17,898-4040-1

4040

Potts, William, Eleanor,
Wm of Richard, Elizabeth,
Samuel H., Richard, Johnd.
Thomas Gantt - Sarah wife
John H. Beall - Sarah wife
no
Thomas, Mary J. F., Harriett M.
George M. - Eleanor M. Potts
Rebecca Mackall - Estate

Frederick Calvert } Counties 1810

Bill, Exhibits (Plat) Comm.
Decree (Partition) Petition

Recorded in Liber # 82-409
Plat in Plats
Division 3 #1

Resurvey on Tuscarora F Co.
Godagrace Levels Calvert
Prevention

7 Copy W 3A

William & Eleanor Potts Fred Others

v.

~~Thomas Gantt, John Hillend~~ } PG

~~Beall & Sarah Lincoln~~ }

Philip T. Potts, Mary J. F. Potts, Harriet M. Potts, George M. Potts, & Eleanor M. Potts (infants) Fredk

filed 4th Sept. 1810.

4040

Frederick

To the Honourable William Kilty, Chancellor.

Humbly Complaining shew unto your Honour, your Orators and Oratrixes, William Potts, Eleanor Potts, William Potts of Richard, Elizabeth Potts, Samuel Hughes Potts, Richard Potts and John Lee Potts, Thomas Gantt & John Allen Beale & Sarah his wife

That a certain Rebecca Mackall in her lifetime was seized in Fee of the following Lands in Frederick County, to wit a Tract of land called "The Resurvey on Tuscarora" containing by estimation Nine hundred and twenty five and an half acres, and of the following lands in Calvert County, to wit, a Tract of Land called "Godsgraces Levels" containing by estimation six hundred Eighty seven and an half acres and a tract of land called "Prevention" containing seven and one quarter acres, and being so seized, died intestate.

That the said Rebecca Mackall had ~~the following~~ brothers and sisters, William Potts, one of your Orators, Richard Potts and Sarah Gantt the wife of Thomas Gantt, that the said Sarah Gantt died in the lifetime of the said Rebecca, leaving ~~the defendants~~ your Orators Thomas Gantt and Sarah the wife of John Allen Beale her heirs at Law, and the said Thomas Gantt the husband of the said Sarah Gantt is also dead.

That the said Richard Potts died since the death of the said Rebecca Mackall, having first made his

last Will and testament a copy of which is herewith exhibited No. 1. and is prayed may be taken a part of this bill of Complaint, and that the said Richard Potts, left at his death the children named in his Will, one of whom, to wit Sarah Ann Potts, has since died intestate and without issue.

That the said William and Eleanor Potts, the Executors named in the Will of the said Richard Potts have taken upon themselves the burden of the Executorship.

Your Orators and Oratrixes further shew, that Philip Thomas Potts, Mary Jane Fitzhugh Potts, Harriet Murdoch Potts, George Murdoch Potts and Eleanor Murdoch Potts are infants under age.

That no partition hath been made of the lands in Frederick and Calvert Counties, of which Rebecca Mackall died intestate as aforesaid, and your Orators and Oratrixes are advised no partition can be made except by the aid of the Court of Chancery.

In tender consideration whereof and for as much as your Orators and Oratrixes are without remedy except by the aid of this Court.

To the End therefore that these Defendants may answer the premises, and that there may be a partition of the lands aforesaid and that they may have such further relief as is proper.

May it please your Honour to grant to your

=Orators and Oratrixes, a subpœna in the usual form commanding the said ~~Thomas Gantt and John Hill [illegible]~~ the said Philip Thomas Potts, Mary Lane Fitzhugh Potts, Harriot Murdoch Potts, George Murdoch Potts, and Eleanor Murdoch Potts the infant Heirs of Richard Potts, to appear in this Court, and there answer the Premises and abide by such order and Decree therein as if proper.

A Shaaff
for Complainants

Freed Court Md. 18 Decr

Nicholas Brewer Esq
Reg. Cur Cour
Annapolis

Recd 10

Sir.

above you have a check for the balance of fees due to you on a/c of the two commissions to divide R. Mackall's lands. I will be obliged to you to enclose me the courses of Lots No. 1. 2. 3. 4. as designated in the return of the Commissioners from Calvert County. In the case of Breagle vs Evans be pleased to attach, if it has not yet been done.

Yours &c
Richd Post

N. Brewer Esquire
Chancery Court

Wm & Eleanor
Potts rothers

vs

Philip T Potts
rothers.

Commission
for partition

Calvert Coty
Fd Jany. 15. 1811
Retd Dec. 9. 1811

Clarksburg Md paid 10
Oct 27

Ramsey Waters Esqr
Annapolis
Maryland

Clarksburg

Dy 1 Jany.

Monty County Ht. Nov. 18[illegible]

Being interested Makes it necessary for me to address you this letter, the object being to ascertain from your Office, from a return of the Commissioners for the division of the real Estate in Calvert County of Rebecca Mackall deceased, made before 1816 - I wish to ascertain the number of acres of Land I may have had assigned to me in ~~that~~ the Division of that Estate, in right of my wife Sarah Beall, I wish you to make me from the records of your office a fair statement of the division setting forth the names of the respective persons to whom the Land was assigned & the number of acres to each Lot - The Land commonly called Gods Grace in Calvert County - I wish you to furnish me this information as early as your convenience will permit, & the cost in furnishing the same shall be remitted to you immediately -

I am respectfully

Joh H B Beall

Ramsey Waters Esqre.

Bill of fees

Not to be
recorded

6.73 1/3
34.07 1/3
20.73 1/3
30.667 1/3
18.10
56.40
14.
5
.7.80
20.33 1/3
14.33 1/3
16.93 1/3
19.767 1/3
97.16 1/3
372 4 –

Wm. & Eleanor Potts
&c.
Thomas Gantt & others } In Chancery
Compl.ts Costs

Registers fees sent out . . . . . $ 7.53⅓

fees now due

filing Comm.s return & Vouchers 20 . 20
cont to July 33⅓ same to Sept. 33⅓ Copy 66⅔
of decree 1. recording proceedings 12.40. 13.40

14.26⅓

Taxes sent out to Compl.t . . . 7.75

Commissioners Costs from Fredk. P.r their Bill } 88.

117.54⅓

Attorneys fee . . . . . 10.

$127.54⅓

Nich.s Brewer
Reg. Cur, Con

Ad 15 Jany 1811

Retd. Dec 9. 1811

Commission to Calvert County

Maryland ss

The State of Maryland To
John Orrell James Wilson and Parker
Bowing ~~[illegible]~~ of Calvert County. Greeting

Whereas on this fifteenth day of January in the year of our Lord one thousand eight hundred and Eleven. a Decree passed in a suit in our High Court of Chancery Between William Potts. Eleanor Potts, William Potts, of Richard, Elizabeth Potts. Samuel Hughes Potts, Richard Potts, John Lee Potts Thomas Gantt and John Hellen Beall and Sarah his wife. complainants and Philip Thomas Potts, Mary Lane Fitzhugh Potts, Harriot Murdock Potts, George Murdock Potts and Eleanor Murdock Potts. Defendants, by which it was ordered adjudged and decreed that there be a partition into six parts of the following Lands lying in Calvert County to wit, one Tract called "Godgraces Levels" and the other Tract called "Prevention",

~~Now~~ Know ye that we do pursuant to the said Decree fully authorise

and empower you or any two of you to go to enter upon walk over and survey the following Lands lying in Calvert County to wit one tract called "Godsgraces Levels" and the other called "Prevention" and to make a plat of the same and to seperate the same into six parts, (one sixth part of which is to be assigned to the complainant Thomas Gantt; one sixth part to be assigned to Sarah Beall the wife of John Mellen Beall; two sixth parts are to be assigned to William Potts the complainant and Brother of Rebecca Mackall deceased; and the two remaining sixth parts to be assigned to William and Eleanor Potts the Executors of Richard Potts deceased in trust for the uses and trusts for which the real Estate of the said Richard Potts is devised by his Will) equal as may be in quantity and quality and to make out a plat of the said Lands with a Certificate of the Beginning and courses and an accurate description there of and of each part according to the division and allotment by you made.

and when you shall have so done you or any two of you who shall act are to certify and return into our said Court of Chancery without delay your acts and proceedings in the premises by your certificate distinctly and plainly written closed up and under your several seals or the seals of such two of you as shall act - provided nevertheless that before you or any of you shall act in the premises you or such ~~two~~ of you as are to act shall each take the Oath hereto annexed and we do give you or any one of you full power and authority jointly or severally to administer such Oath upon the holy Evangelist. Witness the Honorable William Kilty Chancellor this fifteenth day of January One thousand Eight hundred and Eleven

Test

Nich^l Brewer

Commissioners Oath

You shall according to the best of your skill and judgment make the partition directed by the Commission hereto annexed, and in all things truly and faithfully execute the powers given and perform the duties required of you according to the best of your skill and judgment.

So help you God.

Calvert County 10th June 1811. we the Commission took the above oath –

To the honourable William Kilty Esqr Chancellor of M

Calvert County 10th June 1811. we the Commission took the above oath—

To the honourable William Kitty Esqr Chancellor of Maryland.

We the subscribers Commissioners appointed by the annexed Commission do hereby certify and return that after having taken the oath as required by the said commission we did enter upon walk over and examine the said lands mentioned in the said commission and we have had the same surveyed and the courses and distances of the said land carefully laid down as will appear by a plat thereof here returned by the said Commissioners as part of their report: and in order to seperate the same into six parts equal in quantity and quality have laid the same off into six smaller lots or parcels of land distinguished on the said plat by Lots No 1. No 2. No 3. No 4. No 5. No 6. as will more fully appear by the said plat here returned which your commissioners pray may be recieved as part of their return. Your Commissioners ~~they~~ pray leave further to report that the part of the aforesaid land distinguished on the said plat by Lot No 1. & Lot No 2. being two sixth parts of the said land they have assigned to William and Eleanor Potts (the Executors of Richard Potts deceased in trust for the uses and trusts for which the real estate of ~~the~~ said Richard Potts is devised by his will) that part of the land known on the said plat by Lot No 3 & Lot No 4 being two other sixth parts of the said land the said commissioners have assigned to William Potts the complainant and brother of Rebecca Mackall deceased: that part of the said land distinguished on the said plat by Lot No 5 being one sixth part of the said land they have assigned to the complainant Thomas Gantt and the remaining sixth part distinguished on the said plat by Lot No 6. they have assigned to Sarah Beall the wife of John Hellen Beall. All which proceedings the commissioners aforesaid here return unto your honour under their respective hands and seals this twelth day of November eighteen hundred and eleven

John Howell (Seal)

Parker Bowen (Seal)

(Seal)

William & Eleanor Potts
& others.
vs.
Philip Thomas Potts &
others — Decree for
Partition —

Decree
January 15th 1842

William Potts, Eleanor Potts & others -

against

Philip Thomas Potts & others

In Chancery -
December Term
1841

This Cause standing ready for Hearing the Bill, Answers and all other the proceedings were by the Chancellor read and considered.

It is thereupon this 15th Day of January eighteen hundred & eleven by William Hilty Chancellor and by the Authority of this Court, ordered, adjudged and decreed that there be a Partition into six parts of the Lands in the Bill named, to wit of the Tract lying in Frederick County called "The Resurvey on Tuscarora" & the two Tracts lying in Calvert County called "Godsgrace's Levels" & "Prevention" - ~~one~~ ~~six parts~~ One sixth part of which Lands are to be assigned to the Complainant Thomas Gantt; one sixth Part to be assigned to Sarah Beall the wife of John Helen Beall; two sixth ~~sixth~~ parts are to be assigned to William Potts the Complainant & Brother of Rebecca Mackall deceased; and the two Remaining sixth Parts to be assigned to William & Eleanor Potts the Executors

(tors)

tors of Richard Potts deceased in Trust for the uses & Trusts for which the real Estate of the said Richard Potts is devised by his Will - And to the End that this Court may make a just partition thereof -

It is further ordered, adjudged & decreed that One Commission issue to John Orrell, James Wilson, and Parker Bowen ~~[illegible]~~ of Calvert County for the Partition of the Land in Calvert County: and another Commission issue to John ~~[illegible]~~ Brengle, Laurence Brengle, & Richard Lee Head of Frederick County for the Partition of the Land in Frederick County, Autho=rizing them or any two of them to enter upon, walk ~~on~~ over & Survey the Lands in the respective Commissions mentioned & to divide the same into six equal parts having regard to Quantity and Quality, and to assign & allot the same ~~in the~~ in Severalty in the manner herein before adjudged & decreed, and ~~Severally~~ to make out a Plat & Certificate, or Plats and Certificates of the said Lands and of the Division & allotment thereof as hereby directed, together with the Beginnings, Courses

&

& an accurate Discription of the said Lands and the Parts thereof divided & allotted as aforesaid; and to the said two Commissioners there shall be annexed respectively an Oath of Office as usual. —

W Kitty Chan

Potts
vs
Potts } Copy

Decree for
Cultivat Lands
11 Decr 1811

William Potts & others
ags.t
Philip T Potts & others } In Chancery
~~September~~ December Term 1811

The said Cause standing ready for hearing and being submitted, the proceedings with Commissioners return agreement of parties together with all other proceedings were by the Chancellor read and considered

It is thereupon this 11th day of December eighteen hundred and eleven by William Kilty Chancellor and by the Authority of this Court adjudged, Ordered and decreed that the return of the Commissioners from Calvert County be and the same is hereby ratified and confirmed —

It is further adjudged Ordered and decreed that the Complainant Thomas Gantt shall hold in severally and not jointly with the other Parties to this suit Lot numbered five on the said return ~~and~~

of the Commissioners and therein particularly described —

It is further adjudged ordered and decreed that John Allen Beall and Sarah his wife shall hold in severally in right of the said Sarah & not jointly with the other parties to this suit Lot numbered six on the return of the said Commissioners and therein particularly described.

It is further adjudged ordered and decreed that William Potts shall hold in severally and not jointly with the other parties to this suit Lots numbered three and four on the return of the said Commissioners and therein particularly described

And it is further adjudged ordered and decreed that William and Eleanor Potts Executors of Richard Potts deceased shall hold in severally and not jointly with the other parties to this suit, and in trust for the uses and trusts for which the real Estate of Richard Potts is devised by his will

Lots numbered ones and two on the return of the said Commissioners and therein particularly described

And it is further adjudged ordered and decreed that the parties to this suit bear respectively the costs of this suit in proportion to their Several Interests therein, that is to say one sixth part to be paid by Thomas Gantt one sixth part by John H Boalle two sixth parts by William Potts the Complainant and two sixth Parts by William and Eleanor Potts. To be taxed by the Register

W Kilty Chan

Decree
October 11th 1811

William Potts & others
agst.
Philip T Potts & others

In Chancery
September Term
1811

The said Cause standing ready for hearing and being submitted the Bill Answers Exhibits Return of the Commissioners, agreements of parties together with all other proceedings were by the Chan=cellor read and considered —

It is thereupon this 11th day of October ——— eighteen hundred and eleven by William Kilty Chancellor and by the Authority of this Court adjudged Ordered and decreed that the return of the Commissioners from Frederick County be and the same is hereby Rati=fied and confirmed —

It is further adjudged Ordered and decreed that the Complainant Thomas Gantt shall hold in severalty and not jointly with the other parties to this Suit Lot number four containing one hundred and fifty seven Acres and particularly described in the said Commissioners return —

It is further adjudged Ordered

and decreed that John Allen Beall and Sarah his wife shall hold in severally in right of the said Sarah and not jointly with the said parties to this suit Lot numbered - Six containing one hundred and fifty eight Acres and particularly described in the said Commissioners Return -

It is further adjudged Ordered and decreed that the Complainant William Potts ~~the Complainant~~ shall hold in severally and not jointly with the other parties to this suit Lots numbered two and three containing together three hundred and thirteen Acres and particularly described in the said Commissioners Return -

And it is further adjudged Ordered and decreed that William and Eleanor Potts Executors of Richard Potts deceased shall hold in severally and not jointly with the other parties to this suit in trust for the uses and trusts for which the real Estate of Richard Potts is devised by his Will Lotts numbered one and five containing together three hundred and fourteen Acres particularly described in the said Commissioners Return

And it is further adjudged ordered and decreed that the parties to this suit bear respectively the costs of this suit in proportion to their several Interests therein — that is to say one Sixth part to be paid by Thomas Gantt, one Sixth Part by John H Beall ~~& Sarah his wife~~ ~~one~~ Two Sixth part by William Potts the Complainant and two Sixth parts by William and Eleanor Potts, to be taxed by the Register

W Kilty Chancr

It is usual to give to one set of Commissioners to divide in both Counties - and three Commissioners only - Will Mr examine the Commissioners named & regulate accordingly.

Nicholas Brewer Esq.
The Honor
A B Heyler
Annapolis

Bladensburgh December 17th 1820.

Sir,

Having not received information

Whether the Chancellor has appointed Commissioners to divide the Lands belonging to the late Benj. MacNall of Calvert County, now in the hands of Mr. William Potts of Frederick Town, application being made by Arthur Shaaff Esqr. to the Chancellor some time in November last I was in Annapolis where you informed me the only thing that prevented Commissioners being appointed was the Answer of the Infants not being returned, I presume the answer has been returned long since by A. Shaaff Esqr. it will be considered a particular favor of you to give me every & any information of the state & progress of this business I am with respect Sir Your Obt Servt

Nicholas Brewer Esqr.

John H. Beall

Rocktown Md 22 May Paid 20

Paid

Nicholas Brewer Esq

Register, Chancery Court

Annapolis

Polls
or
Polls

Fred K Town

Dr Sir.

Enclosed you will receive the bill of the costs attending the Execution of the Commission from the Chancery Court to divide the tract of Land, called, The Resurvey on Tuscarora among the Heirs of the late Rebecca Mackall. These charges should properly have been indorsed on the back of the Commission, which has been returned, which I have to request you now to do. The assent in writing of L H Thomas, guardian to the infants has accompanied the return, in order to prevent delay.

Your Obdt H Servt
Richd Pott

Nicholas Brewer Esq

May 22d 1811

1811. William and Eleanor Potts Exors of Richard Potts, Decd. & others. Dr.
To John Brengle, Laurence Brengle & Rich.d L. Head, Commiss.rs

To John Brengle for 6 days attendance @ $2 p day		$12.0
To Richard Lee Head for 5 days — ditto — @ $2		10.0
To Laurence Brengle for 6 — ditto — @ $2		12.0
To — Ditto — for 6 days Surveying and dividing the tract of land called "The Resurvey on Tuscarora" @ $4 p		24.0
To — Ditto for 3 days platting, Imeasuring and making out plats & Certificates & return — @ $4 p		12.0
To Cash paid for Chain Carriers & other expences		18.0
		$88.0

We do Certify that the above Account as stated is the Amount of all expences attending the Surveying, Dividing, and making partition of the tract of land called "The Resurvey on Tuscarora" among the Heirs Entitled, agreeably to a Commission out of the high Court of Chancery to us directed for that purpose — Given under our Hands this 20th day of May 1811 —

John Brengle
Laur.ce Brengle } two of the Commissioners

Hunting Town Apr 27th

Paid 16

W. Nicholas Brewer

Register of the

Chancery Court

Annapolis

May 1. 1812

Sir

Calvert County April 27

By the direction of Mr. William Potts of Fedderick County I have inclos'd to you receipts necessary to his Account in the Chancery Court at the same time I am with due regard —

Your Hble Servt

J. Somervell

March 6th. 1812 — Rd. Seven dollars in full for the within Account —

Witness

George Bourne

his
Joseph Dixon
Mark

~~Thomas Spencer~~ ~~To William Potts Jr.~~

Mr. William Potts
To Joseph Dixon Dr.

1811. To carrying chain 7 days in Surveying Gods Graces Levels - a $1. p Day } $7.00

E E
Joseph Dixon

Calvert County St 15 Jan 7. 1812
Came Joseph Dixon before me a Justice of the peace for the County aforesaid and proved the above acct as the law directs
Sworn before
Joshua Ledwick

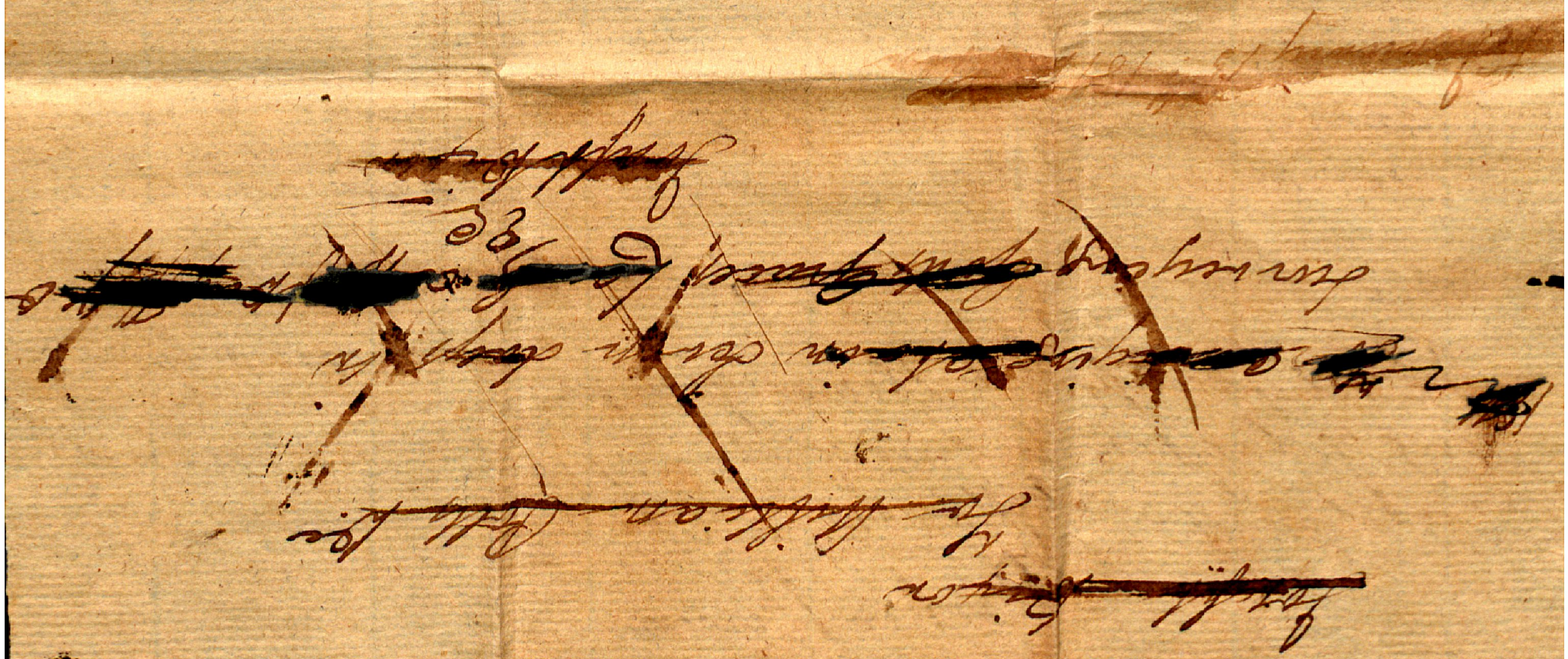
I heare by Certify that Joseph Dixon was 7 Days on the Servay of Gods Graces as Chain Carrow
Parker Bowen

March 6th 1812 — Received Seven dollars in full for the within Account

Witness

his
Thomas Younger
Master

George Bourne



Mr. William Potts

To Thomas Younger Dr.

1811. To 7 days attendance on the Survey of Gods Graces Levels a $1. p day — $7.00

E E

Thomas Younger

Calvert County Sk. 15 Jany. 1812 —

Came Thomas Younger before me a Justice of the peace for the County aforesaid and proved the above account as the law directs —

Sworn before

Joshua Ledwick

I hereby certify that Thomas Younger was 7 days on the Survey of Gods Graces as Sightsman

Parker Bowen

March 23d. 1812. Received Seven Dlars for the within
mentioned Service

Witness

Joseph Ireland

his
John X Wood
mark

February 4th 1812

We hereby Certify that Mr John Wood of Edward Serv'd as chain Carrier on the Land of the Late Mrs Markoll of Colon County Seven days to the best of my Knowledge

John Howell
Parker Bowen
Commissioners

It has been the Custom in this ~~of the~~ County to allow the Chain Carriers Dollar pr Day. John Howell
Parker Bowen

Agreement

Dec 9. 1811

To the Honble William Tilty. Chancellor.

I hereby certify to the Chancellor, my agent to the division of the Lands of the late Rebecca Mackall in Calvert County, among her respective heirs and representatives, as made and returned by John Howell and Parker Bowen, two of the Commissioners appointed by the Chancellor for that purpose.

John Hanson Thomas
Guardian for the Infant Heirs and representatives of Richard Potts, brother of said Rebecca Mackall.

Decr 9th 1811.

Recd Oct. 20
1812. by
Arthur Shaw Esq.

The Est.a of Rebecca Mackall

To William Potts Dr

1811
Dec.r 2.d To Cash p'd post.a by John Somervell on the return of the survey on Godsgrace's Levells ..... } .. 80

1812
Mar. 23.d To ditto paid a Sights-man & 2 chain Carriers 7 days wages each at $1. p.r day ..... } 21. —

April 27. To d.o paid post.a of a letter inclosing receipts to the Chancery Court for the article last charged ..... } .16

$ 21 .96

Mr. Somerville forwarded some
two accounts of Chain Carriers each for $7.
in the Case of Potts & Potts but they
were not received until the 1st. May of
course are not taxed in the bill. The
fees having been taxed before they were
filed.

N Brewer

Bill of costs

Not to be
Recorded

William & Eleanor Potts
~~& others~~
@
Thos. Gantt & ~~others~~ others

} In Chancery
Costs on the Division in Calvert

~~fee~~ Registers fees —

filing commission & returns 40 Copy of	40
Decree recording Proceedings 10.60	11.60
	$12.
Tax	1.
Surveying Expenses	69. 22½
Cost of Commissioners of which they have made no return .	

Test
Nichs. Brewer Reg Cur Cur

1

Agreement

Filed May 21. 1811

As guardian appointed under a commission of the Chancery Court for Philip Thomas Potts Mary J. F. Potts Harriott N Potts George N. Potts & Eleanor N. Potts infant heirs of Rebecca Machale deceased I do hereby assent to the return made by the commissioners appointed by the Chancellor to lay off and divide a tract of land in Frederick County called "The Resurvey on Tuscarora" part of the real estate of the said Rebecca Machale deceased, and having seen and examined the said return I do hereby agree that the same may be confirmed - For and in behalf of the said Infants given under my hand this 17th May 1811

John Hanson Thomas

Lower Marlboro
29th Augt.

Paid 10

William Potts Esqr.

Frederic Town Maryland

Calvert County. Huntingtown

Dear Sir)

Having been call.^d on (by the Commissioners named by the Honourable Chancellor for the Division of the Land of the Late General Mackall). to survey and divide the same for them, which having done, I am directed by them to charge the work to you. being now in need I herewith send the acc.^t and should be glad you would be so polite as to let me hear from you as soon as convenient I have the Honour to be with sentiments of respect

your most obedient and
Very Humble Servt &c.^a

Augt 28.th 1811 —

Thos E King

1811. William Potts Esqr . . . . . D.^r

June 13.th	To 4 Days Surveying the Land of the Late Genl Mackall	$12.0
16.th	To Contenting the Quantity of the Same. 1 Day . .	$3..0
20	To 3 Days work Surveying in Dividing the same	$9..0
Augt 1	To a plott for the above	$6.0..
		$30..0

E E Thos E King S.C.C

Duplicate

Mr. William Potts To Edward Meed Dr.

1811			D	Cts
June	11	To Board &c for 1 Surveyor, 2 Commissioners, 2 Chain carriers, & 1 Sightsman . . . @ 1$ ea . . .	6	00
"	12	" " 1 " 1 " 2 " " 1 " . . . " . . .	5	00
"	13	" " 1 " 2 " 2 " " 1 " . . . " . . .	6	00
"	18	" " 1 " 2 " 2 " " 1 " . . . " . . .	6	00
"	19	" " 1 " 2 " 2 " " 1 " . . . " . . .	6	00
"	20	" " 1 " 2 " 2 " " 1 " . . . " . . .	6	00
			$35	00

Received of Mr. William Potts ^Administrator of Rebecca Mackall^ the sum of thirty five Dollars in full of the above amount when inter'd to our Credit on E. M & Th. Billingsley joint Note.

Edward Meed

Nicholas Brewer Esq

Reg. Cur. Chan.

Annapolis.

...ing the costs
...the costs not
...with a receipt
...Digitely send you a check for the
...the delay of a collection through

...in
...Lowers Jr
Richd Potts.

The Real Estate of Rebecca Mackall in act with
William Potts Dr

1841
Sept. 18. To cash paid Thos E. King for surveying and dividing
Gods Graces Levells, the Estate of Rebecca Mackall in
Calvert County. — $30 —

23 To Cash paid Edward [illegible] for boarding, the surveyor
commissioners, chain carriers and a septtsman
during the time they were running and dividing
Gods Graces under the Chancellors Commission $35 —

Octob. 2d. To postage to and from Annapolis, & to & from
Calvert enclosing commission, patents &c. 4 22½
$69.22½

Dr Sir.

Enclosed I send you a bill of the costs attending the division of the Calvert lands. The charges of the Commissioners, I do not yet know, nor do I know of the return of the division, altho' we were informed of it in Aug. last. — Upon making out the Decree, & taxing the costs I wish you to send me a bill of all the costs not yet paid upon the whole business, with a receipt and I will immediately send you a check for the amount, I do not wish the delay of a collection through the Sheriff.

Dr Sir
Yours &c
Richd Potts.

Nov. 23d. 1841

Commissioners in Calvert.

John Orrell
James Wilson
Parker Bowen
~~Benjamin Johns~~
~~Benjamin Mackall Orrell.~~

Commissioners in Frederick.

~~Peter Mantz~~
John Brengle
~~John Brengle Sen.~~
Lawrence Brengle
Richard Lee Head.

ist 15 Oct 1810

rd Nov 29. 1810

Maryland, sc. The State of Maryland to

Roger Taney Esquire

of Frederick County, Greeting:

Whereas William & Eleanor Potts, and others

hath lately exhibited their bill of complaint before us, in our High Court of Chancery, against Mary J. F. Potts, Rumsey M. Potts, George M. Potts & Eleanor M. Potts & Phebe, Thomas Potts Defendants:

And whereas we have, by our writ, lately commanded the said Defendants to appear before us, in our said Chancery, at a certain day, now past, to answer the said bill but, for as much as the said defendants

are infants under age, and cannot answer the said bill nor defend this suit, without having a guardian assigned in that behalf-----Know ye, therefore, that we have given unto you full power and authority, in pursuance of the special order in our said court, to assign and appoint a guardian for the aforesaid infants, and to take the answer of the said infants, by such guardian to the said bill and therefore we command you, that at such certain day and place as you shall think fit, you go to the said Defendants, if they cannot conveniently come to you, and assign and appoint a guardian for the aforesaid infants, and take the answers of the said infants by such guardian, to the said bill on such guardian's corporal oath upon the Holy Evangely, to be administered by you, the said answers being distinctly and plainly wrote; and when you shall have so taken the said answers, you are to send the same, closed up under your seal, together with your certificate of your having assigned and appointed such guardian as aforesaid, and this writ, unto us, in our said Chancery. Witness the honourable William Kilty, Chancellor, this 15th day of October Anno Domini 1810

Test. Nich. Brewer

Reg Cur Can

November the twelfth - 1810.

I the Subscriber being the Commissioner ap=
pointed in the annexed Commission, do hereby
Certify & return to the Chancellor that by virtue
of the said Commission I did on the Day & year
aforesaid Cause the Infants therein named to Come before me
& that I did then are there appoint John Hanser Thomas
to be the Guardian to take the Answers of the
said Infants ~~by~~ and also did then & there take the
Answers of the said Infants by such Guardian upon
his Corporal Oath by me there & there administered
which said Answers are hereunth returned down
under my Hand & seal the Day & year
above written -

R. B. Tancy Esq

Fred. Town Md. 23 Augt. Paid 20

Nicholas Brewer Esq

Register, Chancery Court

Annapolis

Fredk. Town Aug. 23. 1811

Nicholas Brewer Esq

Sir.

Enclosed you will receive the written assent of the Guardian for the infant heirs of Richd Dorsey, decd, to the Division of the lands lying in Calvert County, the property of the late Rebecca Mackall, among her heirs and representatives as made by Mr John Howell & Parker Bowen two of the Commissioners appointed by the Chancellor for that purpose. The parties interested are anxious for a Decree as early as practicable, as it will the sooner enable them to sell.

Dr Sir

Yours &c

Richd Dorsey

25

[illegible]

filed 4th Sept 1810

In The Name of God Amen I Richard Potts of Fredrick Town Fredrick County and State of Maryland being in good health and of sound and disposing memory mind and understanding considering the uncertainty of life and that it is appointed for all men to die do with a View of settling my worldly affairs and relieving my family as much as may be from Inconveniencies arising from a dying Intestate make my last will and Testament in manner following —

First I direct my Body to be decently Interred by my Executors avoiding all unnecessary expence — 2d. I direct all my Just Debts to be fully paid by my Executors — 3d. I give Devise and bequeath to my dearly beloved and well deserving Wife Eleanor Potts my house and Lott in Fredrick Town where I now reside to her her heirs and Assigns forever — I Also give and bequeath to my said Wife all my household furniture Plate Provisions and liquors that I may have in the house for the use of my family at the time of my Death so that she may not be in any manner accountable for any part of the same recommending and not doubting but that she will appropriate the coarser Articles of Provision which can be spared from her family in Town to the use of my Labouring people on the farms — I Also give unto my said wife my Carriage and Harness I may leave together with any two of my horses she may Elect to have as Carriage Horses — I also give unto my said Wife one Male slave and four female Slaves to be selected by her from all the Slaves I may leave at my Death except such as I may by name by this my will otherwise dispose of

It is proper here to declare that it hath never been my Intention to make any material difference between my children but to Divide my estate as equally as may be between them but considerations not to be resisted have compelled me to distinguish between them —

It is also proper to state that at my son William's commencing business in Baltimore I gave him five — thousand Dollars which I then supposed was as much as my Estate would afford I do this to assign the reason why I shall devise nothing to him until I shall make an Equal Provision to each of my other children —

I give and devise to my Daughter Elizabeth Potts a Mulatto Woman Slave in my house named Susan which Slave I always intended for her and hath been generally considered as hers —

I give Devise and bequeath to my wife Eleanor & my Brother William my Executors hereinafter named all the rest and residue of my Estate real and Personal be it of what nature or kind soever to them their heirs Executors and Administrators to be kept sold or Disposed of as a fund for satisfying the several Devises hereinafter mentioned to wit —

I give to my wife Eleanor Potts five thousand Dollars to be paid to her from the fund created by the last Devise

I give to my children Elizabeth Potts, Richard Potts John Lee Potts Anne Potts Philip Thomas Potts Mary Jane Fitzhough Potts Harriott Murdoch Potts George Murdoch Potts and Eleanor Murdoch Potts to each of them Five thousand Dollars to be raised from the fund created by the Devise to my Executors above named —

From the same fund I hereby give to my said Executors

the sum of five thousand dollars to be Invested and la
out so as to Assure to my son Samuel Hughes Potts an
Annuity of three hundred dollars which I direct them
to pay him annually — which said principal of five
thousand Dollars shall be disposed of after his death in
manner as directed by my Letter to my Executors of
equal date herewith in discharge of which Trust thus
confided to them they have my unlimitted confidence
and I mean that they shall not be accountable to him
nor any other person to disclose and discover any wishes
thus declared them but the same is placed under their
absolute control not doubting but they will conscientiously
fulfill the same —

I hereby declare it to
be my Intention that if any of my children should die in
their minority that then the devise to such child or Children
unless they leave children should sink into the General fund
hereby Devised to my Executors and if that General fund
should be more than sufficient to satisfy all the aforegoing
bequests to my wife and children that then the Surplus
shall be Divided equally between my wife and all my
children including with them my son William Potts and Samuel
Hughes Potts but if the general fund aforesaid devised to
my Executors should not be sufficient to pay the Legacy
of five thousand dollars to my wife and also the Legacy
of five thousand dollars to each of my nine children
before named and to Assure the Annuity of Three hundred
dollars to my son Samuel by investing five thousand
dollars to raise that Annuity for him that then and
in such case the Legacy of five thousand Dollars to my
wife and the said Several Legacies to my children and
devise to my Executors in Trust as aforesaid shall abate
in Proportion so as to make my children equal as

nearly as may be — I Declare that my servant Stato is not intended to be a part of the fund hereby directed to be created, If he was not a Infirm man I would manumit him circumstanced as he is I beg my wife to Accept of him and have no doubt he will receive that tender Treatment his situation may require — Upon the Settlement of Mr George Murdochs Estate It will be found that I am Indebted to his Administratrix whose kindness to me gave me the use of such monies belonging to the Estate which came into my hands as were not required to Discharge claims against the Estate or necessary to the use of the family I have had no Settlement with the Administratrix for my wifes Distributive share of that Estate meaning the Personal Estate, but meant to set that part due to my wife against the balance I might be found to owe if that not sufficient the Balance to be raised from my Estate if that should prove more than sufficient to satisfy what I may owe Mrs Murdoch the Administratrix the Surplus to remain the property of my wife and not to be claimed by my Executors —

I am Indebted to Miss Ann and Miss Elizabeth Dehaulines for monies Lodged by them with me and Purchased for them at their request Twenty Shares in the Union Bank of Baltimore which now are in their names — And I have from time to time supplied them with monies for their support since their living in Town as well as before as after the receipt of their monies all which will appear by my Books and I have also in my name fifty shares in the farmers bank of Maryland which I procured for them — I hereby direct my Executors to Transfer to them the said fifty shares charging them

the cost Twenty five hundred Dollars - and to pay them the Balance that may be due allowing Interest for their money from the time of my receiving it and charging Interest on the several Advances made for them — I hereby appoint my beloved wife Eleanor Potts and my Brother William Potts Executors of this my last will and Testament hereby Declaring this to be my last will and Testament and revoking all other In Witness where of I have hereunto subscribed my name and affixed my seal this fourteenth day of November 1808

Signed Sealed published and declared by the within named Richard Potts the Testator as his last will and Testament in the presence of us who at his request in his presence and the presence of each other have subscribed our names as Witnesses hereto —

Thomas Shaw John B McPherson
Lewis Green

Richard Potts. (Seal)

Frederick County to wit on the 13th day of December 1808 then came Eleanor Potts and William Potts and made Oath on the holy Evangels of Almighty god that the foregoing and annexed Instrument of writing is the true whole will and Testament of Richard Potts late of Frederick County Deceased that hath come to their hands and possession and that they do not know of any other

Rich. Butler Reg.

Frederick County to wit on the 13th day of December 1808 then came Thomas Shaw and John B McPherson two of the Subscribing Witnesses to the foregoing

and annexed last will and Testament of Richard Potts late of Fredrick County Deceased and made Oath on the holy Evangels of Almighty God that they did see the Testator therein named sign and seal this will that they heard him publish pronounce and declare the same to be his last will and Testament that at the time of his so doing he was to the best of their apprehensions of a sound and disposing mind memory & understanding that they respectively subscribed their names as Witnesses to this will in the presence and at the request of the Testator — On the day and year aforesaid came Lewis Green the other subscribing witness to the foregoing and annexed last will and Testament of Richard Potts late of Fredrick County Deceased and made Oath on the holy Evangels of Almighty God that Richard Potts the Testator named in the foregoing will in the presence and to this deponent declared and Acknowledged the name Richard Potts thereunto signed to be his the Testators own proper hand & the Seal thereunto to be his the Testators seal And this Deponent heard him publish pronounce and declare the same to be his last will and Testament that at the time of his so doing he was to the best of his apprehension of a sound and Disposing mind memory and understanding that he Subscribed his name as a Witness to this will in the presence and at the request of the Testator

Rich.d Butler Reg.r

State of Maryland and Frederick County to wit

I hereby certify that the foregoing are true copys from Liber G. M. R B No. 1 folios 429, 430, 431, 432 & 433 one of the Record Book of wills in the Register Office for Frederick County

In Testimony whereof I have hereunto set my hand and affixed the seal of Office this twelfth day of June 1810

Test Rich.d Butler
Reg.r Wills
Fred.k County.