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July 26th, 1919.

Refund Carlton Marshall purchase Cape Sable:

Mr. J. E. Ingraham,  
President,  
St-Augustine, Fla.

Dear Sir:

We have your favor of the 21st enclosing letter from Mr. Dewhurst together with form of release to be signed by parties who have entered suit against Mrs. Marshall.

On going into this matter further I find that Mrs. Marshall elected under the law to take a child's part of the estate under the will of her husband, which it seems would therefore entitle her to at least half of this proposed refund of \$640.00; under this decision on her part to take a child's part, her attorneys with the Marshall heirs proceeded to divide the property, and this is where the trouble lies in that she claims her attorneys acted without her authority and agreed to an unfair division of the property which she proposes to fight further in the courts; the copy of decree sent you with former letter shows T. S. Kennedy dismissed as Executor of the Will by Judge Donnell, but it seems the Probate Judge under whom Kennedy qualified, holds that Donnell exceeded his authority in dismissing the Executor who comes under his jurisdiction.

The matter being unsettled more or less, and it appearing that the widow might have a claim for half of this refund, Dr. Kennedy as Executor stated he would not sign the release unless he was assured that she would get at least one-half of the amount; the next step was to interview the Marshall heirs, and I called on Mr. A. D. Marshall who seems to be acting as agent and is handling the affair for the balance of the heirs, and he told me he had never seen the original receipt and knew nothing of this purchase of his brother while living and thought it was very commendable in the Company to offer to refund this money, and stated that the heirs were not only willing for the widow to have one-half of the amount but would be willing to give it all to her providing it should be paid to her at the rate of One Hundred Dollars per month and not in a lump sum as he was afraid someone might swindle her out of some of it, and both sides have agreed that the money could be paid to me as Trustee, by me to be paid to her in amounts as agreed.

In order to get the matter settled up, I agreed take this responsibility

and on this basis, the widow, Victoria Bellamy Marshall, T. S. Kennedy, Executor, have agreed to sign a release, and Mr. A. D. Marshall stated he would secure the signature of all the Marshall heirs as soon as possible; this will probably take some little time as one of the brothers they have lost track of, but think he can be located.

Therefore, I am returning, herewith, the release amou you will probably wish to have a new one drawn up on the basis of the additional information, and allow me to suggest that more space be allowed for the signatures and witnesses, and should there be two witnesses to each signature, or is one sufficient?

I think this should be handled with as little delay as possible while all parties are in a humor to sign the release.

Yours very truly,

FJP