

1877-002 Chancery Causes: Lucy C. Marshall, by & c VS George W. Britt + John C. Thomas Folder 1
Sole of Wright County R. S. Thomas, assignee of George W. Britt + John C. Thomas vs Lucy C.
Marshall, by & c

other surnames: Rawls,
Chalmers, Bailey, Wills,
Edwards, Shepherd, Westwood,
Henry, Duck, Clements,
Whitley, Morrison, Rouse,
Womble, Hayden, Vail,
Presson, Stephenson, Bland,
Boykin, Chapman

Ch Bal on
Mr Marshall, Esq
2 d pgs of Receipts
\$250

Killy p. 9

Marshall purpined

M } Bill
3

Brill tal

1873.

July. W. Bill & filed - Deem. 24d.
& deem nisi on Brill def. and
sent. an? on J. L. Thomas and party.

March W. Bill taken for conf. on.
Brill test for hearing. And
deem nisi on Thomas.

Apr. W. Bill taken for conf.
& set for hearing as to Deem.

Oct. 1873 - Dec: for a d.
+ Octo. 1874, Decree on. de ft:
for debt & costs.

Feb. 1875. Deem: on d. on W. S.
Thomas after R. to show cause to

J. of Wt. Co. Ct.

De fa if?

April 77. Final Decree

+ Aug. 1. 1873 - Deem: in circuit.

In consideration whereof, & for as much
as this Court has power to grant all ade-
quate relief - to the end - Your Com-
plainant prays that the said Geo. W. Britt
and John C. Thomas

may be made de-
fendants hereto, & be compelled to an-
swer all the allegations herein, as partic-
ularly as though they were here again
repeated & they thereto specially interroga-
ted, that said guardian & administra-
tion accounts may be settled or again
& corrections made as far as the same may
be surcharged & falsified, & that what-
ever amount may be due thereon, may
be decreed to your Complainant &
that all other & further relief may
be granted consistent with Equity
etc,

John R. Kelly p. v.

owed to said Jane E. Marshall, as he ought to have done.

That the said Geo. W. Britt declared that the estate of the said Jane E. Marshall died, was worth, when she died, three thousand dollars, & which he has not accounted for.

Your Complainant prays that the accounts of said Geo. W. Britt as administrator of said Jane E. Marshall may be duly settled & that your Complainant be allowed to surcharge & falsify the same, - and that whatever amount the said Geo. W. Britt may be found to owe to said estate may be paid to your Complainant, the only heir of said deceased. That whatever amount may be found due on the guardian account of said Geo. W. Britt late guardian of your Complainant may be decreed to be paid to her.

That by order of said Court made on the first day of July, 1872, the said Geo. W. Britt was removed as the guardian of your Complainant and Saul, H. Marshall her uncle only qualified as such. - a copy of the order of said Court making such removal is herewith, as part of this Bill, filed and marked "J."

account filed herewith and marked "I,"

That the said administration account is erroneous in many particulars as your Complainant will proceed to show, to wit; only \$217.23, & \$59.50 are credited to said estate as received of Edgar Lawls, whereas it should have been \$225, more & interest.

That no credit is given said estate for the chattel estate belonging to said Jane E. Marshall, which your Complainant says was five or six hundred dollars worth & which said Geo. W. Britt converted to his own use, That no credit is given said estate for a Bond collected by him of Jas. L. Wilson, or Wilson Wilson, for about \$300, as he should have done, That no credit is given said estate for fifty (or more) loads of stable manure sold by said Geo. W. Britt & belonging to said Jane E. Marshall worth one dollar per load, That no credit is given said estate for \$25 paid to him by Samuel H. Marshall on the day of said Jane E. Marshall's sale, as he should have done, That no credit is given said Estate for a Bond collected of Jas. Chalmers of about \$150, as he ought to have done, That no credit is given to said estate for a mule worth \$100, which the said Geo. W. Britt

whereas it should only have been 54^{cts}, - which error your Complainant prays may be corrected.

Your Complainant further says that the said Geo. W. Britt qualified in said Court on the 1st day of March, 1869, as administrator of Mrs. Jane E. Marshall deed. (Mother of your Complainant), and entered into and executed a Bond in the penalty of \$500,⁰⁰ with John L. Thomas

— as security thereto, - a copy of the order of said Court granting said administration, and of said Bond are filed herewith as part of this Bill & marked "F" & "G."

That your Complainant is the only child & sole heir & distributee of said Jane E. Marshall deed, and entitled to entire estate after payment of debts.

That the said Geo. W. Britt as the administrator of said Jane E. Marshall has returned an imperfect & incorrect inventory & appraisement of said estate only, as may be seen by the copy of the same filed herewith & marked "H".

That the said Geo. W. Britt as such administrator has had settled before a Commissioner of this Court, his transactions as such administrator, as may be seen by a copy of said

To the Honorable Geo. R. Atkinson,
Judge of the County Court of Isle of Wight
County, Virginia.

Complaining sheweth unto
Your Honor, your Complainant Lucy E.
Marshall, an infant under 21 years of age,
suing by Samuel H. Marshall her guardian
and next friend: That George W. Britt
qualified as the guardian of your Com-
plainant in the County Court of Isle of Wight
County, Virginia, on the 1st day of March 1869
and entered into and executed a Bond as
such guardian in the penalty of \$1800.⁰⁰
with John C. Thomas

security thereto, and em-
dited according to law, - a copy of the order
of said Court, of such qualification, and of
said guardian Bond, are filed herewith as
part of this Bill and marked "A." and "B."

That the said Geo. W. Britt as such guardian
has returned to Court his accounts as guardi-
an of your Complainant, for the years 1869, 1870,
& 1871, as may be seen by Copies of said accounts
filed herewith as part of this Bill & marked
"C." "D." & "E."

That in the account of 1869 (exhibit "C") the
said Geo. W. Britt has charged your Com-
plainant with clothing furnished, \$52.54.

and that such other and further relief may be
had in the premises as to the Court may seem
meet, and your Complainant will ever pray &c.
R. S. Thomas

Sole of Wight County to wit:

I C. B. Hayden a Notary
Public for the County aforesaid in the State of
Virginia, do certify that R. S. Thomas personally appeared
before me in my said County and made oath that the
statements in the foregoing bill, so far as derived
from his own knowledge are true, and so far as
derived from the knowledge of others, are true
to the best of his knowledge and belief.

Given under my hand this day of October, 1876.

Signed C. B. Hayden

R. S. Thomas, Applicant
vs
G. W. Britt & John R. Thomas
vs
Lucy E. Marshall

Bill of Review

or her husband having been already credited with the same, as appears from the said transcript of the books of said George M. Britt.

That said credits have come to your Complainant's knowledge since the death of said George M. Britt as from not being a party to said suit, he was ignorant of the matters in controversy therein and it was not hence his duty to examine said books until the said plaintiff attempted to revive said judgment against him as Affigned aforesaid and prove her claim in Bankruptcy against said George M. Britt when the proper discharge of his duties as Affigned aforesaid required him to make such examination, when he became possessed of the knowledge as aforesaid.

That for the reasons aforesaid, your Complainant insists that said decree is erroneous, and ought to be reviewed, reversed and set aside for the many apparent errors and imperfections in the same; To this end your Complainant prays that the said Lucy B. Marshall, infant as aforesaid by some one appointed her guardian ad litem to defend her interest in this suit, may be made a party defendant to this bill and required to answer the same, and that the said decree may be reviewed and reversed and set aside, and that said account may be referred back to a Commissioner and corrected in the particulars aforesaid, & the true amount if any due by said administrator ascertained

in house of Marshall after her death larger than that credited in said administration account.

9th

Your Complainant is forced to believe that the said George W Britt in his answer filed in said suit and in his depositions taken in the said suit, either from mistake, mental disease, or some other cause erred in claiming title to the Chattle property in the Hotel kept by R D. Marshall, and that the same belonged to said R D. Marshall, and in claiming that the said Hotel was kept by said R D. & Jane C. Marshall as his Agent, and that he was hence entitled to the proceeds of said Tavern, because the said George W Britt in his account with said R D. & Jane C. Marshall has charged them with articles furnished said Hotel, and credits them with the proceeds of the same. Several of which credits, to wit; payments by James H. Chalmers and Edgar Rawls and by Junius Wills (bond for mule) are credited in said administration account of Jane C. Marshall as will appear from the transcript from the books of said George W Britt marked "C", certified and sworn to, herewith filed and prayed to be taken as a part of this bill.

Exhibit
"C"

That it is unjust to the other creditors of said Geo W. Britt, that said Jane C. Marshall's estate should be credited with said amounts, she

but the evidence returned with Commissioners report showed a conflict of testimony whether said property belonged to R. D. Marshall or George W. Britt;

6th Because said estate is credited with \$50.00, value of bed and furniture, which said George W. Britt admitted he held for Lucy E. Marshall and which was also if not the property of said Britt, the property of said R. D. Marshall and not of Jane E. Marshall;

7th Because said account credits the estate of Jane E. Marshall with the value of a mule, \$168.00, which the plaintiffs witness, E. N. Marshall showed to be the property of R. D. Marshall;

8th Because in said suit no account was directed of debts due by Jane E. Marshall or her estate, and hence no opportunity was given said G. W. Britt of proving the indebtedness of Jane E. Marshall to him amounting to \$297.76 as appears from account "D", made out, sworn to by Charles W. Bailey a clerk in the employ of the said George W. Britt and certified by a magistrate, prior to the institution of said suit, and which account has come to your Complainants possession since the death of the said George W. Britt on the day of , 187, whose death it is believed was suicidal.

That in said account "D", Jane E. Marshall is credited with an amount of money found

to your Complainant as Apiquee aforesaid and does not bind the Apets in your Complainants hands as Apiquee aforesaid for the following reasons;

1st

Because the said decree was obtained after the adjudication in Bankruptcy of the said George W. Britt and hence when he was not sui juris;

2^d

3^d v

Because at the date of said judgment and for sometime previous the said George W. Britt was from mental disease incapable of properly defending said suit;

3^d

Because obtained after the appointment of your Complainant as Apiquee aforesaid without making him a party to said suit and giving him an opportunity to defend the same;

4th

Because the said judgment against the said George W. Britt as administrator was for \$1,589.44, and cannot bind him as Apiquee of said John L. Thomas as surety in said administration bond of George W. Britt beyond the penalty of said bond, which was for only \$500.00 as appears because the suit was brought on the said bond and there could be no recovery beyond the penalty from the plaintiff's bill; nor as Apiquee of G. W. Britt.

v

5th

Because the account of George W. Britt as administrator of Jane E. Marshall on which said decree was based, credits the estate of said Jane E. Marshall with the amount of sale of Chattel property of March 2, 1869, whereas there is no testimony whatever tending to show that said property belonged to the estate of said Jane E. Marshall.

term, 1875, of said Court. a decree was entered directing that your said plaintiff should be summoned to the April term of said Court as Afiquee of said George W Britt and John B Thomas to show cause why the said decree of October term, 1874, against the said George W Britt should not be revived against him as Afiquee of said George W Britt and John B Thomas.

That at said February term, 1875, your plaintiff as Afiquee aforesaid appeared and offered to show such cause by filing his answer, but the plaintiff in said suit declined any further proceedings in said suit to revive said judgment against him as such Afiquee and resorted to the United States Court for the Eastern District of Virginia, sitting in Bankruptcy to prove her said decree of October term, 1874, against him.

That by an order of said Court of the day of _____, 1875, your said plaintiff was authorized to contest said judgment by bill of review or otherwise. A Certified Copy of the transcript of the record of said suit, of the adjudication in Bankruptcy of said George W Britt and John B Thomas and of the order of said United States Court, marked respectively A, B & C are herewith filed and prayed to be taken as a part of this bill. That your Complainant as Afiquee aforesaid is informed, and so charges, that said decree of October term, 1874, was illegal and void as

Exhibit
A, B & C

the accounts taken under the decree in said Suit, showing the indebtedness of said George W Britt as guardian aforesaid in the sum of \$204.23 with interest from the 1st of July, 1872, and as administrator aforesaid in the sum of \$1,589.44, with interest from the first day of February, 1870, were confirmed and decree made against the said George W. Britt for payment of said amounts and cost of suit.

That on the 17th day of December, 1874, scire facias was issued against your said plaintiff as Assignee respectively of said George W Britt and John L Thomas returnable to the February term of the Circuit Court of said County, (to which Court the said suit had before then been transferred by operation of law) requiring your said plaintiff to show cause why the said judgement should not be levied of the assets in his hands as Assignee in Bankruptcy of said George W Britt and why the said suit should not proceed to final decree against him as Assignee in Bankruptcy of said John L. Thomas the said scire facias having charged that since the institution of said suit and before said decree against the said George W. Britt, the said George W Britt and John L. Thomas had been adjudicated Bankrupts and the said plaintiff appointed their respective Assignee in Bankruptcy. That at the February

To the Honorable George Blaw, Judge of the Circuit
Court of Isle of Wight County in Chancery sitting;
humbly complaining sheweth to the Court your
Complainant R. S. Thomas as Assignee in Bankruptcy
of George W. Britt and as Assignee in Bankruptcy
of John L. Thomas, that at February rules, 1873,
one Lucy L. Marshall an infant suing by Samuel
N. Marshall her guardian and next friend
filed her bill in the County Court of said
County against the said George W. Britt and
the said John L. Thomas alleging that the said
George W. Britt as guardian of the said
plaintiff and as administrator of Jane E. Marshall
the mother of said plaintiff was indebted to
said plaintiff and that said John L. Thomas as
security for said George W. Britt in his official
bonds as guardian and administrator aforesaid
was liable for said indebtedness to said plaintiff.
That in the proceedings of said suit, accounts
were directed to be taken of the transactions of
George W. Britt as guardian and administrator
aforesaid; that pending said accounts and before
their completion, the said George W. Britt and
the said John L. Thomas were adjudicated
Bankrupts on their respective voluntary petition
in Bankruptcy, to wit; the said George W. Britt
on the day of April, 1874, and the said John
L. Thomas on the day of _____, 1874,
That thereafter, to wit; on the 9th of October, 1874,

most unreasonably expended & he will ever
pay -

Signed Geo. W. Brill

I Sle of Wight County, to wit:

I C B Hayden a Notary
Public for the County, aforesaid in the State
of Virginia certify that G. W. Brill, whose name
is signed to his foregoing answer, personally
appeared before me in my said County &
Made oath to the truth of the statements in
said Answer - Given under my hand this
22^d day of March 1873 -

C. B. Hayden

Marshall's friend

Brill's son -

Answer
of
G. W. Brill -

Oct. 4. 1873 filed
by leave of court.
See record of this court.

other amounts on the Bond of Edgar
Rauls, besides those credited in said
account & that the amount so credited
was all that was read or due on said
Bond after the death of said intestate; the
previous payments having been made
in the life time of said Isaac E. Marshall
& account made to him for the same -

4th

This defendant further avers that all the
payments, & property alleged in said bill
to be the assets of said intestate, were pay-
ments made to this defendant on his
individual a/c, or property belonging
to, or owned by him individually -

5th

This defendant avers that he has rendered no
account of his transactions as guardian
aforesaid from the first day of March
1872, the end of his fiduciary year to the
1st day of July 1872 - the date of the appointment
of the said S. H. Marshall, for which period
he is entitled to charge said ward for disburse-
ments for her support &c, whether actually expend-
ed during that period, or made the previous
year not allowed in the previous a/c -
This defendant is ready to render a further a/c
of his transactions as such guardian & to
account for the same -

& having answered pray hence to be
discharged with his costs in this behalf

as guardian of said complainant in place of this defendant. - But this defendant utterly & entirely denies the following allegations in said bill contained;

1st

The allegation that the amt of \$ 52.54 in Ac^t 5 allowed by Commissioner Young to this defendant is erroneous & that the said amount should be 54¢ - This defendant avers that said amount of \$ 52.54 is correct & the true amt of this defendant as a said ward -

2nd

This defendant further denies all and every allegation of said bill charging that this defendant has omitted to credit his ac^t as Adm of Lane & Marshall with assets belonging to her estate & that the Inventory & appraisement of said intestate's estate returned by this defendant as adm of a said is erroneous, as not including all the assets of her said - This defendant on the contrary avers that said Ac^t - Inventory & Appraisement are correct - include all the assets of the estate of said Lane & Marshall -

3rd

This defendant further denies that he acted as Adm of said intestate any

To the Honorable J. R. Atkinson Judge of the County
Court of Land Chancery for the County of —
File of Right in Chancery sitting:

The answer of Geo: W. Britt to the Bill of
Complaint in said court exhibited by Lucy C
Marshall suing by Samuel H. Marshall as next friend
against him as late guardian of said Lucy C
Marshall & as administrator of Jane E. Marshall
& others.

This defendant saving & reserving to himself
all right of exception to the many errors &
imperfections in said bill contained for an-
swer thereto, or to so much thereof as he is
advised it is material or necessary for
him to answer, answering says, that
he admits to be true the general allegations
in said bill contained of his qualification
as the guardian of said Lucy C. Marshall
& as admr of said Jane E. Marshall & that
as such guardian & administrator he specu-
ted the Bonds, copies of which are filed
with the said bill & that as such guardian
& admr he respectively returned the several
account copies of which are filed with said
bill. This defendant further admits that at
the July Term 1872 of said court, the said
Lucy C. Marshall chose said Samuel H.
Marshall as her guardian, who at said
term of said court qualified therein

1
Lucy C. Marshall
per f.D.

Sum. to Ans.
Bill

Geo. W. Britton gen. W.

To Deliv. Rules 1872.
+ Kelly sq.

Executed by delivering to
the within named
Geo. W. Britton a true
copy of the within
Summons the 13th
January 1873

L B Edwards Ds.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, Greeting:

We command you to summon *George W. Brill* late guardian
of *Lucy C. Marshall*, and also as the administrator of
Jane C. Marshall dec'd.

to appear at the Clerk's Office of the *County* Court of Isle of Wight County, at Rules to be holden
for the said Court, on the first Monday in *February* next to answer *the Bill*
in chancery of Lucy C. Marshall, an infant under
21 years of age, suing by Samuel H. Marshall her
guardian and next friend.

And have then there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said *County* Court, at the Courthouse, the
8th day of *January* 18*73*, in the *9th* year of the Common-
wealth.

N. P. Young

Executed by Relinquishing to the within named
J. C. Thomas, a true copy of this will Feb.
12. 1873.

L. B. Edwards & J.

Handball for J. C.

(n. 11) 11
Shuman. in
Chap.

Pro. C. Thomas

18 March 1873, 1873.

1 Co. et

Kingdum

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—GREETING:

We command you to summon

John C. Thomas

to appear at the Clerk's Office of the County Court of Isle of Wight County, at Rules to be holden

for the said Court, on the first Monday in March next to answer the Bill

*in Chancery of Lucy C. Marshall an infant
suing by Samuel H. Marshall her guardian and
next friend, heretofore filed against Geo. W. Britt
late guardian of Lucy C. Marshall say adm. of Sam. E. Marshall
and now pending in said Court.*
And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said County Court, at the Courthouse,

the 10th day of July, 1873, in the 9th year of the
Commonwealth.

N. P. Young

Executed May 15th 1873 by delivering a copy to Jno M Shepherd
M Carrie Shepherd his wife and Charlie Bailer
W H Eley

Lacey B. Marshall for. fd.

as. 3 Sum. for
3 witness
3 before Comm.

Geo. W. Britt - Cal.

24th of June, 1873.

The Commonwealth of Virginia,

To the Sheriff of the County of ~~Isle of Wight~~ ^{Norfolk}—Greeting:

WE COMMAND YOU TO SUMMON *John W. Shepherd, Mrs. Carrie Shepherd, his wife, and Charles Bailey*

to appear before *N. P. Young* ~~the~~ *Commissioner* of the *Norfolk* Court of the County of Isle of Wight, at the Courthouse, on the *4th* day of *June* 187*8*, to testify and the truth to say in behalf of *Lucy C. Marshall per Lawd. H. Marshall her mpt friend* in a certain matter of controversy in said Court pending and undetermined, between *said Marshall per friend* Plaintiff,

and *George W. Britt and Geo. C. Thomas* Defendant,^s

and this *they* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, this *9th* day of *May* A. D. 187*8*, in the *9th* year of the Commonwealth.

N. P. Young *Clerk*

Given by delivery to the within named
L. B. Edwards J. H. Shalms K. K. Shalms &
W. C. Morrison ~~and others~~ a true copy
of this Deed May 13. 1873

L. B. Edwards & S.

Edwin Morrison Not-Common by Request of
Standish.

L. B. Edwards & S.

J. H. Marshall for J. H.

3 down for
my testimony
before court.

Geo. W. Smith del.

do & the same, 1873.

✓

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight—Greeting:

WE COMMAND YOU TO SUMMON

S. B. Edwards, James D. Chalucers, N. K. Chapman, Walter C. Morrison, & Edwin Morrison

to appear before *N. P. Young* ^{Commissioner} of the *County* Court of the County of Isle of Wight, at the Courthouse, on the *4th* day of *June* 187*8*, to testify and the

truth to say in behalf of *Lacy C. Marshall for S. H. Marsh all her exp. friend* in a certain matter of controversy in said Court pending and undetermined, between *said Marshall*

for friend Plaintiff,

and *Geo. W. Brittle Geo. C. Thomas* Defendant, &

and this *they* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, ^{Comm.} Clerk of our said Court, this *9th* day of *May* A. D.

187*8*, in the *9th* year of the Commonwealth.

N. P. Young Comm.

Bill

at 3 1/2 Dues for lab.

March all p. for

to Apl. of the 1874.

Executed by delivering
to the within named Jk.

A. Douse, J. G. Fomble

J. M. H. Langhorn each

a true Copy of the within
Summons. Made 28th

1874. A. B. Edwards Siff.

Bro. E. White not found

April 4. 1874

A. B. Edwards Siff.

Atch. for doing the within named J. D. Stennett at his
usual place of abode the within Summons was
executed by delivering to his Mother in Law Mrs. Mary Gray
a white person over the age of 18 years a true Copy of the
within Summons and explaining the purport of the same
this March. 31. 1874. R. A. Edwards D.S.

Executed by delivering to the within named J. W. Dick a true
Copy of the within Summons March. 31. 1874 R. A. Edwards D.S.
for L. B. Edwards Siff

for L. B. Edwards Siff

The Commonwealth of Virginia, To the Sheriff
of Isle of Wight County, Greeting: We command
you to summon W. G. Rowe, John E. White, Thomas
J. Clements, John G. Wrentham, J. W. Duck, & M. A.
Langhorne to appear before N. P. Young a
Commissioner in ch. of the Circuit Court of
said County at the Clerk's office of said County
on the 7th day of April next, to testify and
the truth to speak on behalf of George W. Pratt
in certain matters of account before the said
Commissioner depending & undetermined between
S. C. Marshall per said plff. and said Pratt solr.
deftr. And this they shall in no wise omit
under the penalty of the law. And have there
there this writ. Witness N. P. Young Commissioner
of said Court, the 26th day of March, 1844, in
the 98th Year of the Commonwealth.

N. P. Young Com.
)

1 Britt

At. $\frac{3}{4}$ Sams for setup

Marshall per S.

Do of th. of April 1874.

Executed by delivering copy to ~~brother~~ P Bailey

Mar 31st 1874

Geo D Freeman Sheriff

The Commonwealth of Virginia, To the Sheriff of
Kauweand County, Greeting: We command you
to summon Martha A. Bailey to appear before
A. P. Young a Commissioner of the Circuit Court of said
County at the clerk's office of said County
on the 7th day of April next, to receive and the truth
to speak in behalf of George W. Pratt in certain
matters of account before the said Court depending
between Lucy C. Marshall self and said Pratt self.
And this she shall in no wise omit under the
penalty of law. And have thou this writ.
Witness W. P. Young, Commissioner of said Court the 26th
day of March, 1874, in the 98th year of the Com-
monwealth.

A. P. Young Com.

Witt

at. { Sund. for writs;

Marshall

To 5th of May 18th 41.

Executed by delivering to
to the within named J. E.
Adams James Thomas
Wm Stephens R. B.
Chapman James Hills
W. D. Felt and M. H.
Langhorne ^{each} a true copy
of the within Summons
April 28. 18th 41

A. B. Edwards Sheriff

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight—Greeting:

WE COMMAND YOU TO SUMMON

*John E. Adams, James Thomas,
William H. Stephenson, R. K. Chapman, Junius Wells,
John D. Folk and Maurice J. Laughorne*

to appear before *W. P. Young* Commissioner of the *County* Court of the County of Isle of

Wight, at the Courthouse, on the *fifth* day of *May* 187*4*, to testify and the

truth to say in behalf of

George W. Britt
before said Court
in a certain matter of controversy ~~in said Court~~ pending and undetermined, between *Lucy C. Marshall*

suing by S. H. Marshall her guardian: except friend Plaintiff,

and *said Britt* Defendant,

and this *they* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, *Commissioner* Clerk of our said Court, this *23^d* day of *April* A. D.

1874, in the *9^{8th}* year of the Commonwealth.

N. P. Young Com.

Mrs. Henry

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight—Greeting:

WE COMMAND YOU TO SUMMON

the *Mrs. Young wife*
of Capt. Wm. Young

to appear before the *N. P. Young Com.* of the *Gen. Ct.* Court of the County of Isle of

Wight, at the Courthouse, on the *5th* day of *May* 1874, to testify and the

truth to say in behalf of *Wm. B. Marshall for J. H. Marshall wife*

in a certain matter of controversy in said Court pending and undetermined, between *Sais Marshall*

for Ad. Plaintiff,

and *Mrs. M. B. Marshall* Defendant,

and this *Young* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, *Com.* Clerk of our said Court, this *27th* day of *April* A. D.

1874, in the *9th* year of the Commonwealth.

N. P. Young Com.
atq. N. P. Young com.

Capt Nathl Henry

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight—Greeting:

WE COMMAND YOU TO SUMMON

Capt. Nathl. Henry

to appear before *the N. P. Young Comr.* of the *Circuit* Court of the County of Isle of

Wight, at the Courthouse, on the *5th* day of *May*, 187*4*, to testify and the

truth to say in behalf of *Juey B. Marshall for J. B. Marshall next friend*
before said Comr.

in a certain matter of controversy ~~in said Court~~ pending and undetermined, between *Said Marshall*

for J. B.

Plaintiff,

and *Geo. H. B. Pitt*

Defendant,

and this *thing* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, *Comr.* of our said Court, this *27th* day of *April*, A. D.

187*4*, in the *78th* year of the Commonwealth.

N. P. Young Comr.

at test. N. P. Young Comr.

Created by delivering to the within named
W. H. Stephenson a true Copy of the within
note in May 2. 1874

R. A. Edwards D. J.
for L. B. Edwards Sheriff

Marshall Co. Ind.

John, for
Washington

Will

To Wm. S. H. 1874.

Created by delivering to
the within named W. H.
Walt a true Copy of the
within Summons dated
24th. 1874

L. B. Edwards

Sheriff

North Henry 3 notes
not found June 28/74

L. B. Edwards

Sheriff

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight—Greeting:

WE COMMAND YOU TO SUMMON

*J. J. Tail, Capt. Nettie Henry
his wife & W. H. Stephenson*

to appear before *W. P. Young Comm.* of the *ancient* Court of the County of Isle of

Wight, at the Courthouse, on the *5th* day of *May* 1874, to testify and the

truth to say in behalf of *Lacy B. Marshall for S. H. Marshall not found*
before said Comm.

in a certain matter of controversy *in said Court* pending and undetermined, between *said Marshall*

W. B. Plaintiff,

and *Geo. W. Britt* Defendant,

and this *then* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, *Comm.* of our said Court, this *27th* day of *April* A. D.

1874, in the *98th* year of the Commonwealth.

N. P. Young Com

Marshall's Edus

1. } Sum. for
w. i. i.

1. Still

To 19. Sept. 1874

Executed by detaching
to the within named
H. J. Fair Robert P. P.
H. V. Stephenson as
true copy of the within
Summons Sept. 19th
1874.

A. B. Edwards Shy.

Dec. Knowsledge - service of this summons
Sept. 10. 1874.

A. B. Edwards

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight—Greeting:

WE COMMAND YOU TO SUMMON

*J. S. Vail, Robert P. Pofford,
L. B. Edwards and William H. Stephenson*

to appear before *the N. P. Young Court* of the *County* Court of the County of Isle of
office of C. B. Hayden in Smithfield
Wight, at the *Courthouse*, on the *1st* day of *September* 1874, to testify and the

truth to say in behalf of *S. H. Marshall gov. of S. G. Marshall*
accounts before said Court.
in a certain matter of *controversy in said Court* pending and undetermined, between *said Marshall*

gov. Plaintiff,

and *Geo. W. Brattle* Defendant,

and this *thing* shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, *Count,* of our said Court, this *10th* day of *Sept.* A. D.

1874 in the *99th* year of the Commonwealth.

N. P. Young Court.

Marshall per f.d. 12

vs. $\frac{3}{4}$ Acres.

Brill

Filed 4th Jan 1893.

$\frac{1-51}{4}$

(Mr. Hayden suggesting a compromise by
my paying \$40.⁰⁰ saying a difficulty with a
lady, I agreed to do so. Among the credits
allowed me in settlement with Mr. Hayden,
was \$70.⁰⁰ paid by me to Mr. Marshall, individually,
and for which I had her receipts here to fore
mentioned. I suppose the household
& kitchen furniture at Mr. Marshall's premises
was worth \$500.⁰⁰ The milk & horse & other
property worth about \$300.⁰⁰ Mr. James Wilson
wife, Capt. Henry's wife & Mr. Gay's wife
boarded there when I did. I saw Mr. Wilson
on one occasion pay her some \$30.⁰⁰ for board.
I saw transient customers pay her for board.
I never knew of any agency on her part for Mr.
Widd - ~~He~~ never saw any sign as agent.
Have known her to buy groceries & pay for
them herself for her house.

And further the deponent saith not.
J. T. Chalmers.

The foregoing depositions were taken and
subscribed to before me on the day
year mentioned in the caption.
J. P. Young, Clerk.

that Mr. Marshall had in the country before
he moved to Town, but right much was
bought by them after going to Town. Mr. R.
Marshall died in Nov. 1866, and Mr. Marshall
kept the hotel the balance of that year & the
year 1867, she then kept a private house until
one year & resumed the hotel for about one
month & died.

And further deponent saith not.

Carrie M. Shepherd,
Jury J. Chalmers being duly sworn, to
question by Plf. atts. answers as follows,
I was acquainted with Mrs. Jane C. Marshall
 whilst she kept a hotel in Smithfield. My
family boarded with her in 1867, I paid
her for the board (two receipts were exhibited
for board paid Mrs. Marshall by writup signed
by her on her own account) I occasionally
during the year paid coach to Mr. Britt
on acct. of my family's board, to be applied
to Mr. Britt acct. to Mr. Marshall. I dealt
with Mr. Marshall & never heard of any
agency until I had a final settlement for
board with Mr. Hayden atts. which took
place in March 25th 1868. at that time I
found for first time that there was an agency.
The acct. presented me by Mr. Hayden was
\$80. ^{and} more than I thought I owed but, when

likewise before she went to Smithfield.
I was familiar with the furniture in
her house. I have no idea of the value
of her furniture - Can't say what its value
was. She had a pretty good house.
She seemed to be managing her own
mother - Never heard of any agency for
any one & when I called for my board
settled with her individually. I know
that on one occasion she bought a cow of
Mr. Bell but she paid for it after
paying for it - I know that she was very
particular about paying cash for what
she bought - I know that she paid for
groceries bought for her by Mr. White in
Hampk - I do not know who paid for the
hire of servants - I know that she was in
Smith once to buy a lot. I went with her to
look at it. I have seen Mr. White present
in acct. for articles purchased for her but
pay them, do not know the acct. paid for
for particular articles, understood it was for
articles purchased for her - Mr. White was
the agent of Thomas & Adams on their foot.

~~On further report, with result.~~

Answer to question by Dr. all.

Some of the furniture that was in her
house in Smithfield was the same

Whilst we were shrouding her body Mr. Britz asked me for her keys. I gave them to him, he went to the trunk & took therefrom the pocket book containing the bond & forms and other papers. He also took from a bureau drawer the money then belonging to her, which I think amounted to \$50.00 or $\frac{1}{2}$ of it. Answers to questions by Def. atty.

I saw the bond alluded to in the summer before Mrs. Marshall's death. I think the bond was signed by Mr. Brill. I did not read the bond & I feel sure it was payable to Mr. Marshall. I am not acquainted with Mr. Brill's hand writing. I don't remember positively that I ever saw the bond after the summer, but saw the pocket book in which the bond was about the time of her death. I had heard of no theft or attempted theft from the house before Mr. Marshall's burial. Mr. Brill said nothing about it when he asked for the keys.

And further deponent saith not.

eternally attested

Mrs. Carrie Shepherd being duly sworn to questions by pl'tf. atty. deposes & says. I was well acquainted with Mr. John E. Marshall, I bonded with her in San Francisco whilst she kept hotel and

at said sale. I never ^{saw} the bond given
at said sale. W. Pratt's statement to me
as to the bond he owed of \$1000.⁰⁰ was made at the
sale of John Edwards, privately. I have no
personal knowledge of sale of the same. I think
W. Pratt said to me that he bought it.

And further depose that not,

Thos. Hall

Mr. Ann M. Marshall being sworn,
to questions by the plff. atts. answers says -
I was frequently at the house of M^r. J. E.
Marshall, was familiar with the furniture
in her house - & think it was worth \$800.⁰⁰
or \$600.⁰⁰ I know that she owned a mantle
which was sold to W. Pratt. She was
carrying on the hotel in her own name
for her own acct. never heard of any
agency & that she was acting for one or
other. I know that M. Cholmondeston & M. Wilson
boarded with her. Know that Mrs. Marshall
purchased some furniture from M. Wilson
after her husband's death. There was no sale
in the house after M^r. Marshall's death until
the death of M^r. Marshall - I saw the
bond due by W. Pratt to M^r. Marshall.
It was in her possession & according to my
recollection was for \$1000.⁰⁰ or \$1600.⁰⁰ - I was
present at M^r. Marshall's death, and

the hotel in her own name - the transaction
with her in that capacity - None of us agree.
Answers to questions by Def. atts.

Ho. A. Marshall, my brother, command Kupin's
hotel in ~~San Mateo~~ in Jan. 1866 & died

I think in Nov. 1866. The rule attributed
to as Mr. Marshall was sold by me to my
brother whilst he lived at K. K. Chapman's
place - I don't recollect the price he paid.
Am sure I sold the rule at that time.

I know that she claimed board for Chapman
& Wilson from her own declaration & my
knowledge that they boarded there. My
opinion of the value of Mr. Marshall's est.
is based on the information from Mr. Brill
that he owned about of \$1000.00 the life
insurance money on Mr. Marshall's life policy
& the chattel estate. My understanding
was that the bond of \$1000.00 belonged to
the estate of Mr. Marshall - Mr. Brill so
said. I bought property of Mr. Marshall's
sale made by Brill. I bought property
on the sale. ~~He~~ sold it as her advance.
I gave a bond of my son with Mrs. Marshall
for my purchase, which
I have settled (it being exhibited to the ant.
shows that it was payable to Geo. W. Brill)
The bond now is sent against me as surety
for J. L. Edwards, was given for purchase

and further the deponent saith not.

L. B. Edwards

The deponent Samuel H. Marshall being duly sworn, first answers to questions by plf. att. says -

"Mrs. Jane C. Marshall was the widow of my brother R. D. Marshall - I was well acquainted with the furniture in her house, and think at the time of her death it was worth, including the piano, \$600.⁰⁰ - Mrs. Marshall had one mule and one horse - The mule, she sold to Mr. Geo. W. Britt & the horse was afterwards in possession of James Wells - don't know who sold the horse but presumed she did as it was hers - I think the mule was worth \$145.⁰⁰ I think Mrs. Marshall's estate was worth \$3000.⁰⁰ Mr. Britt told me shortly after her sale that it was worth between \$3000.⁰⁰ and \$3500.⁰⁰ & did not say of what it consisted. Mrs. Britt admitted some after Mr. Marshall's death that there was about of \$1000.⁰⁰ due by himself to her & which he had in his possession - This was after he, Britt, had qualified as her admr. I know that Mr. Marshall claimed debts mst Chalmers & J. L. Wilson for board. The chattel estate left by Mrs. Marshall was sold by Mr. Britt after he qualified as her admr. Mrs. Marshall carried on

F. Chalmer & Jenn S. Wilson, with their families,
boarded with Mrs. Marshall. I heard her say
that they owed her for such board &
The rule attended to was disposed taken
possession of by W. H. W. White before Mr. Marshall's
death, do not know by what means he got
possession of it. The Household furniture &
other effects were sold by W. White after her
death.

To question by Dr. H. atts. I do not know whether
Chalmer & Wilson boarded at said hotel the first
or second time she kept the hotel. Mrs.
Marshall kept the house from the time of
her husband's death in Nov. 1866 to the end
of the year. She ceased to keep such a house
for one year & then resumed it as well as
I recollect. Upon reflection, I am positive
that the boarding of Chalmer & Wilson was
not the last year Mrs. Marshall kept the
hotel. The property in the house the second
time she kept the house, with the exception of
the piano, so far as I am aware, was the same that
was there when she first kept it. Josiah J.
Wilson kept the house after Mrs. Marshall
left the first time. I do not know whether
there was any sale of the hotel before her
death or not. In Mr. Marshall's life time I
thought the hotel was carried on in Mr.
Robert's name, but I don't know positively.

The Deposition of L. B. Edwards, Samuel
H. Marshall - Mrs. Anne M. Marshall, Mr. Carrie M.
Shepherd & John S. Chalmers

taken, pursuant to notice, before a T. P. Corning
Commissioner in chancery of the Circuit Court
of Isle of Wight County, on the 4th day of June
1843, to be read as evidence before said
commissioner in behalf of Lucy B. Marshall
per S. H. Marshall her gds. trustee filed against
Geo. W. Pratt & Co. in matter of account, before
said commissioner.

Said L. B. Edwards being duly sworn in
answer to questions by plf. atts. deposes and
says - I knew Mrs. Jane E. Marshall, she was my
aunt and carried on business in Southfield
where my uncle H. D. Marshall had lived
& kept a hotel. I was often at her house, was
familiar with the property ~~in~~ in her house
which consisted of house hold furniture
which I think was worth \$500.⁰⁰ or \$600.⁰⁰;
Mrs. Marshall had a ~~less~~ trunk - which
I think was worth \$150.⁰⁰ or \$175.⁰⁰; She
had also a piano, the value of which I do not
know. She had also a large chest or coffer.
At the time, Mrs. Marshall was conducting
the business of hotel keeper, so far as I know,
on her own account, she made her own
contracts, & had no sign of a agent that
I ever saw or heard of. I know that James

and further the Dependent South not
(Signed) Martha C. Bailey

State of Virginia
Hanseman County, to wit {
I, Peter B. Prentiss, a Commissioner
in Chancery of the Circuit Court, in and
for the County aforesaid, do hereby certify
that the foregoing Deposition was taken
as set forth in the Caption.
Given under my hand, this 14th
day of April, A.D. 1874.

Peter B. Prentiss
Comm^r. in Chy

Filed

104
With 3 Depos.
ad.
Marshall
Apr. 17th - 1874
to hand understood
of filed

whether or not any thing was stolen from the
House immediately before or after Mrs: Mar-
shall's death?

Answer. A pair of sheets was missing or
stolen, immediately after her death.

or Cross Examined, by Plaintiff's Att^y:

1st Question. Did you ever see a bond of the Defen-
ant, George W. Pratt of \$1000. in Mrs: Jane
Marshall's possession; & if so, when & under
what circumstances?

Answer. I never saw such a bond.

2nd Question. Did you ever hear Mrs: Jane Mar-
shall say, she held a bond against George W.
Pratt, for \$1000 - & if so, when?

Answer. I never hear say so, but I don't other-
wise think of it.

(Question answered, excepted to, by Def^t's Att^y)

3rd Question. Do you know of any effort of
Mrs: Jane Marshall to purchase a lot in
Suffolk, & if so, did you hear her say, how
she was to pay for it?

Answer. I know that she came to Suffolk, with the
intention of purchasing a Lot - She said, that she
had money enough ^{owing to her} to buy one - I do not remember, that
she said, who owed it to her

4th Question. Who took Charge of Mrs: Jane
Marshall's papers & Keys, immediately after her death?
Answer - George W. Pratt, I think

Last Sickneß, and at the time of her death - was
with her on Tuesday & remained until the following
Sunday, when she died - ~~she~~ had charge of her
money, so far as to take her Keys, and get money
from the draw, to make payments for little things
such as ^{mill} ~~oysters~~ ^{for the Hotel} - having done so, at Mrs. Mar-
shall's request - I did this frequently, and
more than any one else - I had occasion to
count her money - & at the time of her death
there was a \$10. note, a \$5. note & a \$2. note
making \$17.00 - This money was in a pocket-book
in a Bureau drawer - & if there were any other
money, it was somewhere else - tho' I am almost
certain that there was none any where else -
if so, I think that I should have known it.
The bureau, in which the money was, being in
the room where Mrs. Marshall was sick.

3rd Question by same - Where you present
when Mrs. Marshall was shrouded?

Answer: I was not - was in another
room.

4th Question, by same. State whether or
not, the furniture in the Hotel kept by
Mrs. Marshall, was ^{generally} the same, as that which
was in the same Hotel, when kept by Mr. Robt.
S. Marshall?

Answer. I think, that nearly all of the
furniture was the same.

5th Question, by same - Do you know

Marshall her friend
against
George W. Brett

Chy: cause
pending in
the Circuit
of Ill. &
Ulgate Court

The Deposition of Mrs.
Martha A. Bailey, taken
in the above case, on
the 14th day of April 1874,
by consent of parties, - which
Deposition is to be read on
behalf of the Defendant,

The Deposition of Mrs. Martha^a Bailey taken on behalf
of the Defendant in the foregoing case - Taken by consent -
the deponent being duly sworn & of lawful age.

Present. C. B. Hayden. Esq: Atto: for Defendant

John R. Kelly Esq: Atto: for Plaintiff

1st Question by C. B. Hayden. Deft's Atto: -

Where do you reside, are you acquainted with
the parties to this suit, & what is your
relation to them?

Answer. I reside in Suffolk - Know the parties,
and am the Aunt of the Plaintiff, and the Sister
of the Defendant.

2nd Question by same. Were you with Mrs.
James Marshall, in her last sickness, and
at the time of her death - and, if so present, did
you ^{have} an opportunity of knowing how much money
she had, if so, State the Amount.

Answer. I was with Mrs. Marshall, in her

Marshall r. 16
P. } Depos. of
V. } Coloured &
V. } M. Henry

May 6th 1874

[Faint handwritten notes]

by Mr. Westwood. And was he intimate
at Mrs. Marshall's while you boarded there?
Answer.

Mr. Marshall came to see on one occasion
and said that Mr. Westwood had taken up
her hoop and that she would leave \$100
for it, did I not think it awful.
I replied that I thought it perfectly ridiculous.
I do not know who paid for it. Mr.
Westwood was more intimate at Mr.
Marshall's while I was there. Mr. Marshall
came to my chamber crying when she saw
the skirt - Mr. Westwood was not present.

And further this deponent saith not.

Minerva I. Henry

(The last answer of deponent, Mr. Henry, was
accepted to be the answer for defendant.)

The foregoing deposition was taken and
sworn to on the day mentioned in the
caption.

A. J. Young Com.

A.

Received of Capt Henry
60 dollars for three months
board from the 18th of May to
the 18th of August at twenty
per month.
Jame E Marshall
15th of Aug
1864
Sixty dollars

Room reserved for Lucy & what articles
were used with the same.

Answer.

Mr. Pratt requested me to make a selection
of a bed, I gave ^{or selected for} her, Lucy, the bed ^{+stead +} mattress,
the bed being new with bolster + pillows, two pairs
of sheets, two pairs of pillow cases + two bolster
cases, a pair of imported blankets, a country
blanket + a patched quilt which had
been patched by the mother, and two white
spreads - with her, Lucy's, name on each
piece - The articles were delivered to Mr. Pratt
by my husband at Mr. Pratt's house.

Just by same.

State if you know of money paid to Mr.
Jesse E. Marshall by your husband for board,
and if you have any receipt therefor, be pleased
to produce the same.

Answer.

I know that my husband paid Mr. Marshall
for board on various occasions - I produced
this receipt (receipt produced signed by Jesse E. Marshall)
and have others at home, all of which are
signed Jesse E. Marshall. The foregoing receipt
is herewith filed as part of this deposition +
marked A.

Just by same.

Who paid the fine for taking up the hogs

and any remarks made on that occasion
by Geo. to Britt?

Ans.

I was present at that sale. Lucy the
child of Mrs. Marshall, then some 18 years
came to my room and her uncle George
(W. Britt) was selling her mother's bed room
furniture, I went down and asked him
why he did it, he told me it was old
fashioned, he would sell that and
when she got older he would buy her
a more fashionable set. He then sold
the rug and piano. I asked him why
he did that, he said because he wanted to.
The rug was brought to my room by the child
and he sent for it & said if I did not give
it up I would be made to do so.

Quest. by son

When Mrs. Marshall said George (meaning W. Britt)
had enough in his hands to support her child
Lucy, did W. Britt deny it or object in any
way to the statement, or did he promise to ^{execute} Mr.
Marshall's wishes?

Answer.

He made no denial, raised no objection but
promised to comply with her wishes.

Quest. by son

What became of the bed referred to as in your

to retire she told me she wanted me to
bear witness to what she should say to
Mr. Britt, she then called him to the bed &
told him that she wished him to reserve
her bed room furniture, with the exception
of the bed, for ^{her} ~~my~~ child and retain the
bed that I then occupied, for her child;
also the parlor my new marble slab table,
and her trunk. The piano she wished
him to keep until she, Lucy, was sufficiently
taught and then he could dispose of that
& with the proceeds & other money, get her, Lucy,
a new one. She then asked Mr. Britt if
he would do this, he said he would. She
then said I leave my child to you & my
God. She asked me what would become
of her child. I said I did not understand
her. She said George, meaning Mr. Britt, has
enough of means to ~~take~~ support her, but
who will protect her, I said that I would
as long as I remained in Southfield, and
thus the conversation ended & I left the
room. Mrs. Marshall

Int. by same.

State if you were present at the sale
made by Mr. Britt of the goods & chattels
of Mr. James E. Marshall, and if so, what
took place as to the sale of the furniture

3
1

Deposition of Mr. Minnie Hearn
taken to be read on behalf of the plaintiff
in the suit pending between J. B. Marshall
vs. J. B. H. Co. W. Britt, before W. P. Gentry
a commissioner of said Circuit Court, on
the 6th day of May, 1874, at the office of the
said commissioner.

Present Geo. R. Kelly Counsel for Plff. &
L. B. Hayden Counsel for Def.

The Dependent being first duly sworn
deposes and says.

I in answer to quest. Dependent says I am
34 years of age, reside in Smithfield, am
the wife of Geo. R. Kelly. I boarded
with Mr. James E. Marshall during the
last time she kept the Hotel in Smithfield.
Deut.

State any conversation you may have heard
just before Mr. James E. Marshall died, between
said James E. Marshall & Geo. W. Britt
Ans.

I was called from my room on the day
of the death of Mr. Marshall, by a servant
from Mr. Marshall, to his room, to witness
a conversation between himself & Geo. W.
Britt. She, Mr. Marshall, on my entering
the room, requested Mr. Britt who was then

dis cover any account he had against
Mrs. Marshall

Answer.

I did see such account.

Were the articles furnished for the hotel as
well as the articles charged ther.

I do not know, the principal things were
groceries & provisions & Mrs. Marshall was there
while she was keeping hotel as well as
while she kept a private house such
articles were charged.

Q. S. C. P. L.

Did you ever see Mr. Marshall pay Mr.
Boitt any money.

Ans. I never did. I don't remember paying
any credits to him.

And further the deponent so it is.
W. S. Watwood

The foregoing deposition was taken
and subscribed to on the day &
year mentioned in the caption
before me in my office.

J. P. Young Comr.

2
1
Crops Examined.
Quest.

When Mr. Britt paid for articles for the Hotel which kept by Mrs. Jane E. Marshall, to whom did he charge the same.

Ans.

He charged them to Mr. Marshall I suppose

Quest.

Who received the income from the Hotel for board & custom?

Ans.

I have known both Mr. Marshall and Mr. Britt to receive it, but as a general thing I suppose ~~Mr. Britt~~ Mr. Marshall

Quest.

How did Mr. Marshall pay Mr. Britt for money advanced by him for hotel.

Ans.

I never knew her to pay any thing.

Quest.

When did the circumstances you relate in your answer in regard to the Hogs and fodder occur.

Ans.

I think it was when she kept the house the first time.

Quest. by Commr.

As Book keeper for Mr. Britt did you

"of the property of Mr. John E. Marshall
Agt. for Geo. W. Britt who the Hotel in
Smithfield" was exhibited to the witness
who examined it, and says this is a correct
account of sale of the property sold as it
purports in its heading, that I was clerk
at said sale and kept the original acct. &
this is a true copy and amounts to \$508.⁸¹
At the time of said sale W. H. W. Britt
who acted as clerk, made proclamation
in accordance with the heading of said
account of sale. I wrote the bond which
were given for purchasers at that sale
and they were made payable to Geo. W. Britt
All that I did in connection with the
matter was by direction of W. H. W. Britt
I think the property which Mr. Marshall had
at the hotel on the last time she kept it,
was the same she had there at first. At the
death of R. D. Marshall there was a sale of
property & it was sold by W. Britt as
property that had been held by R. D. Marshall
as agent for Geo. W. Britt
Q. and.

When Mr. R. D. Marshall kept the Hotel
in what capacity did he come to on
Ans. I always understood that he was
acting as agent for Geo. W. Britt.

1
Mr. Pratt paid the charges for the hotel.
I know that he paid the rent for the house
& other moneys for its conduct. As sergeant
of Smithfield, I on one occasion took up &
impounded hogs that belonged at the hotel
& were found at large - Mr. Pratt paid the
charges thereon & redeemed them. I was sometimes
clerk & book keeper for Mr. Pratt and it was
seen by me that Mr. Pratt seemed generally
to be paying for articles for the hotel.

Quest.

Say whether or not on any occasion you heard
Mrs. Marshall say that in consequence of the small
custom of the hotel, she was afraid Mr. Pratt
would close it, or any equivalent remark.

Ans.

I would frequently talk with her & heard her say
when she was not having any customers that
she was afraid Mr. Pratt would ~~close~~
~~the house~~ ~~would~~ get dissatisfied & ~~she~~ would
shut down on her. I once heard her
daughter ask her to buy something for her
& said she could get it at her uncle George's,
serving Mr. Pratt, and she refused saying
she already owed you uncle George enough.
This was, I think, while she kept the hotel
the last time, but am not positive.
An account of sales (herewith filed)

Quest. by some -

From what you saw of the conduct of the Hotel by Mr. Marshall whilst she kept it, were you under the opinion that she kept it for her own account or as agent for Geo. W. Britt, and if as such agent, what were the reasons which induced you to that opinion.

Answer -

In all my dealings with Mr. Marshall some thing indicated that she was acting as agent for Mr. Britt. On one occasion a man stopped at the hotel & left without paying his bill, she applied to me to know what she had best do, I advised her to pursue him & have him arrested, she directed me to see Mr. Britt and what ever he said she would do. Mr. Britt on being applied to by me for Mr. Marshall, directed me to pursue the man & furnished conveyance for the purpose. I did pursue him & got what money he had, and gave it to Mr. Marshall as I now think, but over not positive whether to her or Mr. Britt but think I gave it to her. On another occasion she called on me to weigh some fodder that had been delivered to her and she asked me to go to Mr. Britt & get the money to pay for it which I did. I think, as a general thing

The Deposition of William T. Westwood
taken before R. P. Gony a commissioner in
Chancery of the Circuit Court of Isle
of Wight County to be read as evidence
in matter of accounts before said Court in
the suit of Mary C. Marshall p. fund
plff. against Geo. W. Britt deft. on
behalf of the defnt. taken the 5th of
May 1874.

Present Mr. R. Kelly of Counsel for Plff.
& C. B. Hayden of Counsel for the Deft.

The Deposant William T. Westwood being
first duly sworn for answers to questions by
Deft. Counsel, deposes and says -

I am thirty eight years of age, resided in
Smithfield from March 1866, to April, 1871, during
that time, I was intimately acquainted with
Ro. D. Marshall until his death, and also with
Mrs. Jane E. Marshall his wife & Geo. W. Britt.
Mr. Marshall died in the fall of 1866. -
When Mrs. Marshall was keeping the hotel
after her husband's death, I lived apart from
the town opposite to the hotel & the balance of
the time on the lot adjoining the hotel lot.
I was intimately acquainted with Mrs. Marshall
while she kept the hotel & she frequently called
on me for advice.

Summar to day, after next Court
arranges for Marshack & Britte
L. B. Edwards,

Dr. W. Shobbin Surgeon General Nam?

Dr. J. Chalmers.

Ch. Bailey, Nam?

K. K. Chapman

Walter Morrison

Edwin Morrison

South Marshack, South
Kerry

(3rd day) in
June
Wednesday)

Success. ip. G. May 1843 &

sent to Mariner. S. D. Wright. S. H. H.

13
W. L. L. & D. L. L.
W. L. L.

7th Oct. 1874

2

The foregoing depositions were taken and
subscribed before me on the day and year
mentioned in the caption. And the further
taking of depositions is continued until the
5th day of May, 1891.

J. P. Young Comr.

matter to me and I am the Clerk. I am
wondering what the matter is to me the Clerk.
Yes, that you had any other one and
I am with them I did not wish any-
thing to be done. She said that I was
the one who was the Clerk if they were
called to be done. I am not sure of that when
the claims were given, that they were
given out. But I am sure I am
at them as one to them of the
claims and I am, Mrs. Brown
in the position with me as one
The claims recognized them as claims
to the said Mr. Brown and to the
the difference as to the claims was
a disagreement of a German
man and Mrs. Brown as to the
of the said German man, it was
understood by the claims and
the claims, which I added them
to it, rather than have any con-
troversy with a lady, as I know, that
in the end of a suit on the claims.
The claims were given to a
of the claims and I am.

And further this account sayeth not

C. B. Hayden

Marshall paying the money to the same,
on September 1869, gave Bartlett Glad
in my hand. The collection of claims
by James T. Adams & Co. of New York
paid by No. 8. Marshall & after his death by James E. Marshall
board at the time in Smith's office
claim then assigned of the bonds
of Adams & Nelson & Miller did on Jan
30 1868 with interest from Jan
1st 1868, due 12 months from date
16th /68, paid to a credit of \$100.00
on Jan 31st /69. This claim had
been to the county board in my hand
by Bartlett as a bond of Adams
& Nelson given as security; there was
also an old claim of Adams &
55c due Sept 6th 1869, was not re-
minded until the latter of 1869.
The bond of Adams Nelson Miller & Nelson
was taken payable to Bartlett in
the Greenback National Bank with
them. The claim of Adams & Nelson
in the settlement was a bond, there
being a dispute as to the amount
due it was compromised.
When these claims were first put into
my hand for collection the matter
was discussed at the time of the
meeting of the board mentioned the

kept the note in Smithfield.
Mrs Marshall had an account
with me, paid a portion of it the
year then death after being asked
for it several times, saying at the
same time that she could not return
the money and from her executors
balance of the ap paid by Mr
Brill after the death. The last time
it was said the ap was just before
her death. She seemed then to have no
money. And further this account
payeth not

J. G. Womble

Let Hayden bring away from depos-
its map. That at a sale made by Sanders
White John D. Marshall & came the pur-
chaser of certain articles which were
charged to him, but afterwards when
he went to return the amount that the
wards "Agent for E. M. Brill" the
said the then said the said company.
said the said said are the "C. C. C."
May 1866. About the same time as only
afterwards the purchase of the said
John D. Marshall & the said said
except the given as agent for E. M. Brill

Smithfield

a fine mare and proposed to buy her & his reply was that I must apply to his bro. Geo. W. Britt that she was his. A S. Kelmo now owns the same mare. She was sold at a sale after Ro. Marshall's death and bought by James Wells. I called upon Mrs. E. Marshall a few days before she was taken sick of her last illness for the payment of a bill, she told me she had no money but to go to her bro. W. Britt she would pay me.

Chas. Exum -

Mr. Britt paid me the bill without looking in what capacity. The bill had been made out by her against Mr. Marshall but I don't recollect whether or not.

And further she deposited with not

J. Thomas

John G. Bumble being duly sworn, to questions asked by defendant's counsel say,

I am 58 years of age, merchant in Smithfield, have been living there more than 25 years.

I know Robt H. Marshall this wife came; I had no dealings with Robt H. Marshall that I remember, do not know in what capacity he

Cross quest. by J. H. Rouse.

Mrs. Marshall made the bargain with me for article, sold her & work done for her.

Re exam'd.

Mrs. Marshall never told me she was agent for Mr. Brill but inferred she was from her dealings with me. I do not remember giving her any receipt at all.

And further deposed said not.

Wm. Rouse

William H. Thomas being duly sworn to question, by Dep. Counsel, says, I am 4th years of age, reside in the town of Smithfield & have resided there for many years & in 1866 & 67th was a merchant. Was in the habit of selling goods to Mrs. J. E. Marshall & she referred me to her bro. Geo. Brill for payment. I thought & believed when dealing with her that she was acting as agent for her brother, Brill. I frequently saw him going to her house & have been there with him the same day to give the matter supervision.

When R. D. Marshall lived at the Chapman place, I met him in the road driving

The bond alluded to by S. H. Marshall
in his deposition aforesaid, as executed
by J. H. Edwards & himself given for
property purchased at sale made by G. W.
Brill, alleged by said certifier to have been
of the property of Jan C. Marshall, and
while bond was then in suit, appears, on
the record being examined by the Court,
to have been payable to Geo. W. Brill in-
dividually.

William G. Rouse being duly sworn
says to Verdict by Def. atty.
My age is 39 years, ^{scapular} I am an undertaker,
and live in Smithfield. I had no
dealing with R. D. Marshall & do not
know in what character he kept the
hotel. I have made repairs on the
furniture at the hotel during W. Marshall's
time. Some of the furniture which was at
the hotel when W. Marshall kept it was
also there when Mr. Marshall kept it.
And some of the same was there at the
death of Mr. Marshall - Mr. Brill
always paid the bills made for articles
furnished and repairs made by me for
Mrs. Marshall. She always referred me
to him for payment.

after the sale aforesaid you stated to him
that Mr. James Marshall, stock was worth
from three thousand to thirty five hundred
dollars. Say whether or not you made
such statement to said Saml. H. Marshall.
Answer-

I never said so and never thought
of such a thing.

Ques. by same
said Saml. H. Marshall in his deposition
aforesaid, states that you said to him
at the sale of Isaac Edwards, that
you owed the estate of James E. Marshall
a bond of \$1000.⁰⁰ Say whether or not you
ever made such statement?

Answer-

I did not, my sister never held a bond
against me of any sort.

Ques. same?

Do you mean when you say that Mr.
Marshall never held a bond against you
that she never had possession of any
bond of \$1000.⁰⁰ or that ~~it~~ against
you or that you never owed her
any such bond.

Answer-

She never held any such bond against
me & I never owed such bond.
and further the deponent saith not.

Wm. H. B. C. C.

George W. Brill the deft. in this cause
being first duly sworn for answer says
that by the Def. Council.

In what character did you sell the
property at the Hotel in the Town of
Smithfield on the 2^d day of March 1869
and to whom were the bonds made pay-
able given for the property sold at said
place & date. (This question is

excepted to by Council for filing, for the
~~reason that~~ which exception is sustained
by the Commissioner and to which
reculing of the Commissioner the Def.
Council excepts)

Did you sell the property at the time &
place aforesaid as the agent of James C
Marshall or as your individual property.
The property alluded to being the chattel
estate alleged in the Bill to be the
property of James C Marshall and
which Samuel D. Marshall in his
deposition speaks of as sold by the
def. Geo. W. Brill as agent of James C
Marshall (excepted to by Def. Council
which exception is sustained by the Com^r
and the reculing of the Council excepted
to by Def. Council)

S. D. Marshall in his deposition
taken in this cause says that another

Walter C. Morrison Secy & Treasurer, to
quitting by his own act & account 1 Day
~~I have~~ examined the accounts exhibited ^{No. 1, 2, 3, 4 25} folios
and say ~~that~~ they are the receipts of
C. Morrison and the same ~~therein~~ in
his own hand writing - and I know that
they were paid for the rent of the hotel
in Southfield owned by my father C. Morrison
and paid by Mr. Pratt, all except the last
one & that I know of - I am clerk for
Mr. Pratt & know he paid all except the
first - I know of Mr. Marshall or Mr. Marshall
for Mr. Pratt his money. Mr. & Mr. Marshall
kept accounts with Mr. Pratt but I do not
know ~~from~~ ^{some} whether they were ever settled.
Mr. Pratt paid bills that were presented to
him & contracted by Mr. Marshall on account
of the hotel - One, particularly, for services
and cards. Of the above receipts all are
written by Mr. Pratt except the last &
that is by Mr. Bailey.

And further dependent said m. t.

W. C. Morrison

Went in Smithfield several times and saw
those some of the house furniture that was
carried from the Chapman place. Mr. Britt
bought several articles at the sale. At
that sale there was corn, fodder, hay & sheep
& I think a horse or more sold and some
house furniture.

Case examined.

I saw at his house in Smithfield, several
articles of furniture that was carried
from Chapman's place, such as Bureau,
chairs &c. I helped to move the furniture
to Smithfield. I do not know how much
Mr. Britt bought at that sale, but he did
buy some of the property. Mr. Marshall re-
mained at the Chapman place until last
of 1865, I think, don't know anything about
his affairs.

He said.

I do not know whether Mr. Britt was
buying said property or his own to prevent
execution or not, but from what I
had heard was under that impression
at the time of the sale.

And further the deponent said not,

Wm. J. Whitley

Britt was, him for the property so he sold by him.
He examined.

Did it the customary for one coming on
the business as a farmer as agent for an other
to advertise his agency?

Answer.

I never knew it done. I did not know
it was expected. That an agency of that
an agency of that kind should be
advertised. I had no mean of knowing
whether or not Marshall paid Britt his
the wife of Mr. R. D. Marshall was the
sister of Geo. W. Britt.

Am I further in the deposit, with not.

Mr. C. C. Smith

Geo. W. Britton being duly sworn and
says to Testis by Def. Counsel,
I am a citizen of Shaftsbury County,
am 41 years of age - I am acquainted
with the parties to this suit. I was
well acquainted with R. D. Marshall at
the Shaftsbury place from the close of the
war until he went to Smithfield. I do
not know anything of his agency for Britt.
I was at a sale then conducted by Britt
& bought some land of Britt for it.
I think Marshall moved from there to
Smithfield to keep hotel. I was at his

2
1
I was Deputy Sheriff of the County from March
1857, to Decr. 1860 & served shift from Jan. 1861
to Jan. 1865. During ^{except for year 1858} that time, the
accounts of Marshall were made against
him as agent for Britt & Britt paid him.
The receipts exhibited & inspected by me
for taxes in 1861 & 62 were given by me to
Britt for property listed by Marshall as
agent for Britt. The rent of the Chapman
place I think was due to J. C. Atkinson
& I recognize the receipt exhibited for rent
of said farm in 1866 as the receipt of said
Atkinson to said Britt for that account.
Receipt of Davis Edwards to G. W. Britt for
horse was produced & the hand writing of
Edwards proved by the witness, and that
he knows that the horse was bought by
R. D. Marshall. R. D. Marshall was generally
regarded individually, as an agent.

Re. Croft estate.

I do not know how R. D. Marshall obtained
possession of the property which was listed to
him as agent. I do not remember ever having
seen at the courthouse door or elsewhere any
documents that R. D. Marshall was the agent
of Geo. W. Britt. Whilst the property was
listed to Marshall as agent, he used it
in making a support for his family.
I do not know that Marshall ever paid

the articles bought or credited to him
as agent. The sales of Marshall, property
did not pay all his creditors.

He expounded by Def. Counsel.

Marshall was not regarded as solvent
at any time after my sale of his property.

And further deponent saith not.

Then the
Honor. J. Clements being sworn - answers
and says -

I am 42 years of age, am a resident of
the County of Wright & know the parties to
this suit. Mr. Marshall stated to me
in 1865 that he was about to move to
Smithfield to keep Town & asked my
advice, I declined to advise him saying
that he knew as much as I did about
it. He then said he should consult
with Mr. Geo. W. Biell - That he had
been acting as his agent & if he went
to Smithfield he should still act as agent
on the same as agent for Biell - This
arrangement was brought about in consequence
of my calling on him for the payment of a
bond I held against him with Biell as
surety for the purchase of a buggy at
Benard Goolleys sale - Mr. Biell sub-
sequently paid me for the bond.

There as the property so sold & bought,
I understood from Marshall after he
moved to the Chapman place, that he
was agent for & doing business for Britt.
This was about the time of the illness
of Marshall's daughter & I think was about
the second ^{or third} year after he went to
Chapman's to live. He removed there
the fall year after the sale, which sale
was in Dec. 1857, & while there acted
as agent for G. W. Britt. I never
visited Marshall after he went to
Smithfield.

Crop examined by Council for staff.
Mr. G. W. Britt bought the articles
charged to him on the act. of sales.
And all that he did buy are to
be seen on the act. of sales (abstract
of which is herewith filed). The articles
that I recognized at the Chapman
place were 2 chairs, candle stand &
table. Whilst at the Chapman place
I saw horses, farming utensils & other
articles that were not bought by Britt
Marshall at my sale. His house
seemed to be moderately well
furnished. Marshall dined with
me at Guin & directed me to change

sold his property under said deed & whether or not Geo. W. Britt purchased the household & kitchen furniture of said Marshall & whether you sold all his property.

Ans.

W. D. Marshall did make to me as trustee a deed of trust, sold his property under the deed & Geo. W. Britt did purchase a large portion of the household & kitchen furniture.

Ques.

I find this receipt of yours to ^{Britt} Marshall look upon it say whether or not it was for articles purchased at that sale?

Ans.

That receipt is for articles purchased at said sale. (Receipt filed herewith)

Ques.

Do you know when W. D. Marshall went to live & whether he carried the property bought by Britt with him.

Ans.

I think he moved to the R. K. Chopman place & carried the property there. I visited Marshall at the Chopman place & recognized the furniture

1

[111]

The Depositions of Irvin C. Duck
Thomas J. Clements, John H. Doubble, Esq. of
House, Walter C. Morrison, George J. Whiting,
Henry W. Brite, William H. Thomas, K. B. Hayden,
Taken before N. P. Young a Commissioner in chancery
of the Circuit Court of Isle of Wight County, on the
of the day of April, 1864, at the Court house of said County
to be read as evidence in behalf of George B. Brite
Deft. in certain matters of account pending before
said Court. in a suit in Ch. in said Court between
J. B. Marshall perfd. by son. Plff. and said Brite
Deft.

Present. C. B. Hayden att. for Deft. Brite
and Jas. R. Kilby att. for Plff. Marshall

The defendant Irvin W. Duck being first
duly sworn, deposes as follows.

Ques. by Deft. Counsel

How old are you, where do you reside
and are you acquainted with the parties
to this suit?

Ans.

I am 59 years of age, reside in Isl. of
Wight County I am acquainted with the
parties.

Ques.

State whether or not R. D. Marshall
made to you a record of Trust to some
creditor of so whether or not you

Marshall
m. Zaleski.

Britt

Sept. 17. 1844 - filed

The Defendant Geo. W. Britt excepts
to each and every statement of Jan
E. Marshall or Ro. S. Marshall
made in the absence of said Geo. W.
Britt contained in each & every de-
position taken on behalf of the plff.
in this cause.

J. D. Young Com.

You wanted to. What have you to say
in regard to Mr. Henry said statement.
Ans.

I never said any such thing. I made
remark that I was going to reserve a
good bed & covering for Lucy & give it
to her when necessary, which I did
and have it here in the house now.
In regard to the other conversation re-
ferred to by Mr. Henry as having taken
place in Mrs. Marshall's room - I deny
the whole of it. No such conversation
ever took place - I was never in her
room at any time with Mr. Henry during
my sister's last illness - Nor was my wife
ever invited out of her room in my
presence or

And further depose & swear that

Geo W. Pratt

The foregoing deposition was taken and
subscribed to before me as Commissioner
in Chancery of Circuit Court of Shelby County
on the day & year mentioned in the
caption.

J. P. Young Comr.

is the one alluded to by him in his
deposition this morning. I saw Mr.
Edward several times in regard to the
payment of said bond, that I wanted
to use the money for the education of
Lucy Marshall, he said he could not
pay it I threatened to sue him &
he said that was useless as I could
not make the money if I sued
Just.

What have you to say in reference to
the payment alluded to Mr. Ro. Pugh
in his depn: for what was that payment
made and whose property was it?
Ans.

The property for which he paid was mine, had
been used by R. D. Marshall as my agent at
the Chapman place, had been left there
by him & I sold it.
Just.

Mr. Henry in his depn. relates a con-
versation between you & himself occurring
at the sale after Mrs. Marshall's death, in
which she says you stated that you
were selling the bed room furniture be-
cause it was old fashioned and that
when they got older you would get
the more fashionable set, and that
you were selling the pious & rug because

Ques. Did you execute a bond to Ro. D. Marshall
or did Mrs. Marshall ever have any such
paper as alluded to by Dr. Vail

Ans. I never executed one to R. Marshall
after his failure - Mrs. Marshall never had
any such paper.

Ques.

Dr. Vail in his depon. alludes to your
leaving taken from Mrs. Marshall, before
after her death, a pocket book & papers,
state of what those papers consisted &
whether or not there was among them
any bond of yours payable to Ro. D. Marshall
or Jan E. Marshall?

Ans.

I did get the keys as stated & took the
pocket book & papers - I was at home &
sent for, that my sister was dead. I went
there & took them & the little money that
was there because a theft had been
made the night before & I desired to
save them. The papers consisted of one
bond due Jan E. Marshall aq. for H. W.
Pottle against L. B. Edwards for about
\$280. The bond had large credits by
accts. &c and the insurance policy on her
life - There was therein no bond of mine pay-
able to Jan E. or Ro. D. Marshall. The
bond above alluded to of L. B. Edwards

George W. Britt being duly sworn, deposes
and says, he having been heretofore examined
in chief.

Test. by deft. atts.

Explain how you proposed to settle
with Deft. Vail his acct: against Mr.
Ro. D. Marshall & Mrs. Jane E. Marshall?

Ans.

I proposed several times to settle with
him by giving him credit on the claims
I held against him. Which claims were
for rent of the Hotel from me after my
sisters death, & for property brought out
the Hotel & an old bond I held on
him. The offer to settle was refused by
Geo. Wilson his agent because I would
not pay him the bal. on acct: instead
of placing said bal. as a credit on
the old bond which I insisted on. They
never asked for a settlement after
that. For the year of my sisters death, 1869,
I paid for the rent of Hotel \$150.⁰⁰

Test.

Deft. Vail in his depositions has alluded
to a paper in the hands of Mr. Marshall
under the name "G. W. Britt & R. D. Marshall"
what have you to say as to such paper?

Ans. If he had any such one, I know
nothing about it.

Laura Bland being duly sworn
deposes says.

The deponent being of lawful age,
says that she resides in the County
of Isl. of Wight & is acquainted with
the parties to this suit.

Ques. State whether or not you ever
heard Mrs. Jane Marshall say how she
was keeping the Hotel in Smithfield, whether
as agent or not & if as agent for whom?
Ans.

I heard Mrs. Marshall say that she
was acting agent for her brother, and that
but for her brother aid. should not be
able to get along. I was in his family
& heard her speak of it frequently. At
that time she was keeping hotel in
Smithfield. I heard her say also that
Wm. Marshall acted agent for W. Pitt.
Ques. by Off. etc.

Do you know who furnished the money to pay
for supplies for the Hotel kept by Mrs.
Marshall who paid the rent of the house
& who collected the Bills for board?
Ans. I do not.

And further deponent saith not.

Laura Bland

the told me he was acting as agent for
Geo. W. Britt - In, 1865, he had a sale
I bought some property there & Mr Marshall told
me any arrangement I could make with Mr.
Britt would satisfactory to him, this was at
the Chopman place. Before I bought the
property Marshall said it was not
his but Britt's & I could arrange with
him. At a sale in Smithfield in 1867
after Mr. Marshall's death I bought some property.
Before this sale was commenced I asked
Mr. Marshall if Mr. Britt was going to sell
any thing, she said she reckoned not &
~~that~~ ~~thought~~ she would remain there &
carry on the Hotel as so. had done as
agent for Mr. Britt. I thought that
I bought said property as Britt's. It was only
a small amount say some \$2.50 worth.

Ques. by Plf. Counsel

Are you the person who is security for
Mr. Britt in his guardian bond as gov. of
Lucy L. Marshall & are you not a party
direct to this suit.

Ans. I am the same person - but I have
gone into Bankruptcy.

J. B. Thomas

Answer - Not since I gave it to him
or about nineteen.

Say whether or not since Mr. Marshall's death
Mr. Britt has not requested you to pay that
that bond in whole or in part for the
benefit of his child Amy C. Marshall the
plff. in this case?

Ans. Mr. Britt wrote to me once that
he would like for me to settle the bond
but did not say for what purpose.
He also ~~asked~~ mentioned the matter to
me at the Court house & but I do not
remember his then saying for what
purpose he wanted the money - I did not
pay it because I was not able to do so.

And further the deponent saith not.

L. B. Edwards

Depositions taken on behalf of Deft. on
some day & place before some.

John C. Thomas being duly sworn deposes &
says - I am nearly 50 years of age, live
in Salt & Wright County and know the parties
to this suit - I am

1st. Cont. by Def. atty.

State what you may know of an agency of
R. D. Marshall for Geo. W. Britt?

Ans. I sold him goods in 1860, 1861 & part 1862

the parties to this suit.
1st. Quert. by plff. acts.

State whether you owe a bond to R. D. Marshall or Jan E. Marshall & if so who has possession of it & how much is it for & any other facts connected with it?

Answer—

I owe a bond to R. D. Marshall which was given to him for his help out in a store which he & myself carried on in 1865. The amt. as well as I remember was \$300.⁰⁰ a day or two before the death of R. D. Marshall who was my uncle, he sent for me to come and see him, I went to see him and at his request & by his direction I took in the said bond & gave a new one, for the amt. due, to Geo. W. Britt. He Marshall giving as a reason for such change of the bond, that as it stood then it might be taken to pay his old debts & he desired his wife & daughter to have the benefit of it. I think there was a credit on the bond, which was also put on the new bond given Britt, but not cash. Mr. & Mrs. Marshall made accounts at my store at Peermill afterwards. which accounts were credited on the bond & found as I was informed by Mrs. Marshall who had the bond in possession.

Croft Eynd.

Did you ever see the ^{new} bond above mentioned by you in the hands of Mr. Britt?

by my bond which she held & paid her the
bal of \$12.⁵⁰ or about that in money. This bond
is the same as filed as Exh. N. 2. above.

Cross Exam.^d

Look upon the act: herewith filed marked
X. between yourself & R. D. Marshall agent
and say whether the said act. is not in
your hand writing, and whether it is not
the acct. of the transactions of yourself &
R. D. Marshall alluded to in your depo.
above and of your settlement of the same
with Geo. W. Smith?

Ans. Said act. is in my handwriting -
and is the acct. alluded to in my depo.
above & which I settled with Smith. On
my books this acct. is not chgd. to Marshall
as agent but I supposed Mr. Smith had
agent added to it.

Do you know whether or not the Hotel was
kept by Mrs. John E. Marshall as agent
for Geo. W. Smith?

Ans. I do not know.

And further the deponent saith not.

A. H. Stephens

Leaving B. Edwards being duly
sworn deposes & says -

I am 41 years of age, live in town
ship of Lee of Wight county & know all

Ans. I bought at a sale at his late residence in Smithfield after his death about \$30.²¹ worth of property, for which I gave my bond (see the bond filed under B. payable to J. E. Marshall agt. for Geo. W. White) which bond was assigned by White to Mr. Marshall and paid by me to him.
2nd Quest. by same,

Did you keep a store and do R. D. Marshall make any acct. at your store & if so how much & who paid it?

Ans.

I kept a store in Smithfield - R. D. Marshall had an account with me, but his death there was unsettled acct. between us - After his death Mr. White himself had a settlement of said accounts & there was a balance against me of some \$15.³⁵ which I paid to Mr. White

3rd Quest. by same,

Did Mr. James E. Marshall have an acct. at your store & if so how much & who paid it?

Ans. He did have an acct. at my store of about \$18.⁰⁰ which was settled

Robert Pearson being duly sworn,
deposes and says -

I am in my 59th year of age, live
in Isle of Wight County and know the
parties to this suit. And I further say
that I paid Geo. W. Britt \$11.⁰⁰ for apple
mill & fixtures which I bought of him
some time after M^r. R. D. Marshall's death.
The said mill & then being on the Chopman
place from which Marshall moved to
Smithfield.

Cup. Eym^r.

Did you do any stilling on the Chopman
farm, or how any down there.

Ans. I had cider stills on the farm
when Marshall lived there. The tax on
the still was paid by W. Britt the
year Ramsey lived there. The ~~business~~
~~or~~ distilling was done ^{for} by R. D. Marshall
& Ramsey by myself.

And further depose to with not.

Robt Pearson
sub

William H. Stephens being duly
sworn, deposes to say - I am nearly
61 years of age - live in Isle of Wight
County and am acquainted with
the parties to this suit.
1st. Ques. by plff. atts.

Did you purchase any property at
R. D. Marshall's, sale if so what - And
to whom did you pay for it & how
much?

deposition.

Ans. I cannot say.

3.^d Quest. by same

State whether or not the bond of R. W. Marshall alluded to in your deposition, was not for some time lost or mislaid and whether Mr. Britt did not offer to settle the same

Ans. The bond alluded to & filed as Ex. A. was mislaid for about two hours, not more. I presented the bond & also my accounts to Mr. Britt for settlement and he refused to pay them.

4.th Quest.

Did he not offer to discount the above mentioned bond & deb. by a note or bond of yours which he held?

Ans. He would do to me. but did bring agent G. W. Wilson. I offered to settle by allowing all his claims against me & main against him & he refused.

5.th Quest.

Have you ever brought suit on your acct. vs. R. W. Marshall against his acct?

Ans. I have not.

Am I further dep. out with it.

J. J. Pail

and passport and collecting for herself?
Ans.

I know that she bought articles for her house herself and paid for them.
4th. quest. by same.

Were you present soon after Mr. Marshall's death & if so was G. W. Britton present & did he take charge of her papers - and say what you then saw.

Ans.

At or about the time of her death, a few minutes before or after, I don't recollect. Mr. S. H. Marshall, Mr. Henry & others & myself were in her room, Mr. Britton came in and asked for keys - The keys were given him - He unlocked the bureau & took out papers - I also saw him with a pocket book at some time, one which I had seen Ro. D. Marshall use.

Cross. Examined by Deft's Counsel C. V. Hayden.
1st. quest. State whether Mr. Britton was present when any of the conversations with Mr. Marshall, you have mentioned, took place?

Ans. Mr. Britton was not present.

Re-examined

2nd. quest. by same,

In whose hand writing was the endorsement on the paper brought to your office by Ro. D. Marshall alluded to in your

to insure it, she said she wanted
to insure for \$500.⁰⁰ I said I will
confer with my brother as to what
arguments he can make & let
me know that much of my money
without inconveniencing himself. She
returned to me and stated that her
brother said he could not let her have
that amt. without crippling his
business. In a few days thereafter, she
informed me that she had decided
to insure for \$1000.⁰⁰ and sent for
me to come up & make the necessary
examination, which I did. A short
time before Mr. Marshall's last illness,
I was sent for by her I went to see her,
She held in her hand a paper marked
Geo. W. Pratt to Ro. D. Marshall & which
I took to be the same paper alluded to
above. I did not see the body of the
said paper. (The statements of Mr. Marshall
to the court as set out in his answer above
are excepted to by the Counsel for the
Deft.; C. B. Hayden, which exceptions are
sustained)
3^d quest. by same.

While Mr. Marshall kept Hotel in
Sandwich, state what you may know
of his attending to his own business

Ro. D. Marshall & myself had a
settlement on that day he executed
this note (note exhibited marked A. filed
for \$31.⁵⁸) for amt. then due. I
continued to attend his family from
that day & now hold a bill against
him for services rendered between
12th March 1846 & July or August of that
year, he came over to the house I then
lived in, now occupied by Purvis,
and on that occasion, he had in his
hand a paper endorsed "G. W. White to
Ro. D. Marshall", I supposed it obnoxious;
but do not know whether it was or
not, nor the amt. thereof as I did not
see the body of said paper.

Isid. Quest. by same.

State if you know whether or not Mr.
J. E. Marshall held bond on G. W. White
and if so, for how much & when &
where did you learn the fact, and
from whom?

Ans. A short time prior to Mr.
Marshall's death, she came to me
to advise with me about securing
her life, I stated to her I thought it
was a good thing if she could make
the arrangements. I asked her then
for what amount she proposed

The depositions of J. T. Vail, Robert Peffer,
S. B. Edwards, W. H. Stephens
taken, pursuant to notice, at the residence of
Geo. W. Drift Smithfield, by consent, before N. O.
Young a commissioner in charge of the Circuit
Court of Isle of Wight County, on the 14th day
of Sept. 1874, to be read on behalf the
Plff. in the suit of S. H. Marshall vs.
J. C. Marshall & Geo. W. Drift now
pending in the said Court.

The said J. T. Vail being duly sworn
deposes and says. I am 50 years of age,
live in Smithfield, am a practicing
Physician and know the parties to this suit.
I quit my S. R. Tully Pl. att.

State all you may know as to the corner
of the Chatted estate on the house in which
Mr. James C. Marshall died and of that
land; also all you may know of your
transactions with Mr. Marshall or Geo. W.
Drift relative to her affairs.

Ans. I do not know anything about the
said Chatted estate directly. During the
year, 1865, I attended Mr. R. C. Marshall's
family. He moved to Smithfield early in
the year, 1864, prior to his moving, I
made a purchase of the place he had
on the farm formerly owned by R. C.
Thompson. In March 12th 1866, Mr.

Isle of Wight County to wit:

I, C. B. Hayden a Notary Public
for the County aforesaid and State of Virginia,
do certify that A. R. Boykin signed and made oath
to the truth of the statement contained in the
foregoing affidavit before me in my County
aforesaid.

Given under my hand this 19th day of
October, 1876.

C. B. Hayden

G. W. Britts Affidavit
xals

Affidavit
of
Dr. A. R. Boykin

I, A. R. Boykin solemnly swear that I am a medical practitioner actively engaged in the practice of my profession for sixteen years, and since November, 1873, of residents of and practicing in the town of Smithfield. That in the fall of 1873, I became attending Physician of G. W. Britt and family, and from March 1874 to July 1st, 1875 when he died, was often consulted by, and prescribed for G. W. Britt. I ~~noticed~~ from the fall of 1873, I noticed that G. W. Britt often showed aberration of mind, caused by gross habits of intemperance. In March, 1874, I examined him professionally and unhesitatingly diagnosed his case as one of softening of the brain, which from its then progress was of several months duration. The effect of this disease was to stupify his faculties and render him mentally and physically incapable of attending to business. I have no doubt he committed suicide, but this disease was the indirect cause of his death. That although this mental incapacity increased towards his death, yet it existed more or less from the fall of 1873, and must have commenced some years previous to that date.

Signed A. R. Boykin

G. M. Britt's Apique et al's

Affidavit
of
B. H. Chapman

Memorandum of Credits in G. M. Britt's Account vs Jane C. Marshall					
1867					
Novemb	9			By cash of J. F. Chalmers	60 00
Decem	31	"	"	" Edgar Rawls	75 00
"	"	"	"	" L. B. Edwards	99 00
1868					
March	23	"	"	" J. F. Chalmers	128 00
"	"	"	"	" Rawls	75 00
Octo	29	"	"	" M. H. J. Wilson	170 51
Dec	7	"	"	" Rawls	75 00
1869					
January	29	"	"	" J. L. Wilson	100 00
Octo	"	"	"	" Junius Mills	107 00
Nov	1	"	"	" in house at death	23 15
"	"	"	"	" taken in Hotel	18 75

I, B. F. Chapman do solemnly swear
that the above credits are true
extracts from the Books of G. M. Britt
in his Account vs Jane C. Marshall
and copied from said books by me
signed B. F. Chapman.

Seal of Wright County to wit:

I, C. B. Hayden a
Notary Public for the County aforesaid
do certify that B. F. Chapman subscribed
and made oath to the above affidavit
before me in my said County.

Given under my hand this 20th
day of October, 1876.

signed

C. B. Hayden

R. S. Thomas'
Statement.

5 May 1894, filed

~~3~~
4

I, R. S. Thomas do certify that I have
examined the Books of Accounts of Thom-
as and Adams and that I find there
an account against R. S. Marshall
commencing August 6th 1865 and end-
ing August 20th 1867, and that the
said account is against him as an
individual, and is ~~not~~ ^{not} and not
as agent for any one.
May 5th 1874 R. S. Thomas

Marshall
n. 5 memo.
Britt of
Wetrip attend.

Pltfs. Winter fees.

Def. Winter

A. M. Marshall.	.66	J. W. Duck	.82
J. B. Clemons	.50	J. J. Clements	.82
C. M. Shepherd	.98	G. J. Whittier	.50
Mr. Henry	.50	W. C. Merriam	.50
S. B. Edwards (2 ^{ds})	1.00	W. H. Thomas	.50
F. S. Vail (2 ^{ds})	1.00	W. G. Rouse	.50
Ro. Paxon	.50	Am. G. Worneth	.50
W. H. Sipton (2 ^{ds})	1.00	M. A. Baker	.50
Winter atty.	<u>6.08</u>	W. J. Westwood	<u>2.50</u>

£ 14.14

Pltfs.

Marshall W. F. D.

W. E. Bell Co.

Wm.

Marshall pr. fd.

Bill of costs.

Alto. fee + tax . . 16.00
Clk. Co. et. for copy . . 4.70
Do. for in suit . . 6.12
Do. Cir. et. " . . 3.53
Co. Co. et. Doc. & jud. fee . . 45

\$30.80

Shff. I. O. Wright . . 5.30
Do. Stann. . . 63

Cont. Young for act. rept 44.00

Do. for cert. & to wit. 2.70
Do. Reuter for Deps. 2.00
Am. M. Marshall wch. .50

C. M. Shepherd " .98

J. P. Cholmon " .50

L. B. Edwards " 1.00

M. J. Haun " .50

S. S. Nail " .50

W. H. Stephens " .50

Ho. P. P. " .50

Pltf. Costs . . \$90.41

* Upon common report further that he has decided that the bond of S.B. Cresson be allowed to him; deposition of 17th Sept. 1844, in the presence of James C. Marshall died. But that as no money was not collected he has not changed the same to Geo. W. Pratt the admr.

Marshall v. S. B. Cresson
 Rept.
 Mr. Pratt
 Sept. 19. 1844
 filed.

appointing the 16th day of May, 1844, to take & settle at his office, the said accounts, & requiring them to attend which matters were duly executed & returned to your commission. That on the day so appointed, the taking of said account, was continued to enable the parties to take evidence, and was continued from time to time until the date of this report, on which day, your commission from the evidence taken, as well on behalf of the Plaintiff as the Defendant made up and completed the foregoing administration account, marked A. showing that on the 1st day of February, 1844, there was a balance of \$1589.44 due from the administrator to the estate of said J. E. Marshall. That on same day he made up & completed the foregoing acct. marked B. showing that on the 1st day of July 1842, there was a balance of \$204.23 due from said Geo. W. Pratt to his word said James C. Marshall. The evidence taken by your commission is herewith filed. Given under my hand as Commissioner of said County Court the day and year first aforesaid.

J. P. Young Com.

Debt 44.00
 Plff. J. & Co. 4.30
 Dr. Name 63
 Balance attnd. 6.58
 Court for entry & entry. 2.70
 Court before Com. \$58.21

1842
July 1

To disbursements to date
when the gold was received 97 61
" " " Balance per contra 204 23

1842

Mar. 1 By balance per contra 296 23
July 1 " interest (less cred.) on same 562

\$301 84 \$301 84

1842
July 1

Balance due the ward \$204 23

Commissioner Office Isle of Wight County,
Sept. 19th 1844.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the county court of said county, rendered on the 7th day of April, 1843, in a suit then therein depending and subsequently transferred to the said circuit court, between Samuel H. Marshall next friend of Lucy C. Marshall, Plff. against George W. Britt & alts. directing a commissioner of the said county court to take first, an account of the transactions of George W. Britt as the administrator of Saml E. Marshall decd. and second, an account of the transactions of George W. Britt as guardian of said Lucy C. Marshall, taking as prima facie correct, subject to be surcharged and falsified, any accounts of said admor. and guardian that may have been theretofore recorded, Your commissioner reports to the court, that on the 30th day of April, 1843, he issued notices to the parties

1870
 Feby. 1 Balance due Estate of ⁵³
 Jane E. Marshall \$ 1589 44

¹³
 Dr. Lucy C. Marshall
 In account with Geo. W. Britt her guardian

1870
 Mar. 1 To correct disbursements to date 282 82
 " " Balance per contra 697 64
 1869
 Mar. 1 By this being correct credits ⁵³
 to date 980 46
 \$ 980 46 \$ 980 46

1871
 Mar. 1 To correct disbursements 241 18
 " " " Balance per contra 496 22
 1870
 Mar. 1 By bal. per contra 697 64
 " Int. on same one year 39 76
 \$ 737 40 \$ 737 40

1872
 Mar. 1 To disbursements to date 228 28
 " " " Balance per contra 296 22
 1871
 Mar. 1 By balance per contra 496 22
 1872
 Mar. 1 " Int. on same one year 28 28
 \$ 524 50 \$ 524 50

at
 The Estate of Jane E. Marshall decd.
 In account with George W. Britt her administrator

1870			
Feb'y.	1	To disbursements as per acct. filed as exhibit J. with petts: Bill	157 50
"	"	" amts. paid by Britt for acct. in 1866, 1867 & ~~one~~ month. 1869, with int.	520 25
"	"	" Balance per contra	1589 14
Decr.	24	By Credits in said acct. filed as exhibit J.	376 73
1870 Feb'y.	1	" \$225.75 Recd. from Edgar Rawls by adm. for decedent in her life time & not credited heretofore, with int.	248 37
"	"	" This amt. for mch bot. of decd. & not credited with int.	168 00
"	"	" amt. of Geo. W. Britt, bond of \$1000. with int. from 1st July 1868	1025 00
"	"	" Amt. of sales of chattel est. per evidence of Western's a.T. solr, made 2 ^d March 1869 - \$508.81	
"	"	Less value of property bot. by Britt at sale made by J.W. Duck of Marshall's property at Cornville pt. Duck, DeSo. 81.52	427 29
"	"	" amt. from J. P. Chalmer & int.	44 80
"	"	" Cash in testator house, W. deSo. of Mrs. Bailey	17 00
"	"	" Value of bed, shad & clothing delivered to Britt by Henry	50 00

\$2267 19 \$2267 19

Marshall &

9

or

Drill &

1873

ape Co. et.

Deceitful accounts

To be entered

Gr. Pittman

Entered

Marshall &c

n

Brett &c.

This cause, came on this day, to be heard on the Bill of the Complainant taken for Compulsory as to the Defendant John C. Thomas, on whom process had been duly executed and he failing to appear & answer, and on the answer of Geo. W. Brett, this day filed by leave of the Court, & on ~~answer~~ replication to said answer, & exhibits filed with the Bill, & was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court proceed to take and settle the following accounts

- 1st an account of the transactions of said Geo. W. Brett as late guardian of Lucy C. Marshall, taking the accounts heretofore rendered as prima facie correct, subject to be surcharged & falsified -
- 2^d. an account of the transactions of said Geo. W. Brett as administrator of Jane E. Marshall dec'd. taking any account heretofore rendered as prima facie correct subject to be surcharged & falsified & make report to Court, with any matters specially stated deemed pertinent by himself, or that any of the parties may require to be so stated.

Marshall &c -

Copy decree

vs, J. A. B. Co. &c

1873,

Geo. W. B. &c

Apr. 30th - 1873

May 1873.

For a decree?

recorded as prima facie correct subject
to be surcharged or falsified. & make report
to court, with any matters specially stated
deemed pertinent by himself, or that any of
the parties may require to be so stated,
Attest,
J. H. Hart, J. C.

In Isle of Wight County Court, April 7th 1873.

Loucy C. Marshall, an infant under 21 years
of age suing by Samuel W. Marshall her
guardian & next friend

vs. Z. L. Luby;

George W. Britt late guardian of Lucy C.
Marshall, & also the Adm^r of Jane E.
Marshall dec^d. and John C. Thomas Defts,
This cause came on this day to be heard on
the Bill of the complainant taken for con-
fessed as to the defendant John C. Thomas
on whom process has been duly executed,
and he still failing to appear & answer,
and on the answer of Geo. W. Britt this day
filed by leave of the Court, & on replication
to said answer, & exhibits filed with said Bill,
and was argued by Counsel: On considera-
tion whereof the Court doth adjudge, order
& decree that a Com^r of this Court proceed
to state and settle the following accounts,

gal
" "

An account of the transactions of said George W. Britt as late guardian of Lucy B. Marshall taking the accounts heretofore recorded as prima facie correct subject to be surcharged and falsified,

25

An account of the transactions of said
Geo. W. Brill as & m^r of Jane E. Marshall
dec^d. taking any account heretofore

18
March 1874
N

Brill

1874

Oct. 1st,

Dec. 1st

To be entered

Geo. T. Shaw.

Entered

(49)

Marshall vs friend

v

Brett vs

This cause came on this day to be again heard on the papers formerly read on the Report of A. P. Young, Comr. made pursuant to the decree herein of the County Court of Isle of Wight County of the 7th April 1873 & on Examination of witnesses filed with said Report & was argued by Counsel.

On consideration whereof the Court doth confirm the said Report, & doth adjudge order & decree that the plaintiff recover of the said Geo. W. Brett the sum of \$1589.44 with Interest thereon from the 1st day of February 1870, and also the sum of \$204.23 with Interest from the 1st July 1872, to be paid & the costs of this suit by the plaintiff expenses in the prosecution of her said the same.

10
Marshall N^o 10

N.

Butt N

1878

Set Term

order

To be entered.

Geo T. Sloan.

Entered (26)

Marshall p. f. d.

Brill p.

It appearing to the Court that the scire facias to revive the decree made in this cause as to the defendant Geo. W. Brill at the October Term 1874 of this Court, ~~and~~ ^{that} the scire facias, against R. S. Thomas, assignee in Bankruptcy of said Geo. W. Brill has been duly executed, and that the ~~case~~ ^{scire facias} issued in this cause to revive this cause against R. S. Thomas, as assignee of Geo. C. Thomas, one of the defendants in this cause, has been duly executed, it is by the Court ordered that the said R. S. Thomas, as assignee in Bankruptcy of Geo. W. Brill, be summoned to show cause at the next Term of this Court why the decree of October Term 1874 should not be revived against him as such assignee. and it is further ordered that the said R. S. Thomas, as assignee of said Geo. C. Thomas, be also summoned to the next Term of this Court, to show cause why ^{same} ~~this cause~~ should not be revived against him as such assignee. and the cause is continued.

and ordered that Geo. W. Brill deliver to the plt. the Bond of L. B. Edwards, referred to in said Edwards' deposition in this cause.

Manhelleppa

M.

Butts apw

1836

Oct Oct

Order

Intention

George

42

Exhibition

Marshall friend

27

Brutt.

This day R. S. Thomas, attorney
in Bankruptcy of E. W. Brutt Bank-
rupt. by C. B. Hazen, his atty., moved
the Court to allow him to file a
Bill of Review ^{to the same} in the chancery suit
pending in this Court, wherein Lucy
Marshall by her next friend, James
H. Marshall, ^{plaintiff} against E. W. Brutt & others
defendants, was heard by the Court
and argued by C. B. Hazen, attorney
for said R. S. Thomas, and as afterwards
by Mr. McKelley, atty. for said
Lucy H. Marshall & friend, whereupon
the Court after due consideration doth
refuse to allow said Bill to be filed
and on motion of the said Mr. McKelley,
attorney for said Marshall, it is
ordered that the chancery suit
aforesaid in this Court be dismissed
as to Jno C Thomas.

Marshall & Co

v

Britt &

1897

Appe Court

Final order

To be entered

Geo. T. Blod-

Entered 1/9

Marshall vs. Marshall

v.

Britt v.

It appearing to the Court that nothing further remains to be done in this cause, it is ordered that this cause be removed from the docket, without prejudice to the rights of any of the parties.

Geo. W. Brill Gdn
of Lucy L. Marshall
• Copy of order &c.

L. C. Marshall prof.

n. $\frac{3}{4}$ ch.

Brill

Exhib. 1. "A"

Fee 30 cts

In Isle of Wight Quarterly Court, March 1st 1869,

On the motion of George W. Britt he is appointed guardian of Lucy C. Marshall orphan of Robert D. & Jane E. Marshall dec^d. And thereupon together with John C. Thomas his security, who justified, entered into and acknowledges a bond in the penalty of \$1800.⁰⁰ with condition according to law, ordered that said bond be recorded,
Attest, Teste,

L. H. Hart, D. C.

Bond of Geo. W. Britt
as Guardian of
Lucy C. Marshall

A Copy
Marshall p. f.

q.

Britt L.

Exhib. 2. "B"

Mar, 30th

Know all men by these presents, That we
George W. Buell and John C. Thomas are
held and firmly bound unto the Common-
wealth of Virginia in the sum of one thous-
and Eight Hundred Dollars to the payment
whereof well and truly to be made to the said
Commonwealth of Virginia, We bind our-
selves and our heirs, Executors and ad-
ministrators jointly and severally firmly
by these presents, Sealed with our Seals, and
dated this 1st day of March, one thousand eight
hundred and Sixty nine,

The Condition of the above obligation is such,
That if the said George W. Buell who has this day
been appointed by the County Court as the
guardian of Lucy C. Marshall, orphan of
Robert D. Marshall and Jane C. Marshall
decd, shall faithfully discharge the duties of
his said office, then this obligation to be
void or else to remain in full force,

George W. Buell *Seal*
J. C. Thomas *Seal*

In the County Court of Lee of Wight
County, the 1st of March 1869, the above bond
was executed and admitted to record,

Teste, N. P. Young clk.
Geo. Fox, Scribe,
C. H. Hart, D. C.

Aug 4, 1867
in art. with
Geo. H. Smith & son

1867

'67

Dec. 60 9

to support herself. The Ldⁿ has given
the proper bond with sufficient se-
curity & penalty.

Given under my hand as a Court^r
of the said Court the day and year
first aforesaid,

W. D. Young Court^r

In the County Court of Isle of Wight
County, February 6th, 1871, the forego-
ing Ldⁿ account having been filed
in the Clerk's office of said Court
for one month, & no exceptions
being filed thereto, was confirmed
by the Court & ordered to be record-
ed.

Teste

W. D. Young, D.C.

A Copy

Teste

W. D. Young, D.C.

Com^{rs} of Jice Telegraph Co.
Nov^r 4th 1870,

To the County Court of said County,

Your Com^{rs} Reports to the Court, that on the 6th
Day of June last, Geo. W. Britt Esq^r of Seneca Co. Mar-
shall exhibited before him a statement of all the
money he had received become chargeable with
or had disbursed during the period embraced in the
foregoing acct, together with the vouchers for the
disbursements, that your Com^{rs} embraced the said
Esq^r in the list of fiduciaries whose acts, were
before him for settlement, which was posted at the Court
house door on the first day of July Court last, and on the
date of this report, made and reported the foregoing ac-
count on the first day of March 1870, finds a bal-
ance of \$697.64 due from the Guardian to the ward,
Your Com^{rs} further reports, that the expenses of the ward
have exceeded her income, to wit the sum of \$125.⁰⁰
which the gov. was allowed to expend of her principal
money by order of Court, ^{and also the sum of \$46.80 the gov^t Com^{rs}?} by the sum of \$68.40 which
excess having been found necessary to meet the
actual requirements of the ward in her necessa-
ry board & clothing tuition, being deemed judicious
& proper has been allowed to be paid out of the
principal of the ward's Estate. It being consid-
ered by your Com^{rs} of most vital importance
to the ward, who is without parents, that she
should be educated to enable her in future

Dr Lucy C. Marshall orphan of R. D. Marshall
 In account with Geo. W. Bittcher Esq.

1869

Mar.		To paid Martha A. Bailey clothing, &c.	2	35	
Apr.		" " L. R. Kilby " "		80	
May		" " B. H. Bitt " "	3	00	
		" " L. R. Kilby " "	3	00	
June		" " Geo. Brown & Co. L. R. Kilby ^{ward} ~~out~~	2	75	
July	15	" " L. A. Christie tuition from 5 th March to 9 th July 1869	11	12	
"	21	" " Julia Norfleet instruction in Music	20	00	
Sept.	1	" " R. E. Wills for hat &c -	4	46	
1870		" " Lelock's fees	1	85	
Jan'y		" " W. D. Drummond for bonnet & hat	3	00	
		" " Geo. Brown freight &c	1	75	
		" " Miss Norfleet further instruction	14	38	
Feb'y		" " Jno. M. Shepherd board &c.	100	00	
		" " S. H. Marshall's acct.	52		
		" " Geo. W. Bitt clothing & furnished	52	54	
"	11	" " Miss Christie bal. of tuition	11	00	
Mar.	1	" pay Com. for this acct. & copy for Geo. W.	3	50	
		" Com. on 936.00 receipts	46	80	
1869		" Balance due the ward per contra	697	64	
Mar	1	By this sum recd for Insurance on mother's life			936 00
1870					
Mar.	1	" Inst. on same 10 months less com.			44 46
			\$980.	46	\$980. 46

Lucy L. Marshall
In account with
Geo. W. Britcher Esq.

1870

'D'

Dec. 557

The guardian has given such bond as
the law requires, with sufficient
security.

Given under my hand as Commissioner
of accounts this day and year
first aforesaid.

W. C. Young, Commr.

In Cole's Wright County Court July
the 3rd 1871. The foregoing account
report having been filed in the
Clerk's office for ten days and
no exceptions being filed thereat
was confirmed by the Court and
order there recorded.

Teste

W. H. Hart, D. C.

A Copy

Teste

W. H. Hart, D. C.

the 6th day of March last, Geo. W. Britt Esq^r of Lucy
Co. Marshall exhibited before your Com^{rs} a
statement of all the money he had received, be-
come chargeable with or had disbursed
during the periods embraced in the fore-
going account, together with the vouchers
for the disbursements, that the said Guar-
dian was embraced in the list of fidu-
ciaries whose accounts were before your
Com^{rs} for settlement, which was posted at
the Court house door on the first day of March
term last, & on the date of this report your
Com^{rs} made up & completed the forego-
ing account, and on the first day of March
1871, finds a balance of \$496.22 due the
ward. The Esq^r by order of the said Com^{rs}
made at June term 1870, was allowed
to exceed the income of the ward in expenses,
the sum of \$150⁰⁰, but the account shows
that he has exceeded that sum by \$51.42
which excess having been made for actu-
al expenses in board, clothes tuition,
&c your Com^{rs} deeming it judicious and
proper in view of the fact that the ward
has great desire to be educated, which
can only be done by expending her prin-
cipal money, has allowed the said
excess to be paid out of the principal

John C. Marshall
In acct. with Geo. W. Britt Sec. Com.

1870

June	6	Topaid C. B. Hayden atty. fee,	8	00	
Augt.	15	" " Misses Finney tuition &c to 15 th July	60	25	
Sept	14	" " Geo. W. Britt Clothing &c,	12	26	
		" " Wallace Kelly " &c	9	52	
		" " Clerk's fees		40	
Octo.	18	" " E. B. Britt Clothing &c,	25	99	
Nov.	9	" " Wallace Kelly " "	9	52	
1871					
Jan.	11	" " Mrs. R. L. Wills Millinery &c	10	51	
"	13	" " Jno. M. Shepherd necessaries	10	10	
Feby.	14	" " M. A. Bailey making clothes	10	00	
"	24	" " Misses Finney tuition &c past 5 months	34	87	
Mar.	1	" " Jno. M. Shepherd board from 15 th Sept. 1870,	45	76	
		" pay Com ^{rs} for this acct. reporting	2	50	
		" " Clerk for flg. Confirming recording do.	1	50	
"		" " Balance due the ward	496	22	
1870					
Mar.	1	By balance per contra on last acct.			697 64
1871					
Mar.	1	" Inst. on same one year (less Com ^{rs})			39 76
			\$737. 40		\$737. 40

Com^{rs} office Isle of Wight C. H.

June 1st 1871

To the County Court of Isle of Wight County,

Your Com^{rs} reports to the Court, that on

Lucy L. Marshall
In account with
Geo. W. Britcher Esq^r

1871

' 6 "

Dec. 5-07

of Lucy L. Marshall, having been
filed in the Clerk's office of said Court
for ten days no exceptions being
filed thereto was confirmed by
the said Court & ordered to be
recorded. Teste

C. H. Hart, D. C.

Attest
A. Hoppy

Teste

C. H. Hart, D. C.

for the disbursements, That your Com-
missioner embraced the said Guardian
in the list of fiduciaries whose accts,
were before him for settlement, which
was posted at the Courthouse door
on the first day of the last term &
on the date of this report made up
& completed the foregoing account
And on the first day of March 1842. finds
a balance of \$296.22 due from the guar-
dian to the said ward, the account
shows that the expenses of the ward
exceeded her income the sum of
\$200.00 which was allowed by authority
of an order of said Court rendered
at March Term 1841. The guardian
has given such bond as the law re-
quires with sufficient penalty and
security.

Given under my hand as com-
missioner of accounts of said
Court the day and year first
aforesaid: N. P. Youngblood

In the County Court of Isles of Wight
County, July the 1st 1842. The forego-
ing account & report of the trans-
actions of Geo. W. Burt as guardian

Dr Lucy C. Marshall
In account with Geo. W. Britt Esq

1871

Mar.	3	To paid C. B. Hayden ^{rent} fee for	3 00	
"		" " Clerk's fees	1 30	
"	10	" " Jno. M. Shepherd Towards board	18 00	
Augt.	23	" " Mrs R. C. Wills clothing &c	29 03	
"	27	" " Jno. M. Shepherd bill paid by him for wards tuition	39 60	
"		" " Same balance board from March 1 st to Augt 1 st 1871	23 67	
"		" " Same for goods	6 00	
"		" " Mrs Drummond Millinery	7 12	
"		" " D. B. Pastner Gloves	2 00	
1872		" " E. B. Britt bill input for clothing -	98 50	
Mar.	1	" Balance per contra	296 22	

1871

Mar.	1	By bal. on last account	496 22	
"		" Inst. on same (less Com ^{ss})	28 28	
			\$524.50	524.50

Comm^{ss} office, Seaford C. H.
June 22nd 1872,

To the County Court of said County,
Your Comm^{ss} reports to the Court
that Geo. W. Britt Esq of Lucy C. Mar-
shall exhibited before him a statement
of all the money he had received, become
chargeable with or had disbursed during
the period embraced in the foregoing
account together with the vouchers

Geo. W. Britton adm^r of
Jane E. Marshall dec^d
Copy of certificate of Qualifi-
cation &c

Marshall W. F.

W. } Ch.

Britton

Ref^d. W. "F"

Dec, 30th

In Isle of Wight Quarterly Court, March 1st 1869.

On the motion of George W. Brill who made oath and together with John C. Thomas his security, who justified, entered into and acknowledged a bond in the penalty of \$500.⁰⁰ with condition according to law, Certificate of administration is granted him on the Estate of Jane E. Marshall dec^d. (The estimated Value of her Estate being less than one thousand Dollars,) ordered that said bond be recorded,

Attest, Clerk,

C. St. Hart, D.C.

Bond of Geo. W. Britt
Adm^r of Jane E.
Marshall dec^d

A copy,

Marshall W. f. d.

3. 36h.

Britt r.

F. x b. 4. "G"

Feb. 30th

Know all men by these presents, that we
George W. Britt and John C. Thomas are held
and firmly bound unto the Commonwealth of
Virginia, in the sum of five Hundred
Dollars to the payment whereof well and
truly to be made to the said Commonwealth
of Virginia, we bind ourselves and our heirs
Executors and administrators, jointly and sever-
ally firmly by these presents, Sealed with our
Seals, and dated this 1st day of March 1869, and
eight hundred and Sixty nine,

The condition of the above obligation is
such, that if the said George W. Britt who
has this day qualified in the County Court of
Isle of Wight County, as the Administrator
of Jane E. Marshall dec'd. shall faithfully
discharge the duties of his said office, then
this obligation to be void, or else to remain
in full force,

George W. Britt *Seal*
J. C. Thomas *Seal*

In the County Court of Isle of Wight County
the first day of March 1869, The above bond
was executed and admitted to record,

Teste, W. D. Young, Clk.
Attest, Teste,
C. St. Hart, D.C.

Appraisement
of Jane E. Mar-
shall's Estate,

'A'

Dec. 25th.

Appraisement of the Estate of Jane E.
Marshall dec'd, made this 5th day
of March 1869.

To one Bond or Contract of Edgar
Rawls due the first day of
January 1869. } \$225.00

We the Appraisers after being first
sworn did appraise the Estate of
Jane E. Marshall to the best of our
ability and will, Given under
our hands and seals this the 5th
day of March. 1869.

E. Morrison
W. H. Stephenson
W. T. Westwood)

In the Clerk's Office of the County Court
of Isle of Wight County, June 7th 1869.
The foregoing Appraisement was
received and admitted to record,

Teste, C. H. Hart, Clk.
A Copy

Teste

C. H. Hart, D. C.

Estate of Jane
E. Marshall decd

Deceit, with
Geo. W. Brittain,

1911

Fee 40¢

Sum was received after that time, and the statement aforesaid was exhibited in less than six months after the expiration of twelve months from the time the same was so received. The has given such bond as the law requires in a penalty with security ample and sufficient, Given under my hand as Clerk of accounts of said Court, the day and year first above said.

N. P. Young Clerk,

In Seaford County Court, Feby. 5th 1872, The foregoing account & report having been filed in the Clerk's office of said Court for ten days & no exceptions being filed there to was confirmed by the Court, & ordered to be recorded,

Teste L. H. Hart, D. C. for
N. P. Young Clerk,
Attest
L. H. Hart, D. C.

Com^r's Office Esleowright
County, Jan^y, 18th 1872,
To the County Court of Esleowright County,
Your Reports to the Court that on the 1st
Day of June 1871, Geo. W. Britl Adm^r
of Jane E. Marshall exhibite^d be-
fore him a statement of all the mon-
ey he had received become chargeable
with or had disbursed during the peri-
ods embraced in the foregoing ac-
count, together with the vouchers
for the disbursements, That the said
Adm^r was embraced in the list of
fiduciaries whose accts, were before
your Com^r for settlement, which was
posted at the C. H. door on the first
Day of Sept^r Term last, and the date
of this report your Com^r completed
the said acct, on the 1st Day of Feby:
1870, find^s a balance of \$119.²³ due the
Estate. Your Com^r has allowed the
Adm^r Commissions on \$217.²³
received on Execution against
E. Rawls, notwithstanding the said
Statement was not laid before him
within the time required by law
from the date of the administrator's
qualification, because the said

Dr The Estate of Jane E. Marshall decd,
In acct. with Geo. W. Britt her admr,

1869

Mar	1	To paid Moses King for digging grave	2 00		
	5	" " S. G. Boykin Burial Shoes	3 00		
		" " Mrs Dammmond " articles	1 84		
Augt.		" " Alk's fees for admoni. stay	2 45		
		" " Wm H. Thomas act,	1 05		
		" " C. B. Hayden atto, fees, "	10 50		
		" " Mrs Mary E. Chalmers "	14 50		
		" " Geo. W. Britt "	5 15		
		" " Adeline Pe din "	2 15		
Sept.	23	" " Wm G. Rouse for Coffin &c	49 00		
1870		" " Dr Wm D. Southall Medl. "	8 25		
Jan		" " Chas E. Jordan "	34 80		
Feby.	1	" " Alk's fees in suit vs. Rawls, "	3 56		
		" " L. L. Chalmers	3 64		
		" Comm on \$217.23 receipts			
		in part	10 86		
"		" Returned to pay Comr, for this act,	3 00		
		" " to pay Alk for flg. dredg. &c,	1 75		
"		" Balance per Contra	119 23		
1869					
Mar.	24	By this amt. recd of E. Rawls on his			
		written Contract (part)		59 50	
Decr		" this sum recd of E. L. Ely Shff, }			
		being bal. of principal. Inst. &			
		Costs on judgment, vs. said Rawls			
		for bal. of his debt due by Contract		217 23	
			276.73	276.73	

Cop. of order removing
Geo. W. Burt as Gov.
of Lucy C. Marshall,

Marshall p. for

Ex. Bk.

Burt p.

Ex. Bk. 5. "J"

See 30th

In Isle of Wight County Court, July, 1st 1872,

George W. Brill who has been summoned to attend this term to show Cause why Lucy C. Marshall, his ward who is over fourteen years of age, should not be permitted to choose a new guardian, was solemnly called but came not; Whereupon the said Lucy C. Marshall in Court, with the approbation of the Court, made choice of Samuel H. Marshall as her guardian, and thereupon the said Samuel H. Marshall, together with William A. Womble, Alexander Baker and A. Sidney Birdsong, his securities, who justified, entered into and acknowledged a bond in the penalty of \$600,⁰⁰ with condition according to law, ordered that said bond be recorded, no stamp being required,

Attest, Testes,

C. H. Hart, D. C.

Estate of A E
Marshall Dec'd

apc
Geo. W. Britton
apc

Exhibit D

1869

Continued

Am't Brought forward \$312.23

Jan	17	1 lb Butter	30
"	"	1 Quart Beans	10
"	"	1/2 Doz Eggs 20	30
18	"	2 lbs Coffee 30	60
"	"	4 " Sugar 20	80
"	"	1 " Crackers	17
"	"	12 1/2 " Flour @ 8	1 00
19	"	1/2 Bu Meal @ 125	63
"	"	2 Doz Eggs 20	40
20	"	50 lbs Flour 9	4 50
"	"	1 Hen	50
"	"	6 lbs Bro Sugar 15	90
"	"	2 " Butter 30	60
"	"	2 Doz Eggs 20	40
22	"	2 Hens 50 ^{ct}	1 00
"	"	1 Bar Soap	10
"	"	1/2 gal Kerosene Oil	25
Feb	11	3 1/2 lbs Butter @ Comitted	75
"	"	" Bro Sugar 15	1 05
23	"	2 Doz Eggs 18	36
"	"	1 Lot Bones	1 12
24	"	2 1/2 lbs Butter 30	75
25	"	1 Turkey 9 lbs @ 15	1 35
"	"	1/2 Cord Wood	2 00
"	"	1 lb Paper	15
"	"	2 Doz Eggs 18	36
26	"	1 Turkey 8 1/2 lbs @ 15	1 24
"	"	1/2 Bu Meal @ 125	31
"	"	2 lbs Coffee 30	60
"	"	1/2 " Tea 200	50
27	"	2 Doz Eggs 18	36
"	"	Flour " Sugar "	1 60
"	"	1 paper ^{Hay} pins	10
Mar	1	1/2 Bu Meal @ 125	31
"	"	Flour	1 00
"	"	1 Load Wood	75
		By amt in house at death	2 315
		" Cash taken in	1 875

339.664190

amt due by Wm Bull \$ 2 97 1/4

Aug 7th 1869 Charles W Bailey
personally appeared before me
and subscribed to the correctness of
the within account
Wm Van Dusen (J. P.)

1869 Estate of J. E. Marshall (Deceased)
In ace with G. H. Britt

January 30	To Bal Due G. H. Britt	272.77
Feb 1	1 per Hens	50
" 2	lbs Butter 50	1.00
3 " 2	" " 50	1.00
"	Soap	16
4 " 2	per Shoes 75 ⁰⁰ 125	2.75
" 1	Spare Coat	06
" 6	lbs Dry Sugar @ 4-	1.00
" 1/2	Cord Wood	2.00
5 " 2 1/2	lbs Butter 50	80
" 1	Hens	40
" 1	Cook 300 1/2 Du Meal 125 ⁰⁰	3.63
"	Buttons & Hooks & Eyes	16
" 1	Box Eggs	25
6 " 2 1/2	lbs Sawage @ 4-	1.07
" 1/2	gal Kerosene Oil	2.50
" 2	lbs Coffee	60
" 1	Box Essence Coffee	10
" 1	Cord Wood	4.00
" 4	lbs Crushed Sugar	80
" 1	" Crackers	17
" 1	Yurkey	1.25
8 " 2	lbs Butter 50	60
" 2	Box Eggs 25	50
10 " 2	Hens 40	80
11 " 2 1/2	lbs Butter 50	75
" 1	" Sugar 15	1.05
" 2	Box Eggs 25	50
" 1/2	Du Meal @ 125	63
13 " 2	Chickens 40	80
" 2	Box Eggs 20	40
15 " 1/2	lb Green Tea 20	50
" 1	Hens	40
" 1	Cord Wood	4.00
16 " 20	lbs Flour 8	1.60
" 2	Butter 50	60
" 1	Coffee per Box & Pen	12
" 1/2	Du Meal	50
" 1	Pair Chickens	3.25
" 2	Box Eggs 20	1.00
"	Kerosene Oil	23
"	Hens	40
	Over	\$ 312.23

Continued
Am't Br'd for'd

1 Table & Cover
24 lb of Coal
1 Rug
4 Chairs
1 Wash Stand
4 Chambers

Kenny Garnett	45
Wm S Rouse	1.55
M A Bailey	4.50
Wm H Stimpson	80
Wm S Rouse	5.00
J T Vail	1.60
	<u>\$508.81</u>

H. D. Westrop
Clerk

Account of Sales
at Hotel
March 2nd 1869

Continued

Ant Brat for's

Wash Bowl & Pitcher	Wm W Jordan	1.00
1 Broken Mirror	Willie Wilson	10
2 Chains	G W Britt	50
Flour Bbls & Contents	Wm J Westwood	60
Sard Keg & Remijhon	J C Thomas	45
Box & Contents	do do do	75
1 Keg Sard	James A Brown	4.00
1 Stone Churn	James Mathews	75
1 Large Jar.	C H Warden	1.00
3 Stone do	Geo W Thomas	20
1 Flour Sino	Thos H Johnson	50
1 Brass Kettle	Wm W Jordan	4 62
1 Stone Jar	Geo W Wilson	30
Contents of Stone Room	Wm J Westwood	10
1 Pr Scales	Geo W Thomas	50
1 Bird Cage	Willie Wilson	05
1 Child's Runing Chair	Wm E Rouse	25
1 Pr Domestic Sheets	J T Purvis	1 75
1 do Blankets	do do do	3 00
1 " do	Wm J Jordan	3 25
1 Counterpane	Wm J Eptonson	3 75
1 Blue Blanket.	J T Purvis	4 20
Bed Ticking	Wm E Rouse	4 25
1 Pr Table Cloth	F J Vail	1 50
1 Long do Cloth	do do do	2 10
1 Pr do do	Wm E Rouse	80
1 Hammock Table do	Wm J Jordan	3 75
4 Window Curtains	J H Marshall	5 00
1 Bed Quilt no 1	J T Purvis	5 00
1 do do " 2	Wm J Eptonson	1 00
1 Pr Blankets	Leop Bidgood	2 60
1 Lounge	J H Marshall	4 25
		494.91

Continued

Am. Bro't Good

1 Stove in E Jordan ^{Room}	275 13
1 Lamp	F T Vail 6.00
1 B. Matting	Henry Garnett 11
1 Rag Carpet	J M Hancock 60
1 Wardrobe	J E Edwards 3.00
Bed Bedstead &	do do do 17.25
Water Bucket &	J A Brown 30.50
1 Pine wash stand	Wm W Jordan 85
Bed Bedstead &	Leafe Bidgood 25
1 Looking Glass	Miss Fannie B Jordan 39.25
Wash stand & Board	Wm V Stephens on 3.00
Water Bucket	Wm F Jordan 1.75
2 Window Curtains	James H Whitworth 20
3 Chairs	Wm J Westwood 1.00
1 Pr. And Irons	Geo W Thomas 1.20
1 Broom	F T Vail 0.60
1 Bed Bedstead	J A Mitlington 25
1 Small Bed & Bedstead	Amr Whitmore 28 10
1 Pr. Brass And Irons	J N Hancock 11.00
1 Wash Stand	F T Vail 1.00
1 Mirror	do do do 1.05
2 Chairs	Milly Tynes 1.20
1 Pr. Sings & Matting	F T Vail 70
1 " Curtains	J N Hancock 50
1 Candle Stand	Wm J Westwood 50
2 Chairs	Nat Henry 70
Basket Chest &	do do 2.20
1 Pr. Cotton Cards	Wm J Westwood 45
Old Wardrobe	Wm B Milby 25
Wash stand & Board	Geo W Drift 85
1 Mirror "Small"	F T Vail 1.00
Bed Bedstead &	Wm J Westwood 40
	Milly Tynes 7.00
	\$431.04

Continued

Aunt Brit forward

1 Ironing Table	J R Briggs	40
2 Tables & Desk	J N Hancock	30
1 Buggy	Wm B Milby	29 50
1 Hag Pen	E E Jordan	45
1 Saty Manure	E W Britt	3 10
2 Benches	Jas R Johnson	20
1 Parlor Carpet	W Henry	8 75
1 Center Table	M J Sanchonao	11 00
1 What Nat.	J M Shepherd	5 25
1 Gilt Frame Mirror	do do	15 00
1 Pr Toys Cats	" "	3 25
1 Sofa	Wm F Jordan	14 50
1 Marble Slab Table	J L Edwards	8 00
1 Lean bottom Rocking Table	E E Jordan	4 10
1/2 do " Chairs	G J Helms	7 20
1 Back Sammon Boy t.	J M Shepherd	1 00
1 Piano	James Thomas	55 50
1 Pr Round Lamps	F J Vail	7 60
1 " Tag do	Lucy Marshall	25
1 Stick Rocking Chair	Jas R Edwards	1 30
3 Parlor Curtains	Wm N Stephenson	1 35
2 Pictures	J L Edwards	1 25
2 Fly Brooms	M A Bailey	60
Oil Cloth	F J Vail	2 60
1 Parago Lamp	J L Edwards	1 35
1 Coal Scuttle	E Morrison	55
1/2 doz Arm Chairs	J M Shepherd	7 80
1/2 " " do " 145	Wm F Jordan	8 70
8 Sables	J M Shepherd	2 00
2 Batches	J R Edwards	30
8 Wine Glasses	J M Shepherd	1 04
3 Candle Sticks	J A Whitmarsh	35
1 Set Castons nos	J L Edwards	3 00
1 do do " 2	J A Fuller	2 10
		223 57

Continued

Aunt Brit forward

1 Black Tin Coffee Pot.	J M Shepherd	1 00
1 Doz Knives & Forks	Geo J Helms	12 00
1 Carving Knife & Fork	F J Vail	2 10
Waiter Spoon & 3 Knives	E J Holland	20
3 Large Dishes	J L Edwards	1 50
3 Small do	J R Edwards	2 50
8 Plates & Dish	Wm J Westwood	55
1 Doz Salt Sits	Wm F Jordan	1 00
1 do do do	Wm F Jordan	30
3 Sugar Dishes Pitcher &	do do do	20
Waiter & Contents	J E Millington	1 95
Gravy Dish &	J A Fuller	35
Salt Crockery	do do do	70
2 Tumbler Glasses	Wm F Jordan	55
1 Doz Large Dinner Plates	E A Darden	1 25
1 " Small " "	J A Brown	1 00
1 " Breakfast " "	do do do	90
2 Oyster Dishes	J A Fuller	1 00
1 Pine Dining Table	Geo J Helms	1 00
1 Cherry do	J A Pruden	4 50
1 Water cooler	J M Shepherd	3 05
2 Jars & Cake Pan	J A Brown	50
1 Kew John	Thos U Penhoun	25
1 Dish Tin Pan &	Geo W Wilson	20
1 Coffee Boiler	Wm J Westwood	35
1 Tea Pot	J A Fuller	55
1 Pr Pitcher	Wm F Jordan	2 00
1 Small Bow	J A Fuller	25
1 Coffee Mill Grater &	Geo W Wilson	15
1 Side Table nos	Wm N Stephenson	80
1 do do " 2	F J Vail	85
1 Safe	Jas A Brown	5 25
1 Parlor Stone	F J Vail	2 75
1 Dish Cover	E W Britt	1 01
		275 13

An account of Sales of the property
of Mrs Jani E. Marchand decd. Agt for
Geo W. Britt at the Hotel in Smithfield
On the 2nd Day of March 1869

1 Bbl. Ashes & Back	Wm T Westwood	40
2 Vinegar Bbls & Jug	Thos W Pinhorn	50
1 Water Hh & "	Wm T Westwood	60
1/3 Bbl. Macaroni	Wm G Rouse	2 75
1 Fryer & Dags & Bbl	C E Jordan	1 05
1 Bbl Ashes & "	Wm T Stephenson	45
1 Sausage	Geo T Helms	35
2 Axes	Willis Wilson	50
1 Wheel Barrow	Geo N Baugh	3 50
2 Pat Hoes & Fork	C E Jordan	53
1 Grub Hoe & Spade	Wm T Westwood	15
Wood Saw & Honed	do do	50
Measures & "	Geo T Helms	25
Pat Tracks	J N Pruden	50
Fine Saws & Warfile Iron	do do	25
And Irons & Griddle	C E Jordan	30
2 Ovens & Pot	Wm T Westwood	50
Oven " & "	Thos W Pinhorn	70
2 Spiders & Skillet	Wm B Milby	80
Frying Pan & "	Moses Chapman	60
Two Little Stew Pans	do do	50
1 Large dinner Pat Hook & "	Thomas W Pinhorn	1 30
1 Jug	J N Pruden	10
Jug, Basket & Coffee Mill	J A Fullmer	20
2 Washing Tubs	F J Vail	1 05
3 Water Buckets	C E Jordan	65
Frying Pan & "	Marcha Baykin	45
3 Sausage	Wm T Stephenson	90
Tin Pan & Bucket & "	James A Brown	10
Tin Pan	Wm F Jordan	50
		20 93

Robert W. Marshall

$$\begin{array}{r} 10.71 \\ 2.25 \text{ off} \\ \hline 8.46 \end{array}$$

~~$$\begin{array}{r} 10.00 \\ 8.46 \\ \hline 1.54 \end{array}$$~~

$$\begin{array}{r} 10.00 \\ 82.07 \\ \hline 7.54 = \\ 8.46 \\ \hline 10.00 \end{array}$$

2" Mr. *Robert L. Marshall* Agt. for
 1861. To T. J. CLEMENTS Sheriff of Isle of Wight County,

Geo. W. D. Price

To	tax on	acres land, value \$	
"	"	1 white males over 21, at 80cts,	80
"	"	free negroes " " at 80cts,	.
"	"	2 slaves over 12, at \$1.20,	2 40
"	"	personal property, moneys, &c, value \$562	2 25-
"	"	1 county levies at \$1.08, (white)	1 08
"	do do	(F. N.)	.
"	2 do do	(slaves)	2 18
"	Clerk's fees, \$	... Commissioner's fees, \$	
"	Militia fines,		2 00

Received payment,

T. J. Clements \$10.71
" 25th "

Robert D. Marshal

#2

Capt. Saunders &

6/11
6/12
6/13
6/14
6/15
6/16
6/17
6/18
6/19
6/20
6/21
6/22
6/23
6/24
6/25
6/26
6/27
6/28
6/29
6/30

Isle of Wight County, October the 20th 1860

First Battalion Court of Enquiry for the 29th Regiment.
Ordered that Nichols D. Marshall two dollars be fined for not
attending Muster on the 13th of April 1860

Lunius Mills Clerk.

Ypsilanti
Plant

1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900

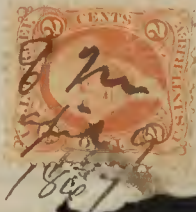
July 4th 1867 Recd of
Geo^r W Butte Seventy five
dollars in part for the
rent of the farm called
K K Chapman for the
year 1866



J. E. Atkinson

April 5th 1858 Recd of G. H. Britt
one hundred and fifteen dollars in full
for a horse bot. by H. D. Marshall
Davis Edwards

April 9th 1867 Recd of
Geo W Bull Sixty-dollars
in full for first yr rent of
Elysee Hotel for this year
E. Morrison



1
Hotel Kent 18th Feb.

July 1st 1867 Recd of
Geo. W. Brille Two Hundred
dollars in full for rent—
Eagle Hotel in Portland
for year 1866

E. Morrison

Hotel 1869

July 2nd 1867 Recd of G W Bull
Sixty-dollar invoice for second rent
of Cape Hotel up to July 1st - 1867



E. Morrison

C. Morrison for
Rent

3

July 3rd 1869 Recd of J W Brit
Thirty seven dollars and 00 cts for
second quarter rent Eagle Hotel
Smithfield ending June 30th 1869



E. Morrison

E Morrison

Recd -

Hotel 1869

4

April 1st 1869 Paid of
Geo. W. Brill Thirty seven
dollars and 50 cts for first
printer sent of notes up to
present —

E. Morrison

C. Morrison
vs
J. E. Marshall

Hotel Rec. 21869
\$157.⁰⁰

Received of Geo W Britt Thirty Seven
dollars and Fifty cents (37.50)
in full for rent of Hotel up to
January 1st 1870 E. Merriam



J. E. Marshall
C. Morrison

2

Stone
Knewstark
1 Bl flower
2 bird seeds
2 matchboxes
3 small look glass
5 gal whis
1 ~~Box~~ ^{Box} Banglaphy

205

231

25

201

R L Marshall Agt J. W. Burt -
In ac with L. White -

1	Table Folding	3 75	
1/2 doz	odd Tumblers - 2 of ea	1 32	
1	Glass Pitcher.	1 50	
1	Cot Sheet.	1 50	
1	do.	1 65	
1	doz Napkins 2 of ea -	2 40	
7/12	do 12 of ea	84	
1	Pillow Slip	38	
	Foot Rug.	95	
	Wash Stand Napkin &c -	2 25	
	Wardrobe.	10 00	
	Set of Towels	1 50	
	Comfort.	3 50	
	do	4 25	
	Hat Rack	5 75	
	Tans & Sewing Machine	2 40	43 94
40 1/2	Pds of Honey at 19¢	7 69	7 69
July 11/56	Rec'd Payment		\$ 51 13
	C. B. Hayden		



Robert Marshall

1804

$$\begin{array}{r} 9.2 \\ \hline 116 \\ 34 \\ \hline 72 \\ - 2 \\ 2 \\ 91 \end{array}$$

24

Mr. Robert W. Marshall *ap. fu*
sub. vice

1862. To T. J. CLEMENTS, Sheriff of Isle of Wight County, Do

To	Tax on	Acres land, value \$	DOLLARS.	CTS.
"	"	/ White males over 21 years of age,	1	20
"	"	White males above 16 years of age,		
"	"	2 Slaves over 12,		
"	"	Male free negroes above 21 at		
"	"	Male free negroes above 16 at		
"	"	Personal property, moneys, &c., value \$1550	9	30
"	"	/ County levies, at \$ (white)	1	27
"	"	do do " (F. N.)		
"	"	/ do do " (slaves)	1	27
	Clerk's fees, \$	Commissioner's fees, \$		
	Militia fines,			
	Received Payment,			
			9	13 04

Sheriff.

Geo W Britt Deputy.

This bill I got - at
Carnival when R.D.
Marshall was sold out
and loaned to me
Marshall

G W Pratt

George Brill & Corvill	
Iron chain	f .37 1/2
Lot of gear	.40
1 cart	4.00
for divans	16.50
1 candle stand	1.62
1 table	2.00
bed & furniture	25.50
1 do.	14.50
"	1.00
1 table	.37 1/2
1 glass	.50
table &c	.35
Wash stand, bowl & pitcher	.35
Chest	.77
1 glass pane	.07
10 yd. Swiss 15¢	1.50
Lea set	5.15
11 yd. Muslin 13¢	1.43
1 pr. plates	2.90
1 table cloth	.35
"	.25

17.99
 1.53
 19.52
 carried over
 The F. B. B. B. B.
 (M. B. B. B. B.)

Brith

} Ch

etc.

Marshall

Receipt. 1. folio with

Depos. taken ^{up to} 7. April, 74



\$30.20



I Number 30 1867

Trinity Camp after date I promise to pay
to the order of J E Marshall all amt for G W Bull

~~Thirty Dollars and 20,00~~ Dollars
at

Value received.



Lane
W. H. Stephenson

No.

Due

1866 July 1st
 Recd the within of payment
 in full
 E. L. Ely Sheriff

45-53
 33-53
 109 187

1384

6500

8000

18800

2000

10000

5100

1800

360

2500

616.14

1166

228.10

3000

658.10

Islesworth County to wit

The Sheriff of Islesworth County
will receive of Robert D Marshall Agent for G. B. B. B.
the sum of Thirteen dollars and 34 Cents of said by me
as Commissioner of the Revenue for the County aforesaid
for the privilege of keeping an ordinary or house of public
entertainment in the Town of Smithfield in said County
until the 30th day of April 1866

1st day of Jan'y 1866
Licence Tax \$13.34
Com for 50^c

Given under my hand this
Junius Mills Com of Rev for
Islesworth County

Sept 1880

X

9 W Bute 2 gullars 10 88

18
18
200

60
40
45
45
45
45

20
20
20
20
20
20

315
255
255

915

M^r R D Marshall agt

1866

to W. H. Stephenson,

April 23 20 4 Chickens 3/- 2 00

June 8 3 " Butter 40 1 20

1 Dr. Flour & shorts 5 00

July 19 1 " Butter 40

31 1 " " 40

Aug 30 50 " Bacon 20 10 00

Sept 39 " " 21 8 19

By Cash 10 00

Nov 6 20 2 " Cheese 28 56

" Cash 25 00 25 00

By 587 " Payments 10 58 70

1867
July 7 120 2 Doz Eggs 30 60

1867 To 13 1/2 gal Brandy 68 70 53 35
April 10 Cash to pay bill 38 65 54 00

W. H. Stephenson

53 35
157 35

R D Marshall Dr list for G W Britt
To W D Folk

1866

Sept 15- To 1 set double harness \$ 5-0.00
" 1 skum silk

20
5-0.20

Feb 6th 67 Recd payment in full of G W Britt
W D Folk



Aug 15th 1868

Paid Seventy
dollars) 70) on
this bond
G W Butte

James Wells

Spa

Aug 15th 1868
G W Butte
paid on the
bond



No. _____

Due

\$107.00
107/100

December 30th 1867

Ninety days after date to promise to pay
to the order of Geo. W. Brett

~~One hundred and seven~~ Dollars
at

Value received.



Junius W. [unclear]
Joseph L. [unclear]
[unclear]

Van's Books

A

Mat
M. C. C.
2014

Wm. L. L. - March 12/88

one dollar 05

I have paid twenty thirty & fifty cents

Cent for name used given under my ~~name~~
given given by ~~me~~
I have this the above due

Robt Marshall

Entered by drawing to the western name S. H.
Marshall. Broth. Burt & John L. Thorne a true
copy of the western common May 5-1873
L. B. Edwards D.D.

Marshall pr. fd.

no. $\frac{2}{3}$ Cons. Notice

Brett talv.

246th of May 1873.

✓

L. B. Edwards	11 ✓
T. T. Tail	— 1 ✓
W. H. Stetson	— 1 ✓
R. O. Puffer	— 1 ✓
M. J. Henry	— 1 ✓
~~S. H. Hearn~~	
Am. M. Marshall	1 ✓
Rev. W. Shepherd	1 ✓ 1/2 m
J. T. Cleary	1 ✓

3
Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

April 30th 1873.

To *Samuel H. Marshall guardian and next friend*
of Lucy C. Marshall, an infant;

Plaintiffs,

And

To *George W. Britt late guardian of Lucy C.*
Marshall and as admr. of Jam E. Marshall decd;
and John C. Thomas

Defendants:

You are hereby Notified, That I have fixed upon the *16th* day of
May next. if fair, if not, the next fair day thereafter, (Sunday
excepted), to take and settle, at my office aforesaid, the following accounts:

- 1st. An account of the transactions of George W.*
Britt as late guardian of Lucy C. Marshall
Ind. An account of the transactions of George W.
Britt as admr. of Jam E. Marshall decd.

In taking which said two accounts the Commission
will take the accounts heretofore recorded as prima
facie correct, subject to be surcharged and
foolified.

Required to be taken by decree of Isle of Wight ~~County~~ Court, rendered on the
17th day of *April*, 187*3*, in a suit in chancery depending in the
said court, in which you are Parties, Plaintiffs and Defendants, at which time and
place you are required to attend.

Given under my hand as Commissioner of the said Court, the day and year
first aforesaid.

A. P. Young

Commissioner.

et. et. et. p. 36

Man full per fd,

W. H. f. a.

W. H. f. a.

To Decr 1874,

Kelly, p. 1,

came to hand the 19th
of October 1874,

L. B. Edwards, Stff.

7 Copy of Execution
and the Sheriff's
return thereon.

List,

J. H. Hart, Deputy

L. B. Young, Clerk.

W. H. f. a.

W. H. f. a.	16.00
W. H. f. a.	11.27
W. H. f. a.	5.50
W. H. f. a.	5.00
W. H. f. a.	.60
W. H. f. a.	46.10
W. H. f. a.	2.00
W. H. f. a.	.80
W. H. f. a.	.98
W. H. f. a.	.80
W. H. f. a.	1.00
W. H. f. a.	.50
W. H. f. a.	.50
W. H. f. a.	.50
W. H. f. a.	.50

90.41

I have this no property to carry this execution on,
except such as is in the hands of W. H. f. a. as a
secur. in the property of W. H. f. a. which have been
provided for in the order of Judge Stanger,
of the 19th of October 1874, and the return of
the 19th of October 1874.

L. B. Edwards, Stff.

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT—GREETING:

We command you that of the goods and chattels of George H. Britt

late in your bailiwick, you cause to be made the sum of Eight hundred and forty four cents with interest thereon from the 1st day of January 1870 till paid, and also the sum of \$204.23 with interest thereon from the 1st of July 1872, till paid. Which Lucy S. Marshall for Samuel H. Marshall her next friend by decree in Chancery

lately in our Superior Court of the County of Isle of Wight, recovered against him

for debt, also the sum of Ninety Dollars and 41 Cents,

which to the said Marshall for in the same Court were adjudged

for her damages, as well by reason of detaining the said debt, as for her

* cost in that suit expended, whereof said Britt is convicted as appears to us

of record; and that you have the said debt and ^{Cost.} ~~damages~~ before the Judge of our Superior

Court, at the Courthouse, on the first Monday in December next, to render unto the

said Marshall for of the debt and ^{Costs} ~~damages~~ aforesaid.

And have then and there this writ.

Witness NATHANIEL P. YOUNG, Clerk of our said Court, this 15th day of

October A. D. 1874, and in the 99th year of the Commonwealth.

N. P. Young, C. C.

Lucy C. Marshall
per friend.

vs.
R. J. Thomas
Assignee in Bankruptcy
of Geo.
W. Brill.

R. J. Thomas assign. in
Bankruptcy of Geo.
W. Brill.

Do. Prob. Ct. ct. 1874.
Excerpts by Nelson
to the within named
R. J. Thomas Assign. in
Bankruptcy of Geo. W.
Brill. a true copy
of the within Decis facis
Dec. 22. 1874.

A. B. Edwards Secy.

that although decree has been rendered as
aforesaid, yet execution of the debt, interest
and costs aforesaid still remains to be made.
Therefore, at the instance of the said Lucy C.
Marshall by Samuel H. Marshall her next friend as
aforesaid, we command you that you make known
to the said R. J. Thomas, Assignee in Bankruptcy
of the said George W. Brill, that he be before the
Judge of the Circuit Court of the county of Isle
of Wight, on the first day of February term next,
to show if he has any thing to say, why the said
Lucy C. Marshall by Samuel H. Marshall her next friend
ought not to have execution against him the said
R. J. Thomas as such Assignee in Bankruptcy as
aforesaid, of the debts, interest and costs aforesaid
to be paid of the goods and chattels which were
of the said George W. Brill at the time of his being
declared a Bankrupt, in the hands of the said
R. J. Thomas to be administered And have then there
this writ. Witness A. B. Edwards, Clerk of our said Court
at the Court house, the 10th day of December, 1874, in
the 99th year of the Commonwealth.

A. B. Edwards

The Commonwealth of Virginia to the Sheriff of
Isle of Wight county, greeting: Whereas Lucy B.
Marshall by Samuel H. Marshall her next
friend, at a Circuit Court held for the county
of Isle of Wight, at the court house, on the 9th day
of October, 1874, by the decree of the said Court,
recovered against George W. Britt Fifteen
Hundred and Eighty Nine Dollars and Forty
Four cents, with legal interest thereon from the
1st day of February, 1870, till paid; and also
Two Hundred and Four Dollars and Twenty
Three cents with legal interest thereon from the
1st day of July, 1872, till paid, for certain debts,
and the interest thereon, and also \$90.41 for
her costs by her about her suit in that behalf
expended; whereof the said George W. Britt is
convicted, as by record thereof in our said Court
manifestly appears. And whereas it appears
that subsequent to the institution of said
suit in which the said decree was rendered
in favor of the said Plaintiff against the said
Defendant George W. Britt, he, the said George
W. Britt, has been declared a Bankrupt, and
by the order of the District Court of the United
States for the eastern district of Virginia, St. J.
Thomas has been duly appointed Assignee in
Bankruptcy of the said George W. Britt a Bankrupt.
And now, on behalf of the said Lucy B. Marshall
by Samuel H. Marshall her next friend, it is said

Marshall per f.d. 6

185. 3 Sci. facs.

R. J. Thomas apur. in Bank
ruptcy of Jns. C. Thomas.

✓
To July, cir. ct. 1875.

✓
Excerpts by telecomming
to the within name

R. J. Thomas apur. of
in Bankruptcy of J. C.

Thomas a true copy of
the within Dues facias

Dec. 22. 1874

J. B. Edward Stiff

Life

2.

To Adm. Cr. 18th 5.

Kilby Reg.

Sumner April 19
1873-

L. B. Edwards Shiff

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *R. S. Thomas a foreigner in*
Bankruptcy of John C. Thomas.

Court House before the Judge of
to appear at the ~~Clerk's Office~~ of the Circuit Court of Isle of Wight County, ~~at Rules to be taken for~~ the said
Court, on the first ~~Monday~~ *day of April* next to answer *term 1875*, to show
cause why the decree in favor of Lucy C. Marshall
has been against Geo. W. Bitt. *rendered at Oct. term*
1874, should not be reversed against him as
such a foreigner

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *16th* day of
April 1875, in the *99th* year of the Commonwealth.

N. P. Young Clk.

3

all arch all for fl.

to. { Sum. to
 { Pleow Court

Thomas R. S. afew.
of Brill.

Do Apl. Ct. 1845.
Kelly for

Specified by returning
to the within named
R. S. Thomas a true
copy of the within
Summary April 19th
1843-

L. B. Coward Shff

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *R. J. Thomas apigneu in*
bankruptcy of George W. Brill

Court House
to appear at the ~~Clerk's Office~~ of the Circuit Court of Isle of Wight County, *before the judge of* at ~~the place to be holden~~ the said
Court, on the first ~~Monday~~ *first day of November* *April* term 1875,
to show cause why the decree of October Term
1874, in favor of Lucy C. Marshall for fund
against said Geo. W. Brill should not be reversed
against him as such apigneu.

And have then there this writ.
of a plea of *error* for \$ *1000* Damages \$ *1000*

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *16th* day of

April 1875, in the *99th* year of the Commonwealth.

N. P. Young Clk.