondent refused to admit the discounts aforesaid, because it was not ascertained what was due, of any thing to the said John Meriden & William Calvert and he did not consider he was at liberty to postpone a debt due by bond to his intestate's estate, until this matter could be adjusted between himself and persons residing in distant States, but if they ~~are~~ ^{were} their lawful agent had of come forward, he was ready at any time

to go into the settlement of their accounts, by which
he thinks it will appear that very little if anything
is due, them, and whenever or this settlement shall
take place, as his estate, &c. is entirely solvent,
they or their assignee, will promptly receive
whatever may be found due -

His respondent having fully answered
prays that the said injunction may be
dissolved, and he or those entitled may have
the ^{full} benefit of his judgment as soon as that
he may ^{be} dance or ^{be} satisfied with his reasonable
costs expended in defending this suit &c

Francis M. Boykin

Calvert

2. J. D. & Co. Ans.

Boyle 20

1837 April 5th

Calvert

30 { Geo. Dyer

Buggs ad

1837 July 31st Saml Calvert & Geo Little agent for Dft. Boykin attended
and the account adjourned till 22^d August next.

I acknowledge the service of the within notice

Sam Calvert
June 20. 1837

Southampton Circuit Superior Court - April the 5th 1837 -
Samuel Calvert

against
Francis M Boykin adm^r of Henry Briggs dec^d

Plff. } In Chancery
Dft.

By consent of parties this cause came on this day to be heard on a motion to dissolve the injunction, and was argued by Counsel. On consideration whereof, the Court overrules the motion to dissolve the injunction, and being of opinion that an account should be taken of the payments and disbursements (if any) that have been made to either of the legatees John Marsden and William Calvert, by the like consent of the parties, this cause came on to be heard on the bill, answer and replication thereto, the exhibits referred to, together with the depositions of witnesses, was argued by Counsel. On consideration whereof, the Court doth order, a Judge and Clerk that Littleton R Edwards who is hereby appointed Special Commissioner for that purpose, take an account of the payments or disbursements that have been made to either party of the aforesaid legatees in payment or satisfaction of the several legacies to which they are respectively entitled under the will of Samuel Calvert, the elder, dec^d. Taking as the basis of his account the audit returned to the County Court of Southampton, by Henry Briggs administrator of the said Calvert dec^d. on the 15th day of February in the year 1825, and that he state such matters in the said account as he may be required to state by the parties, or as may be deemed pertinent by himself.

Teste L R Edwards Clk

Verge: Jurisdiction - Southampton County
June 19th 1837

The parties interested are hereby notified that I have appointed the 31st day of July - next to take the account directed by the foregoing decree on which day they are required to attend at the Clerk's Office of Southampton County for that purpose.

L R Edwards Sp^l Com.

June 19th 1837

At a Circuit Superior Court of Law & Chancery held for the County of
Southampton on the 4th day of April 1885

Samuel Calvert

against

Francis M. Boykin adm^r of Henry Briggs dec^d. Dft.

Plff.

In Chancery

On the motion of the Defendant by Counsel and for reasons appearing
to the Court it is ordered that the report of the Commissioner made in this case
pursuant to the order of the fifth day of April 1885 be recommitteed to the
Commissioner who made it, for him to consider and report thereon.

Attest

JR Edwards Clk

I have appointed Wednesday the 23rd day of May 1885. for taking up the
report recommitteed to me by the above order, on which day between the hours of
nine O'clock A.M. and 5 O'clock P.M. the parties are requested to attend at
the Clerks Office of Southampton County

JR Edwards Spl. Comm.

May 7th 1885.

I certify that on 14th day of May
1838 I delivered a true copy of this
order & notice to Dr Francis on
Raykin given under my hand
this 18th day of May 1838

W. Whitehead & Co
for A. Gallardo Esq.
of San Francisco Cal

1858 May 20th Remitted \$1000 agent for the purchase of
the stock at the rate of \$100 per share. The account follows.
According to the receipt of the purchase of the stock of
\$1000 as requested by the agent.

J. A. Edwards Esq

Colout
v.
Bykin } Decree

1827 the court of probate

This cause came on this day to be heard on a motion to dissolve the injunction, and was argued by counsel; on consideration whereof the court, ~~in~~ ^{overruling the m. to dissolve} ~~resolving to dissolve~~ the injunction, ~~with costs~~ ~~and decree~~, and being of opinion that an account should be taken of the payments and disbursements (if any) that have been made to either of the Legacies John Massieu ^{like} and William Colcut, ~~and by~~ ^{the court} ~~and~~ ^{this cause came on to be heard in the bill, answer, and replication thereto, &} sent of the parties, ~~with~~ ^{advice} ~~and~~ ^{order} ~~and~~ ^{and} ~~and~~ ^{who is hereby appointed a spt. commissioner for that purpose} decree that L. R. Edwards, Take an account

of any payments or disbursements that have been made to either of the aforesaid Legacies, in payment or satisfaction of the several ~~residuary~~ legacies to which they are respectively entitled under the will of Sam^l. Colcut the elder dec^d. Taking as the basis of his account ~~the~~ ^{to the Cor. Co. of South} the audit returned by Henry Briggs adm^r of the said Colcut, ^{dec^d} on the 15th day of February in the year 1825, and that he state such matters in the said account as he may be required to state by the parties, or as may be deemed pertinent by himself -

& the exhibits referred to together with the ~~account~~ of deposition of witnesses & was argued by counsel on consideration whereof the court

Isle of Wight County To wit:

This day Archd. Atkinson

lawful age appeared before the subscriber a Justice of the peace
in and for the county aforesaid and made oath, that he
did on Monday the 24th June 1837. — deliver
a true copy of the within ^{deceased} ~~deceased~~ ^{deceased} Commissioner's notice
unto the within named Francis M. Boykin administrator of
Henry Briggs decd. — Even under my hand and seal
this 24th day of June a.d. 1837.

J. H. Jordan 
" " "

Samuel Calvert
vs. ^{decedent} ³ ^{Comptroller}
Francis M. Boykin;
vs. Henry Briggs decd.

T. Wain in Isle of Wight
City for the day of May 1837



Robert
7
Joseph
Joseph presb. ⁷
atto: attaw
Suffolk

Lyk

Southampton Circuit Superior Court. April the 5th 1837.

Samuel Calvert

against

Francis M Boykin admor. of Henry Briggs dec^d

Plff.

Def.

In Chancery

By consent of parties this cause came on this day to be heard on a motion to dissolve the injunction and was argued by Counsel. On consideration whereof the Court overrules the motion to dissolve the injunction, and being of opinion that an account should be taken of the payments and disbursements (if any) that have been made to either of the legacies John Marsden and William Calvert, by the like consent of the parties this cause came on to be heard on the bill answer and replication thereto, the exhibits referred to, together with the depositions of witnesses, was argued by Counsel. On consideration whereof the Court doth order, adjudge and decree that Shilleton R Edwards who is hereby appointed Special Commissioner for that purpose, take an account of the payments or disbursements that have been made to either of the aforesaid legacies in payment or satisfaction of the several legacies to which they are respectively entitled under the will of Samuel Calvert the Elder dec^d taking as the basis of his account the audit returned to the County Court of Southampton by Henry Briggs administrator of the said Calvert dec^d on the 15th day of February in the year 1825 and that he state such matters in the said account as he may be required to state by the parties, or as may be deemed pertinent by himself.

Teste L R Edwards Cbe

Virginia. Jerusalem. Southampton County

June 19th 1837.

The parties interested are hereby notified that I have appointed the 31st day of July next to take the account directed by the foregoing decree on which day they are required to attend at the Clerk's Office of Southampton County for that purpose

L R Edwards Special Commr

Decree.

19. dec. 1838.

to be entered

R. H. Baker

Calvert v. Briggs. This cause came on again to be heard on the papers formerly read
and the report of the Comm. made pursuant to the order of the 4th day of April
1838 and upon exceptions filed by the deft to the said report: ~~whereupon the court~~
on consideration whereof the Court doth overrule the said exceptions, and
confirming the said report, except as to the charge for board of \$70. in 1819, allowed
by the Comm. agt. William Calvert, and which amount so charged for board is
admitted by the deft in writing, to be erroneous, doth adjudge order and decree that
the injunction awarded in this Case be perpetuated, and a balance appear-
ing to be due the plaintiff from the defendant, by statement filed, marked X of
One hundred and one dollars, and forty five cents, ~~with~~ the Court doth further
adjudge order and decree that the plaintiff recover ^{asw. of Henry Briggs, deft} of the said defendant, the
said sum of \$101.45 with interest thereon from his day till paid, together with
his costs by him expended in the prosecution of this suit - and liberty is reserved
to apply hereafter if necessary for further relief.
But the pty is not to have the benefit of this decree, until he shall enter into bond
with good security, payable to the deft. Francis M. Baykin admor of Henry Briggs
sec^y who was admor of Samuel Calvert dec^d. in the penalty of \$1000
conditioned to refund saleable proportions which may be due from William
and John M. Calvert, of any debts or demands which may afterwards
appear against the estate of the said Samuel Calvert the Testator, together
with the Costs attendant on the recovery of such debts -

X out of the assets in his hands to be administered

To injure the defendant his Agent, attorney & all others concerned
from further proceedings on a judgment recovered by him against the
plff. in the Circuit Superior Court of San & Anthony for Santhampton
County for four hundred and twenty seven dollars with legal
Interest from the 21st day of November 1826 till paid & costs - the
plff having given bond & Security filed a release of all errors
at Law -

Teste

L.R Edwards etc

Robert

as J. S. & J. J. J.

W. J. J. J.

2 December 1826

Executed on Francis
all day, by delivery
in a true copy

Robert J. J. J.
By a J. J. J.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Francis M. Boykin Adminr of*
Henry Briggs decd.

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *December* next, to answer a Bill in Chancery exhibited against *him* in the said Court by

Samuel Colvert

And unless *he* shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *21st* day of *November* 183*6*, in the *61st* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

Jeff

Calvert

n { Depos

Boykin and Briggs

Came to hand sealed Dec. 20th
1836.

The following deposition of Jesse Drewry, Thomas D. Ripley,
taken pursuant to Notice, on Tuesday the twentieth day of December in the year four
thousand one hundred and eighty six, between the hours of nine
o'clock A.M. and six o'clock P.M. at the Clerk's office, for the county of
Southampton, in the Town of Jerusalem to be read as Evidence in the suit
in Chancery (an Exjunction) depending in the Circuit Superior Court
of Law and Chancery for the County of Southampton, wherein Samuel
-el Calvert is Complainant, and Francis M. Boykin & Merrihew
of Henry Briggs deceased is defendant. The Deponent Jesse Drewry
being first sworn on the Holy Evangelists of almighty God, deposes
and saith upon Interrogatories -

Question by the Compt. 1. Did you know William E. Daughtry, late of Jerusalem
in the county of Southampton, and how long did you know
him before his decease, and when, or about what time
did he die? Declare the same as you know, or have
been credibly informed and believe? -

Answer -

I did know Wm. E. Daughtry, late of Jerusalem
about fifteen years previous to his death, he died
about the year of - eighteen hundred and twenty
six or seven,

2. Question by the same. Look upon the receipt now shewn you and marked
with the letter (D) filed as an Exhibit in this
cause, signed by Henry Briggs, and attested by William
E. Daughtry, and say whether you are acquainted
with the character or hand writing of the said
William E. Daughtry the subscribing witness to the
said receipt. Is the name William E. Daughtry
subscribed as a witness to the same in his own
proper hand writing, or not? Declare all that
you know or verily believe, concerning the same?

Answer -

I think it is the hand writing of William
E. Daughtry. I have often seen him write
and am well acquainted with his hand
writing, and the name William E. Daughtry
named as the subscribing witness -
is in his own proper hand writing.

3. Question by the same. Do you know the character or hand writing of
Henry Briggs decd - and state whether the
signature of Henry Briggs to the receipt on
the Exhibit (D) is in the proper hand
writing of the said Henry Briggs.

Answer -

I have seen him write, and was well
acquainted with his hand writing, the
signature Henry Briggs to the aforesaid
receipt is in his own proper hand writing.

and further the deponent saith not.

(signed) J. B. Briggs

The deposition of Thomas D. Ripley - taken on the same day at the same place, within the same hour, and to be read or sworn in the same suit - being first duly sworn - saith.

Question by the Compt.

1- Did you see the deed or writing now produced, and shown to you at this the time of your examination, marked with the letter (F) filed as an exhibit in this cause, signed, sealed and delivered, and by whom? and whether is your name, set as subscribing witness thereto, of your own proper hand writing?

Answer - I did see John M. Calvert signed seal and deliver the paper writing now produced to me and the same was acknowledged before me by the said John M. Calvert. The signature of Thomas D. Ripley is in my own hand writing & is my proper name -

Question by the same. Is or is not John M. Calvert, of whom you have spoken a brother of the complainant?

Answer - He is - and further the deponent saith not (signed)

Thos D. Ripley

The deposition of Matt. Calvert, taken at the same time and place within the same hour, and to be read or sworn in the same suit - the deponent being first duly sworn, - deposes to saith -

Question by the Compt. are you or are you not interested in the matter of controversy in this suit? state the reason why you are, or are not.

Answer - I am not interested in this suit because the ordinary legacy bequeathed to me by my father Samuel Calvert has been conveyed by me to my brother Samuel Calvert plaintiff in the bill, and I have received for the same an adequate consideration.

Question by the same - I saw John M. Calvert. Look upon the deed or writing now handed you, marked with the letter (F) filed as an exhibit in this cause, signed and sealed by William Calvert and attested by J. Briggs. state whether you are acquainted with the character or hand writing of the said J. Briggs the subscribing witness, to the said deed or writing?

where does he reside? Is the name J. Briggs, subscribed to the same in his own proper hand writing? - and state whether the name William Calvert is in his own proper hand writing?

Answer. I have examined the paper now presented to me and my answer is, that the name J. Briggs subscribed as a witness thereto is in the proper hand writing of the said J. Briggs. I have often seen him write and I am acquainted with his hand writing. John Briggs who is the same J. Briggs is an attorney at law residing in the State of Alabama, and in the City of Mobile. I am also well acquainted with the hand writing of William Calvert who signed & sealed the paper writing mentioned in this question. I have often seen him write and am well acquainted with the character of his hand writing, and am satisfied that the signature in question is in the proper hand writing of the said William Calvert, as also the signature of the said J. Briggs is in his own proper hand writing.

Question by the same. Is the said William Calvert of whom you have spoken one of the ordinary legatees of Samuel Calvert the elder?

Answer - He is - (signed) and further the deponent saith not. Wm. Calvert

Southampton County Justice. I Nicholas M. Seabell a Justice of the Peace in and for the County aforesaid duly commissioned and qualified, do hereby certify that the three foregoing depositions of J. B. Briggs, Thomas D. Ripley, and Matt. Calvert were subscribed taken and sworn to in due form of Law before me on Tuesday the twentieth day of December 1836, at the Clerk's office in the County of Southampton, in the Town of Jerusalem in the State of Virginia, between the hours of nine o'clock A.M. and six o'clock P.M. of the same day to be read as evidence at the trial of an injunction now pending and undetermined in the Circuit Superior Court of Law and Chancery for the County of Southampton in which Samuel Calvert is Complainant, and Francis M. Boykin answer of Henry Briggs decd. is defendant. The Counsel for the def. and the complainant, with his Counsel were present and testified under my hand and seal this 20. day of December A.D. 1836.

N. M. Seabell N. Seabell

Same Calcut
to 3 Notice
R. M. Dey 10 in on H. B. 10
To Sunday 20 Dec 36.

To Francis M. Boykin administrator of Henry Briggs dec'd

Take Notice, that on Tuesday the twentieth day of December in the year 1836, between the hours of nine o'clock A.M. and six o'clock P.M. at the Clerk's office for the county of Southampton in the Town of Jerusalem, I shall proceed to take the depositions of Thomas D. Repley, Jesse Drewry and others

_____ to be read as evidence, in ^{an Injunction} ~~a~~ ^{said} depending in the Circuit Superior Court of Law and Chancery for the County of Southampton on the chancery side of the docket, wherein ~~you~~ I am _____ Complainant, and ~~you~~ you the said Francis M. Boykin admor. of Henry Briggs dec'd are defendant. — If any thing should occur to prevent the taking or completing of the said depositions on the day above mentioned, they will be adjourned from day to day (except on Saturdays when they will be adjourned to the following Monday) at and to the same place, and within the same hours, until they are completed.

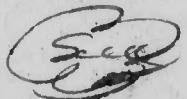
Southampton County
November the 21/1836.

Yours &c

Samuel Calvert

Southampton County to wit:

This day Robert Drewry of lawful age came before the undersigned a justice of the peace in and for the County aforesaid, and made oath, that he did on this day deliver a true copy of the above notice unto the above named Francis M. Boykin admor. of Henry Briggs dec'd. Given under my hand & seal this 21st day of Nov. 1836.

J. D. Mapinburg JP 

Puff

Calvert

" } Dep.

Boykin and Briggs

1837 Feby 20th learn to hand
Sealed L R E.

The following Deposition of Mills E. Lawrence

taken pursuant to Notice, on Monday the twentieth day of February, in the year one thousand eight hundred and thirty seven, between the hours of nine o'clock A.M. and six o'clock P.M. at the Clerk's office, for the County of Southampton, in the Town of Jerusalem, to be read as evidence in a suit in Chancery (an Injunction) now pending, and undetermined in the Circuit Superior Court of Law and Chancery for the County of Southampton, wherein Samuel Calvert is Complainant, and Francis M. Boykin administrator of Henry Briggs dec'd. is defendant.

The Deponent Mills E. Lawrence, being first duly sworn on the Holy Evangelists of Almighty God do solemnly and truthfully upon Interrogatories. —

1. Question by the Compt.

Did you or did you not sometime about the year 1832, — purchase from the defendant adm^r of Henry Briggs dec'd. a bond executed by the Complainant, made payable to the said Henry Briggs as adm^r of Samuel Calvert dec'd. for the sum of \$427, dated the 21/ November 1826, and payable on demand; declares the same as you know, or have been credibly informed?

Answer.

I did purchase a bond of the def^t. Francis M. Boykin for the sum and of the date and about the time and year set forth in the foregoing question

2. Question by the Same.

Look upon this bond, (the witness being handed the original bond now on file in the Clerk's office of the Circuit Superior Court of Law and Chancery for the County of Southampton, upon which a judgment was rendered at the last October term (1836) of half court, and which judgment is the one injoined,) in favor of Francis M. Boykin adm^r of Henry Briggs dec'd. sometimes called adm^r of Samuel Calvert, against the present Complainant, and state whether it is the same bond you purchased of the present defendant Francis M. Boykin? State also, in what manner you disposed of the said bond.

Answer — I have examined the foregoing ^{bond} which has just been handed to me and it is the very same bond which I purchased of the def^t. Francis M. Boykin adm^r of Henry Briggs dec'd. who was the adm^r of Samuel Calvert dec'd. This ~~same~~ bond was used upon for my use in Southampton Superior Court against Samuel Calvert the obligor; after suit brought the def^t. Sam^l. Calvert told me, that he had assets or discounts to the said Bond for an amount which he said, would more than take in the

said bond. I communicated to Francis M. Boykin what Saml Colvert
had to tell me, whereupon Boykin said if you will get me the
bond I will take it back and give you the money for it. I applied
to my Attorney, or the clerk of the court, for the bond, and having ob-
tained it, I saw Mr Boykin and he refunded me the amt of
money I had laid him for the bond, and I ordered my suit to be
dismissed - I remember telling him Samuel Colvert before I brought
suit that I had traded with Boykin for the bond of which I before
spoke upon which information the said Colvert replied as well
he then as after suit - that he had assets or discounts more than
enough to take up the bond. -

and further the Deponent saith not
(signed) Mills E. Lawrence

Southampton County Va.

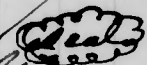
I James Clayton a Justice of the peace in and
for the county aforesaid, do hereby certify that the foregoing
deposition of Mills E. Lawrence was subscribed taken and
sworn to in due form of Law before me this twentieth day
of February, 1837 at the Clerk's Office of Southampton
County in the State of Va. between
the hours of nine o'clock a.m. and six o'clock P.M.
of the said day, when evidence at the trial for
Injunction now pending and undetermined in the Circuit
Superior Court of Law and Chancery for the County of
Southampton in which Samuel Colvert is Plaintiff
and Francis M. Boykin as nor of Henry Briggs &c.
is defendant. - Certified under my hand and seal
as Justice of the peace in and for the County aforesaid
this 20. feby. 1837.

James Clayton (Seal)

Samuel Calvert
v & Notice
Francis M. Boykin
admo of J. H. Briggs Sec.

To 20th Feby. 1837.

Isle of Wight County To wit:
 This day Thomas B. Rely of lawful age, personally came before the Subscriber a justice of the peace, in and for the county aforesaid, who on oath that he did on the 6th day of Feb^y. 1837. deliver a true copy of the within notice, unto the within named Francis M. Relykin administrator of Henry Briggs deceased. Given under my hand and seal this 6th day of Feb^y 1837.

Thos B Rely 
 Justice of the Peace

Samuel Calvert
 or
 Francis M. Relykin
 adm^r of H^y Briggs dec^d

To 20: Feb^y: 1837.

To Francis M. Boykin administrator of Henry Briggs deceased

Take Notice, That on Monday. the twentieth day of February in the year 1837, between the hours of nine o'clock A.M. and six o'clock P.M. at the Clerk's Office, for the County of Southampton, in the Town of Jerusalem, I shall proceed to take the depositions of Mills & Lawrence and others

to be read as evidence in a ^{an Indignation} suit depending in the Circuit Superior Court of Law and Chancery for the County of Southampton on the Chancery side of the docket, wherein I am Complainant, and you the said Francis M. Boykin administrator of Henry Briggs deceased are defendant

If any thing should occur to prevent the taking or completing of the said depositions on the day above mentioned, they will be adjourned from day to day (except on Saturdays when they will be adjourned to the following Monday) at and to the same place, and within the same hours until they are completed.

Yours^{gr}

Nancemond County:
January 28th 1837.

Samuel Calvert
By Joseph Prentiss att^o

Lealvent

u & Rough Record.

Briggs as

At a Circuit Superior Court of Law and Chancery for Southampton County
holden at the Courthouse of said County on the day of April 1837-²⁵
Be it remembered, that heretofore in the vacation of the said Court, to wit: the ~~4th~~ ^{25th} day
of November in the year 1836. Samuel Colvert by his Counsel presented to the Judge
of the ~~the~~ filed with the Clerk of the said Circuit Superior Court his bill against
Francis M Boykin a minor of Harry Briggs dec^d which bill with an affidavit & an endorse-
ment of the Judge of the said Court thereon made is in the words & figures following to wit
"To the Honorable J^c"

- Exhibits filed with the Bill -

And the plaintiff having complied with the terms upon which ~~the~~ Inj^{un} was awarded
by executing bond with security and filing a release of all errors at law, a subpoena and
decree nisi was issued against the defendant in the following words to wit

"The Commonwealth J^c"

upon which Subpoena & decree nisi the following endorsement was made to wit
"To inform J^c -

Sherriff's return -

And afterwards to wit At Rules held in the Clerk's Office of the Circuit Superior
Court aforesaid on the fourth day of April in the year 1837 came the Defendant
by his Counsel and filed his answer in the following words to wit
"To the Honorable J^c"

To which answer the plaintiff by his Counsel met and replied generally -

And now at this day to wit. At a Circuit Superior Court of Law & Chancery held
for the County aforesaid on the day and year first aforesaid to wit the 5 day of
April 1837 By consent of parties J^c.

The following is the testimony filed in the case.

On the mo. of the def^t by Counsel, and for reasons appearing to the Court
dis ordered, that the report ~~made~~ of the Commissioner made in this case
pursuant to the order of the 5th day of April 1837, be recommended
to the Commissioner who made it, for him to consider and
report thereon

Calvert

" } Commr Report

Boyskin admr. of Briggs

1836 September 21st

Calvert

In Chancery

Boyer admr. of Briggs

The Commissioner appointed the 31st day of July 1837, at the Clerk's Office of Southampton County, as the day and place for taking the accounts directed by the decree in this case, of which the plaintiff and defendant had due notice, and of which notice was also inserted in the "Norfolk Beacon" a newspaper published in the Borough of Norfolk, once a week for four weeks successively - The plaintiff Samuel Calvert and Jeremiah Cobb agent for the defendant Boyer attended, and the said Cobb agent as aforesaid being unprepared to go into the settlement of the accounts, the Commissioner adjourned his proceedings until the 22nd day of August, at the Clerk's Office aforesaid, on which day and at which place - to wit the day and place last mentioned - Joseph Prentiss and William D. Hodges Esqrs Counsel for the plaintiff alone attended before the Commissioner (the defendant Boyer not attending nor being represented) and required him to make up the accounts directed by the decree, which he has done from the evidence before him, as follows to wit.

Henry Briggs who was Executor of Samuel Calvert dec.
In Account with John Marsden Calvert.

			Dr.	Cr.	Int.
1814					
Decr.	31	To the said John Marsden's specific legacy under the will.	300 00		
1823					
Decr.	31	To ditto's proportion as one of the ^{residuary} ~~general~~ legatees, being $\frac{1}{6}$ of the balance due the Estate of the Testator from the Executor as per audit directed to form basis of this account.	181 03 $\frac{5}{16}$		103 74 $\frac{4}{16}$
		Interest brought down.	103 74 $\frac{4}{16}$		
		Balance due the legatee	\$ 584 78 $\frac{9}{16}$		with interest
		on \$300. a part thereof from the 31 st day of December 1814 and on \$181.03 $\frac{5}{16}$ another part thereof from the 31 st day of December 1823 till paid.			

Henry Briggs who was Executor Samuel Calvert dec.
In Account with William Calvert

			Dr.	Cr.	Int.
1814					
Decr.	31	To the said William's specific legacy under the will.	500 00		
1823					
Decr.	31	To ditto's proportion as one of the ^{residuary} ~~general~~ legatees, being $\frac{1}{6}$ of the balance due the estate of the Testator from the Executor as per audit directed to form the basis of this account.	181 03 $\frac{5}{16}$		103 74 $\frac{4}{16}$
		Interest brought down	103 74 $\frac{4}{16}$		
		Balance due the legatee	\$ 784 78 $\frac{9}{16}$		with interest
		on \$500. part thereof from the 31 st day of December 1814, and on \$181.03 $\frac{5}{16}$ another part thereof from the 31 st day of December 1823 till paid.			
		Interest is allowed on the specific legacies from the 31 st day of December 1814 that			

being the time at which the Executors receive credit for them in his account current
Commissioners fee 5 hours at \$1 = \$5.00.

Respectfully Submitted

L.R. Edwards Esq

Calvert v Boykin ^{answ.}

order of Pub.

Southampton Superior Court, April the 5th, 1837,
Samuel Calvert, ...Pliff.

AGAINST

Francis M. Boykin, Adm'r of } In Chancery.
Henry Briggs, dec'd, ...Defts.

BY consent of parties this cause came on this day to be heard on a motion to dissolve the injunction, and was argued by Counsel—on consideration whereof, the Court overrules the motion to dissolve the injunction, and being of opinion that an account should be taken of the payments and disbursement (if any) that have been made to either of the legatees John Marden and William Calvert, by the like consent of the parties, this cause came on to be heard on the bill, answer and replication thereto, the exhibits referred to, together with the depositions of witnesses, was argued by Counsel. On consideration whereof the Court doth order, adjudge and decree that Littleton R. Edwards, who is hereby appointed Special Commissioner for that purpose, take an account of the payments or disbursements that have been made to either of the aforesaid legatees in payment or satisfaction of the several legacies to which they are respectively entitled under the will of Samuel Calvert the elder, dec'd, taking as the basis of his account, the audit returned to the County Court of Southampton by Henry Briggs, Administrator of the said Calvert, dec'd, on the 15th day of February in the year 1825. And that he state such matters in the said account as he may be required to state by the parties, or as may be deemed pertinent by himself.

Test, L. R. EDWARDS, C. C.

Virginia, Jerusalem,
Southampton County, June 19th, 1837. }

THE parties interested are hereby notified that I have appointed the 31st day of July next to take the account directed by the foregoing decree, on which day they are required to attend at the Clerk's Office of Southampton County for that purpose.

L. R. EDWARDS, Special Com'r.

ja 24

s4w

I CERTIFY that the annexed Notice, in the case of Calvert

vs Boykin

has been inserted

twomonths

successively,

in "THE AMERICAN BEACON," Newspaper, published in Norfolk, Va.

commencing on the 23rd day of June/1837

Hugh B. Grigsby

of Shields, Ashburn & Grigsby,

Publishers of the Beacon.

Sworn to before me, an Alderman of Norfolk Borough, by

B. Grigsby
1837

this 2nd

day of September

W. A. Shield

Alderman of Norfolk Borough

The defendant files this account which was made up specially, as exceptions to the Com^rs report in this case, with the exception of \$70. charged to William Calvert and John Calvert for board when not at school &c. The defendant has been informed by Mrs F. Calvert that the boys were the most of their time when not at school with her, and that she had not received any thing for it - therefore this item is not contended for. The defendant contends that commissions should be allowed for the lawyer's specifically bequeathed to these legacies.

Wm. Parker atts.

Calvert
" } Special Report
Burgess's acc^t.

Atty
of Mr. Lobb

Defendants Exceptions

9050

Calvert

Boykin admr. of Briggs

The defendant by Jeremiah Cobb Esq his agent on the 26th day of March 1838 handed to your Commissioner sundry vouchers & requested him to make up an account between Henry Briggs who was adm of Saml Calvert decd. and William Calvert & John M Calvert legatees of the said Samuel decd. which he has proceeded to do in the following manner.

William Calvert

In Account with the Admr.

		Dr.	Cr.
1814	To Sundries for clothing	19 67	
	" Paid David Nalances acct	5 28	
	" " N. Boush for board & tuition this year	65 00	
	" " D. M. acct	2 75	
	" " Tailors bill	9 62	
	" " a/c	4 00	
Decr. 31	By your specific legacy under the will of your father		500 00
	Balance the legatee		106 33
1815	To Sundries for clothing	5 28	393 68
	" Paid John Moore for shoes	2 00	
	" " board & tuition this year	65 00	
	" " J. D. Heath for a hab	3 00	75 25
Decr. 31	By balance due the legatee		318 43
	Interest thereon for one year		19 10
1816	To paid Thomas D Heath for hab	3 00	537 53
	" " Henry Melch acct	2 06	
	" " W. Britt Tailors bill	9 62	
	" " Henry Melch for board & 1 yrs. tuition	96 44	
	" " William Feil for 1 yrs. tuition	3 00	
	" " David Nalances account	113 40	227 52
Decr. 31	Balance due the legatee		110 01
	Int. Thereon for one year		6 60
1817	To paid Henry Melch for board & tuition this year	70 00	116
	" Henry B. Vaughan Tailors bill	8 12	78 12
Decr. 31	Balance due the legatee		38 49

		Dr	Cr	Int
1817				
Dec.	31	By balance due the Legatee brot over	38 49	
		Int thereon for one year	2 30	
			40 79	
1818		To paid David Wallace acct	34 63	
		" " Nath Calvert do	5 25	
		" " Henry Melsh for necessaries	29 47	69 35
Dec.	31	To balance due the admr.	28 56	
		To last advanced for. rect	20 00	
		" board at my house when not at school in the pre. } ceding years say 6 months	30 00	
		" Eight months board this year	40 00	
Dec.	31	Balance due the admr	118 56	
		Int on \$28.56 bal of last year to this time	1 71	
		" " \$118.56 from ^{this time} to Dec. 31. 1823	28.45	
			30.16	118 56
1823				
Dec.	31	By your proportion of the balance due on the ac- count current of Sam Calvert's estate	103.74	181 03
		By balance due the Legatee		\$ 62.47 72.58

with Interest on the said sum of \$62.47 from the 31st December 1823 till paid.

The agents of Boykin admr. of Briggs contended that the admr. was entitled to commissions on the sum of \$500 the amount of the specific legacy as a compensation for his services in attending to the education of the legatee as enjoined upon him by the Will; but the Commissioner being of opinion that the admr was or should have been compensated for these services in the settlement of his administration account has not allowed the commissions. The admr. produced vouchers showing that he had paid for the schooling of the legatee for two quarters of the year 1816 and insisted that the admr. ought to be credited for the whole years tuition, contending that as it is proved the legatee went to school a part of the year it ought to be presumed that he went to school ^{the whole} year. The Comr. however has given the admr. credit for the two quarters tuition only proved to have been paid.

The sums of \$3.25^{ts} paid in 1815 of \$70 paid in 1817 of \$29.47^{ts} paid in 1818 & for \$30 & \$40 paid in 1819 being for board, clothing &c and being considered reasonable were allowed. The agents of the Sfr. Boykin also stated to the Comr. that these charges were found upon the books of Briggs the admr. of Calvert & are in the hand writing of Briggs. All the other charges are sustained by proper vouchers

Respectfully Submitted

L.R. Edwards Comr.

John M. Calvert

In account with the admr.

		Dr	Int	By
1814				
	To Sundries furnished this year	67 44		
	" paid board & tuition	70 00		
	" Sundries furnished	19 67		
Dec.	31	By your specific legacy under the will of your father's will		300 00
				157 11
	Balance due the Legatee			\$42 89
1815				
	To Sundries furnished this year	99 29		
	" board & tuition this year	65 00		164 22
Dec.	31	" balance due the Admr.	\$ 21 33	
1816				
	To paid Henry B. Vaughan	10 12		
	" Thomas D. Heath	6 00		
	" David Wallace	8 70		
Dec.	31	Balance due the admr	45 45	
	Int on ditto to 31 st Dec 1818		5 44	
	" " \$21.33 bal of 1815 for one year		1 27	
1818				
Dec.	31	To Sundries furnished this year	20 48	
	Balance due the Admr.	65 93		
	Int on ditto to 31 st December 1823		19 77	
			26 48	
	By your proportion of the balance due on the account, current of your father's estate	103 74	181 03	

By balance due the legatee

\$ 37.81 154.55 with

Int on \$37.81 from 31st Decr. 1823 till paid
The admr. of Briggs contends for commissions on the specific legacy which are not allowed by the Comr. All the charges against the legatee were substantiated by vouchers except one or two which were for necessaries and they being seen reasonable by the Comr. were allowed

L.R. Edwards Comr.

The defendant contends that Calvert should be required to execute releasing bonds with security to indemnify the Estate of Calvert against any debts which may hereafter come against it

L.R. Edwards Comr.

Attest
Teste L.R. Edwards cl

John & Will. Calvert

acctⁿ to H. Briggs



1814

39.357

retainer

19.67¹/₂

Except to by Calvert's note

Dr John & William Calvert & Henry Briggs

1814 Oct. 17 th to 10 yds Blue Cloth.	@ 18 ⁷ / ₁₀	\$ 30-
" 6 yds Cotton Cloth.	@ 2 ¹ / ₂	2-16
" 8 Seams Silk.	@ 9 ⁰	1-00
" Trust 1/6 thread 1/10 ¹ / ₂		1-56
" 5 doz Buttons 3/9		3-13
" 1 yd Vesting		2-50
		39-35

divide each of these items between
Jno & William

Wm Calvert
To & acct
Ed. B. Vaughan

9. 52 $\frac{1}{2}$

1816

Mr Henry Briggs Guardian

Hon William Calvert

1815

May 30th To Henry B. Vaughan Dr

To making a thin coat . . . 1.50

Twist 12 $\frac{1}{2}$

Decr. To making a Cloth coat . . . 3.50

To making Vest & pantaloons . . . 2.50

Spunging 50

1816

March. To making pantaloons . . . 1.50

\$ 9.62 $\frac{1}{2}$

1816 Apr Rec^d payment Henry B. Vaughan

John Calvert

Accts

1816

John Calvert in acct with Henry Buggs adm^t of (Sam Calvert decd)

1814			\$	Cts
Feb'y	"	To 1 latten grammar		30
Nov ^r	"	To 2 p ^r socks a 62 ¹ / ₂ C ^t dec ^d to 1 p ^r shoes \$1.75	3	—
Dec ^r	"	To paid David Vallance his acct.	30	57 ¹ / ₄
Jan'y	"	To 5 yards home spun for pantaloon a 6 ¹ / ₉	5	62 ¹ / ₂
"	"	To paid for board & tuition 1814	✓ 70	—
"	"	" paid John Davis for make ^g suit cloths	4	50
"	"	" Cash \$1. paid N. Boush his acct. \$3.	4	—
"	"	" paid Th ^o . D. Heath for 1 hat \$4.50 - and do last year 2.50	7	—
"	"	" paid Mr. Brown for making 2 p ^r pantaloon	1	50
April	"	To Cash \$5. - 1 p ^r shoes \$2	7	00
July	"	To Cash p ^r Mr. Foster for 1 p ^r shoes	1	50
Aug ^t	"	To 1 p ^r shoe	2	25
1816				
Jan'y	"	To board and tuition 1815	✓ 65	00
"	"	paid David Vallance his acct.	74.96	66 96
"	"	paid John Davis for making suit cloths	4	50
"	"	paid H. B. Vaughan for making cloths	✓ 10	12 ¹ / ₂
"	"	paid for stitching and making	✓ 5	25
"	"	To Cash	87.43	5 00
16			4.50	
			91.93	
			27 ¹ / ₂ 2 ¹ / ₂	
			289	73

Mrs.
William Catbert
Rev. E. J.
David Vallance

Feb 28

1874

Jerusalem Southampton County, Virga
Mr. Henry Briggs. (Guardian for Wm. Calvert)

1814

To David Vallance

May	17	To 1 pen knife & Capt. Bouch		\$ "	50
July	12	" 1 yd. Blue Hanken		3 "	75
		" 1 1/2 yds. homespun		2 1/3 "	47
		" 2 hanks. Silk sp. thread #3		" "	31
		" 2 Dogen Large Molds		9 "	25
					4 78
					\$ 5.28

1815

Jan^y 9 Rec^d Paym^t In full David Vallance
J^r Mrs C. Daughtry

W. Calvert

Rect

1813

1819 July 8th. Received of Henry Briggs admr.
with the will annexed of Sam^l. Calvert acc^d. the sum
of twenty dollars in part of what may be due
me from my Father's estate

William Calvert.

A. Calvert
Cal.

Calvert

n 2

Briggs and

1838 May 21st

Calvert
Briggs and
1838 May 21st

Sam^l Cabot eq:

TO HUGH B. GRIGSBY,

Office of "The American Beacon and Norfolk and Portsmouth Daily Advertiser,"
Where every description of Printing is neatly and promptly executed.

Dr.

1837			\$	Cts.
June	24	To publish Channing's notice Cabot vs Dugan	5	00
		L1—		

paid May 21. 1838.

J. Joseph Puntis.

for the

Printer—

Norfolk Feb 23rd. 1838

The Detra load of \$30. & \$40 charged to John &
 William below in 1819 in this report, are not intended
 for the said board were not for board for at least a
 very small party ^{thru} ~~and~~ ^{thru} ~~but~~ to Mr. Catron
 when they stopped the greater part of the time
 when not at school and the state is
 receiving they are intended to charge any from
 the rest of this Special act it is intended for
 should be allowed which is filed by way of
 exceptions to the ^{last} act reported by Com. in
 this case. -

~~See following~~
 for

Calvert adv

Report - (Special)

Briggs adv

1838 March 26.

Calvert

vs.

Wrightson adm: of Briggs.

The defendant by Jeremiah Cobb Esq: his agent on the 26th day of March 1888 handed to your Commissioner sundry vouchers & requested him to make up an account between Henry Briggs who was adm: of Sam^l Calvert dec^d and William Calvert & John M. Calvert legates of the said Samuel Calvert dec^d which he has proceeded to do in the following manner.

William Calvert In Account with the Adm^r

		Dr.	Cr.
1814	* To Sundries for clothing	19 67.	
	" paid David Wallance acct.	5 28.	
(52.75)	" " N. Boush for board & tuition this year.	65 00.	(52 68)
	* " " Ditto acct.	2 75.	
816 1/2	" " Tailors bill	9 62.	
" "	" " Ditto	4 00.	
Dec 31	By your Specific Legacy under the will of your father		500 00
" "	Balance due the Legatee		106 32
		\$	393 68
1815	To Sundries for clothing (admitted)	5 25.	
	" paid John Moore for shoes	2 00.	
	" " board & tuition this year	65 00.	
	" " T. D. Heath for a hat	3 00.	75 25
Dec 31	By balance due the Legatee		318 43
	Interest thereon for One year		19 10
			337 53
1816	* To paid Thomas D. Heath for hat	3 00.	
	" " Henry Welsh acct.	2 06.	
	" " W. Britz Tailors bill (49.20)	9 62.	
	" " Henry Welsh for board & tuition	96 44.	
	" " William Fee for 1 yr tuition	3 00.	
	" " David Wallances account	113 40.	227 52
Dec 31	Balance due the Legatee	\$	110 01
" "	Int: thereon for One year		6 60
			116 61
1817	* To paid Henry Welsh for board & tuition this year	70 00.	
	" " Henry W. Vaughan Tailors bill	8 12.	78 12
Dec 31	Balance due the Legatee		\$ 38 49

		Dr.	Int.	Cr.	Int.
1814	Decr 31	By balance due the Legatee brot. over		38 49	
		Int thereon for one year		2 30	2.10
1818		To paid David Wallace account	34 63	40 79	
		" " Matt. Calvert do	5 25		
		" " Henry Welsh for mepparies	29 47	69 35	
Decr 31		To balance due the Admor	28 56		
1819		To Cash advanced for Recd	20 00		
		" board at my house when not at school			
		in the preceding years - say 6 months -	30 00		
		" Eight months board that year	40 00		
Decr 31		Balance due the Admor	118 56		
		Int. on \$28.56 bal. of last year. to this time		1.71	
		" " \$118.56 from this time to Decr 31/1823		28.15	
1823			118 56	30.16	
Decr 31		By your proportion of the balance due on the			
		account current of Sam Calvert's estate	181 03	103.74	
		By Balance due the Legatee			\$ 62.47 73.58
		with interest on the said sum of \$62.47 from the 31 st December 1823 till paid			

John M Calvert In Account with the Admor.

		Dr.	Int.	Cr.
1814		To Sundries furnished this year	67 14	
		" paid board & tuition (\$52.75 p ^r)	70 00	
		" Sundries furnished	19 67	
Decr 31		By your specific legacy under your fathers will		300 00
		Balance due the legatee		157 11
				\$152 89
1815		To Sundries furnished this year	99 22	
		" board & tuition this year	65 00	164 22
Decr 31		Balance due the Admor	\$ 21 33	31 33
1816		To paid Henry B. Clougham	10 12	
		" " Thomas D. Heath	6 00	
		" " David Wallace	8 00	
Decr 31		Balance due the Admor	45 45	
		Int. on ditto to 31 st Decr. 1815		5.16
		" " \$21.33 bal. of 1815 for one year		1.27
1818		To Sundries furnished this year (3 acct)	20 48	
Decr 31		Balance due the Admor	65 93	
		Int. on ditto to 31 st December 1823		19.77
				26.48
		By your proportion of the balance due on the		
		account current of your fathers estate	103 74	181.03
		By Balance due the Legatee	\$ 37 81	154.55 with
		Int. on \$37.81 from 31 st December 1823 till paid		

The agent of Boylston admor. of Briggs contended that the Admor. was entitled to Commissions on the sum of \$500. the amount of the specific legacy, as a compensation for his services in attending to the education of the legatee as imposed upon him by the will of the Testator. but the Commissioner being of opinion that the Admor. was or should have been compensated for these services in the settlement of his Administration account has not allowed the commissions - The Admor. produced vouchers showing that he had paid for the schooling of the legatee for two quarters of the year 1816 and insisted that the Admor. ought to be credited for the whole years tuition, contending that as it is proved the legatee went to school ^{the part} of the year it ought to be presumed that he went to school the whole year - the Comr. however has given the Admor. credit for the two quarters tuition ^{only} proved to have been paid -

The sums of \$5.25^{cts} paid in 1815 of \$70. paid in 1817 of \$29.47^{cts} paid in 1818. & for \$30 & \$40 paid in 1819 being for board, clothing &c. and being considered reasonable were allowed - The agent of the Dft. Boylston also stated to the Comr. that these charges were found upon the books of Briggs the Adm of Calvert & are in the hand writing of Briggs - All the other charges are sustained by proper vouchers -

Respectfully Submitted
J R Edwards Comr.

The Admor. of Henry Briggs contends for commissions on the specific legacy - which are not allowed by the Comr. - All the charges against the legatee were substantiated by vouchers except one or two which were for mepparies and they being deemed reasonable by the Comr. were allowed -

J R Edwards Comr

The defendant contends that Calvert should be required to execute refunding bond with security to indemnify the Estate of Calvert against any debts which may hereafter come against it -

J R Edwards Comr

Calvert

or } Report
Briggs acc

Reported June 30. 1835.

William Calvert a Legatee of Samuel Calvert dec.
In Account with Henry Briggs Exor.

1814			Dr.	Cr.
		To paid David Wallance for Shirting	2 00	
		" " Mrs Cherry for making Shirts &c	1 75	
		" " D Devany " ditto	1 50	
Oct	17	" " for 5 yds blue cloth a 18s	15 00	
"	"	" " 3 1/4 " Cotton cloth a 2s	1 08	
"	"	" " 4 Skeins silk a 9s	" 50	
"	"	" " Twist & Thread	" 28	
"	"	" " 2 1/2 Doy buttons a 3/9	1 56	
"	"	" " 1/2 yd Vesting	1 25	
Dec	31	" " Nathaniel Boush for board this year pReet	50 00	
"	"	By your pecuniary Legacy under the will		500 00
		Int: thereon from January 1/1814 to Jan'y 1/1815		30 00
1815	Jan'y	1 To Balance due the Legatee	455 08	
			530 00	530 00
"	"	By balance due the Legatee brought down		455 08
Mar	15	To paid Nathaniel Boush for paper pReet	18	
"	"	" " ditto " for Shoes	2 50	
Jan'y	9	" " David Wallance account	5 28	
Dec	31	" " Mrs Foster for board this year	50 00	
1816	Jan'y	1 " Balance due the legatee	397 12	
			455 08	455 08
"	"	By Balance brought down		397 12
		Int: thereon for six months		11 91
Apr		To paid Henry W Maughan for making clothes pReet	9 62	
July		" " Thomas D Keath " 2 hats	6 00	
Mar		" " Henry Welsh for articles of clothing	2 06	
Sep	16	" " B Stines for making Suit clothes	4 00	
Oct	26	" " Miles Britt for making clothes	9 30	
"	"	" " Thomas L Whitworth for tuition	15 00	
Nov	26	" " John Moore for Shoes	2 00	
Dec	31	" " Henry Welsh for Sunday articles of clothing	38 44	
"	"	" " Ditto ditto for 2 quarters tuition	6 00	
"	"	" " Ditto ditto for board this year	55 00	
1817	Jan'y	1 " Balance due the legatee	261 41	
			409 03	409 03
"	"	By Balance due Legatee Carried forward		261 41

1817 Jan'y	1	By Balance due the legatee brot over Int. from January 1/1816 to January 1/1817		261 43 1568	
Feb'y	25	To paid David Vallance for sundry articles of clothing p ^{Recd}	113 40		
Dec'r	31	" " Henry Welsh for board of Triniton this year	70 00		
1818 Jan'y	1	" " Balance due the Legatee	93 69		
			277 09	277 09	
"	"	By Balance brought down		93 69	
"	"	Int. thereon from Jan'y 1/1817 to Jan'y 1/1818		5 62	
"	20	To paid Henry B Vaughan p ^{Recd}	8 12		
Sep	7	" " Math Culbert	5 25		
Dec'r	16	" " David Vallance	34 64		
1819 Jan'y	1	" " Balance due the Legatee	51 30		
			99 31	99 31	
"	"	By Balance brought down		51 30	
"	"	Int. thereon from Jan'y 1/1818 to Jan'y 1/1819		3 27	
"	"	To Wash advanced p ^{Recd}	20 00		
"	"	board at my house when not at school during the preceding years - say 6 months	5 30 00		
"	"	" Eight months board this year	40 00		
1820 Jan'y	1	To Balance due the Exor.	\$ 90 00	543 73	
				35 63	
"	"	To Balance brought down	90 00	90 00	
"	"	Int. thereon from this day to December 31/1823	8 51		
1823			44 14		
Dec'r	31	By your proportion of the balance due upon the settlement of Henry Briggs comor. in Samuel Calvert's est. Balance of principle \$103.74 Interest 181.03		284 77	
		To your proportion of the interest on yours & John M Calvert's pecuniary legacy which the Exor. did not retain in settling his account Current	8 00		
		Int. thereon from December 31/1813 to December 31/1823	4 80	56 94	
		Balance due the Legatee	\$ 227 83		
		with interest on \$103.74 paid thereof from December 31/1823 till paid			

J.R. Edwards Spl. Comr

John M Calvert a Legatee of Samuel Calvert dec'd.
In Account with Henry Briggs Exor of

			Dr.	Cr.
1814 Jan'y	1	To paid David Vallance for shirting	2 00	
"	"	" " Mrs Cherry for making shirts of	1 75	
"	"	" " W Devany " ditto	1 50	
Feb'y	"	" " for Latin grammar	50	
Oct.	17	" " 5 yds blue cloth @ 18/	15 00	
"	"	" " 3 1/4 " Cotton do @ 2/	1 08	
"	"	" " 4 skins silk " 9	50	
"	"	" " twist thread	28	
"	"	" " 2 1/2 doz buttons 3/9	1 36	
"	"	" " 1/2 yd Vesting	1 25	
Nov	"	" " 2 pr Socks	1 25	
Dec'r	"	" " 1 pr Shoes	1 75	
"	31	" " Nathaniel Boush for board & schooling this year p ^{Recd}	70 00	
"	"	By your pecuniary Legacy under the will		300 00
1815 Jan'y	1	Int. from January 1/1814 to January 1/1815		18 00
		To Balance due the Legatee	219 58	
			318 00	318 00
"	"	By balance brought down		219 58
Mar	"	To paid Nathaniel Boush for paper p ^{Recd}	18	
"	"	" " Ditto for books	1 25	
"	"	" " Ditto for pr shoes	1 38	
"	"	" " 5 yds homespun for pantaloons @ 6/9	5 62	
"	"	" " paid John Davis for making suit clothes	4 50	
"	"	" " Cash \$1. paid at Boush's	4 00	
"	"	" " paid Thomas D Heath for hats	7 00	
"	"	" " Mrs Brown for making 2 pr. pantaloons	1 50	
Apr.	"	" " Cash \$5. paid shoes	7 00	
July	"	" " paid Mrs Foster for pr shoes	1 50	
Aug.	"	" " pr shoes	2 25	
Dec'r	31	" " paid board this year	50 00	
1816 Jan'y	1	" " Balance due Legatee	133 40	
			219 58	219 58
"	"	By Balance due Legatee brought down		133 40
"	"	Int. thereon for six months		8 00
		Carry forward		141 40

1816	Jan 1	Amount Brought forward		141	40
		To paid David Wallace his acct.	74	96	
		" John Davis for making Suit clothes	4	58	
		" Henry B Vaughan for making clothes	10	13	
		" for Shirts making	3	25	
		" Cash	5	00	
July		" paid Thomas D Heath for hat	6	00	
		" Matt Calvert	2	25	
		" Collier Kitchen & Co	9	75	
		" David Wallace	8	48	
		" for tuition last year	15	00	
1817	Jan 1	Balance due the Legatee		08	
			\$	141	40 141 40
		By Balance brought down		08	
		Int: thereon to December 31/1823.		03	
1823				11	
Dec 31		By your proportion of the balance due upon the Settlement of Henry Briggs admor: on Saml Calverts acct.			
		Balance of principle	\$103	74	
		Interest	18	03	
				291	77
		To your proportion of the interest due on yours & William Calverts pecuniary interest, which the Exor: failed to charge in his account current.		8	00
		Int: thereon from December 31/1813 to Dec. 31/1823.		4	80
				12	91
		Balance due the Legatee		278	86
		with interest on \$103.74 part thereof from December 31/1823 till paid			

L.R. Edwards Sp. Comr

Calvert
" } In Chancery.
By Henry Briggs

The Commissioner having appointed the 23^d day of May 1838 for examining the accounts directed in this case gave notice thereof to the parties, and was attended by James P French Esq. Counsel for the plaintiff & Jeremiah Cobb Esq. as agent of the Defendant. The agent of the Deft. laid before the Commissioner evidence of sundry disbursements made by Briggs as admor: &c. for William & John M Calvert and requested the Comr. to allow him further time to obtain further evidence, the Commissioner therefore adjourned his proceedings to the 9th day of June on which day the said Cobb as agent &c. attended but adduced no additional testimony and expressing no desire to be allowed further time to obtain any the Commissioner proceeded forthwith to make up the accounts and respectfully submits the foregoing as the result.

The three first items of disbursements in the account of William Calvert were admitted by the plffs. Counsel - the other items of disbursements for the year 1814 were charged in an account which was produced before the Comr. and which is in the hand writing of Briggs himself and for articles which a ward would necessarily require and being considered reasonable were allowed by the Comr. The items of \$70. for food & provisions for in 1817 and the two items one of \$30 and the other of \$40. for board in 1819 were allowed upon the statement of the said Cobb that they were found upon the books of Briggs & in his handwriting - The Counsel for the plaintiff objected to those three items being allowed because the books themselves which he thought the best evidence, were not produced before the Commissioner. the Commissioner in addition to the objection to the statement of the Deft's agent that they were found upon the books of Briggs, considered such charges unavoidable.

In the account with John M Calvert the three first items for disbursements in 1814 were admitted by Plffs Counsel the other items of disbursements in that year & many other items in the succeeding years were allowed because they were for such articles as a ward would necessarily require and were found charged in the hand writing of Briggs in an account produced before the Commissioner. In this same account is an item of \$30.57 1/4 Cents for an account paid to David Wallace - this account was not produced nor was there any evidence before the Commissioner showing that the account was for articles necessary & proper for the ward - the item therefore has not been allowed.

The Agent of the Deft. contended before the Commissioner that a reasonable allowance should be made to the Deft. Briggs for his trouble &c. in discharging the legacies - but as it was a duty imposed upon him by the Will the allowance was or should have

been made by the Comr. who settled the said Briggs' administration account

Comr. fee shows \$5.00
Charged to J. M. Boykin & Briggs }

L. R. Edwards Sp. Comr.

Statement.

X

Calvert &
Beiggs
1823.
Dec. 31.

Reformed Statement of
Comm Edwards report June 1838

By Bal due Wm. Calvert as per report
Sub. on \$103.74. from this day to 19. Dec. 1838. 14. 11. 19

\$ 227. 83.

With balance as reported with interest

93. 08.

\$ 320. 91.

add for Board in 1819. allowed by Comm. which is ad-
mitted by the off. to be erroneous, principal \$70.00
Int. 18. 11. 19. 79. 67.

amo. due Wm. Calvert

149. 67
\$ 470. 58.

John M. Calvert's balance per Report
Sub on \$103.74. 14. 11. 19.

278. 86.

93. 08

\$ 371. 94.

to amo. due Wm. Calvert
do. John M. Calvert

\$ 470. 58

371. 94.

\$ 842. 52

1838
Nov. 19.
Dec. 1

By amo. of the judgment enjoined,
princ. int. & costs.

Bal. due the Plff.

with interest from 19. Dec. 1838.

741. 07
\$ 101. 45.

101. 05

40. 00 balance of judgment

57. 05 due Plff.

101. 05

75. 05 carried out of account

25. 00 due Plff.

Cap.^l
 Henry Briggs
 To
 David Tallance
 W^m William
 Calvert

486
 268

77.88
 88
 44.86

26.11.21
 1412.31
 11.11.21

111.53
 6
 6.69.4.2
 3.34
 2.23
 1.11

59
 67.6.69

20.48
 1.22
 .8
 9.76
 161

40
 28
 10.99

276
 8
 22.08
 1.38
 92
 24

24.69
 16.73

5.3.74
 322
 11
 35.42
 161
 1.07

26
 15
 38.51

6.69
 66.94

3.34
 2.22
 1.11
 59
 74.21

211.58
 6
 12.69
 19
 114.21

6.34
 4.23
 1.05
 58

126.41
 2.39
 16.73

92.35
 6
 5.53
 11

60.83
 2.76
 1.84
 46
 25
 66.14

75.25
 6
 4.51
 10
 45.10

225
 1.50
 37
 20

49.42
 120
 6
 7.20

Jerusalem Southampton County Virginia
Mr Henry Briggs For William Calvert
In acct with David Tallance

Date	Description	Price	Total
Jan 7 19	5 yds Shirting of Mrs Calvert	5/3	4 38
"	1/2 oz mus thread	44	" 22
20	1 1/2 yds Homespun	2/6	" 63
"	2 Doz Buttons	1/6	" 50
"	2 Hanks Thread	4 1/2	" 12
"	1 Hank Silk	3	" 12
26	1 hank thread for Mrs Brown	4 1/2	" 06
Feb 20	1 Plate	3/	" 50
"	3 Pencils	4 1/2	" 06
Apr 7	3 yds Gingham	3/4	1 88
"	2 yds Nankew	7/6	2 50
"	3 3/4 yds Homespun	2/3	1 40
"	1 Vest pattern	10/	1 67
"	5 Hanks Thread	4 1/2	" 31
"	3 1/2 Doz molds	9	" 44
"	1 Hank Silk	9	" 12
May 25	1 Doz molds	9	" 12
"	3/4 yds India Cottons	3/	" 38
"	1/2 " Homespun &c	2/3	" 19
"	2 Hanks Thread	4 1/2	" 12
26	1 quire paper	2/3	" 38
July 27	1 quire paper		
			1 19
			\$ 10. 10

Amount Carried Over 3

	To Amount Bro't Over	" "	16. 10	
Nov ^r 5	" 5 ⁴⁰ Shirting	4/6	3. 75	
"	" 1 Cotton Bale	3.	" 12	
6	" 1 ¹ / ₂ yds Sup: Blue Cloth	8 ¹ / ₂	12. 75	
"	" 2 yds " do Cassimere	2 ¹ / ₂	7. 00	
"	" 1 Vest Pattern	1/10	1. 67	
"	" 1 ¹ / ₄ yds Brown Hollands	3 ¹ / ₅	" 78	
"	" 2 yds Homespun	2 ¹ / ₃	" 75	
"	" 1 doz. Coat Buttons	4/6	" 75	
"	" 1 " " do	1/6	" 25	
"	" 1/2 " " Vest do	2 ¹ / ₃	" 19	
"	" 3 Skeins Silk	3	" 38	
"	" Thread L ¹ / ₂ Twist	1 ¹ / ₂	" 25	
14	" 1 quire paper	2 ¹ / ₃	" 38	29. 02
Dec ^r 3	" 1 Skein Silk	3	" "	12

1875	Jan ^y 16	" 2 ¹ / ₂ yds Broad cloth at 18/	7. 80	
"	"	" 1 Vest pattern	3 ¹ / ₃	" 87
"	"	" 2 doz. Buttons	3/	1. 00
"	"	" 1/2 " Vest Ditto	2 ¹ / ₃	" 19
"	"	" Silk, Twist and Thread	3 ¹ / ₄ 1/2	" 56
"	"	" 1 ¹ / ₂ yds Brown Hollands	3/	" 75
"	"	" 1 yds Homespun	2 ¹ / ₃	" 37
18	"	" 1 Hat L ¹ / ₂	2 ¹ / ₃	" 38
22	"	" 2 yds Cassimere	15/	5. "
"	"	" 1/2 " Homespun	2 ¹ / ₃	" 19
"	"	" Silk 1/6 Thread	4 ¹ / ₂	" 31
"	"	" 1 doz. Buttons	1/6	" 25
27	"	" 1 Ink stand	3/	" 50
"	"	" 1 Book (Exercise fifty)	6 ¹ / ₄	1. 12
"	"	" 1 quire writing paper	2 ¹ / ₃	" 38
		Amount Carried forward		19. 37
				<u>\$ 64. 61</u>

1876	Feb ^r 19	To amount Brought forward		\$ 64. 61
"	"	" 1 Blank Book	12/	2. 00
"	"	" 1 Pikes arithmetic	9/	1. 50
"	"	" 1 Spelling Book	1/6	" 25
25	"	" 1 Silk Cravat	9/	1. 50
"	"	" 1 Muslin Ditto	9/	1. 50
				6. 75
March 4	"	" Slate pencils	2 ¹ / ₂	" 06
15	"	" 1/2 quire Writing paper	2 ¹ / ₂	" 22
23	"	" 2 yds Cassimere	24/	8. 00
May 6	"	" 3/4 yds Virg ^a Cloth @ 2/ 1 doz. Buttons 1/6 @ .50		8. 78
"	"	" 1 Gram mas	1/6	0. 25
				<u>80. 14</u>
				0 39

M^r Henry Brigg, Guardian to

to Collin Kitchen Hee

1813

Aug^t 22ⁿ To 9 yds linen @ 6. for John Calvert. \$9.75

1813

Dec^r 16th Received payment in full
C. Kitchen Hee

Mr Henry Briggs for Dr M Calvert

1818 To David Wallace Dr

Cargo 31	2 1/2 yd worst & Casemore	14 1/3	\$ 5.94
	1 Vest pattern	49	1.12 1/2
	2 3/8 yards ~~half~~ cloth	2/3	86
	2 Hanks Suck & Buttons & thread 1/10		56
			\$ 8.14 87 1/2

1818 Dec 16th Received payment in full

David Wallace
for
David Wallace

20. 48

John & Wm. Calvert,

to & acc^t

Francis Calvert

5.25 each

1814

admitted

5
289.73 1/2

John Calvert to Francis Calvert Dr

To Cash paid D. Ballance for Shirts -- \$ 2.00

To paid W. Cherry for making Shirts do. 1.75

To paid S. Devany ditto ——— 1.50
5.25

Wm Calvert ditto the same - 5.25
\$ 10.50

W Briggs
To
Mfalbert asc

\$ 2.25

Mal

Mr. Henry Briggs for John Masabert
To Masabert D. 3

1818 Sept 1st To Cash p^d for making 3 Shirts 4/6 \$2:25

Sept 7th 1818 Rec^d / Payment in full
John Masabert

9 75-
8.48
2.25

20.48

Lohn balouts

WB

B6-

1816

1816
January

John Calvert. Dr

To Thomas D Heath

" me Hat & 36/- ————— \$ 6.00

July Paid the above in full
1816

Thos D Heath

May 13th 1816

Rec'd payment in full
of the within from Henry

Briggs Secy. (H. Foster for
Edmund Day)

#10 cash

1815-

I hereby promise to pay unto Mrs Foster at the rate of
fifty dollars per year for the board of John & William
Calvert each the present year given under my
hand this 20th March 1843

Henry Briggs

Int:-

Benjamin Lewis

67.45

No Calvert
to 3 act
Hon. B. Vaughan



Mr Henry Briggs Guardian

For John Calvert

1815	To Henry B Vaughan Do	
May	" To making a thin boat	2.00
	Twist	12 $\frac{1}{2}$
1815		
Decr.	" To making a Sute of Clothes	7.50
	Spunging	50
		$\checkmark$ 810.12 $\frac{1}{2}$

1818

April Rec^d payment Henry B Vaughan

Sir. Please to pay the within a/c to
Mr. Litch Nicholson
Jan^y. 10. 1816

Thos^t Whitworth

Henry Briggs
a/c

368

15 cash

1815-

cut down

M^r Henry Briggs To Thomas C. Whitworth Dr
1835—

To Factions of John & William Calvert \$30.00

J. W. Calvert

To 3 acs

H. B. Vaughan

Inc - 10. 12 1/2

Mm - 8. 14 1/2

1815

W^m Henry Briggs Guardian for Lot Calvert

1815. " To Henry B. Cary loan Dr

May 30th To making a thing Cook 12p. ~ 2.00

Twist 9 - - - - - 12 $\frac{1}{2}$

Decr " To making a Suite of Clothes - - - 7.50

Spunging 3p. - - - - - 50

\$ 10.12 $\frac{1}{2}$

Am^t of Williams Account - 8.12 $\frac{1}{2}$

Wallace

74.96

1816

Jerusalem Southampton County Va

Mr Henry Briggs for John Calvert

In acct with David Vallance

1815	Jan ^y 19	To 6 y ^s Shirting f ^m Calvert	5/3	5 25	
	"	5 3/4 runs Thread	44	" 22	
	"	1 3/4 y ^s Homespun	2/6	" 73	
	"	2 doz Buttons	1/6	" 50	
	"	2 Hanks Thread	4 1/2	" 13	
	"	1 Hank silk	9	" 12	
	26	" 1 Hank Thread f ^m Brown		" 06	
	"	1 quire paper		" 37	7 38
	Feb ^y 20	" 1 Slate	3/1	" 50	
	"	3 pencils	4 1/2	" 06	
	"	1 quire paper	2/3	" 38	" 94
	Apr ^l 7	" 4 y ^s Striped gingham	3/4	2 50	
	"	5 1/4 y ^s Homespun	2/3	1 97	
	"	3 1/2 y ^s Hanken	7/6	3 75	
	"	1 Pest Pattern	15/1	2 50	
	"	7 Hanks Thread	4 1/2	" 44	
	"	3 1/2 doz Molds	9	" 43	
	"	1 Hank Silk	9 1/2	" 12	11 75
	May 25	" 1 doz Molds	9	" 12	
	"	1 y ^s India Cotton	3/1	" 50	
	"	1/2 " Homespun do	2/3	" 19	
	"	2 Hanks Thread	2 1/2	" 12	
	26	" 1 quire paper	2/3	" 38	
	"	1 Slate pencils	4 1/2	" 06	1 37

Amount Carried Over

\$ 21.40

	To Amount Brought Over	" "	21.40	
July 17	" 1 Pen Knife	53	" "	87
"	" 1 quire letter paper	27 1/2	" "	44
Oct. 4	" 1 quire paper	16	" "	25
"	" Sleight Pencils	4 1/2	" "	06
7	" 1 Pen Knife	46	" "	75
17	" 1 pair Shoes	146	" "	2 75
"	" 1 pair Socks	46	" "	75
				4 56
Nov. 5	" 7 yd Shirting	46	" "	5.25
"	" 1 Cotton Ball	3.	" "	12
6	" 1 pr Course Shoes	91	" "	1.50
"	" 2 yd sup. Blue B.C. cloth	8 1/2	" "	17.00
"	" 2 1/2 yd " Capucine	24	" "	8.75
"	" 1 Vest pattern	157	" "	2.50
"	" 2 yd Br. Holland	3 1/5	" "	1.25
"	" 2 1/2 yd Homespun	23	" "	94
"	" 1 1/2 doz Buttons	46	" "	88
"	" 1 " Do	46	" "	25
"	" 1/2 " Vest Do	23	" "	19
"	" 4 Skins Silk	3.	" "	50
"	" 2 Do Thread	4 1/2	" "	12
"	" 1 Thick Wrist	11 1/2	" "	19
				39.44
Dec. 3	" 2 Skins Silk of #13 Blenheim	3.	" "	25
1816				
Jan. 16	" 1 pair fine Shoes	166	" "	2.75
"	" 1 " Short Stockings	46	" "	75
18	" 2 squares cravate	91	" "	3.
"	" 1 Hock	46	" "	75
"	" 1 pair suspenders	46	" "	75
				8.00
				74.96

74.96
7.25
82.25

Jerusalem. May 13. 1870. Recd. of Mary Briggs
the above sum of Seventy four Dollars and ninety six
cents in full of John Calvert's acc due me up to
this date.
David Talpance
for W. B. Sanborn

Mr
John Latent
Acc^t E To
David Vallance

\$7⁰⁰ 29

Not entered in the former acct

Jerusalem Southampton County Va
 Mr. Henry Briggs. (Guardian for John Calvert)

To David Gallance

1814

January	7	To 1 pair shoes	9/9	\$ 1.53
May	17	" 1 pen knife of Capt. Boush		" 50
July	12	" 1 p. Blue Hanken	\$ 3.75	
		" 1 1/4 yard homespun	2/3	" 47
		" 2 hanks silk 1/6. thread 4 1/2		" 31
		" 2 Dozen large Molds	9 ^a	" 25
	21	" 1 Linn writing paper		" 38
				5.10.
				\$ 7 29

1815

Jan'y 9. Rec'd Paym. of Infants David Gallance
 of Mrs. C. Daughtry

Thos. Briggs } Account
Adm^r of } \$ 10.5.50
Sand Calvert. }
1814

ack \$ 52.75
admitted

1814

\$ 13.25

Dr Mr Henry Briggs Adm^r of Sam Catron's due
for John & William Catron

1814

To Cash paid David Wallins for 1 Quire Paper	\$. 37 1/2
June 30 To ditto p ^d Benj Lewis 2 Latin Books for John	1. 25
To ditto p ^d Wm Chavas 2 p ^d shoes for William	2. 50
To ditto p ^d ditto 1 ditto for John	1. 37 1/2
To balance fifty dollars each	

Due them \$30.00

100.
\$105.50

The Payment in full
this 14th day of March 1815

C. M. Jones

Pro of acm baloot

Accto

Mr Lironiak Cobb

Present

My dear Sir

Can I get the favour
of you to make an effort on
Monday next to sell my land
the Butzards neck, as I presume
land will get no better in this
section of Country, I will take
five hundred dollars for it.

I will be up soon

Yours friend

Francis M. Boykin

Calvert

is } Vouchers,

Briggs for

Mr. Moore

Reck.

2.00

1875

W^m Henry Briggs Exc.^t of Sam^l Colvert Dec
Dr To John Moore
1815 To 1 pair Shoes for W^m Colvert @ \$2.00

Nov^r. 20th 1816 Rec^d of W^m Henry Briggs
the above in full John Moore

St. Briggs
To
on solvent B/c

\$5.25

M.C.

M^r Henry Briggs for W^m Albert

1818

To Manufacture . . . Dr

Sept 1st To last paid for making 3 Shirts @ 4/6 \$2.50

" " " for Do 2 P^r Pantaloon @ 4/6 1.50

" " " " " 2 Vests @ 4/6 1.30

\$5.25

Sept 7th 1818 Rec^d Payment in full

W^m Albert

A Briggs

all

\$3 00

1876

M^r Henry Briggs

1816

Sept^r 6th To Schooling William Calvert one quarter \$3 00

To Samuel Free Dec^r 1st Dr

February 18. 1817 Brought the above account in full of M^r
Henry Briggs

Henry Welch Dr

Southampton July

W Calverts

AC

\$6

1876-

Sci.

1816 William Calvert Dr
July

To Thos D Heath

one Hat 10/-

\$3.00

1815

July

one Do 10/-

3.00

\$6.00

July Received the above in full
1816

Thos D Heath

Bey^a Harris

Rect.

\$4.00

1876

J. Briggs

1816 Henry Briggs for William Calvert

To B Hines Dr

February 19 To making out of clothes - £ 4.00

Recd 16th Sept 1816 of Henry Briggs Guardian the
above amt. in full

B Hines

Wm Calverly

\$8.12½

Briggs & Co

Vancouver

Oct

8.12½

H B Vaughan

1876

1818.

M^r Henry Briggs

Guardian for William Calvert

June 1 To Henry B. Vaughan Dr
To Making a thin Coat ——— 3.00

" To Making pantaloons ——— 1.25
Twist ——— 12 $\frac{1}{2}$

August 1 To Making 2 pr Ditto ——— 2.50
To Making Vest ——— 1.25
\$ 8.12 $\frac{1}{2}$

1818. Jan 20th Recd Payment of Henry Briggs

Henry B Vaughan

William Calvert

to 3 acct

Henry Welsh

2.06 $\frac{1}{2}$

1816

1846 Henry Briggs Guardian for William Calvert

March
the

To Henry Welsh

18	To 1 pair of Shoes ad	8/3	1 3 1/2
23	To 1 paper of ink powder	1/1 1/2	00 18 3/4
	" 2 hands Silk & Stock twist 1/1 1/2 thread	42 00 50	
	Recd the above account in full		2, 0 6 1/4

Henry Welsh

To Briggs for
William Calvert
H. Pratt

950

1876

Oct 1816
26th W. Lanrey Brigs for William Oliver
Willis Britts

	Dr
To making coat and lining the cloth - -	\$ 4.75
To making 2 pair of pantaloons - - -	3.00
To 1 vest - - - - -	1.50
Thread - - - - -	00.25
	\$ 9.50

Rec^d the above acct. in full of
Jos^{ph} Clanton
Willis Britts

Amount Brought Over	\$92.06
Dec 25 th To 1 pair shoes 83	1.37 1/2
To 1 quarter Sewing	\$93.43 3/4
	3 00
	<u>\$96.43 3/4</u>

Henry Gregg
Guardian
Geo W. Colwell

\$93.44

\$96.43 3/4

1876

Recd Dec 18th 1877 of Henry Gregg
the sum of ninety six dollars 43 3/4 Cent
in full of the within acct
Henry Gregg

1816 Henry Briggs Gardner & W^m Calvert
To Henry Webb Dr

May 11	To 1 st shoes 8/3	\$ 1. 3 7 1/2
June 5	To 3 1/2 yds Green Bawgill @ 1/6	2. 6 2 1/2
"	" 1 piece Blue Hankens @ 2/1	3. 50
"	" 3 hanks Silk 2/3 Button maker 9 ^o	" 50
"	" 2 yds lining @ 2/3 thread 9 ^o	" 8 7 1/2
Oct 8	" To 2 3/4 yds Brown cloth @ 6/2	16. 50
"	" 1 3/4 yds Stocking with @ 13/6	3. 9 4
"	" 8 hanks Silk @ 2 1/2 yds lining @ 2/3	2. 12 1/2
"	" 3/8 yds Padding 5/3 1 Vest Pattern 9/1	2. 3 7 1/2
"	" 1/4 Buttons @ 2/7 1/2	" 50
"	" 2 Dozen Buttons 3/- 9 Dozen @ 9 ^o	" 6 2 1/2
"	" 2 yds lining @ 2/3	" 7 5
Nov 28	" 1 pair shoes 8/3	1. 3 7 1/2

To 11 months Board @ \$55. per m. \$ 37. 0 6 1/2

55 00

92. 0 6 1/2

By Cash in pocket \$30.00

To 1 pair shoes 8/3

A. A. A. A.

30.

1816

W. A. A. A.

W. A. A. A.

Received this 20th day of August 1876 of Henry Briggs Adm.
r. of Saml. Calvert. dec.^d the sum of thirty dollars in part for
William Calverts Bonds this present year

Henry Welch

Asst. Wm. Foster

1816		To Amount Brought Over			\$ 104. 90
Dec.	18	" 1 Vest Pattern	10/6	1. 75	
		" 1 yd India Cottons	2/3	" 38	
		" Thread & molds	7/6	" 12	
	30	" 1 Trunk	30/	5. 00	
		" 2 pair Socks	3/4	1. 25	8. 50
					\$ 113. 40

1817
 Feb. 25 Rec^d of Henry Briggs guardian
 of William Calvert the
 sum of One hundred and Thirteen
 Dollars and forty Cents in full
 of all acc^{ts} up to this date
 David Patterson
 J. M. Daughtry

\$113.40

1817

Mr Henry Briggs Guardⁿ of William Calvert
 1816 In acc^t with David Tallance

April	13	To amount of acc ^t and up to this date as f ^r acct. Rendered you			80. 14
May	4	1 Murrays Grammar	1/5	\$0.25	
	18	5 3/4 yds Irish linen	4/1	2.84	
		Thread 9. Buttons 4 1/2 1 f ^r socks	4/5	.. 94	
	22	1 quinc paper	2/3	.. 37	5. 40
June	8	1 fair suspender	2/3	.. 38	
		2 f ^r socks	4/5	1.50	1. 88
July	25	4 yds Mist Virginia cloth	4/6	3.00	
		2 1/2 yds white	2/3	.. 94	
		1 Vest Pattern	7/1	4.57	
		Silk 1/6 Twist 9. Thread	1/12	.. 56	
		2 Lay. Buttons	1/5	.. 50	6. 17
August	30	1 fair shoes	8/3	.. "	1. 38
Sept ^r	18	1 quinc paper	2/3	.. "	.. 37
October	26	1 fair shoes	7/6	1.25	
		1 fair socks	3/4	.. 63	1. 88
Nov ^r	13	3 fair socks	3/4	1.88	
	20	2 1/2 yds Cotton Whirling	3/4	1.56	
		3 yds Cotton Cloth	2/3	1.12	
		1 Cotton Ball 9. Thread 4 1/2 Buttons 1/2		0.37	
		1 yds Cambric 3/4. 1 Fringed Handkerchief		4.50	
		1 Bandanna Handkerchief	1/5	1.25	7. 68
					\$ 104.90

Dallance

1818

34.63 $\frac{1}{2}$

Mr Henry Briggs for Mr Capert
To David Vallance

1818
 Aug 31 2 3/4 yds next person - 14/3 \$6. 53
 1 West pattern 4/9 — 1. 12 1/2
 2 3/8 yds V. cloth — 2/3 — 86
 Silk 1/6 Buttons 1/15 thread 4/4 — 50
 2 1/4 yds next person - 12/ — 4. 32
 Thread 1/4 yds 3/8 yds Cotton cloth 2/3 — 34
 9 yds Irish Linen 4/4 thread 3 — 6. 12 1/2
 1 3/4 yds Blue cloth — — 12. 25
 " 2 yds Blue Holland 3/4 1/4 yds Dry Buttons — 1. 47
 3 Skins Blue silk 9/4 yds good worst 9 — 56
 38
 Passing 1/10 yds — thread 4/ — 34 6 37 1/2

1818
 Decr. 16th Received of Mr Capert
 David Vallance
 By J. A. Vallance

Calvert
to Z. S. Jones: bond:
Briggs ad

137961
20 539
107
25650
4276

Know all men by these presents that we Samuel Calvert and
are held and firmly bound unto Frances M Boyken Adm^r of Henry Briggs dec^d
who was sometimes called adm^r of Samuel Calvert dec^d
in the just and full sum of thirteen hundred sixty six dollars forty cents.
to be paid to the said Frances M Boyken adm^r as aforesaid - his
certain attorney his heirs, Executors, administrators or assigns for the payment
whereof well and truly to be made, we bind ourselves our heirs Executors and
administrators jointly and severally firmly by these presents. Sealed with our
Seals and dated the 21st day of November 1836

The Condition of the above obligation is such that whereas the above bound
Samuel Calvert -
hath obtained from the Judge of the Circuit Superior Court of Law and
Chancery for the County of Southampton, an injunction to stay, until the
further order of the said Court all further proceedings on a Judgment of
the Circuit Superior Court of Law and Chancery for Southampton County
aforesaid recovered against him by the above named Frances M Boyken
Adm^r of Henry Briggs dec^d who was sometimes called adm^r of Samuel Calvert and
on the 21st day of November 1836 for four hundred and twenty seven
dollars with legal interest from the 21st day of November 1836 till paid &c.

Now if the said Samuel Calvert -
shall well and truly pay and satisfy the judgment aforesaid and also
all such costs and damages as shall be awarded against him in case the
injunction aforesaid shall be dissolved then the above obligation to be void or
else to remain in full force and virtue -
Witness.

Samuel Calvert Seal
Lemuel D Nicholson Seal
Seal

William Calvert
To & Deed.
Samuel Calvert
Exhibit (H.C.)
filed with the Deed.

State of Alabama }
Mobile County }

I know all men by these presents - That whereas Samuel Calvert late of the County of Southampton & State of Virginia by his last will and Testament duly executed & proven in said County & State as fully appears upon the records of said County did among other legacies therein contained give and bequeath unto me for my well being & better education a legacy therein set forth - It is known ye that I William Calvert (son of the said Testator Samuel Calvert) of the County of Mobile & State of Alabama, for and in consideration of the sum of Three Hundred and sixteen dollars and sixteen cents to me in hand paid by Saml. Calvert Jr of the County of Southampton & State of Virginia the receipt of which is hereby acknowledged, have released transferred & set over to the said Saml. Calvert Sr and to by these presents absolutely release, transfer & set over to him his Executors, Administrators and assigns all right, title & interest, that I may have in and to any legacy specific, residuary, or otherwise under the last will and Testament of my deceased father Saml. Calvert Senr. late of the County of Southampton and State of Virginia

In testimony whereof I the said William Calvert have hereunto set my hand and affixed my seals this 12 day of October in the Year of our Lord One Thousand Eight Hundred & Thirty Six.
Witness.

Wm. Calvert

Wm. Calvert (Seal)

State of Alabama }
Mobile County }

This day personally appeared before me John W. Townsend a Notary Public in & for the City & County of Mobile aforesaid, William Calvert of the City of Mobile & acknowledged the above to be his act & deed - Given under my hand & under my notarial seal at office in the City of Mobile this 12th day of October Anno Domini 1836.

John W. Townsend
Notary Public

Ino. Mc Calvert
to ~~3~~ Transfer
Same Calvert
Exhibit (B) filed with the

This Indenture made this 11th day of January 1827
Eighteen hundred and twenty between John Mc
Calvert of the County of Isle of Wight and State
of Virginia of the One Part and Samuel Calvert
of the County of Northampton and State of North
Carolina of the other Parts Witnesseth That
Whereas the said Jno M. Calvert for and in Considera-
-tion of the sum of Three hundred Dollars to him
in hand paid by the said Samuel Calvert before
the inscaling and delivery of these presents, the Recd.
whereof the said Jno M. Calvert doth hereby acknow-
-ledge, hath bargained sold and transferred (and
by these presents doth bargain sell and transfer
unto the said Samuel Calvert all his the said
Jno M.'s right title interest and Claim to a residuary
Legacy devised to him by the last Will and Testament
of his father Samuel Calvert J^r late of the County
of Southampton Virginia and the said Jno M. Calvert
for himself his heirs Executors and administrators
doth for ever warrant and defend the right title
of the aforesaid residuary Legacy to the said Samuel
Calvert his heirs Executors administrators or assigns
agst the Claim or Claims of any person whatsoever

In testimony whereof I have hereunto set my hand and seal
the day and year first above written
sign^d seal^d and acknowledged in presence of
J^{os} C. Ripley. John M. Calvert

Calculations & statement

(E)
exh. filed with the bill.

Balance due the estate of San Gabriel Dec 31st 1823

Principles

~~\$~~ 1086.23

Int to this day -

622.48

Int to Nov. 21st 1825 -

188.24

6/1896.95

316.16

Nov. 21st 1826 - Rec^d of Samuel Gilbert the
sum of Twelve hundred and ninety six Dollars
and forty six Cents in full of the Within Judgment
and Interest.

Hanny Briggs

Wm. Briggs
[Signature]

Wm. Briggs

for

Exhibit (9) 1826
with the 1826

Wm. Briggs
copy and 1/2
Wm. Briggs

Know all men by these presents that we Samuel Balvort and Matthew Balvort Sen: are held and firmly bound unto Henry Briggs Administrator with the will annexed of Samuel Balvort decd: in the just and full sum of two thousand seven hundred and forty four dollars and sixty seven cents to be paid to the said Henry Briggs Administrator as aforesaid his heirs executors Administrators and assigns to which payment well and truly to be made we bind our selves jointly and severally and each of our joint and several heirs executors and Administrators firmly by these presents Sealed with our seals & dated this third day of December 1813

The condition of the above obligation is such that if the above bound Samuel Balvort and Matthew Balvort Sen: do and shall well and truly pay or cause to be paid unto the said Henry Briggs Administrator as aforesaid his heirs or assigns the sum of Thirteen hundred and seventy two dollars and thirty three and one half cents current money of the United States on or before the first day of December next, then the above obligation to be void or else to remain in full force and virtue

Signed Sealed and delivered
In Presence of
John Myrick

Samuel Balvort Seal
Mat. Balvort Seal

1814 December 1st Received in part of the within three hundred fifty five dollars and sixty six cents in part of the within

Henry Briggs

1816 November 19th Received in part of the within three hundred twenty nine dollars and twenty three cents

Henry Briggs

Attest

Nathl. Young Co

48.46
58.69
107.15

State of Wright County Iowa,

May Sep^r Court 1819

Henry Briggs Administrator with the will annexed of Samuel Calvert decd.

Plaintiff

against

In Debt

Samuel Calvert executor of Matthew Calvert decd. who was bound with the said Samuel Calvert.

Defendant

Judgment for the Plaintiff against the defendant for \$2744.07 but to be discharged by the payment of \$1372.33½ with Interest thereon at the rate of six per centum per annum from 1st day of December 1814 till paid and 025 cents costs. Subject to the following credits to wit, the sum of \$335.00 received by the Plaintiff the 1st day of December 1814 - also the sum of \$329.23 received by the Plaintiff the 19th day of November 1816. Payments on Specialty to be made of the proper goods and chattels of the Defendants Testator, if so much thereof he hath in his hands to be administered but if not then the costs to be made of the defendants own proper goods and chattels.

Attest Teste Nathl. Strong C.D.

In the name of God, amen. I Samuel Calvert of the County of Southampton and State of Virginia, do make and ordain this my last Will and Testament to wit.

First, I give and bequeath to my beloved Wife Frances Calvert all the Lands (except seventy acres which will hereafter be directed to be sold) I purchased of William Barnes & Josiah Vick, as will appear by their deeds recorded in the County Court of Southampton containing five hundred and eighty six acres, with the appurtenances and hereditaments thereto belonging or in any wise appertaining, to her and her heirs forever.

2^{dly}. I give and bequeath to my beloved Wife Frances Calvert, all my Negroes to wit Aggy, Tom, Lisa & Sall, one half of all my Stock of Horses, Hogs, Cattle and Sheep, Household and Kitchen furniture, plantation utensils, Crop of Brandy Corn peas & fodder, to her and her heirs forever. In the division of all or any of the above mentioned articles, it is my will and desire & I hereby authorise my Executors to give and allow to my said beloved wife Frances Calvert the privilege of selecting and taking any of the articles of household & kitchen furniture, Stock & plantation utensils at the appraised value in part or in full of her moiety.

3^{dly}. I give and bequeath to my beloved Wife Frances Calvert all the Plank & Scantling on the Land herein given to her, and my Riding Sigg & Harness to her and her heirs forever.

4^{thly}. It is my Will and desire and I hereby authorise and direct my executors (to be named hereafter named) to make sale of, and convey to the purchaser or purchasers the following Lands, to wit, the tract of Land I purchased of James Wells containing three hundred acres, three lots of Land in the Town of Jerusalem, distinguished & known by numbers 4. 5 & 6, forty five & one tenth acres of Land, that part of the tract of Land conveyed by Josiah Vick to me which was conveyed by Samuel Moody to Benjamin Johnson & from the said Benjamin Johnson to Josiah Vick, and Twenty five acres adjoining the Lands of Lazarus Cobb (being a part of the Land conveyed to me by William Barnes including the apple Orchard adjoining the said Cobb in such a manner as to make a straight & advantageous line between the land to be sold & the Land herein given to my beloved wife Frances Calvert, on Twelve months credit for the best price that can be had.

5^{thly} I give and bequeath to my Son William Calvert five hundred dollars for the express purpose of completing his education, ^{the execution of which} which I enjoin and request my executors to perform.

6^{thly} I give and bequeath to my son John Marden Calvert three hundred dollars, for the express purpose of completing his education, which I enjoin and request my executors to perform.

7^{thly}. All the residue of my estate of every nature or kind whatsoever, I hereby direct

my executors to sell or such terms and credit as they may judge most advantageous, and after all my just debts and funeral expenses are paid, whatever residue may be remaining either from sales, debts due ~~my~~ me or otherwise, I give and bequeath equally, to my beloved wife Frances Calvert, my sons Samuel, John Sanders Calvert & William Calvert to them and their heirs forever.

Lastly. I nominate and appoint my beloved Wife Frances Calvert executrix and my friend Henry Briggs executor to this my last Will and Testament. Given under my hand & seal this 1st day of August 1810

Sam. Calvert Esq

At a Court held for the County of Southampton the 18th day of October 1810.

This writing purporting to be the last Will and Testament of Samuel Calvert decd. was presented in Court by Henry Briggs one of the executors therein named and Griffin Bath & Joshua Fort being sworn, deposed that they believed as well the body of the said Will as the signature thereto, to be in the proper hands writing of him the said Samuel; whereupon the said writing is established as the last will and Testament of said Samuel Calvert decd. and ordered to be entered of record. And the said Henry Briggs the exor. therein named refusing in open Court to qualify as such Therefore administration with the will annexed is granted unto the said Henry upon his giving bond & security whereupon &c

Southampton County, February Court 1813.

On motion of Henry Briggs it is ordered that M. Comr. Bell examine state and settle an account of his administration with the will annexed of Samuel Calvert decd. estate and report thereof to this Court.

Teste Jas. Rochelle Clk.

Commons Office Feby 28th 1813.

In obedience to the order of Court copied above the administrator, delivered to the Comr. his account and vouchers of his administration on the estate alluded to from which the following Statement is made.

The Estate of Samuel Calvert decd

In account with Henry Briggs same with the will annexed.

1816			Dr	Cr	Int
Jan'y	1	By this sum found due in a former account reported as p ^r account		1542 91	
March	16	To paid John Dorton	2 00		
	19	" " Richd. A. Baker att ^r	20 00		

Apr	8	" " Benj ^a Felks	8 31		
	15	" " James Gee	397 48		
	"	" " Jacob Larden	21 99		
	"	" " Josiah Mordaugh	14 88		
	17	" " Henry B. Vaughan	32 88		
Aug	9	" " Direct Tax	1 56		
	23	" " Hance Baker	117 04		
Sept	9	" " Spratley Williams	42 76		
Nov	1	" " Taxes & cloths tickets	20 79		
	19	" " Sam Calvert Exor. of M. Calvert	329 23		
	20	" " Clerk of Sarry tickets &c	45 50		
Decr	6	" " William Powers	20 00		
	27	" " James Trezvant att ^r	22 50		
	"	" " Estate of M. A. Taylor	45 00		
	"	" amount carried forward	1139 90		
1816		To amounts brought forward	1139 90	1542 91	
Decr	31	Balance due the estate	403 01		
			1542 91	1542 91	
		By balance brought down		403 01	
		" Interest on \$403.01 from Decr. 31. 1815 to Decr 31. 1816			24.58
1817		Jan'y 1 By William Kitchen's bond & Int.	122 00		
		" A Briggs acct.	8 00		
		" A. S. Williams Bond & Int.	28 10		
		" Collier Kitchen surviving part of Collier Kitchen & Geo	893 09		
		" Shff of Andersons	15 50		
		" Cash of Jacob Larden	21 99		
		" " for William Harts Exors	85 84		
		" " Jere Coll bond and Interest	186 00		
		To commissions on \$1361.43 @ 5 p ^{ct}	68 03		
	21	" paid John Wighamart precept	151 55		
	"	" " D. Collier adms of j ^{ro}	44 84		
Feby	17	" " Amos Douke	4 58		
	20	" " John Dene gre	182 15		
July	22	" " John M Jeffries	7 70		
	24	" " Direct Tax	1 02		
Aug	18	" " Georges Blow	2 64		
Oct	24	" " Wm Brown att ^r	20 00		

Nov	1	"	"	Tax on Land	4 03			
					486 53			
Dec	31			Balance due the Estate	1276 90			
					1763 43	1763 43	24.18	
"	"			By balance brought down		1276 90	24.18	
"	"			" Interest on \$400.01 from Dec 31. 1816 to Dec 31. 1817			24.18	
"	"			Amounts carried forward		1276 90	48.36	
1817	Dec	31		By amounts brought forward		1276 90	48.36	
1818	Jan	3		By cash of J. Kello admr of W. Blou		52 50		
"	"	"		" " Jesse Crocker bond and Int.		9 50		
"	"	"		" " H. P. Melbrooke order of Court		54 76		
"	"	"		" " Noel Maddill bond & Int.		15 86		
"	"	"		" " Benja. Barkham Just Host		35 82		
"	"	"		" " Richd H. Baker amt of Judgt as Tho ^s Foster Vansomona tely Court.		747 03		
						2192 37		
"	"	29		To Commissions on \$915.47	45 77			
"	"	29		" paid James Blou's admr for receipt	11 50			
March	16	"		" " Saml Blunt admr &c	46 17			
"	"	"		" " ditto ditto	309 35			
Apr	1	"		" " Expences to Williamsburg	8 00			
"	"	"		" " Ferriage to & from do.	4 00			
"	18	"		" " Benj ^l White	6 28			
"	"	"		" " Noel Maddill	7 45			
July	16	"		" " Henderson Martin	3 28			
Aug	17	"		" " D. Waller admr of J. Miller	5 06			
Nov	3	"		" " Tax on Land	4 03			
"	7	"		" " R. H. Baker atty.	10 00			
"	"	"		" " Joseph Prentiss do	10 00			
"	"	"		" " Expences to Norfolk	10 00			
					480 89			
Dec	31			Balance due the Estate	1711 48			
					2192 37	2192.37	48.36	
1819	"	"		By balance brought down		1711 48	48.36	
"	"	"		" Int on \$1276.90 from Dec 31. 1817 to Dec 31. 1818			76.61	
Apr	6			To paid R. P. Clements for receipt	65 37			
Nov	15	"		" " Taxes &c	20 42			
"	"	"		" " Expences to Wm ^{sb} burg	10 00			
"	"	"		" " Ferriage to and from there	4 00			
				Amounts carried forward	99 79	1711 48	124.97	

Samuel Calvert's Dr. Will and
Account Current.

Copies

For Mr. Prentiss.

Exhibits filed with the Will
A. B. & C.

1819		Amounts brought forward	99	79	17	11	48	124.97
Dec ^r	15	To paid Nathl. Pierce for recpt.	2	65				
	31	Balance due the Estate	1609	04				
			1711	48	1711	48	134.97	
"	"	By balance brought down	"	"	1609	04	134.97	
		" Interest on \$1609.04 from Dec 31. 1818 to Dec 31. 1819						96.54
1820	Jan ^y	By cash recd of Sheriff of Isle of Nigbt.			8	18		
		" " of J. Kelso admr of Wm. Blow.			312	78		
		" " Jno Day's admr. Bond & Int.			12	35		
		To Commissions on \$233.21 @ 5 p.c.t.	16	86				
Apr ^l	13	" paid Shad. Boykin for receipt.	13	00				
		" " Taxes this year	2	51				
Dec ^r	31	Balance due the estate	1910	08				
			1942	25	1942	25	221.51	
"	"	By balance brought down			1910	08	221.51	
		" Interest on \$1609.04 from Dec 31. 1819 to Dec 31. 1820						96.54
1821		By cash for G. Joy's Jugt & cost			39	74		
		" " Richd. B. Kelso ext ^r to L. Kitchen			91	85		
		" " Wm. B. Coman Bond & Interest			70	25		
		To Commissions on \$361.44	10	09				
Nov ^r	1	To paid Taxes for this year for rec ^t .	16	11				
		" " James Stoyrant att ^r	8	00				
Dec ^r	31	Balance due the estate	2077	72				
			2111	92	2111	92	318.05	
"	"	By balance brought down			2077	72	318.05	
		" Interest on \$1916.08 from Dec 31. 1820 to Dec 31. 1821						114.60
1822		By cash in part for M. Clements Jugt.			50	00		
		" " for M. Kitchen do.			91	34		
		" Amounts carrd. forward			2219	06	432.65	
1822		By Amounts brought forward			2219	06	432.65	
		To Commissions on \$141.34	7	06				
Nov ^r	1	" Paid Taxes for this year for receipt.	4	36				
Dec ^r	31	Balance due the estate	2207	44				
			2219	06	2219	06	432.65	
"	"	By balance brought down			2207	44	432.65	
		" Interest on \$2077.72 from Dec 31. 1821 to Dec 31. 1822						124.66
1823	Jan ^y	To paid Mary Jones admr of Wm. Calvert Jugt & cost for Rec ^t	800	20				
		To amount of a Jugt &c against Spencer Pierce, on which he has taken the oath of assuency the amount of which was a part of the sum credited as having recd of Collier Kitchen						

By Co. see former account Reported.		257.68		
To paid Jere Cobb Comr. for acct of my testators transactions on the Estate of M ^{rs} Alvord & reported the M ^{rs} Alvord lbr. Court.		41.34		
" paid atts for this acct.		12.00		
" retained for recording this acct.		2.00		
" do for order of reference		62		
" do for recording Inventory &c		4.37		
Decr 31	By balance due the estate	1086.23		
By balance brought down		3207.44	3207.44	557.31
" Int. on \$ 1086.23 from Decr 31. 1822. to Decr. 31. 1823.			1086.23	557.31
By balance due the Estate				65.17
" Interest account			\$ 1086.23	622.48
			622.48	
Carried forward		\$ 1708.71		

By balance due the Estate one Thousand seven hundred and eight dollars and seventy-one cents - with interest on One Thousand and eighty six dollars & twenty three cents part thereof from the 31st day of Decr 1823 till paid. Respectfully submitted to the Court.

M. Comr. fee 16 hours at 75 cts. \$ 12.00
 Paid by the admr. 3

Jere Cobb. M. Comr.

Copies
 Text. J. H. Edwards lbr.

Samuel Calvert.

v.

Francis M. Boykin admor.[#]
of Henry Briggs dec'd.

Exhibits filed with
the Bill.

A. B. C. D. E. F. G. & H.

Calvert
v } Stat. Lib.
Bryggar

Calicut

&

Boysen and Briggs

Pliffs Cords Remit.

telks

\$ 10.30

Shff

80

Printer.

5.50

Law &c.

17.41

Comm.

5.00

\$ 39.01

Wifls Cords.

telks.

\$ 11.47

Comm.

5.00

Law &c

16.66

\$ 33.13

Southampton County To wit:

This day, to the within bond, personally appeared before me a Justice of the Peace in and for the county aforesaid and made oath, that his estate, after the payment of his just debts is worth, as he verily believes, the sum of one thousand dollars, the penalty of the said bond. Given under my hand, and seal this day of

a.d. 1839

J. P. Beale

Samuel Baker Jr.
to
Reuben J. Bond
Francis W. Bondson agent
of Henry Briggs dec'd

1839 February 22^d

REFUNDING BOND.

\$\$\$

{ Know all men by these presents, That we Samuel Calvert, and
Edwards Butts

are held and firmly bound unto Francis M. Boykin administrator of Henry Briggs
deceased, who was administrator with the will annexed of Samuel
Calvert, the elder, deceased

in the just and full sum of One Thousand Dollars

current money to be paid unto the said Francis M. Boykin administrator as

as aforesaid ~~his~~ certain Attorney ~~his~~ Heirs, Executors, Administrators or Assigns, to
which payment well and truly to be made, we bind ourselves, our and each of our Heirs, Executors
and Administrators, jointly and severally, firmly by these presents, as witness our hands and seals this

22nd. day of February A. D. 1839.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the above bond
Samuel Calvert as a purchaser from John M. Calvert, and William Calvert
two of the sons and Legatees of Samuel Calvert dec?

as one of the ~~deceased~~ of
hath received a credit for the sum of Seven hundred and forty one dollars
and seven cents, under a decree (in an Injunction) in the Circuit Superior
Court of Law and Chancery for the county of Southampton pronounced
on the 19th. day of December A.D. 1838. wherein the said Samuel
Calvert was Complainant, and the said Francis M. Boykin admor. of
Henry Briggs dec? who was admor. of Samuel Calvert dec? the elder, &
and hath also in the same case obtained a decree for the sum of one
hundred and one dollars and forty five cents, with interest from the date of the
said decree, to be paid out of the Estate of the said Briggs, but which sum is
not paid - but when paid will make the sum of Eight hundred and forty two
dollars, & fifty cents, which the said Samuel hath received as purchaser under
the said John M. & William Calvert, Legatees as aforesaid - the said John M.
part being \$371.94. & the said William's part being \$470.58

NOW if the said Samuel Calvert, representing the said Legatees John M. & William Calvert
Heirs, Executors or Administrators, shall refund their due proportion of any debts or demands which may
hereafter appear against the estate of the said Samuel Calvert deceased, the Testator
and the costs attending the recovery of such debts or demands, when thereunto required, then the above
obligation to be void, or else to remain in full force and virtue,

Signed, Sealed and Delivered }
in presence of

Samuel Calvert

Edwards Butts



Calvert

in } Exceptions by
Beff
Briggs and

Filed July 11th. 1838.

Calcutt
vs
3 In Chancery
Wyllie admr of Briggs

The Plff by his attorney James S. French
files the following exceptions to the report of the
Commissi^{on}er in this case as reported June 30
1838, in addition to the objections specially stated
by said commissi^{on}er on the part of the Plffs.
1st He objects to the report of the Commissi^{on}er, be-
cause the admt^r is allowed to spend more than the
specific legacy given the ward, and ~~then~~ charge
him with a part of his interest in Testator's
estate as so much money spent, and secondly
because the specific legacy is not made
to carry interest from death of Testator, as the
Plffs. contends it should - see 2 Rom. 409. 2
Mun. 321.

French

attor for Plffs

Justices of the Supreme Court for the State of New York

Landford admo of Inning 3 Lifer

Dbt \$630.62

Put on \$148.67 from Oct 10th 1837
 to Oct 30th 1838

Cost	9.36
	16.88
	<u>656.88</u>

1/2 of Corns say
 on 300. - 315.00
 date on 356.42 - 712 22/12
 679.00

1/2 half this sum due from the
estate of Saml. Calcut 3 329.55

$\frac{1}{6}$ to be paid by Mrs. F. Colvert Sub. 59

amt due from the dis - \$282.96
tributes of Sam? Calvert did -
to wit. Sam? Popet, Matt. John
and William Calvert

I Samuel Calvert — of the County of Southampton in
consideration of the terms upon which an injunction has been granted by the
Judge of the Circuit Superior Court of Law & Chancery for the County aforesaid
in a judgment obtained against me on the Common Law Side of the said
Court on the 21st day of November — 1836 by Francis M. Boykin attorney of
Henry Briggs dec^d: who was sometimes called Adm^r of Samuel Calvert dec^d:
do hereby release all errors at Law in the said judgment and proceedings —
Given under my hand and Seal this 21st day of November 1836 —
Witness.

Samuel Calvert

Seal

Seal

Calvert
vs $\frac{1}{2}$ Exceptions
by deft.
Buggs adm

Exceptions to the Comm^r's report in the Case of Calcutt
against Bugg's adm^r

The defendant claims cons^t. on the receipts,
the Claims tuition for the year when it appears
the orphan went to school by the vouchers for the
half in 1816, no voucher for two quarters having
been produced -

The ~~board~~ to the extra months in ~~the~~ M^r Calcutt's
account, when
the boys were not at school, is not contended for; as
from information rec^d from Mrs Frances Calcutt
the boys were most of the time at her house,
and that she had not, nor ever intended to
charge any thing - Therefore the defendant
consents for these items to be expunged from
the account - The act contends that the Plff^t is compelled
before he is entitled to his effects
to give a refunding bond to them
as adm^r aforesaid, as there is now
a large demand as ~~off~~ statement filed

W^m C. Parker att^r

Briggs's admr } Bond & Fugt.
" }
Calvert

Copies

For Mr. Prentiss
Exhibit (A) filed
with the bill

\$ 427.

On demand I promise to pay to Henry Briggs admr. of Samuel Calvert decd. the sum four hundred and twenty seven dollars for value recd. for the payment of which I bind myself my heirs Executors and admrs. jointly and severally firmly by these presents. Witness my hand and seal this 21st day of November 1826.

Witness
Jm E Daugherty.

Sam Calvert 

Attest Teste L.R. Edwards clk.

Southampton County, Circuit Superior Court, October term 1836

Francis M. Boykin administrator of Henry Briggs who was sometimes
called administrator of Samuel Calvert decd.

against

Samuel Calvert.

Plff.

Def't

In Debt.

The defendant still failing to appear on motion of the plaintiff by his attorney, it is considered by the court that the plaintiff recover against the defendant the sum of four hundred and twenty seven dollars the debt in the declaration mentioned, with legal interest thereon from the 21st day of November 1826 till paid, and the cost by him in this behalf expended. And the said defendant in mercy &c

Teste, L.R. Edwards clk.