

Floride Isabella Lee, By Her Next Friend, Gideon Lee, Complainant, Against Richard W. Simpson, Defendant. 1889: Documents 1856-1894

A Register, 1856-1894

Overview of Collection

- Creator:** Lee, Floride Isabella 1870-1935
- Collection Number:** Mss 256
- Title:** Floride Isabella Lee, By Her Next Friend, Gideon Lee, Complainant, Against Richard W. Simpson, Defendant, 1889 in the Circuit Court of the United States, for the Fourth Circuit-District of South Carolina: Documents, 1856-1894
- Abstract:** This collection documents Gideon Lee's April 22, 1889 suit on behalf of his minor daughter, Floride Isabella Lee in order to contest the will of the late Thomas Green Clemson, who had died on April 6, 1888. Thomas Green Clemson had made it known through the codicil to his will that on the Fort Hill estate would be established an agricultural college. Floride Isabella Lee, being Clemson's only surviving heir, made an attempt through litigation to block this action.
- Quantity:** .75 cubic feet consisting of 102 folders in two boxes.

Scope and Content Note

The papers include copies of testimony, statements of fact, and exhibits from the holdings of the National Archives' Southeast Region Archives detailing the case of Lee vs. Simpson 1889. These documents date from 1856-1894.

The material has been arranged into roughly four sections within the collection: published case files, court case documents, documents that were prepared but not filed, and miscellaneous.

The published case files relate directly to J.E. Hagood's 135 page bound volume report, entitled, *Floride Isabella Lee, By Her Next friend, Gideon Lee, Complainant, Against Richard W. Simpson, Defendant 1889 in the Circuit Court of the United States, for the Fourth Circuit-District of South Carolina* that was prepared for the trial. The call number of this volume is S 417.C62 C1, a copy of which can be found within the holdings of Clemson University's Special Collections. The files are arranged chronologically as they would be found in the published volume. Corresponding page numbers have been included in the container list.

The court case documents are items that were either exhibited or filed during the case. These files have been arranged by date, corresponding to the occasion on which the material was presented.

In the prepared but not filed category are documents such as summons, subpoenas, taxation of costs, letters, orders, and various other legal material that were used during the case without ever having been filed. This material is arranged chronologically with the earliest date first.

Finally there are two miscellaneous files containing material that was difficult to classify.

Additional Collection Information

Cite as: (description of item such as *Court Case Documents* “Personal Estate of John C. Calhoun”, November 7, 1868 [Exhibit April 17, 1889]), box number, folder number, Mss 256, Floride Isabella Lee, By Her Next Friend, Gideon Lee, Complainant, Against Richard W. Simpson, Defendant, 1889 in the Circuit Court of the United States, for the Fourth Circuit-District of South Carolina: Documents, 1856-1894, Special Collections, Clemson University Libraries, Clemson SC.

Alternate Formats Available

Original files held by the National Archives’ Southeast Region Archives in East Point, GA.

Historical Note

Upon John C. Calhoun’s death in 1850, his wife Floride Bonneau Colhoun Calhoun received the Fort Hill estate. In 1854 Mrs. Calhoun sold the estate along with slaves to her son Andrew P. Calhoun for the sum of \$49,000. Andrew P. Calhoun was unable to fulfill the monetary obligation in the allotted time period, as he had been financially ruined by the Civil War. In 1865 Andrew P. Calhoun was killed in a railroad accident, leaving the debt unpaid.

Litigation of the estate was ongoing when Mrs. Calhoun died in 1866. The court ordered the public sale of the estate to satisfy the unpaid bond and mortgage. Anna Maria Calhoun Clemson, the daughter of John C. Calhoun and Floride Bonneau Colhoun Calhoun and wife of Thomas G. Clemson inherited the bond.

Anna appointed her husband Thomas G. Clemson as her trustee and he therefore inherited the Fort Hill estate.

Anna Maria Calhoun Clemson had willed one-quarter of the mortgage to her and Thomas G. Clemson’s granddaughter, Floride Isabella Lee along with 288 acres of the estate. Anna had been left 814 acres along with the Fort Hill residence. Anna died on September 22, 1875.

Thomas G. Clemson died on April 6, 1888. Mr. Clemson left a sum of \$15,000 to Floride Isabella Lee, which was the cash equivalent of her part of the estate. In addition, Mr. Clemson willed Fort Hill’s remaining 814 acres and \$80,000 in securities to the state of South Carolina in order for the establishment of an agricultural college on the estate.

Floride Isabella Lee, being the only surviving heir of both Thomas G. Clemson and John C. Calhoun felt that litigation was necessary in order to block the part of the will that called for the establishment of an agricultural college on the grounds of the estate. In essence the question that needed to be answered was the legality of Thomas G. Clemson's inheritance of the estate. Floride Isabella Lee's father, Gideon Lee on her behalf filed the suit on April 22, 1889. The defendant in the case was Richard W. Simpson, the executor of Clemson's will. The court found that Clemson's inheritance of the Fort Hill estate was legally sound, and therefore the case was dismissed.

Related Material

Mss 96 Richard W. Simpson Papers 1844-1893

Collection Indexed Terms

This collection is indexed under the following terms in the University Libraries' online catalog. Researchers desiring materials about related topics, persons, or places should research the catalog under these headings.

Subjects:

Calhoun Family
Clemson Family
Clemson, Thomas Green, 1807-1888—Estate
Fort Hill (Clemson, S.C.: Estate)

Document Types:

Legal Documents
Legal Files

Correspondents:

R.W. Simpson

Administrative Information

Acquired From:

National Archives and Records Administration's Southeast Region Archives provided Clemson with copies of the original files in 1995. Formerly accession number 95-49.

Processing Information:

This collection was processed by Carl Redd in 2004.

Detailed Description

Box	Folder	Folder Title
		Published Case Documents
1	1	Summary of Evidence In Case of <i>Lee vs. Simpson 1889</i> pp. (3-131)
	2	Summary of Evidence (pp. 2-3)
	3	<i>Floride Calhoun et al vs. M.M. Calhoun et al</i> (related material can be found on page 3)
	4	Documentation In Case <i>Lee vs. Simpson 1889</i> (pp. 3-5)
	5	Bill of Foreclosure- <i>Floride Calhoun et al vs. M.M. Calhoun et al</i> (pp. 5-13)
	6	Bill of Foreclosure- <i>Floride Calhoun et al vs. M.M. Calhoun et al</i> (p. 14)
	7	Bill of Foreclosure- <i>Floride Calhoun et al vs. M.M. Calhoun</i> (p. 19)
	8	Title Deed to Fort Hill (pp. 19-20)
	9	Letters of Mrs. Clemson (Anna) and Floride Clemson to Edward Noble [c. 1868] (p.21)
	10	Letter to Col. R.A. Thompson from Edward Noble-January 10, 1868 (p.22)
	11	Thomas G. Clemson-Last Will and Testament and Codicil (pp. 23-33)
	12	R.W. Simpson Named Executor of Clemson Estate-April 30, 1888 (pp. 36-37)
	13	A Bill "To Accept the Devise and Bequest of Thomas G. Clemson and to Establish an Agricultural College In Connection Therewith"-Read Before Senate December 15, 1888 (pp. 38-40)
	14	Copy of Last Will and Testament of Anna C. Clemson Deceased (pp. 41-42)
	15	The Estate of (Andrew) Patrick Calhoun (pp.43-44)
	16	Schedule of Money and Notes Belonging to the Estate of (Andrew) Patrick Calhoun-July 12, 1877 (pp. 42-46)
	17	Settlement of the Estate of (Andrew) Patrick Calhoun-August 28, 1877 (pp. 46-49)
	18	Inventory of Miss Cornelia Calhoun's Estate-May 13, 1866 (p. 50)
	19	Letter to Mrs. (Anna) Clemson from A.G. Stephen-September 21, 1861 (pp. 51-52)
	20	Testimony and Evidence-March 15-April 19, 1889 (pp. 52-127)
	21	Testimony- March 29, 1889 (pp. 66-70)
	22	<i>Scientific Education</i> Address to the People of the State (pp. 77-82)
	23	Letter to J.H. Rion from W.P. Price-February 13, 1882 (pp. 120-122)
	24	Postcard to J.H. Rion from W.P. Price-May 15, 1882 (pp. 122-123)
	25	Testimony Taken at Abbeville County-April 19, 1889 (pp. 124-127)
	26	Statement-Floride Calhoun Estate Is Ready For Final Settlement-July 12, 1877 (p. 128)
	27	Amended Petition of John C. Calhoun As Administrator of Andrew P. Calhoun Estate (pp.131-134)

- 28 Court of Claims-Relating to No. 3397 John C. Calhoun, Administrator of
Andrew P. Calhoun, Deceased (pp. 133-134)
- 29 Documentation Pertaining to *Clemson vs. Baker* Prince Georges County,
Maryland-August 13, 1868 (pp.134-135)

Court Case Documents

- 30 Subpoena for R.W. Simpson, Filed November 26, 1888
- 31 Notice for Motion of Injunction in Case of *Lee vs. Simpson 1889*,
December 10, 1888 (Filed December 17, 1888)
- 32 Affidavit of R.W. Simpson, December 14, 1888 (Filed December 18,
1888)
- 33 Copy of Will and Codicil of the Late Mrs. Floride Calhoun, January 22,
1866 (Exhibit March 14, 1889)
- 34 Deed-Anna C. Clemson to Thomas G. Clemson, December 31, 1869
(Exhibit March 29, 1889)
- 35 Settlement of Various Estates Including ____?____, (Exhibit March 29,
1889)
- 36 Reference as to Fee-*Floride Calhoun et al vs. M.M. Calhoun et al*, (Filed
April 5, 1889)
- 37 Report on Exceptions Filed to Former Report on Accounts in Case of
Floride Calhoun et al vs. M.M. Calhoun et al, February 29, 1871 (Filed
April 5, 1889)
- 38 Bill of Foreclosure-*Floride Calhoun et al vs. M.M. Calhoun et al*, July 11,
1872 (Filed April 5, 1889)
- 39 Nicholas C. Stephens Sell “Chillum Castle” Property to Thomas G.
Clemson, June 8, 1853 (Exhibit April 17, 1889)
- 40 *S.W. Inge vs. Mexico*, October 6, 1858 (Exhibit April 17, 1889)
- 41 Bill of Sale-Thomas G. Clemson to Anna C. Clemson, March 1, 1862
(Exhibit April 17, 1889)
- 42 Thomas G. Clemson to Anna C. Clemson-Copy/Deed, March 1, 1862
(Exhibit April 17, 1889)
- 43 Copy of Deed-Anna C. Clemson to Elias Baker, January 18, 1864 (Exhibit
April 17, 1889)
- 44 Petition for Letters-Personal Estate of Cornelia Calhoun, January 23, 1866
(Exhibit April 17, 1889)
- 45 Personal Estate of John C. Calhoun, November 7, 1868 (Exhibit April 17,
1889)
- 46 Copy of Deed-Nicholas C. Stephens to Anna C. Clemson, November 6,
1869 (Exhibit April 17, 1889)
- 47 *S.W. Inge vs. Mexico*, July 6, 1875 (Exhibit April 17, 1889)
- 48 Letter by Judge W.P. Cox Certifying Copy of Cornelia Calhoun’s
Administration of Estate Letters, March 12, 1889 (Exhibit April 17, 1889)
- 49 Copy of James Edward Boisseau’s Last Will and Testament, January 4,
1851 (Exhibit April 19, 1889)

- 50 Answer of the Defendant (R.W. Simpson) to the Bill of Complaint,
December 13, 1888 (Exhibit April 19, 1889)
- 51 Motion for Preliminary Injunction-*Lee vs. Simpson 1889*, December 18,
1888 (Filed April 30, 1889)
- 52 Statement by Leroy Yoamans in Case *Lee vs. Simpson 1889*, December
10, 1888 (Filed July 10, 1889)
- 53 Agreement Between Floride, M.M., and A.P. Calhoun for the Purchase of
the Fort Hill Farm, May 13, 1854 (Exhibit A July 28, 1889)
- 54 Bond for Money and Mortgage-Andrew P. Calhoun to Floride Calhoun et
al, May 13-15, 1854 (Exhibits B and C July 28, 1889)
- 55 Release for Land-Andrew P. Calhoun to Floride Calhoun et al, May 13,
1854 (Filed July 28, 1889)
- 56 Bill of Foreclosure-*Floride Calhoun et al vs. M.M. Calhoun et al*, July 11,
1872 (Filed July 28, 1889)
- 57 Bill of Foreclosure, Mortgage of Land I-*Floride Calhoun et al vs. M.M.
Calhoun et al*, June 28, 1866 (Filed July 28, 1889)
- 58 Bill of Foreclosure, Mortgage of Land II-*Floride Calhoun et al vs. M.M.
Calhoun et al*, July 14, 1871 (Filed July 28, 1889)
- 59 Allowance and Petition for Appeal to Supreme Court in Case of *Lee vs.
Simpson 1889*, (Filed September 11, 1889)
- 60 Letter from Melville W. Fuller to Judge Bond-August 21, ___?___ (Filed
September 16, 1889)
- 61 Type Written Statement for Taxation of Costs in Case of *Lee vs. Simpson
1889*, (Filed May 20, 1890)
- 62 Notice of Motion to Tax Costs in Case of *Lee vs. Simpson 1889*, (Filed
May 25, 1890)
- 63 U.S. Supreme Court Ruling: Melville W. Fuller, (Filed May 29, 1890)
- 64 Miscellaneous Case File and Exhibit Title Cover Sheets

Prepared But Not Filed

- 2
- 1 Deed-Between Nicholas C. Stephens and Thomas G. Clemson, September
18, 1856
- 2 Edward Noble Granted Administration Over Personal Estate of (Andrew)
Patrick Calhoun [Labeled "Omit"], April 30, 1860
- 3 Thomas G. Clemson Conveyance of Estate in Maryland to Anna C.
Clemson, April 15, 1861
- 4 Thomas G. Clemson Granted Administrator Status Over Estate of Cornelia
Calhoun [Labeled "Omit"], February, 1866
- 5 Mortgage of Personal Estate-Andrew P. Calhoun to Floride and Cornelia
M. Calhoun, May 25, 1866
- 6 Thomas G. Clemson Granted Administration Over John C. Calhoun Estate
[Labeled "Omit"], July 30, 1866
- 7 Declaration of Trust- Thomas G. and Anna Clemson to Henry and R.
Gouidin, November 22, 1866

- 8 *S.W. Inge et al vs. Mexico*, July 4, 1868
9 *Floride Calhoun et al vs. M.M. Clemson*-Notice of Sale of Fort Hill, July
14, 1871
10 Thomas G. Clemson Granted Trustee Status Over Property of Anna M.
Clemson, December 13, 1871
11 Copy of Summons for Relief to R.W. Simpson, August 23, 1888
12 Petition for Appointment of “Next Friend” to Isabella Lee, November 21,
1888
13 Bill of Compliant Against R.W. Simpson, November 26, 1888
14 Petition for Appointment of Gideon Lee as “Next Friend” to Isabella Lee,
November 26, 1888
15 Gideon Lee Granted “Next Friend” Status to Isabella Lee, November 26,
1888
16 Original Answer-R.W. Simpson, December 15, 1888
17 Original Report of Injunction, December 18, 1888
18 Replication, January 5, 1889
19 Order to Special Master J.E. Hagood to Take Testimony, January 7, 1889
20 Notice/Original, January 7, 1889
21 Notice of Reference-*Lee vs. Simpson 1889*, March 4, 1889
22 Order Requiring Security for Costs, March 5, 1889
23 Notice-Security of Costs, March 15, 1889
24 Notice of Reference-*Lee vs. Simpson 1889*, March 25, 1889
25 *Lee vs. Simpson*-Taxation of Costs, April 24, 1889
26 Summary and Findings-*Lee vs. Simpson 1889*, May 18, 1889
27 Findings and Dismissal of *Lee vs. Simpson 1889*, May 18, 1889
28 Order Dismissing Bill-*Lee vs. Simpson 1889*, May 21, 1889
29 Letter to Melville W. Fuller from Leroy Youmans, August 26, 1889
30 Letter to J.E. Hagood from Leroy Youmans, October 3, 1889
31 Letter to J.E. Hagood from Leroy Youmans, October 9, 1889
32 Letter to J.E. Hagood from Leroy Youmans, October 11, 1889
33 Taxation for Costs in Case of *Lee vs. Simpson 1889*
34 Appeal of July 10, 1889 Decision on Behalf of Isabella Lee
35 Taxation of Costs-*Lee vs. Simpson 1889*, May 20, 1890
36 Order Directing Clerk to Deliver Deed to John B. Gary Agent + Attorney,
May 16, 1894

Miscellaneous

- 37 John B. and John W. Brooke of Maryland Certify Various Legal
Documentation, April 11 and 27, 1889
38 Unidentified Financial Statement-*Lee vs. Simpson 1889*