1878-10 Southampton County – Chancery Bryant, Charles E Comm'ts &c Gardner Mynick – et als

"In suit properly" belonging to Charles E Bryant

James R. Bryant, Commr'ts for Charles E. Bryant

George W. Prince
Joseph L. Barham
Rufus E. Gardner
James J. Gardner
James D. Gardner
Wm. A. Mynick
Joseph B. Pope

Charles E. Bryant's Committee

vs

Darden & Myrick et al

Bill & Exhibits

1877 April Rules

To the Hon George Blow –
Judge of the Circuit Court of Southampton County

Humbly complaining shew unto your Honor, your Orator ~~and Relator~~ Jonas R. Bryant, Committee of Charles E. Bryant of said County, and respectfully represents as follows:

That at the January term of the County Court of said County 1877, your Orator was appointed a Committee of the said Charles E. Bryant, a person of unsound mind, as will be seen by a copy of the order made by said Court and herewith filed, (Marked A) & prayed to be Considered as part of this Bill

That since qualifying as such Committee, your Orator has had charge of the whole estate of the said Charles E. Bryant, which consists of a small tract of land, of which the said Charles is only tenant by the curtesy, ~~as a small quantity~~ worth but a few hundred dollars, and a small quantity of chattel property, ~~but little~~ perhaps not as much as ~~beyond more than~~ is Exempt by the statute for the protection of poor debtors –

Your Orator alleges and believes that the said Charles E. Bryant, who is the brother of your Orator, has been incapable of managing his estate or of legally disposing of the same or of making any Contract in relation thereto for the last twelve months or more, because of softening of the brain, imbecility and general weakening of the mental faculties ~~which~~ from some cause or causes unknown to your orator.

But notwithstanding this unfortunate condition certain persons hereinafter named did during the last year, 1876, procure from or cause to be executed by the said Charles E. Bryant instruments of writing by which all or nearly all

of the little property of which the said Charles was possessed, was granted and conveyed away - as follows:

On the 18th September 1876, a writing purporting to be a Deed of Trust executed by the said Charles E Bryant was recorded in the Clerk's office of the County Court of this County which granted to Roswell S. Majette as Trustee certain chattel property, but the said Majette having refused to act as such Trustee, Joseph B. Pope was, at the February Term of the said County Court '77, substituted as Trustee in place of the said Majette — A Copy of the said Deed of Trust (marked B) and of the said Order last-named (marked C) are herewith filed as part of this Bill -

The said Deed of Trust, you know will perceive, conveys the entire Crop of Corn, Cotton & fodder which the said Charles E Bryant might make during the year 1876, on the land which he then had in Cultivation, In trust, to secure the payment of a bond of even date with the said Deed of Trust, viz: September 8th 1876, due to George W. Rince for three hundred & fifty dollars

On the 19th September 1876, another paper writing purporting to be a Deed of Trust executed by the said Charles E. Bryant, was recorded in the Clerk's office of the County Court of said County, a Copy of which is herewith filed (marked D) as part of this Bill -

This last-named so-called Deed of Trust conveyed to Rufus E. Dorden Trustee all of the Surplus of the proceeds from the sale of the property before conveyed (after paying George W. Rince's said debt of $350) all of the grantors hogs, about 20 - his entire Stock of cattle 7 or 8 in number - together with all other chattel estate which the grantor might have & which was not conveyed in the Deed of Trust before that time made, to secure G.W. Rince -

This last-named Deed (D) in which Rufus E. Darden was named as Trustee, secured one bond due to James I. Darden, for $66.80 cents, one freight bill for 35 cents & $2.50 cents for recording the Deed of Trust, - one bond due Darden & Myrick for $10.74 cents, dated May 8th 76, - another bond due same for $18.59 dated September 19th 76

On September 28th 1876, there was also another paper writing recorded in the Clerk's office of the County Court of said County, purporting to be a bill of sale executed by the said Charles E. Bryant by which he sells & conveys to the said George W. Rince & Joseph L. Barham all of the balance of his crop of peanuts, after satisfying the amounts due to Jamis J. Darden and to Darden & Myrick secured by the last-named Deed of Trust A copy of the said Bill of sale is herewith filed (marked E) as part of this Bill —

Some time during the month of February '77, The said George W. Rince and the said Joseph L. Barham, as your Orator is informed did go or send to the house of the said Charles E. Bryant without the Consent of your orator and take therefrom, a quantity of pea-nuts, perhaps about forty or fifty bushels, of the probable value of one dollar per bushel, the property of the said Chs. E. Bryant

This they did, as your orator presumes ~~under~~ by virtue of their so-called right under the said Bill of sale —

And further, on the 9th day of ~~January~~ ~~the month of December~~ or January last, the said Rufus E. Darden, acting as Trustee as aforesaid, did sell at public auction, all or a considerable part of the chattel property mentioned in Deed of Trust D —

The said Joseph B. Pope, substituted Trustee in Deed of Trust B, has not as yet proceeded to sell under the same —

Your Orator expressly alleges & charges that the said Charles E. Bryant was at the time of executing all of the said bonds, and at the time of contracting the debts upon which those bonds were founded, and at the time of making the said two Deeds of Trust (marked B & D respectively) and at the time of entering into the said Bill of sale (marked E) was wholly incapable in mind of making any contract whatsoever, and that all of the said acts, agreements & contracts ought, in equity and good Conscience, to be declared null & void and of no effect. Your Orator can not specifically charge that the said parties before-mentioned were themselves aware of

the mental incapacity to contract on the part of the said Charles E. Bryant, at the time they made their several contracts with him, but nevertheless such was the fact, and their dealings with him operated as a fraud upon his rights and the rights of his wife and children and ought to be revoked, - for such incapacity was known and observed by all or nearly all of his other neighbors, who had any association with him.

Furthermore, the said Rufus E. Dawson after but before selling the same advertising the property mentioned in the Deed of Trust in which he was Trustee, had a written notice delivered to him on January 4th '77 ~~before selling the said property~~ by your orator, warning him not to proceed to sell, and stating in the said notice that a suit would shortly thereafter be brought, for the purpose of having the said Deed of Trust declared void, on the grounds herein-stated — but this notice was given before any Committee had been appointed & hence no Injunction was obtainable.

It will be therefore seen by your Honor, that the said Chas. E. Bryant did, whilst in a condition of mind which rendered him incapable of making any contract whatever, which should legally bind him, enter into these said several contracts, which have or may strip him (helpless as he is, with a wife and several minor children equally helpless) of every source of subsistance, except the small pittance which may be exempted to them by the Poor-debtors Exemption Law, if by chance he should Still happen to have any of the articles exempted by said Law; for even their little home, with its humble Shelter may possibly be yet taken from them, if any of the bonds before-mentioned Should waive the right of homestead. This small piece of land was given and devised by Wm Carr in her last will & Testament to the wife of the said Chas. E. Bryant, which said wife was then a minor & unmarried, for and during her natural life, & at her death then to the children of the said wife - A copy of Wm Carr's will is herewith filed (marked F.) as part of this Bill.

Your Orator therefore, being without remedy, save in a Court of Chancery as this Honorable Court is, humbly prays that your honor would make the said George W. Rince — Joseph L. Barham — Rufus E. Darden (Trustee) James I. Darden — James D. Darden & Wm. A. Myrick, (merchants & partners trading under the style of Darden & Myrick) and Joseph B. Lowe (Trustee) parties defendant to this Bill and require them to answer specially & fully on oath its allegations — that the said Rufus E Darden (Trustee) may be required to render an Account showing the amount ~~of~~ for which the property sold by him as such Trustee was sold — in order that the said amount may be refunded by him to your Orator — and if it has been paid over by the said Rufus E Darden to state that fact + in that case the said James I. Darden & Darden & Myrick may be required ^ to refund the same to your orator —

That the said George W Rince & Joseph L. Barham may be required to state the quantity & value of the pea-nuts received by them from the said Chs E. Bryant's house in the month of February '77 — that the said George W Rince may be required to state how much cotton or other property he has received towards the payment of the bond for $350.00 cents secured to him in the said Deed of Trust — that such accounts may be ordered as may be necessary

That the said two Deeds of Trust & the said Bill of Sale may be declared void — that the debts pretended to be secured by the said two deeds of Trust may be declared void — that the parcel of land devised by Mrs Jane Corr in her will may be settled upon Mary Jane Bryant, formerly Corr, the wife of the said Charles E. Bryant & her children which she may now have or may hereafter have lawfully begotten, to their separate use & benefit —

That your honor would grant such other & general relief, the premises considered, as equity may dictate & the nature of the case may require — And, as in duty bound, your orator will ever pray &c

May it please the Court!

Jonas R. Bryant, Committee &c
By Jno I. Rowden his Atty

To the Hon George Blow, Judge of the

Circuit Court of Southampton County - Virt:

Humbly complaining sheweth unto your Honor your Orator Jno R. Bryant, Committee of Charles E. Bryant a person of unsound mind, of said County, by way of amended Bill respectfully represents as follows:

That at the January Term 1877 of the County Court of said County your Orator was appointed a Committee of the said Charles E Bryant a lunatic & person of unsound mind, as will be seen by a copy of the order made by said Court & herewith filed (marked 'A') & prayed to be considered as part of this Bill.

That since qualifying as such Committee, your orator has had charge of the whole estate of said Charles E Bryant, which consists of a small tract of land, of which said Charles is only tenant by the courtesy, worth but a few hundred dollars, & a small quantity of chattel property, perhaps not as much as is exempt by the Statute for the protection of poor debtors.

Your orator alleges & believes that the said Charles E Bryant, who is the brother of your orator, has been incapable of managing his estate & of legally disposing of, or in any manner encumbering the same, or of making any contract in relation thereto for the last ~~year or more~~ two years or more because of softening of the brain, imbecility & general weakness of the mental faculties, from some cause or causes unknown to your orator.

But notwithstanding this unfortunate condi-

diver of the said Charles E Bryant, certain persons hereinafter named did, during the last two years 1875 & 76, & whilst the said Charles was disabled in mind as aforesaid, procure from or cause to be executed by the said Charles E Bryant, instruments of writing, by which all or nearly all of the property of which the said Charles was seized & possessed was either granted & conveyed away or in some manner encumbered, — as follows —

On the 18th September 1876, a writing purporting to be a Deed of Trust, executed by the said Charles, was recorded in the Clerk's office of the County Court of this County, which granted to R S Mafette as Trustee, certain Chattel Property — but the said Mafette having refused to act as such Trustee, Joseph B. Pope was at the February term of the said County Court '77, duly substituted as Trustee, in place of the said Mafette — a copy of said Deed of Trust (marked B) & the said Order of Court (marked C) are herewith filed as part of this Bill.

The said Deed of Trust, you therein will perceive, conveys the entire crop of Cotton, Corn & Fodder, which said Charles might make during the year '76, on the lands which he then had in cultivation, in Trust, to secure the payment of a certain bond of even date with the said Deed of Trust, viz: September 8th 76, due to George W. Prince for $350 dollars, ~~on the 19th September '76~~ —

~~As aforesaid Deed of Trust was~~

On the 19th September 1876 another paper writing purport-

~~A [redacted] paper writing purporting to be~~

On the 19th September 1876, another paper writing purporting to be a Deed of Trust executed by the said Charles [redacted], was recorded in the Clerk's Office of the County Court of said County ~~on the 19th September '76~~, a copy of which is herewith filed (marked D) as part of this Bill.

This last named so called Deed of Trust conveyed to Rufus E. Darden Trustee, all of the surplus of the proceeds from the sale of the property before conveyed, after paying to George W Prince the said debt of $350, all of the Grantor's boys, about 20; his entire stock of cattle, 7 or 8 in number, together with all other Chattels & Sale, which the Grantor might have & which was not Conveyed in the Deed of Trust, before that time made to secure George W Prince -

This last-named Deed (D) in which Rufus E Darden was named Trustee, secured one bond due to James I. Darden for $66.80; one freight bill for 35 cents; & $2.50 cents for recording the Deed of Trust; one bond due to Darden & Myrick for $10.74 cents, dated May 8th '76; another bond due same for $18.59 cents, dated September 19th '76.

On September 28th '76, there was still another paper writing recorded in the Clerk's office of the County Court of said County, purporting to be a Bill of sale, executed by the said Charles E Bryant, by which he sells & conveys to the said George W. Prince & Joseph L. Barham all of the balance of his crop of peanuts, after satisfying the amounts due to James I. Darden & to Darden & Myrick, secured by the last-named Deed of Trust, a copy of the said Deed is herewith filed (marked E) as part of this Bill.

Sometime during the month of February '77, the said George W Prince & the said Joseph L Bar-ham, as your orator is informed, did go or send to the home of the said Charles E Bryant, & take or cause to be taken therefrom, without the consent of your orator, a quantity of pea-nuts perhaps about 40 or 50 bushels, of the probable value of $40 or $50 dollars, the said pea-nuts being the property of the said Charles E Bryant, & then in the legal possession of your orator. This they did, as your orator presumes, by virtue of the said so-called Bill of sale. And further on the 9th day of January last the said Nelson E. Davis acting as Trustee aforesaid, did sell at public auction all or a considerable part of the chattel property mentioned in Deed of Trust D -

And The said Joseph B Pope substituted Trustee in Deed of Trust B, has not as yet proceeded to sell under the same.

On March the 8th 76, the said Charles E. Bryant executed to Vaughan, Barnes & Co (merchants & partners composed of Uriah Vaughan, John H. Vaughan, & George Barnes) his certain bond or single bill for the sum of $27.50 cents with interest thereon from November 1st 76 - upon which said Bond suit has been brought in the Circuit Court of Southampton County - And a copy of the said Bond is herewith filed (marked W) as part of this Bill -

And on the 14th day of April 1876, the said Charles E. Bryant did execute his bond payable to the said George W. Prince, with interest thereon from January 1st 1876, for the sum of thirty nine dollars & seventy five cents, upon which said bond a warrant or suit has been brought in a Magistrate's Court, in the County,

of his little property, and furthermore hoped that no one (this condition of mind being apparent to all) would enter into any Contract with him of any consequence.

It will therefore be perceived by your Honor that the said Charles E. Bryant did, whilst in a condition of mind which rendered him incapable of making any Contract whatever which should legally bind him, enter into these said several Contracts which have or may strick him of every source of Subsistence for himself, his wife and several minor children, except the small pittance which may be exempted to them by the law for the protection of poor debtors; if by chance, they should still happen to have any of the articles exempted by said law; for even their little home, but an humble shelter, may yet possibly be taken from them, by virtue of such bonds or notes as may waive the Homestead.

This small piece of land, the home of the said Charles E Bryant & family, was devised by Mrs Jane Carr, in her last will & testament, to the wife of the said Charles, ~~Mrs~~ Mary Jane Carr, (who was then a minor & unmarried) for and during her natural life, and at her death then to the children of the said Mary Jane — A copy of Mrs Carr's will, (marked 7) is herewith filed as part of this Bill

Your Orator therefore, being without remedy, save in a Court of Equity, as this honorable Court is, humbly prays that ~~the~~ said George W. Rince, Joseph L. Barham — Reuben E. Darden (Trustee) — James I. Darden — Darden & Myrick (merchants & partners, composed of James I. Darden and

Wm A Myrick) - Joseph B. Pope, Trustee - and Vaughan, Barnes & Co (merchants & partners, Comprised of Uriah Vaughan, John H. Vaughan & George Barnes) may be made parties defendant to this Bill, and required to answer on oath specially and fully all of its allegations -

That the said Rufus E Darden may be required to render an account, shewing the amount for which the property sold by him as said Trustee, was sold, in order that the said amount may be refunded to Your Orator as Committee as aforesaid - and, if the said amount has been paid over by the said Trustee to James I. Darden and to Darden & Myrick, that they may be required to refund the same to Your Orator -

That the said George W. Rince and Joseph L. Barham may be required to state the quantity & value of the pea-nuts received by them from the said Charles E. Bryant's home in February '77 - That the said Geo W. Rince may be required to state how much Cotton or other property he has received towards the payment of the $350 bond secured to him in the said Deed of Trust

That all such Accounts may be ordered as may be necessary That the said Deeds of Trust, the said Bill of sale and the said bonds or notes executed by the said Charles E. Bryant may be declared void - that all of the said bonds, notes or other debts made by the said Charles E Bryant, within the last two or three years and herein alluded to, may be declared void -

That the tract of land devised by Mrs Carr in her will to Mary Jane Carr (now the wife of the said Ch. E Bryant) may be settled upon her & her children, to their own separate use & benefit - and that Your Honor would grant such other & several relief, the premises considered as Equity may dictate, and the nature of the Case may require And, as in duty bound, Your orator will ever pray -

Jonas R. Bryant Committee &c
By Geo I. Rudisill his Atty

as your orator has reason to know from having had a summons or notice served on him by said Committee, to answer said warrant or suit —

This last-named warrant has been delayed, at the request of your orator, to await the issue of this suit now brought in this honorable Circuit Court

The said two bonds or notes executed by the said Charles to the said Vaughan, Barnes & Co and to the said George W. Rince respectively, each waive the Homestead of the said Charles E. Bryant.

Your orator fully believes and expressly charges and alleges that the said Charles E. Bryant was, at the Time of ~~executing~~ making all of the said bonds or notes, and at the time of contracting all of the debts upon which the said bonds or notes were founded, and at the Time of making the said two Deeds of Trust (marked B & D respectively) and at the time of executing the said Bill of sale (marked E) was wholly incapable in mind of making any Contract whatsoever, and that he has been at all Times for the last two or three years so wholly incapable. And that all of the said Deeds, acts, agreements and Contracts ought, in equity and good Conscience to be declared null and void and of no effect.

Your orator can not specially charge that the said parties before-mentioned were themselves aware of the mental incapacity to contract on the part of the said Charles E. Bryant, at the Time they made their several Contracts with him; but nevertheless such was the fact and their dealings with Him operated as a fraud upon his rights,

and upon the rights of his wife and children, and ought to be revoked and set-aside; for such incapacity was known and observed by all or by nearly all of his other neighbors, who had any association with him.

Furthermore the said Rufus E. Darden (Trustee) after advertising the property, (but before selling the same) conveyed by the Deed of Trust in which he was Trustee, had a written notice delivered to him, (sent on the 4th day of January 1877) signed by your orator, warning the said Trustee not to proceed to sell the said property, in which said notice it was stated that a suit would shortly thereafter be brought in this Court, for the purpose of having the said Deed of Trust declared void and set-aside, for the reasons herein stated. This notice was given before any Committee had been appointed to the said Charles E. Bryant and hence no Injunction was obtainable for the purpose of restraining the said Darden Trustee as aforesaid, from proceeding to make the said sale. The reasons why your orator had not applied to the County Court for the appointment of a Committee were that, whilst he had observed the failure of mind on the part of the said Charles E Bryant, his said brother, ~~he~~ Your orator was not aware that he was entering into such wild Contracts and making such useless & unnecessary purchases as your orator did not reside in the same neighborhood with his said brother and neither saw or heard from him but quite seldom, perhaps not oftener than once or twice a year: and furthermore had the hope that the wife of the said Charles would be able to take care

of his little property, and furthermore hoped that no one (this condition of mind being apparent to all) would enter into any Contract with him of any consequence.

It will therefore be perceived by your Honor that the said Charles E. Bryant did, whilst in a Condition of mind which rendered him incapable of making any Contract whatever which should legally bind him, enter into these said several Contracts which have or may strip him of every source of subsistence for himself, his wife and several minor children, except the small pittance which may be exempted to them by the law for the protection of poor debtors; if by chance they should still happen to have any of the articles exempted by said law; for even their little home, but an humble shelter, may yet possibly be taken from them, by virtue of such bonds or notes as may waive the Homestead.

This small piece of land, the home of the said Charles E Bryant & family, was devised by Mrs Jane Carr, in her last will & testament, to the wife of the said Charles, ~~[illegible]~~ Mary Jane Carr, (who was then a minor & unmarried) for and during her natural life, and at her death then to the children of the said Mary Jane — A copy of Mrs Carr's will (marked 7) is herewith filed as part of this Bill

Your Orator therefore, being without remedy, save in a Court of Equity, as this honorable Court is, humbly prays that ~~the~~ said George W. Rince, Joseph L. Bonham - Reuben E. Borden (Trustee) - James I. Borden - Borden & Myrick (merchants & partners, composed of James I. Borden and

Bryant vs. Committee

by

Darden & Myrick &c

Amended Bill

1877 August 4th filed
Summons issued

Summons.

I. B. Bruce atto for
J. J. Pinden. G. W. Bruce
& Vaughan Bowen & Co
J. B. Potter
J. D. Worden
L. L. Barham
R. E. Dandan
Wm. A. Myatt

Bryant's Cases
vs
Dandy & Myrick & Co

1871 August Rules

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON James D. Darden, Wm A. Myrick Merchants & partners in trade under the Name & Style of Darden & Myrick, Jas J. Darden, R. E. Darden, (Trustee) J. B. Pope, (Trustee) Jos L. Barham, Geo. W. Purvis & Vaughan Barnes & Co., Merchants & partners composed of Uriah Vaughan, Jno. H. Vaughan & Berryo Barnes. if they be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County at the rules to be holden for the said Court, on the first Monday in August inst to answer An amended bill in Chancery to be filed in our said Court against them by Jonas K Bryant Committee of Charles E. Bryant a person of unsound Mind —

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 4th day of August, 1877, in the 102nd year of the Commonwealth.

L. R. Edwards C C

Bryant's Executrix
vs
Darden & Mynick et al

May Term 1877
To be entered
Geo Sloan

Jonas R. Bryant, Committee of Charles E. Bryant

vs

Darden & Myrick & others —

On motion of the plaintiff, by his Counsel leave is granted him to amend his Bill, at his own cost

and the Cause is continued till the next term

page 1

Depositions Taken at Boykinville in the County of Southampton, Virginia, on the 17th day of August 1877, to be read on behalf of the Plaintiff, by consent of parties, in a suit now pending in the Circuit Court of Southampton County, Jno. R. Bryant Committee of Chas. E Bryant vs Darden & Myrick & others.

Present Jno I. Dwyer - Notary Public -

" - Jno. I. Kindred Atty for Plaintiff -

" " Joseph B. Rives Atty for Defendants -

Dr Wm H. Daughtrey - having been duly sworn &c - says -

2. What is your age - your profession - & how long have you known Chas E Bryant

A. I am 42 years of age - I have been a practicing physician for many years - have known Mr Chas Bryant for about 15 years -

2. What is your opinion as to the Condition of Chas Bryant's mind for the last two or three years?

A. I did not see Mr Bryant during the Time that I spent said he was unsound mind till about last Saturday, That is to say not sufficiently to make any Condition about the Condition of his mind At that time I considered him as a person of unsound mind - incapable of making any contract or attending to his business -

Q. What do you think is his mental ailment?

A. I think it is what is commonly called Dementia - but lately his disease of mind seems to have taken a turn of monomania - I mean mania on the subject of Narration of himself & family - before that he seemed to be an imbecile. He has some symptoms of softening of the brain

Q What is his condition at present - & what is your opinion as to the prospects of his recovery.

A. His condition is rather worse. He is gradually growing worse - I think the chances of his recovery are against him -

Q. What is Chs E Bryant's age -

A. About forty eight I suppose -

Q. Does not the disease of mind with which he is afflicted generally come on by degrees, that is, does it not affect the mind somewhat for a considerable time before its final development.

A. Yes sir, it does -

A

Cross Examined.

Q: Can you say at the time you saw Chs Bryant in September last, whether he had sense enough to know what was for the good of his family

A. No sir - he had no mind at all about their comfort - He would say yes & no without regard to its meaning Wm H Daughtry

And further this deponent saith not.

Benjamin I. Bryant having been duly sw. says as follows -

2. What is your age - how long have you known Lebaks E. Bryant ~~his wife~~ Son
A. I am past fifty years of age. I have known Lebaks E Bryant more or less ever since he was a grown man - He has lived in my immediate neighborhood for 15 or 18 years -

2. What is your opinion as to the condition of his mind for the last two or three years.

A. During last year & this year there seemed to be something very serious the matter with him - I thought at first that he was killing himself with drink - but on further observation changed my mind -
As to his disease I cant say what it is - He is evidently much impaired in intellect - He was generally, until last year very thoughtful about providing for his family, but since then he has been indifferent Since last April or May '76 I dont consider that he has had sense enough to make any contract or bargain at all.
~~Cross Examined.~~

2. Have you seen him since last April or May '76, when his mind

seemed to be better -

A. Not at all - I think his mind has been gradually growing worse for the period mentioned.

Can further this deponent saith not.

B. F. Bryant

Roswell S. Mosette having been sworn, says &c -

2. What is your age - how long have you known Mrs E. Bryant.

A. I am thirty six years of age - & have been knowing Mrs. Bryant ever since I was a boy -

2. What is your opinion as to the condition of his mind for the last two or three years.

A. I can't go back any further back than February or March 76. I was not living in the County during the years 74 & 75 - I didn't see him after my return to the County title about February or March 76, - At that time I observed that there was something the matter with him. He was formerly very Considerate & thoughtful about the affairs of his family & anxious to provide for their Comfort, but since that time he has been indifferent to every thing relating to his interest. He is afflicted with some disease of the mind which stupefies him - He seems to wish to be always asleep. I don't think that

he has been capable of making any Contract at all since the ~~time mentioned, February or March '76~~ - June '76

And further this deponent saith not.

R S Nugent

Caleb Everett having been duly sworn, says &c.

2. What is your age, & how long have you ~~been~~ known Chas E Bryant.

A. I am 29 years of age. Have been knowing Chas Bryant ever since I can remember. We live in the same neighborhood.

2. What is your opinion as to the condition of his mind for the last two or three years?

A. I can't go back any further than last August (76) I had heard before that that his mind was impaired - I didn't think that he was capable at that time of transacting business any

And further this deponent saith not.

Caleb Everett

J. Norman Carson being duly sworn says as follows
What is your age & how long have you known Chas E.
Bryant? I am 29 years old - & have known Chas
E Bryant for ten years - live in same neighborhood
with him -.
What is your opinion as to the condition of said
Bryants mind for the last two or three years?
I never discerned anything the matter with said
Bryant before march 1876. I had dealings with
him previous to that time & he was competent in my
opinion of doing business to that time -. Since the
fall of 1876, I dont think he ~~was~~ has been capable of making
any contract -. And further this deponent saith
not.

J. N Carson

J. M. Glover being duly sworn, says as follows -.
What is your age & how long have you known Chas E.
Bryant? I am 36 years old & have known him about
12 years -.
What is your opinion as to the condition of said Bryants mind
for the last two or three years? I cant go back later than
June 1876, I had been told before that that it was effected.
Since June 1876, I dont think he has been competent of

transacting any business. And further this deponent saith not.

J. W. Sparrow

Augustus Crumpler - being duly sworn, says as follows. What is your age & how long have you known Chas E. Bryant? I am 50 years old & have been knowing Chas Bryant for 20 years. What is your opinion of the condition of his mind for the last two or three years? I can't go back [redacted] than August 1876. At that time I did not think he was competent of doing any business or making any contract. I don't think I have seen him since last fall. And further this deponent saith not. Aug Crumpler

Matthew Bates - being duly sworn, says as follows. What is your age & how long have you known Chas E. Bryant? I am 66 years old & have been knowing Chas Bryant for about 27 years. What is your opinion of the condition of his mind for the last two or three years? Up to July 1876 he was as he always had been. Since then I noticed his mind has been going

away Every week. I deny think he has been capable of doing any business, or making any contract from that time. that is from about Feby or March 1876. And further this deponent saith not.

Matthew his + Bates mark

W.M. Beaton. being duly sworn, says as follows. What is your age how long have you known Chas E Bryant? I am 42. and have known Bryant all my life. What is your opinion as to the condition of his mind for the last two or three years? I have only seen him in June & Aug: 1876 - and on both occasions he presented a dreamy, stupid appearance; I am a merchant at Hopkins Depot & have been doing business there for 20 years - Mr Bryant was raised within one mile of that place & I have known him intimately from boyhood. On the two occasions before alluded to. I dont think he was competent of making any important contract. And further this deponent saith not.

W.M. Beaton

Robt S. Howell. being duly sworn, says as follows. What is your age how long have you known Chas E Bryant? I am 46 and have known said Bryant

for 20 years. What is your opinion of his mind for the last two or three years. For the last two years, I don't think he was capable of transacting any business or making any contract. I could mention incidents if it were necessary. And further this deponent saith not.

Robt. S. his + Howell
mark

The taking of these depositions is adjourned until Saturday Aug. 19. 1877. at nine o'clock a.m.

J. J. Dyer J.P.

The taking of the above depositions was not resumed on Saturday Augt 18th 1877. owing to absence of Counsel and the taking of the Deane is adjourned to an indefinite day. Number of Folios Consumed in taking depositions amount to Nine.

J. J. Dyer J.P.

Handed in by J. J. Dyer J.P.
Aug. 20. 1877.

Henry M Brett being duly sworn. Says as follows.
What is your age. and how long have you known Chas E Bryant?
I am 60 years old. and have known Bryant about 25 years.
What is your opinion as to the condition of his mind for the
last two or three years? the first time I formed an opinion
in regard to his mind was in April 1876. he was appointed
a Teacher in the Sabbath school at New Hope about that
time. he took charge of his class. and when his Pupils
would commence their recitations. he would leave the
House. and take his position under a Tree. and go to
sleep. he would do this on most every occasion. he seemed
to be in a Stupid condition most of the time. Do you think
he was in a condition to make any contract at the period of
1876? I do not. and further this deponent saith not.

H M Brett

Putnam Stringfield. being duly Sworn. says as follows
What is your age. and how long have you known Chas E. Bryant
I am 52 years old. and have known Bryant 25 years. What is your
opinion as to the condition of his mind for the last two or three
years? I dont think he was in right mind since May
1876. I noticed at this time his oddity of manner. and made

Some remarks thereto. He seemed to be very Stupid. mostly
Cozzens up amongst some of his old acquaintances some
himself - and went off - got on a Work Bench in front of
the Ladies entrance at Borrows Church - and stretched him
self out - and appeared to be in a deep Sleep during the en
tire services at the Church. What so pertinently called my
attention to Bryant on the occasion was. that he and I
have always been very intimate. and whenever we meet
he was always running on with me in a joking manner
but on this occasion hardly recognized me. and further
his opponent saith not. Putnam - Springfield

John D Britt being duly sworn - says as follows —
What is your age - and how long have you known Chas
C Bryant. I am 48 years old - and have known Bryant about
25 years. What is your opinion as to the Condition of his Mind
for the last two or three years - On march 1876 - I called
at his Home on a Social visit - being an old friend
and acquaintance of mine - I saw at a glance that he

Mind seems to be unbalanced. Dinner was announced in my presence. Bryant immediately went to Dinner without inviting me an invitation or even noticing me. He ate a hearty dinner and went right off to Sleep. Do you think he has been in a condition since that time to make a Contract. I do not. I think he has gradually been growing worse. and further this deponent saith not.

John D Brett

The taking of these depositions is adjourned to an indefinite day. Whole number of hours so far occupied are — Nine. (9).

Saturday August 18th 1877.

J. J. Dwyer J.P.

(Exhibit A.)

Southampton County Court. January Term 1877.

Jesse R Bryant is by the ~~Court~~ the Court appointed Commissioner of the person & Estate of Charles E Bryant a person of Unsound Mind, Whereupon together with Wm J. Bryant his Security, (after notice to Each as to his Sufficiency,) entered into & acknowledged a bond in the penalty of One thousand dollars, Conditioned according to law which bond is Ordered to be recorded.

A Copy.
Teste. J. R. Edwards C.C.

(Exhibit "B.")

This Deed of Trust Made this 8th day of September 1874, between Charles E Bryant of the first part R S. Major (Trustee) of the second part & G. W. Purvis of the third part; Witnesseth that in Consideration of the Sum of five dollars to him in hand paid & the premises hereinafter mentioned the said party of the first part doth grant & Convey with general Warranty to the said R S. Major, (Trustee) his heirs & his heirs forever; the following personal property in Southampton County Virginia, his entire Crops of Cotton, Corn & fodder which he may Make during the year 1874, Upon the Lands he has in Cultivation of two Horses, in Trust, however to Secure the payment of a bond of even date with this Deed for Three hundred & fifty dollars at demand now due the said G. W. Purvis by the party of the first part And it is agreed by the parties to this Deed should a Sale take place under this Deed, it Shall be after twenty days Notice of the time & place, & upon Such terms, as the said G. W. Purvis may prescribe, & in Such as ever the Trustee shall be entitled to a Commission of five per Cent on gross Sales. Witness the following Signature & Seal.

Charles E Bryant (Seal)

State of Virginia,
County of Southampton. To wit.

I R. A. Barrett, Justice of the County aforesaid, in the State ~~of Virginia~~ aforesaid, do Certify that Charles E Bryant whose Name is Signed to the Writing hereto annexed, bearing date on the 8th of September 1876, has acknowledged the Same before me in my County aforesaid, & declared that he had willingly executed the Same & does not wish to retract it. Given under my Hand this 8th day of September 1876.

R. A. Barrett J.P.

Southampton County, To the Clerk's Office, September 18th 1876.
This Deed of Trust from Charles E Bryant to R. S. Majett Trustee, for the benefit of G. W. Vinson, was this day received & with the Certificate thereto annexed, admitted to record.

Teste, J R Edwards C.C.

A Copy.)

Teste, James R Tyler D.C.

(Exhibit "C.")

Southampton County, Court, February, Term 1877.

On the Motion of Geo. W. Vinson against E. C. Bryant, grantee R. S. Majett grantee & Trustee & James R Bryant, Curator of C. E. Bryant, this day came, ~~again~~ the Plaintiff by his attorney & the Defendants being again Solemnly, Called & not appearing, on the Motion of the Plaintiff by his attorney, It is Considered by the Court, that Joseph B Pope, be appointed (Trustee) in the place of R. S. Majett, who declines to act in a Deed executed by C. E. Bryant to the Said R. S. Majett on the 8th day of September 1876. & recorded in the Clerks Office of this Court, on the 18th day of September 1876,

And the said Joseph R Pope is hereby substituted to all the rights, powers, duties & responsibilities of the said R.S. Majett, named in the said Deed. And it is ordered that the said Charles E. Bryant pay the costs of this Motion.

A Copy

Test, J.K. Tyler D.C.

("Exhibit D")

This Deed of Trust Made this 19th. day of September 1874, between Charles E. Bryant of the first part and Rufus E. Darden Trustee of the second part & the hereinafter named parties of the third part; Witnesseth that in Consideration of the hereinafter named premises, the said Charles E Bryant do grant & Convey with general Warranty to the said Rufus E Darden Trustee as aforesaid the following property, to wit, The entire Surplus that remains in a Deed of Trust Made by the said Charles E Bryant to Walter Majett as Trustee for the benefit of Geo. W. Prince, which Deed was recorded in the Regist of September 1874, also his Stock of Cattle, Seven or eight, together with any other Chattle Estate he has that is not included in the Deed to Geo. W. Prince, in trust to Secure One Note due Jas J. Darden for Sixty Six dollars & Eighty Cents, also to Pay One freight bill for Forty five Cents and two dollars and fifty Cents for recording this Deed, also one Note to Darden & Myrick for two dollars and Seventy four Cents dated the 8th day of May 1874, also another Note due Darden & Myrick for Eighteen dollars and fifty Five Cents, dated the 19th September 1874, and it is expressly agreed upon by the parties to this Deed that if a sale should become necessary it shall be for Cash after giving 15 days Notice of the same; that the Trustee take out his Commissions & expenses

& pay off the debts above Mentioned if enough, & pay over the Balance if any to C. E. Bryant or his representatives. Witness the following Seals this 19th day of September 1871.

Witness C. E. Bryant (Seal)

State of Virginia, County of Southampton, to wit,

I John J. Deyer a Notary Public for the County aforesaid in the State aforesaid, do Certify that Charles E Bryant whose Name is Signed to the writing above bearing date on the 19th day of September 1871, has acknowledged the Same before me, in my County aforesaid. Given under my hand this 19th day of September 1871.

John J. Deyer,
Notary Public

Southampton County, In the Clerks Office, September 19th 1871. This Deed of Trust from Charles E Bryant to Rufus E Darden (Trustee) for the benefit of Jas J. Darden & Co was this day received, & with the Certificate thereto annexed, admitted to record.

Teste,
S. R. Edwards C.C.

A Copy
Teste, Jas R Tyler, D.C.

(Exhibit "E")

Know all men by these presents, That I Charles E. Bryant of the County of Southampton & State of Virginia, in Consideration of Certain debts due by me to G.W. Prince & J. L. Barham, to the amount of One hundred & fifty dollars, have bargained & sold to the said G. W. Prince & J. L. Barham all of my present Crop which I shall Make during the present year, after paying to J. J. Darden & Darden & Myrick a Certain Deed in Trust executed by the said Bryant to said Darden

& Dardia of Myrick in Said Pearson Crop. In Witness Whereof
I hereunto Set my Hand & Seal this 27th day of Sept. 1871.

Charles E. Bryant (Seal)

Southampton County, State of Virginia,

I J. B. Pope a Justice of
the Peace for the County aforesaid, do Certify that Charles E Bryant
whose Name is Signed to the above Bill of Sale bearing date Sept. 27th
1871, did personally appear before me & acknowledge the Same
in my County aforesaid this day & date above Mentioned.

J B Pope J.P.

Southampton County, In the Clerk's Office, September 28th 1871.
This Bill of Sale from Charles E. Bryant to W. H. Trimm & J. L.
Barham, was this day received & with the Certificate thereto
annexed, admitted to record.

Teste, J. R. Edwards C.C.

A Copy,

Teste, Jas R Tyler D.C.

(Exhibit "F.")

Last Will and testament of Mrs. Jane Carr.

Item first — I give and bequeath to my granddaughter Mary Jane Carr, eldest daughter of my Son Everett A. Carr, the tract of Land whereon I now live with the appurtenances, also my Negro boy Wesley aged about two years, provided she leave lawfull issue.
In Case she Should die without lawful issue, I give the said land & negro boy One Moity or half to my Son Everett A. Carr & the other Moity or half to the Children of my daughter Sarah Jane Mayet Wife of Arthur C. Mayet & their heirs.

Item Second — I loan to my daughter Sarah Jane Mayet during her life the tract of land whereon Arthur C. Mayet now lives, also all the property which is Conveyed by Deed of Trust by Arthur C. Mayet for my benefit, (& which is now in

heirs perpetuem, the said deed of land included therein, I hereby assign over to my Executor with above intent, and at her decease, I give the said land & other property to her children, also I loan my said daughter One Negro, her choice of my Negroes, during her life, and at her decease I give the said Negro to her children as above.

Item 3d. I give to my granddaughters Indiana V. Johnson, late Reid, Cornelia A. Britt, late Reid, Antoinette M. Reid & grandson Everett M. B. Reid, My Negro boy Isaac One feather bed & furniture, One Clock, One walnut table, One pine table, One wash Stand, two cane seat chairs, One large Iron pot, One spining wheel & Cradle, Share & Share alike.

Item 4th I give to my grandson Everett M. B. Reid out of my Estate the sum of One hundred & fifty dollars ($150) & to my granddaughter Antoinette M. Reid, the sum of One hundred dollars & my Negro Girl Harriet, (provided she Lawful issue as to Harriet,) In Case she die without Lawful issue the said Girl Harriet I give to her Brother Everett M. B. Reid.

Item 5th I desire that all the balance of my Negroes be equally divided into two equal parts, One moiety or part I loan to my daughter Sarah Jane Magett during her life & at her decease I give the said Negroes & their increase to Such of her Children as may arrive to Lawful age or leave Lawfull issue, also I give to my said daughter, Sarah Jane Magett, My Silver Case or Watch.

Item 6th The other remaining moiety or half of my Negroes I give to my granddaughter Mary Jane Carr, provided she leave Lawfull issue, Otherwise, in Case she die without Lawful issue of her body, I give said Negroes & their future increase, One half to my Son Everett A. Carr, the other half to the Children of my daughter Sarah Jane Magett

Item 7th I request that the balance of my property be Sold on the usual Credit & after paying my just debts & all reasonable

expenses, the balance remaining (if any) to be divided equally
One Moiety to my daughter Sarah Jane Majett & the other
Moiety to my granddaughter Mary Jane Carr, & after paying
the two pecuniary Legacies of $150.00 & $100.00 before stated, if enough,
otherwise out of Items Nos 5 & 6.

Item 8th For the purpose of securing to my daughter the use of the
land & Negroes and other property before bequeathed to her the
said Sarah Jane Majett during her life, it is my Wish that
all said property be held under the Control of my
Executor & used by her under his direction, as he may
think best & Without the formality & expense of reporting
his proceedings to the Court as the law may require.

Item 9th And lastly, I hereby Nominate & appoint my Husband James
Majett my Executor to this my will, & request the Court
to require no Security in Case he will qualify, as my Executor
In Witness Whereof I have hereunto set my hand and
affixed my Seal this 16th day of January A.D. 1861.

Signed, Sealed & acknowledged
in presence of us.
Cyrus E. Wornell,
Wm. J. Majett

Jane Carr (Seal)

At a Court held for the County of Southampton the 18th day
of February 1861. This last will & Testament of Jane Carr dec'd
was this day proved by the Oaths of Cyrus E. Wornell &
Wm. J. Majett the Subscribing witnesses thereto and Ordered
Ordered to be recorded. And on the Motion of James Majett
the Executor therein named, who made Oath & gave bond
(but Without Security, the will directing that none should
be required of him) Certificate is granted him for obtaining
a Probate of the said will in due form.

Teste, S.K. Edwards C.C.

A Copy, Teste, S.K. Edwards C.C.

(Exhibit "K")

On or before the 1st day of November 1876, I promise to pay to Mess Vaughan, Barnes & Co. the sum of Twenty Seven & 50/100 Dollars for Fertilizers furnished for the year 1876, & I hereby Constitute this Obligation as a lien on my Crops for 1876, & bind myself, my heirs, administrators & assigns, for the faithful payment of the same waiving all claims to Exemptions allowed by law. Interest after 1st November at 8 per Cent.

Witness my hand & Seal this March 8th 1876.

Witness

J. E. Dann

Charles E Bryant (Seal)

A Copy

Teste,

S K Edwards Clk

Bryant & Co vs Attachment &c

Order of Attachment &c

Exhibits

(K. B. C. & E. Ts & Ms)

(Filed Jan 1, 70)

("A")

Southampton County Court January Term 1877.

Jonas R. Bryant is by the Court appointed Committee of the person and estate of Charles E. Bryant a person of unsound mind: Thereupon with Benja. J. Bryant, his security, (who justified on oath as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars, conditioned according to law, which bond is ordered to be recorded.

("B")

This Deed of Trust made this the 8th day of September 1876, between Charles E. Bryant of the first part, R. L. Majette Trustee, of the second part, and George W. Prince of the third part, witnesseth: That in consideration of the sum of five dollars to him in hand paid and the premises hereinafter mentioned, the said party of the first part does grant and convey with general warranty to the said R. L. Majette Trustee, to him and his heirs forever, the following personal property in Southampton County Virginia: his entire crops of Cotton, Corn and Fodder, which he may make during the year 1876, upon the lands he has in cultivation, and two horses, in trust however to secure the payment of a bond of even date with this deed for Three hundred and fifty dollars on demand and due the said G. W. Prince by the party of the first part. And it is agreed by the parties to this deed, Should a sale take place under this deed, it shall be after twenty days notice of the time and place, and upon such terms as the said G. W. Prince may propose, and in such an event the trustee shall be entitled to a commission of five per cent on gross sales. Witness the following signature and Seal.

Charles E. Bryant (Seal)

State of Virginia
County of Southampton, to wit:

I, A. A. Darden, a Justice of the County aforesaid, in the State of Virginia, do certify that Charles E. Bryant, whose name is signed to the writing hereto annexed,

bearing date on the 8th of September 1876, has acknowledged the same before me in my County aforesaid, and declared that he had willingly executed the same and does not wish to retract it.

Given under my hand this 8th day of September 1876.

R. A. Parrell J.P.

Southampton County, In the Clerk's Office September 18th 1876. This Deed of Trust from Charles E. Bryant to R. S. Hayett, Trustee, for the benefit of George W. Prince, was this day received and with the certificate thereto annexed, admitted to record.

Teste, S.R. Edwards C.C.

("C")

Southampton County Court February Term 1877.

On the motion of Geo: W. Prince against C. E. Bryant, grantor, R. S. Hayett grantee and trustee and Jonas R. Bryant, Curator of C. E. Bryant: This day came again the plaintiff by his attorney, and the defendants being again solemnly called and not appearing, on the motion of the plaintiff by his attorney, it is considered by the Court, that Joseph S. Pope be appointed Trustee in the place of R. S. Hayett, who declines to act in a trust deed executed by C. E. Bryant to the said R. S. Hayett on the 8th day of September 1876, and recorded in the Clerk's Office of this Court on the 18th day of September 1876. And the said Joseph S. Pope is hereby substituted to all the rights, powers, duties and responsibilities of the said R. S. Hayett named in the said deed. And it is ordered that the said Chs E. Bryant pay the costs of this motion.

("D")

This Deed of Trust made this 19th day of September 1876, between Charles E. Bryant of the first part, and Rufus E. Darden, Trustee, of the second part, and the hereinafter named parties of the third part, witnesseth: That in consideration of the hereinafter named premises, the said

Charles E. Bryant do grant and convey with general warranty to the said Rufus E. Darden, Trustee, as aforesaid, the following property, to wit: the entire surplus that remains in a deed of trust made by the said Charles E. Bryant to Walter Wajett as Trustee for the benefit of Geo. W. Prince, which Deed was recorded in the month of September 1876; also, his stock of hogs about twenty; also, stock of cattle, seven or eight together with any other chattle est: he has that is not included in the Deed to Geo: W. Prince in trust to secure one bond due James J. Darden for sixty six dollars and eighty cents; also, to same, one freight bill for thirty five cents and ten dollars and fifty cents for recording this Deed also, one bond due Darden and Wyrick for ten dollars and seventy four cents dated the 8th day of May 1876, also, another bond due Darden and Wyrick for eighteen dollars and fifty nine cents, dated the 19th Sept. 1876, and it is expressly agreed upon by the parties to this Deed, that if a sale shall become necessary it shall be for cash after giving 15 days notice of the same then the trustee take out his ~~Expenses~~ Commissions and expenses and pay off the debts above mentioned if enough, and pay over the balance, if any, to C. E. Bryant or his representatives.

Witness the following seals this 19th Day of September 1876.

C. E. Bryant (Seal)

Witness:

State of Virginia
County of Southampton } to wit:

I, John J. Dwyer, a Notary Public for the County aforesaid in the State aforesaid, do certify that Charles E. Bryant, whose name is signed to the writing above, bearing date on the 19th day of September 1876, has has acknowledged the same before me in my County aforesaid.

Given under my hand this 19th day of September 1876.

John J. Dwyer, Notary Public.

Southampton County, In the Clerk's office September 29th 1876.
This Deed of Trust from Charles E. Bryant to Rufus E. Darden, Trustee, for the benefit of James J. Darden & als, was this day received and with the certificate thereto annexed, admitted to record.

Teste, S.R. Edwards C.C.

(E)

Know all men by these presents That I, Charles E Bryant of the County of Southampton and State of Virginia, in consideration of certain debts due by me to G.W. Prince and J.S. Barham to amt. of one hundred dollars, have bargained and sold to the said G.W. Prince and J.S. Barham all of my peanut crop, which I shall make during the present year after praying J.J. Darden and Darden and Haycock a certain Deed in trust, executed by the said Bryant to said Darden and Darden and Haycock on said peanut crop.

In witness whereof I have hereunto set my hand and seal this 29th day of Sept 1876.

Charles E. Bryant (Seal)

Southampton County, State of Virginia.

I, J.J. Pope a Justice of the Peace for the County aforesaid, do certify that Charles E Bryant, whose name is signed to the above bill of sale bearing date Sept. 29th 1876, did personally appear before me and acknowledge the same in my County aforesaid this day and date above mentioned.

J.J. Pope, J.P.

Southampton County, In the Clerk's Office September 28th 1876.
This Bill of Sale from Charles E. Bryant to G.W. Prince & J.S. Barham, was this day recibed and with the certificate thereto annexed, admitted to record.

Teste,

S.R. Edwards C.C.

Bryant's Committee

V Exhibits

Darden & Hayrick et als

"

("A")

Last Will and Testament of Mrs. Jane Carr.

Item first, I give and bequeath to my granddaughter Mary Jane Carr, eldest daughter of my son Everett A. Carr, the tract of land whereon I now live with the appurtenances, also my negro boy Wesley aged about two years, provided she lawfull issue. In case she should die without lawful issue I give the said land and negro boy one moity or half to my son Everett A. Carr and the other moity or half to the Children of my daughter Sarah Jane Maget wife of Arthur C. Maget and their heirs.

Item Second, I loan to my daughter Sarah Jane Maget during her life the tract of land whereon Arthur C. Maget now lives; also, all the property which is conveyed by deed of trust by Arthur C. Maget for my benefit (and which is now in his possession) the said deed and land included therein, I hereby assign over to my executor with above intent, and at her death, I give the said land and other property to her children; also I loan my said Daughter one negro, her choice of my negros, during her life and at her death I give the said negro to her children as above.

Item Third. I give to my granddaughters Indiana V. Johnson, late Pond, Cornelia A. Pitt, late Pond, Antoinette M. Pond and grandson Everett M.A. Pond, my negro boy Isam, one feather bed and furniture, one clock, one walnut table, one pine table, one washstand, two earthen kegs, one large iron pot, one spining wheel, Cradle, Share and Share plate.

Item 4th. I give to my grandson Everett M.A. Pond out of my estate the sum of one hundred and fifty dollars ($150.00) and to my granddaughter Antoinette M. Pond the sum of one hundred dollars and my negro girl Harriet. (provided she leave lawful issue as to Harriet. In case she die without lawfull issue the said girl Harriet I give to her brother Everett M.A. Pond.)

Item 5th. I desire that all the balance of My negros be equally divided into two equal parts, One moity or part

I loan to my daughter Sarah Jane Maget during her life, and at her death I give the said negroes and their increase to such of her Children as may arrive to lawful age or leave lawfull ifsue; also, I gide to my said daughter Sarah Jane Maget my silver cash or tankard.

Item 6th. The other remaining moity or half of my negroes I give to my granddaughter Mary Jane Carr provided she leave lawfull ifsue, otherwise, in case she die without lawful ifsue of her body, I give said negroes and their future increase one half to my son Everett R. Carr, the other half to the Children of my daughter Sarah Jane Maget.

Item 7th. I bequest that all the balance of my proserty be sold on the usual credit and after praying my just debts and all reasonable expenses the balance remaining, if any, to be divided equaly, one moity to my daughter Sarah Jane Maget, and the other moity to my granddaughter Mary Jane Carr and after paying the two money legacies of $15.00 and $100.00, before stated, if enough, otherwise out of Items No. 5 & 6.

Item 8th. For the purpose of securing to my daughter the use of the land and negroes and other proferty before loaned to her, the said Sarah Jane Maget during her life. It is my wish that all said property be held under the control of my Executor and used by her under his discretion as he may think best and without the formality and expense of reporting his proceeding to the Court, as the law may require.

Item 9th. And lastly I hereby nominate and appoint my nephew James Majett my executor to this my will, and request the Court to require no security, in case he will qualify as my executor.

In witness whereof I have hereunto set my hand and affixed my seal this 16th day of January A. D. 1856.

Signed, sealed and
Acknowledged in presence of us

Cyrus E. Worrell
Wm J. Majett

James Carr (Seal)

At a Court held for the County of Southampton the 18th day of February 1856.

This last will and testament of Jane Cann dec'd was this day proved by the oaths of Cyprus C. Edwards & Sol'n J. Mayes the Subscribing witnesses thereto: and thereupon ordered to be recorded. And on the motion of James Mayes the executor therein named, who made oath and gave bond (but without security the will directing that none should be required of him). Certificate is granted him for obtaining a probat of the said will in due form.

Teste,

S.R. Edwards C.C.

Copies,

Teste, S.R. Edwards C.C.

For the Clerk -

Copy Order of County Court (January term '77) appointing Jno R. Bryant, Committee of Charles E. Bryant & mark it "A"

=# Deed of Trust (recorded September 18th '76) from Chs E Bryant to Roswell S. Mafette Trustee - & mark it "B" -

=# Order of County Court (February term '77) substituting Joseph B. Pope as Trustee in said deed of Trust in place of Mafette & mark it "C"

=# Deed of Trust (recorded Septem 19th 76) from Chs E. Bryant to Rufus E Dorsey (Trustee) & mark it "D"

=# Bill of sale (recorded September 28th 76) from Chs E. Bryant to George W. Prince & Joseph L. Barham & mark it "E" -

=# Mrs Jane Lear's will, and mark it "F" -
Will recorded in 1856 -

101

Bryants Comie

&c } Stat: Rules

Darden & Myrick Ys

[redacted]

1878 May. Dismissed

20
25
20
38
20
62
185

In Southampton Circuit Court.

Jonas R. Bryant Committee of Charles E Bryant

against

Geo. W Prince, Joseph L Barham, Rufus E Darden, Trustee, James I Darden, James D Darden & Wm A. Myrick Merchants & Partners trading under the Style of Darden & Myrick and Joseph B Pope Trustee.

1877 March 30th Summons issued

" April 2d Summons returned Executed on all the Defts except Dft. G W Prince. Bill filed Decree Nisi v all the Defts except Dft. G. W. Prince. Abs v him

" May " Bill Taken for Confessed as to all Defts except Dft. G. W Prince & Cause set for hearing as to them. D. Nisi v Dft. G W Prince

" " 7. Leave given Plff to amend his bill & Cause continued

" Aug 4 Ammded bill filed Process awarded.

" " 8. Process returned Executed. D. Nisi v. Dfts.

" Sept " Amended bill Taken for Confessed & Cause set for hearing

" Oct 17 Depositions filed

" Nov. 7. The death of Chs E Bryant being suggested. Cause remanded to Rules

To James Bryant. Committee of
Charles E Bryant.

Take Notice, That we shall proceed on the 26th day of September 1877 and between the rising and setting of the sun, at the Store house of G W Parker in Southampton Co.

to take the deposition of Jno J. Dyer. Richard A Barrett & others

to be read as evidence in the suit now depending in the Circuit Court of the County of Southampton

in which you are plaintiff and we are defendants. And if, from any cause, the said deposition should not be commenced on that day, or if commenced, be not concluded on that day, the taking of the same will be adjourned and continued from day to day, or from time to time, at the same place and between the same hours, until the same shall be completed.

Sept. 18. 1877.

J. J. Darden
Darden & Wyatt

Co Sheff of Southampton
to Execute

Dandeen Dorhees
ats 3 notice

Bryants Committee

Executed
W C Dr 99 Stff

Darden Sorrell
et-z shos
Byants Committee

Executed
W. W. Wright Sheff

Printed and for sale at Harrell's Cheap Job Office, Franklin, Va.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County---GREETING:

We Command You *that you summon* Matthew Bates, Jno J Beyer, Richard A Barrett, Jos B. Pope, Jno O Gilmer ~~H~~ a Comr in Chancery, ~~J K Tyler~~ and, a Notary Public *to appear before the ~~Judge of our~~ ~~Court of Southampton County~~, ~~at the Court House,~~ on the 26th day of September ~~Term,~~ 1877 ~~at the Store House of Rev Price~~ ~~to testify and the truth to say on behalf of~~* J. J. Darden & others *in a certain matter of controversy in our said Court, before the said Judge, depending and undetermined between* Jonas Bryant Committee of Chas E Bryant *Plaintiff and* J. J. Darden & others *Defendants. And this* You *shall in no wise omit under the penalty of the law, and have then and there this writ.* ~~Rufus E Darden, Notary Public~~ a Commissioner in Chancery

Witness ~~**LITTLETON R. EDWARDS**, *Clerk of our said Court, at the Court House,*~~ *this* 18 *day of* Sept *1877, in the* 102d *year of the Commonwealth.*

J. K. Tyler Comr in Chancery
Rufus E Darden
N. P.

The Depositions of Geo: W Price and others taken before me, James R. Tyler, a Comr. in Chancery for the Circuit Court of Southampton pursuant to notice hereto annexed at the Store house of G.W. Price in said County on the 26th day of Sept. 1877 between the hours of 6. am and 6 pm to be read as evidence on behalf of J.J. Darden & others in a certain suit in Equity depending in the Circuit Court for the said County, wherein Jonas Bryant, Committee of Chas E Bryant is Pltff. and J.J. Darden & others are defts.

Present. I.B. Price. atty for defts.

G.W. Price being duly sworn deposeth & says.

Question by defts Counsel. What is your age & where do you live? 37 years of age. I live in Southampton.

How long have you known Chas E. Bryant? About two years.

What do you think of his mental condition during the year 1876? up to November 1876. I regarded Chas E Bryant as capable of attending to business. Did you sell him any goods during 1876. and if so, were they goods necessary for a

II

person situated as he was that is for a farmer? I sold him goods during 1876, and I regarded them as absolutely necessary for him & his family. I shall file an itemized statement of his acct, reference to which will show the nature of the goods &c.

What do you think of the mental condition of said Bryant during the month of September 1876.? I regarded him as competent of doing business and as capable of understanding any ordinary business transaction.; during the month of Sept 1876 he came to my store and said to me, that inasmuch as I had a trust-deed on his crop, he cared not for supplies from any one. and he wanted me to let him have some bacon. which I did.

Did you take a trust deed from said Bryant during 1876. & if so what was his condition mentally at the time of the execution of the deed. I did take a trust deed from said Bryant in Sept 1876, and I looked upon said Bryant as fully understanding what he was

doing when he executed the deed.

G.W. Prince

J.J. Darden being sworn, deposes & says as follows.

What is your age & how long have you known Chas E. Bryant?

I am 56 years old, and have known Chas. E. Bryant at least 20 years.

What is your opinion of his mental condition during the year 1876, and especially during the month of Sept: 1876-? I considered him as capable of attending to business, of understanding what he was about and of knowing what he was doing. In Sept 1876, I took a trust deed from him, and in going to the Notary's to take his acknowledgement, he told me in conversation the amount of his debt to me nearly exactly. and manifested no indications of a person who did not know the nature of the business he was then engaged in-. I am almost certain that he did perfectly understand and appreciate what he was doing when he executed & acknowledged the

trust deed for my benefit. I saw him no more that I remember during the year. Were the goods sold by you to Chas Bryant during 1876 of a kind not necessary for the use of himself family or were they necessaries? I sold him I think goods that were absolute necessaries for himself family. as reference to his acct herewith filed will show.

Jas I Darden

J. M. Glover being duly sworn, deposes & says as follows.

What is your age & how long have you known Chas E Bryant?

I am 38 years old & have known Mr Bryant about 12 years.

What is Your opinion of his mental condition during the year 1876. at least to Oct of that year. I did not look upon Mr Bryant as insane, nor as wholly sane. I had no business transactions with him myself & cannot say what he knew about doing business

J. M. Glover

Matthew Bates, who had been previously sworn as witness for pltffs, cross Examined by defts counsel.
Did you state in your Examination for the pltff that you left Chas E. Bryants because you saw he was incapable of attending to any business & that you regarded him as an insane man: I did so state.: Did you after you left Mr Bryants in 1896, make any Effort to get back there. I did not.. Did you not tell Geo Prince sometime between June 1896 & Sept 1896 that you owned so back to Mr Bryants, provided he you were to receive orders from Mr Bryant alone. I have no recollection of saying this. I did tell Geo Prince ~~that~~ in answer to a question by him, that I had nothing to do with Whitley, but I owned not go back until I got my debt matter strait..

his
Matthew X Bates
mark

John Whitley being duly sworn, deposes & says as follows.
What is your age & how long have you

known Chas E Bryant.
About 42 years - and I have known
Chas E Bryant about 5 or 6 years.
Did you live with said Bryant
during year 1876? I did -.
What is your opinion about his
mental condition during that year?
I do not think he was at any time right during
that year -.

John his / Whitley,
mark

R. A. Barrett. being duly sworn
deposes & says as follows.
What is your age & how long have you
known Chas E Bryant -? about 44 years
old - & I have known Bryant about
15 years.
Did you take his acknowledgement
to a deed of trust during the month
of Sept. 1876? & think I did -.
Did you think him at that time
mentally capable of understanding
and appreciating the nature of
the business? That was my impres-
sion at that time -. The deed of
trust was for the benefit of G. W.
Price -.
Cross Examined -. At the time you
took the acknowledgment to this
deed, did you have much con-
versation with him?

Ans- not much.
Did you have much conversation with him at that time, to ~~ascertain~~ if his mind had been so impaired as to render him incapable of making a contract, to have ascertained that fact. Ans. I think I did-. Did you have any conversation with him on the object of the deed? Ans- I remember nothing special. ~~And further this deponent saith not~~. Did you not state to Jonas Bryant at Newnan depot last fall, that if you were called on to state whether or not Chas Bryant was capable of making a deed at the time he did, that you would hardly know what to say? You did not know what to think of the condition of Chas Bryants mind. Ans- I did-. And further this deponent saith not-.

R. A. Barrett

J. B. Pope- being duly sworn, says as follows- What is your age & how long have you known Chas Bryant? I am 26 years old. I have known Bryant 18 years-.

Dis. You take his acknowledgment
to a bill of sale during the year 1876.
Ans. I dis. What is your opinion
as to the condition of his mind at that
time: Ans- I dont know exactly what
to tell you- I talked with Mr Bryant
very little myself. I had some conversa=
tion with Mr Bryant at the time, and
if there ~~has been~~ was any thing the
matter with his mind ~~at that time~~,
I ~~reckon I would have~~ did not notice it.
This occurred at the house of Mr
Bryant- and I went there in
company with Gen Pierce & J. L.
Barbaun, for the purpose of taking
his acknowledgement.
Cross examined by Pltffs' Counsel.
Have you had many conversation
with Chas Bryant during 1875=
& 1876- Ans. I have not. Have spoken
to him when I met him may have
asked him some question.
And further this deponent saith
not.

J. B. Pace

The further taking of these depositions
is adjourned to 15 oct. 1877. at Jemalem

Bryant's Case

vs.

Borden & Myrick & Co.

Depositions

1877 Oct. 17th

Virginia: Southampton County, to wit:

I, Jas K Tyler, Com'r in the Court in Chancery of the Circuit Court of said County, do hereby certify, that the foregoing Depositions, were duly Sworn to & Subscribed before me, at the time and place mentioned therein. Given under my hand this 28th. day of September A. D. 1877.

Jas K Tyler,
Com'r in Chancery

Commissioner's fee for
taking Depositions &c.
$6.00 Charged to
Jas J. Darden.

Mr. C. E. Bryant

1876 To S. W. Prince &c

Jan	3	To whiskey burnt		75	
	6	" order to Com Scutchings		270	
	24	" Pr. women's shoes 220 - pt. whiskey 20		240	
		" 2 pt. K. oil 10 - Coffee pot 50		60	
	29	" order to John Whitley		183	
	31	" Gal. whiskey		160	9 88
Feb	1	" 2 pt. do		40	
	4	" order to John Whitley		1000	
	5	" Pr. mens brogans 2.03 - 1 order to Loveland 37		300	
	8	" order to Ira Hedgpeth		200	
	12	" do to Peter Bottoms		100	
	"	" do to Mary Bryant		195	
	19	" do to Peter Bottoms		300	
	25	" 20 lbs. nails 16 - Plow point 80		133	22 68
March	4	" oil Can 50 - Gal. K. oil 80		80	
		" pt. whiskey 20 - pr. mens shoes 188		208	
		" 1 lb. Candy		15	
	11	" 1 lb. Candy 15 - pt. whiskey 20		35	
		" order to Charles Bryant		50	
		" Bu. Irish Potatoes 125 - pt. whiskey 20		145	
	15	" 10 yds. Calico 90 - paper basket pins 12		102	
		" Pr. Garters 13 - 2 yds. Corset Elastic 20		33	
		" dressing Comb 20 - bunch braid 10		40	
		" pt. whiskey 20 - 1 oz. mint 10 - 3 bunches braid 15		45	
	17	" Pr. women shoes		200	
	18	" order to Jim Kelly		100	
	20	" Plow point		13	
	23	" order to Andrew Barham		60	
	25	" do to John Whitley		200	
		" do " Peter Bottoms		100	
	31	" Plow pt. 13		13	
		" order to Ira Hedgpeth		400	18 39
					$50 95

		To amnt. bt. forward		$50	95
April	1	" Worm Candy 25 – 3 pts whisky – co	85		
		" bridle bit	25		
	6	" pt. Whisky	20		
	7	" order to Charles Bryant	50		
		" pt. whisky 30 – Plug tobacco 25	55		
	11	" order to Henry Reid	1 75		
		" do to Hosea	1 25		
		" Bbl. Herrings 6 25 – 2 pt. whisky 40	6 65		
	14	" 1 lb. Crackers 18 – pt. whisky 30	48		
	15	" order to John Whitley	2 50		
	17	" amnt. paid Charles Bryant	75		
	22	" Plug tobacco 15 – yd Rencate 17 – pd. for Crackers 8	40		
		" 2 pts whisky – 1 30 – per	50		
		" Cash to Daniel Robinson	2 00		
	24	" order to Tom Scritchings	3 00		
	29	" pr Gal. whisky 80 order to John Whitley 2 50	2 80		
		" 4 lbs nails 6 – Corn cut file 25	42	24	87
May	2	" Plow point 13 –	13		
		" order to Mrs Scritchings	2 00		
	4	" do to John Whitley	9 00		
		" pt. whisky	30		
	11	" pr pt. whisky 15 – Hat 3 50 – pd. tobacco 40	4 10		
		" 17 yds Calico 10 – 17 yd. Insurgent 17	1 87		
		" 8 yds shirting 15 – 2 pr cards 90 – 100 25	2 35		
		" 3 doz. dress buttons per 10	30		
		" 2 yds. ribbon per 10	20		
		" Pr. Gaiters 50 – Lily white 10	1 60		
		" 5 yds. hoop trimmings 10 – into shoulder braid 20	80		
	13	" order to John Whitley	3 30		
	18	" do to Charles Bryant	30		
		" pr pt. whisky & 15 eggs	31		
		" order to Ira Hedgebeth	6 00		
	20	" pr pt. Whisky	35	33	46
			$109	28	

		To amnt. bt forward		$109	28
May	20	" pd. tobacco 50 – doz. eggs 13 – pt. whisky 15	75		
		" pt. whisky 20 – 1 lb shot & Powder for Whitley	50		
		" Annament back 5 – 3 yds Calimanco 18 "	69		
		" 3 yds. Gingham – shirt 50 "	87		
	22	" Pr. Womens shoes	1 50		
	26	" order to Mrs Scritchings	2 00		
		" do to John Whitley	3 50		
	27	" Cash	3 00		
		" pt. whisky 60 – 12 lbs. Lemons – doz eggs	80		
		" 1 lb. Belt Ribbon	40	14	94
June	3	" order to John Whitley 1.00 – 25 to Charles 1.00	2 00		
	7	" pd. tobacco 35 – pt. whisky 30	65		
		" order to John Whitley	1 50		
	8	" soda 10 – 1 lb. nails 6 – 2 qt whisky 10	26		
		" pd. Candy 13 – Plug tobacco 15 – P. Stamps 3	31		
	10	" pt. Whisky	30		
	13	" 2 plugs tobacco 30 – pt. whisky 20	50		
	17	" order to John Whitley	2 00		
		" pt. Whisky	30		
	20	" Plug tobacco 15 – 2 qt. whisky 10 – pd. Candy 5	40		
	21	" Gal. K. oil	2 00		
	24	" pt. whisky 30 – pd. Ginger 5	38		
		" order to John Whitley	2 00		
		" do to Peter Bottom	2 00		
	27	" Mrs Reid	35		
	28	" Pr Womens Gaiters	2 88		
		" 2 qt whisky 10 – Carpet soap 10	20		
	30	" order to John Whitley	2 00	18	33
July	1	" do to Charles Bryant	2 00		
		" do to Ira Hedgebeth	5 00		
		" do to Peter Bottom	4 00		
		" 6 blocks 1 matches 15 – 2 qt whisky 10 & 6 Cakes 6	31		
	3	" pr Gal. whisky 1.13 – 4 bags smoking tobacco 40	1 53		
		" Plug tobacco 15 – spool Cotton 10 – pd. P. per 20	45	13	29
			$155	84	

July		To amnt bt forward			$155 84
	4	" 6 lbs sugar 9 — Fls. Lemon 10		85	
		" 6 sheets paper 6 — 6 pens 6 — ink 10 — 12 cakes 12		34	
	5	" Lamp Globe 20 — Gi. whisky 10 — 12 cakes 12		32	
		" Gum band & pipe 40 — Pkt. Knife 25		25	
		" eggs — 2 lbs sugar 30 — 5 cakes whisky for Whitley		60	
		" 4 Bbls Corn @ 450	18	00	
	6	" order to Nicto Reed		70	
	10	" do to John Whitley 300	3	00	
		" do to Jew Sedgebeck	1	00	
	12	" 1/2 lb tobacco 35 — 3 Gls whisky 30		65	
		" order to Warren for 30 lbs sugar 3	3	75	
		" do to Charles Bryant	4	00	
		" do to Nicto Reed	1	50	
	19	" Pt. whisky		30	
	20	" order to Jew Sedgebeck	3	00	
	21	" do to John Whitley	3	00	
		" Pt. whisky		60	
	22	" 1/2 lb. tobacco		35	
	25	" 3 yds. ribbon @ 10 — bunch braid 10		40	
		" 6 yds ribbon @ 20 — spool cotton 10	1	00	
		" 1/2 Pt. whisky 50 — 4 bags smoking tobacco 40 — pipes		57	
	27	" order to John Whitley	1	50	
	29	" do to Nicto Reed	2	00	48 22
Aug		" do to John Whitley 100 — 4 Pkg S. tobacco 40	1	40	
	8	" Plug tobacco 15 — 31 lbs bacon @ 13 1/2	4	31	
		" 4 yds. Calico @ 8		32	
		" 9 1/2 yds brown cotton @ 9	1	19	
		" 1/2 d linen 100 — pipes 50	1	00	
		" order to Libes Whitley	1	00	
		" do to John do		50	
		" 4 Pkg. smoking tobacco 40 — 4 blocks matches 50		90	10 80
		" Gi whisky 50 — 1/4 d. Crackers 10		60	$214 86

		To amnt bt forward			$214	86
Aug	8	" 34 yds Sawing p Linen table cloth 23½	7	52		
		" paper pins 10 — paper needles 10 — pr Garters 13		33		
	12	" order to Isw Hedgebeth	3	00		
	15	" 3 lbs nails		18		
	18	" order to Nick Reed		50		
	19	" Do to John Everett		50		
		" Do to Wm Scutchings	2	00		
	17	" Spool cotton 10		10		
	19	" Canto patton 450 — 4 lbs pegging	5	00		
	14	" 4 lbs nails 6 — p Gal. St oil 5		39		
		" 2 boxes smoking Tobacco — 2 blocks matches 5		25		
		" 2 boxes snuff		16		
	20	" order to Nick Reed		50		
		" Do to Wm Bollins	3	00		
	28	" 2 lbs Candy 40 — order to John Whitley 150	2	10		
		" 2 boxes snuff		16		
	30	" 4 lbs pegging — 1 lb Candy 20 — Spool cotton 10		70		
	31	" order to Isw Hedgebeth	3	00		
		" 1 yd Jacknet & Spool cotton		35	30	34
					$24	520
		Cr				
		By 8 Peanut bags @ 16				128
					$24	392
Sept	7	To 4 boxes snuff 32 — 1 lb Candy 20		62		
	8	" order to Nick		50		
	13	" 1 lb Tobacco		75		
	15	" order to John Whitley	2	00		
	25	" Do to John Everett — Gal. St. oil 30	1	30		
	21	" Pt whiskey 20 & P. Stamps 3		23		
	22	" sending & acknowledging sett	3	00		
	23	" order to Wm Scutchings	3	00		
		" Do to Isw Hedgebeth	3	00		
	30	" 2 lbs Tobacco @ 75	1	00	15	40
					$24	592

		To amnt bt forward			$259	32
Oct	14	" order to John Whitley	3	00		
	18	" Do to Isw Hedgebeth	2	00		
	21	" 1 lb Tobacco 75 — 2 lbs chew 40 — 12 cigars 60	1	70		
	26	" order to Isbw Whitley	4	00		
	31	" ½ lb Candy 15 — 1 lb Tobacco 75		90	11	65
Nov	1	" 25 lbs pd tobacco @ 15 — 78 lbs Shoulder bacon @ 13	13	50		
	12	" Pt whiskey		20		
	4	" order to John Whitley	2	50		
	11	" Do to Isw Hedgebeth	2	00		
	13	" 3 Gls whiskey & Gimlet		25		
		" 1 lb Tobacco 75 — Pr shoes 550	2	25		
	18	" order to Isw Hedgebeth	2	00		
		" Matthew Bell's account	21	63	44¼	33
					315	30
Dec	7	By 53 yds Red Cotton @ 3			159	00
					$156	30

Mr Charles E. Bryant

1876 Bought of James J Darden

Feb	19	1¾ yds	Alpaca	@ 3/9	$	1 09
"	"	1/4 Bu	Irish Potatoes	@ 7/6		1 56
Mar	18	5 yds	Red Worsted	3/8	188	
"	"	1/4 Bu	Early Rose Potatoes		32	220
April	28	36 yds	Dress Goods (2 Pcs)	2/3	1350	
"	"	4 "	Brilliants	20¢	80	
"	"	2½ "	Bleached Jeanes	9¢	31	
"	"	11 "	Paper Cambric	9¢	88	
"	"	6 "	Cotton Cloth	9¢	75	
"	"	3 Pair	Ladies Hose	20¢	60	
"	"	11 yds	Calico	4½¢	69	
"	"	8 "	"	8¢	64	
"	"	1 Pair	Cloth Gaiters	2.75	275	
"	"	1	Ladies Hat	$3	3.00	
"	"	1	Misses "	6/-	1.00	
"	"	45 yds	Calico ¼ 1/12 1/14 1/15 (5 Pcs)	10¢	4 50	
"	"	2⅔	Doz Dress Buttons	1/6	66	
"	"	1	Box Snuff	9¢	1.2	30.20
May	3	1	Ladies Hat	$4	4.00	
"	"	1 lb	Tobacco	4/6	75	
"	"	1	Plate Lock	$2	200	
"	"	1	Pair Pants	$3½	3.50	
"	"	2 1/16 lb	Bladder Snuff	4/6	1 55	
"	"	½ lb	Candy	30¢	15	1195
"	13	1	Pocket Knife	3/-	50	50
					$	47.50

		Amt brot forward				$47.50
May	29	½ lb Raisins	@ 30¢		15	
Left "	"	1 Ladies Straw Hat		60¢	60	
"	"	1 yd Ribbon		15¢	15	90
July	15	1 lb Tobacco		4/6	75	
"	"	½ Gal Molasses		60¢	90	
Left "	"	20 lb Sugar		9¢	2.50	
"	"	1 Pocket Knife		4/6	.75	
"	"	1 Bowl		1/—	.17	
"	"	12 yds Bleaching		9¢	1.50	
"	"	4 Spools Cotton		10¢	40	
"	"	1 " Silk		15¢	15	
"	"	1 Pkg Working Cotton		2/3	37	
"	"	1 Bottle Machine oil		15¢	15	
"	"	1 yd Wiggins		1/1/2	19	
"	"	1 " Bleached Jeans		15¢	15	
"	"	5 " Cambric		10¢	50	
"	"	9 Doz Desp Buttons		30¢	270	
"	"	1 Lot		5/3	88	1206
Left "	Aug	2 5 lb Tobacco		4/6	3.75	
Left "	"	1 Pkg Smoking Tobacco		20¢	20	3.95
Left "	18	1¾ lb Cheese		25¢	35	35
Left	Sep	5 Bal on Sugar			204	204
						$ 66.80
		Contra Credit				
July	15	By overcharge of 9 yds in Desp Patern @ 2/3				$ 3.37
Sep	16	" Note			63.43	6680

Mr Abbott & Bryant

Executed by delivering James A. Darden, Wm. A Mynick James L Darden, Rufus E Darden, Joseph B Pope & Joseph L Barham each a copy of this Summons on the 2nd day of April 1877.

W. W Briggs Shff

Payment Arrangements
Summons Ofcy
Defendant's Attorneys check

1877 April Rules
Returned

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON James D. Darden v Wm A. Moynick, merchants trading under the style of Darden v Moynick—James D. Darden, Rufus A. Darden (Trustee) Joseph D. Pope (Trustee) Joseph L. Barham and George W. Prince

if they be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County at the rules to be holden for the said Court, on the first Monday in April next to answer a bill in chancery exhibited against them in our said Circuit Court by Jonas R. Bryant (Committee of Charles E. Bryant, a person of unsound mind)

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 30th day of March, 1877, in the 101st year of the Commonwealth.

L R Edwards C.C.

Prince Geo. Ct.

"

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON George W. Prince

if he be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County at the rules to be holden for the said Court, on the first Monday in April next to answer a bill in chancery exhibited against him & als in our said Circuit Court by Jonas R. Bryant (Committee of Charles E. Bryant, a person of unsound mind)

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 30th day of March, 1877, in the 101st year of the Commonwealth.

L. R. Edwards C. C.

Executed by delivering George W Price a Copy of this Summons on the 16th day of April 1877.

W. C. Briggs Shff

Bryants Comee

v } Alt. Sums Chy

Darden & Myrick & C

1877 last Monday in April.

6 7 5

350
050
120
520

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Geo. W Prince as at another time we have

if he be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County at the rules to be holden for the said Court, on the ~~first~~ last Monday in April Inst. — to answer a bill in Chancery exhibited in our said Court against him & others by Jonas R Bryant Committee of Charles E Bryant

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 5th day of April, 1877, in the 101st year of the Commonwealth.

L R Edwards cc

March 18th 1878 Recd of J J Darden the sum of Twenty five Dollars for the cost on Suit I brought against J J Darden, Darden & Wyrick & Eus N Prince and others as Curator of Chas C Bryant and I bind myself to have said suit dismissed without farther cost to them

This is a true copy of a reciept I hold from mr Bryant

Signed J R Bryant Curator

Jas J Darden

Bryant & Committee
vs
Darden & Myrick et al

Decree

To be entered
November Term '77

Geo. F. Bason

Bryant's Committee

vs

Dardenelly Nicholas & others

The death of the said Charles E. Bryant being suggested this cause is ordered to be remanded to the Rules for further proceedings therein—

Bryant's committee
vs
Dayton & Myrick & others

May 8th 1878
To be entered
Geo Blow.

Bryant's Committee

vs.

Darden & Myrick, & others

This cause was this day ~~heard on the pa~~ on motion of the plaintiff dismissed at his Costs, no Attorney's fee to be charged in the bill of cost.