

1851-014

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WHITEHEAD

VS. FRANCIS

WHITEHEAD VS FRANCIS' EXTORS

11/1851

Other surnames: Darden,
Myrick, Thomas, Joiner,
Joyner, Murfee, Bryant,
Booth, Reese, Liles, Kindred,
Dorden, Boothe, Story, Pope,
Turner, Barham, Newsom,
Beaton, Claud, Newton,
Powell, Fuller, Edmunds,
Waller, Drewry, Edwards,
Porter

Whitehead

to: } Stat. Rules

Francis

Harriet Whitbread

vs.

Nathaniel Francis

} In Chy.

1847 Oct 21st Sp^a. issued.

" Nov. Rules. Sp^a. Ret^d? Not found. New Sp^a. issued.

" Dec. " Sp^a. Ret^d? Executed. Bill filed.

1848 Jan. " Answer of Deft: filed Gen: Rep: thereto.

" Apr. 1st Monday, Cause set for hearing.

" May 7. Leave to amend bill &c.

" " 18. Amended bill & Sp^a &c. awarded

" June 8. Sp^a. Ret^d? Executed

" Aug. " Answer to amended bill & Rep &c.

" Oct. Last set for hearing

" Nov. Decree setting aside deed & order for account.

1849 Apr. 2nd Report.

" " 24. Sci. fa. to review against Dft: Exors.

" May 7. Report recommended.

" Nov. Cont?

1850 May. Continued.

" Nov. Continued

1851 Mar 24th. Judgment of Court of Appeals received.

" May 7. Decree for account.

" Nov. Final decree

Platts. Lote	Colk.	11 14.34
	Shiff	15.78
	Comm.	75.00
	Wils.	2.00
	Law &c	17.41
		<u>126.53</u>

Whitchend

x } Bill

Francis

1847 December Rules

To the Honorable, the Judge of the Circuit Superior
Court of Law and Chancery of Southampton County.

Humbly Complaining shew to the Court your
Complainant Harriet Whitehead.

That she is and ever has been a single
woman and unmarried — That sometime about the
year 1831, during the insurrection of the negroes in the
County of Southampton, and whilst all near the
scene of action were in the greatest possible state
of excitement, the House of her friend and relative,
with whom she resided, was attacked in the night
by the negroes, and in the general and awful alarm
consequent thereon, your Complainant succeeded in
secreting herself, between some beds, whilst her
sister and the entire remainder of the inmates of the
house were murdered in a few feet of her, and
it was only by the aid of some friendly negroes that
she was enabled to escape the general slaughter.

That the fright and alarm produced by these causes,
so operated on the mind of your Complainant, that both
her mind and body became weakened and greatly impaired
thereby. That so powerful and overwhelming was the
effect thus produced, that she became very depressed in
spirits, weak in body and mind, hysterical and easily
excited, and when in such a state of mind has resorted
to stimulating medicines, drinks, and the like, which
have frequently rendered your Complainant unfit
to enter into important contract or agreement. That
this state of feelings and mind continued more or less
until after the year 1843, and even now occasionally
afflicts her.

That previous to November 1843, when under
the influence of such a state of excitement and
weakness, she would frequently become offended with
her nearest relatives, and friends, and be guilty of acts
when excited by her fears, by her hysterical disposition
and stimulants, which she could only regret afterwards.

That sometime previous to November 1843 your
Complainant had become indebted in some amount,
when she became acquainted with one Nathaniel Francis,
a man as she afterwards learned, and as it afterwards
became known to her, notorious for his love of money
and the means used to get it, and he seeing that
your Complainant was possessed of a considerable
estate, and that in consequence of her unfortunate
state of mind, was a fit subject for him to defraud

of her estate; he accordingly set about to obtain it from her.

That the said Francis had previous to Nov. 1843, obtained some claim or claims amounting to \$20. or \$30, against your Complainant, which were not regularly assigned to him (the latter to deceive her) upon which warrants were brought against your Complainant, in the name of the Original owners but for his benefit, and executions obtained thereon, which greatly excited the mind of your Complainant who was then housekeeping by herself, and whilst in such a state of mind, unfit to transact any business, the said Francis would visit your Complainant two or three times a week, under the garb of friendship to advise her.

That the said Francis taking advantage of your Complainant's fears, and weakness, whilst under much mental excitement, used means to excite envy and unfriendly feelings in your Complainant's mind towards her relations, by saying and insinuating that they were her worst enemies, that they would get all she had, that they would defraud her of her estate and the like and at the same time professing himself her greatest friend.

That the said Francis held out to your Complainant many advantages and inducements why she should give to him her whole estate, but unreasonably agreeing to any such proposal, as suited the convenience of Francis, he procured friends of his - especially female ones, to use such persuasions and other means, and arts as they could command to work upon your Complainant's already diseased & excited mind, to induce her to believe in his professions of friendship and disinterestedness, and to induce your Complainant to make to him a conveyance of her estate; all of which has the effect to deceive your Complainant and enables the said Francis to defraud your Complainant or vice presently to be shown.

That your Complainant, whilst laboring under great excitement of mind and debility of body, and whilst excited on account of some debts she owed, and whilst being influenced and wrought upon by Francis and his aids, under the promise of support and good treatment the balance of her life, and by fraud, misrepresentation, and undue influence deceitfully exercised, she was induced to make to said Francis,

a deed for her whole estate, as appears by a copy of the same dated 13th November 1843, and filed herewith as part of this Bill marked (A.).

That the said deed thus made by her, never read to her she knew not, as she was, at the time laboring under great debility of body, and mind, but so it is, the deed as it now appears is different from what she was led to believe it would be - That Francis has the deed prepared to suit his own wishes without consulting your Complainant; and the better to deceive your Complainant and accomplish his purpose your Complainant was almost forced to leave her room, which she has been unable to leave for several weeks, and to go to the house of Francis' friend a female who has used and then used all her influence to induce your Complainant to make a deed to Francis for her estate.

That the said deed purports to be in consideration of natural love and affection and also of \$800 - whereas, as to natural love and affection she could have had none, as Francis was in no wise related to her, and as to the \$800, she never received one cent of it, and if it was intended to cover such sum as Francis might pay for her, it was still fraudulent as he sold your Complainant's property or a part of it for that purpose - both of which considerations are entirely at variance with truth.

That the said Francis, to make some show of honesty did execute a bond in the penalty of \$1000, to support your Complainant, of which she knew nothing till since then, when she also learned that Francis was advised to make the penalty larger, but refused, still shewing his fraudulent designs - which bond or a copy thereof is filed herewith marked (B.) -

Your Complainant is advised and charges, that ~~xxx~~ if the deed aforesaid were binding on her, still as the bond shews that the deed was only in fact a security or as a mortgage to indemnify Francis for what he might expend on your Complainant's account, that she is entitled to redeem her property by paying to Francis what amounts he may ^{have} expended for your Complainant and a reasonable sum for his services, he paying for all property sold, accounting for the rents & hires of the estate named in said deed -

Your Complainant also charges that she has not been decently and comfortably supported as she ought to have been and as the bond purports, but has

been much neglected, & the property taken charge of by Francis and used by him.

Your complainant also charges that since she has determined to seek redress of Francis, he has threatened her with exposure to the church of which she is a member, endeavoring thereby to overawe and frighten her into submission to his terms, as tho: it were wrong for her to seek her just rights.

Your complainant charges that the said deed was obtained by fraud, misrepresentation, undue influence (and false promises, and whilst your complainant was not capable to make a deed, and therefore should be set aside entirely; and the property therein named restored to her; at most, she is advised, the said Francis has no more right remove the deed and bond aforesaid, than to receive what he may have expended for your complainant and a reasonable amount for his services; and that he the said Francis is accountable to your complainant for all property sold, all rents of land, and all hires of negroes and the interest on the same, and your complainant is willing to accept of the terms last named.

Your complainant calls on the said Francis to state clearly, unequivocally and without any evasion, or reservation whatever the means used, the friends or others who used their influence for him, and the reasons which he has, to obtain from your complainant the deed aforesaid, and that he answer distinctly every charge herein.

In tender consideration whereof and for as much as your complainant is without remedy save in a Court of Equity, where such matters are cognizable: to the end therefore she prays that the said Nathaniel Francis be made defendant hereto, and be compelled to answer on his corporal oath all and every allegation herein, and that too as particularly as if they were here again repeated and he thereto interrogated: and that the prayer of your complainant may be granted; that the deed aforesaid may be set aside, and a Commissioner of this Court be directed to ascertain the amount of sales made by said Francis of your complainant's property, of the rents and hires thereof, and also of what sums he may be entitled to for money's paid or services rendered for your complainant, and that such other and

further relief may be granted as consists with
Equity &c

John R. Kilby J. J.

Whitehead

v. { Amended
Francis River

1848 May 4th filed

To the Judge of the Circuit Superior Court of Law
and Chancery of Southampton County,

Humbly Complaining sheweth to the Court
(Your Oratrix) Harriet Whitehead —

That sometime in the year 1847 she
filed in this Honorable Court a Bill of Complaint
against one Nathaniel Francis, having for its
object among other things, to have cancelled or
declared a mortgage, a conveyance executed by
your Oratrix to said Francis in the year
1843, wherein the said Francis is charged with
having obtained said deed or conveyance by undue
influence and fraud — That your Oratrix was
deceived in regard to the same — as to its consideration
and character, and for a specific enumeration of
the contents of said Bill, reference is here made
to the same as a part of this Bill —

and now may it please the Court
by way of amendment to the said original
Bill your Oratrix charges that for several
years previous to the execution of the conveyance
referred to ⁱⁿ said original Bill, the Defendant
Nathaniel Francis has been the agent of your
Oratrix in attending to business for her, and
was so up to the time of the execution of said
conveyance, and was the general adviser of
your Oratrix as regards her property & money
matters, and whose relation to your Oratrix
was not only of a business character but one
of great confidence; and your Oratrix charges
that the said Francis used his influence
whilst thus situated towards your Oratrix
to obtain a deed for her estate; and your
Oratrix further charges that the said Francis
in order to obtain his object refused & so declared

himself that he would cease attending to your
Oratrix's matters unless she would make him
a conveyance for her estate — under such
circumstances relying upon his supposed dis-
interestedness and friendship, and supposing her
property was ^{not} to be taken from her, she executed
a conveyance as aforesaid, whereby a fraud has
been practised upon her — Your Oratrix
further charges that by the contract made
at the time (as your Oratrix supposed was done)
the said Francis was to execute to her a
Bond binding himself to pay her debts
then due & support her whilst his manage-
ment of her matters might remain in his
hands, but in violation thereof did not, nor has
ever executed any such bond altho. promised,
and instead of paying her debts, he sold her own
property to ~~do so~~ with all which is a fraud
upon your Oratrix's rights —

Your Oratrix further charges that she
is not comfortably ~~supported~~ supported as she ought
to be, but is and has been in a very helpless
and dependent state — That Francis is wealthy
and now enjoying the property of your Oratrix
~~which have~~ been obtained as before set forth
whilst your Oratrix is really poor — that there
was no sort of equality between your Oratrix and
the defendant at the time the deed was
made either as regards estate or business qual-
ifications, otherwise she would not have been
so defrauded —

Your Oratrix cannot think or
believe that property gotten by fraudulent
means can be enjoyed undisturbed by the
proprietor, and in order therefore to present

an opportunity to the defendant to act justly towards
your Oratrix she proposes (and now calls on him
to say whether he will accept of the offer or not)
that a Commissioner of this Court shall take
an account of all monies that the defendant
may have expended for her and all reasonable
interest & charges for services rendered ^{and that he be allowed the same} — That
an account also of all property sold by defendant
all reasonable rents, shares & interest due your
Oratrix be ascertained and allowed her, and that
the amt. which may be found due to or from the
defendant be paid & that the estate contained in
the conveyance aforesaid be returned to her —

In tender consideration whereof and for as much
as your Oratrix is without remedy save in a Court of
Equity, to the end therefore your Oratrix prays that the
said Nathaniel Francis may be made defendant hereto
and be compelled on oath to answer every allegation
herein specially & particularly — That ~~the conveyance~~
aforesaid may be avoided or declared a mortgage, and
a Commissioner be required to take the accounts
prayed for and all others necessary and that
such other (and further) relief may be granted as
consists with Equity &c.

John R. Kelly J. C.

Whitehead
 ^r } Answer
Francis }

1848 February Rules'

The answer of Nathaniel Francis to a bill of complaint - exhibited against him by Harriet Whitehead

This Defendant now and at all times here after saving & reserving to himself all manner of benefit & advantage of exceptions that can or may be had or taken to the many errors uncertainties insufficiencies and other imperfections in the said Complainant's bill of complaint contained for answer thereto or unto so much thereof as this Defendant is advised is material or necessary for him to make answer unto answereth and saith, it is true Harriet Whitehead did execute to him a deed for her estate on the 13th day of Nov 1843 and on the same day he entered into the bond mentioned in the bill and set forth as a part thereof, and he verily believes this is the only statement in the Complainant's bill which is true. That he has been acquainted with the Complainant all his ^{life}, and she knew his character well, and the allegation that he became acquainted with her after the commencement of her indebtedness, which conveys the implication that he intrigued himself into her acquaintance for sinister purposes is false. That his fondness for money which does not exceed that of all prudent men has never led him into the paths of dishonesty nor has it ever induced him so far to forget his morality as to seek to set aside a bona fide transaction by covering himself with infamy and charging another with depravity of which he knew him to be innocent. The charge in the bill that previous to Nov 1843 the Defendant obtained claims amounting to \$20 or \$30 against the Complainant which were not regularly assigned to him but on which warrants were brought for his benefit is utterly false, the Defendant had no interest either nominal or real in the

said warrants. He never visited the complainant except when sent for by her. She always seemed to entertain a strong feeling of hostility towards her relations, one of them in particular, but the Defendant had no hand in originating it; nor did he in any way seek to increase it, and he never made any extraordinary professions of friendship for her. He never held out any inducements to her, nor did he persuade her to execute the said deed, nor did any other for him or by his authority, if she was at all persuaded on the subject which he does not believe it was without his knowledge consent or desire. That so far from his using any intrigue to obtain the said deed the complainant importuned him to accept it and he refused on several occasions, not wishing to be troubled with the matter, and finally when he did consent the complainant was not forced from her home to the house of the lot of the Defendant as is represented in the bill, but she went voluntarily to the house of a lady of high respectability and there executed the deed after it had been read & explained to her by a draughtsman of her own choice; she there declared that the transaction was not the result of momentary caprice, but that it was her settled opinion after much deliberation it was the best arrangement she could make. The Defendant never heard of the complainant's being of unsound mind before the filing of her bill, nor was he previously aware of her habits of intemperance, she was certainly neither insane nor drunk at the time the said deed was executed, but was capable of transacting any kind of business. She advanced some very strong reasons to one of the witnesses to the deed to show the expediency of pursuing the course she had determined on. The arrangement between her and the Defendant has been of essential advantage to her, had it never been entered into, her pro-

perty would have long since been exhausted in the payment of debts and she would have been penniless on the charity of the world. It is true no money was actually paid in hand to the complainant as the consideration of the said deed, but between \$1000 & \$1500 were advanced to pay off her debts before that time contracted. The Defendant has always been ready & willing to increase the penalty of the bond entered into by him for the support of the complainant, and has never refused any proposition to that effect coming from an authorized source. The complainant has always been comfortably supported and has had whatever she chose to desire. According to the intention of the deed the Defendant has taken possession of the property which was worth at the time it was delivered about \$3000, and he has sold only one negro woman worth about \$400. The Defendant did say to the complainant he would expose her conduct to the church, but he did not intend it as a threat, he did not wish to frighten her from her purpose, he does not count concealment for any transaction of his life and least of all for this, but he intended and still intends to arraign her before the church; He is induced to pursue this course from no feeling of revenge but from a conviction that it is a duty he owes to the church of which they are both members no longer to permit it to remain in ignorance of the true character of the complainant who charges herself with the habitual & excessive use of intoxicating liquors, and who by her bill filed in this cause shows her utter disregard of every principle of truth & honor. The Defendant denies that he used any means himself by friends or others to obtain the said deed, but charges that it was freely and voluntarily executed after much solicitation on the part of the complainant that he would accept it. The Defendant can not conceive, how the said deed absolute on its

face and in reality can be construed into a mortgage; the bond executed by him, and the money paid were the consideration of an absolute deed and not of a mortgage or deed of trust which never was contemplated by either of the parties - And this Defendant denies all manner of unlawful combination & confederacy whereunto he is by the said bill charged, without there is any other matter cause or thing in the Complainant's said bill of complaint contained, material or necessary for this Defendant to make answer unto and not herein or hereby well and sufficiently answered avoided traversed or denied is true to the knowledge or belief of this Defendant: All of which matters this Defendant is ready and willing to prove as this Honorable Court shall direct, and having answered he prays hence to be dismissed with his reasonable costs &c

Nathaniel Francis

Chambliss Massenburg Atty for Defendant

Southampton County, to wit:

Personally appeared before me a justice of the peace in and for the said county Nathaniel Francis and made oath that the above written answer contains the truth to the best of his knowledge & belief, Given under my hand this 20th day of December 1847

Wm. H. Nicholson J.P.

Whitehead

2 } ~~Am. bill~~
i } ~~Am. bill~~
Francis } ~~Am. bill~~

1848 Aug Rules

The answer of Nathaniel Francis to an amend.
d bill of complaint of Harriet Whitehead

This Defendant, now and at all times hereafter
saying & reserving to him self all manner of bene-
fit and advantage of exception that may be taken
to the many errors, uncertainties in sufficiency,
and other imperfections in the said bill of
complaint contained for answer thereto or unto
so much thereof as this Defendant is advised is
material or necessary for him to make answer
unto, answereth & saith, That he was at no time
the agent of Harriet Whitehead as is stated in the
bill, nor did he ever pay more or other attention
to the complete business than to that of other
females residing in his neighbourhood
who never considered him their agent, He
only executed trifling commissions for her
and them at their request, acts of kindness
which every man is in the habit of doing
for his neighbours as a matter of course.
He denies that he ever was the general ~~agent~~
~~agent~~ agent of Harriet Whitehead for any pur-
pose whatever. He denies that he ever threatened
to cease attending to her matters unless she would
make him a conveyance for her estate, he had
never attended to them unless acts of com-
mon courtesy above mentioned can be
so construed and such attention as that
he was always willing to continue to
bestow not only on her affairs but also
on those of any neighbour. This Def^t
further says that he was never the general
adviser of the complete regarding her property
or any thing else, He also denies that he

over exercise any influence or persuasion
by himself or others to obtain the conveyance
of 1843. The circumstances attending the ex-
ecution of that conveyance are set forth in
his answer to the original bill to which
reference is here made and it is prayed to
be considered a part of this answer. This Deft.
also says that the Compt has been comfort-
ably supported according to the contract.
He most respectfully declines the very modest
offer of the Compt, that he should settle his
act before a committee, &c, as that would be
to give up his case. He says that he never
promised to execute a bond conditioned for
the payment of Harriet Whiteheads debts, noth-
ing was said on that subject, but although
no promise was made to that effect, he has
proceeded to pay her debts as will more
fully appear by exhibit herewith filed &
and prayed to be considered as a part of
this answer. He says ~~that~~ he did sell an in-
considerable part of the property conveyed in
the deed

And this Deft denies all manner
of unlawful combinations &c, and having
answered the the various allegations of
the Compt to amended bill he prays hence
to be dismissed with his cost, May it
please the Court &c

Nathaniel Francis

Southampton County to wit;
This day Nathaniel Francis personally
appeared before me a justice of the peace
for the said county, and made oath that
the facts contained in the foregoing an-
swer are true to the best of his knowledge
and belief Given under my hand this
14th of July 1848

Thos. Ridley J.P.

Whitchurch

& } Co. Dorset

Francis

Southampton Circuit Superior Court. November Term 1845 -

Harriet Whitehead
against
Nathaniel Francis

Plff (In Chancery)
Dft S

This cause came on this day to be heard as the original and amended bills the answers of the defendant thereto and replications to the same together with the exhibits referred to and the examination of the witnesses and upon the argument of Counsel. On consideration whereof the Court being of opinion that in consequence of the relation that existed between the Plaintiff and the defendant and of the peculiar morbid sensibility and depravation of spirits under which the former laboured and was suffering at the time the deed and bond in the bill referred to were executed, each bearing date on the 13th day of November 1843 ought to be set aside, doth adjudge order and decree that the said deed and bond be and the same are hereby declared null and void. And the Court doth further adjudge order and decree that a Commissioner of this Court take an account of the dealings and transactions between the said Plaintiff and the said Defendant since the execution of the said deed, showing the amount of the rents, profits and hires of the slaves and other property conveyed by the deed aforesaid to the defendant together with the amount of money received and paid since the execution of the same by the said defendant for or on account of the said Plaintiff, which account the said Commissioner is directed to examine, state and settle and report with any matters which he may deem pertinent or which may be required by the parties to be so stated -

attest

Teste. J. R. Edwards Clk

Whitehead

v. $\frac{1}{2}$ Deane
Francis

To be entered

R. H. B.

Nov. Co. '48.

1849. Sta. Fern

Whitehead vs. Francis

This cause came on this day, to be heard on the original and amended Bills, the answers of the defendant thereto, and replications to the same, together with the exhibits referred to, and the examinations of the witnesses, and upon the argument of counsel; on consideration whereof the court being of opinion, that in consequence of the relation that existed between the plaintiff and the defendant, and of the peculiar morbid sensibility and depression of spirits under which the former labored and was suffering at the time, the deed and bond in the Bill referred to ^{was recited} each bearing date on the 13th day of October 1843, ought to be set aside, doth adjudge order and decree that the said deed and bond, be, and the same be hereby declared null and void: and the court doth ~~further~~ ^{also} adjudge order and decree that a corner of this court take any account of the dealings and transactions between the said plaintiff and the said Def.^t since the execution of the said deed, showing the amount of the rents, profits and hire of the slaves & other property conveyed by the said aforesaid to the Def.^t together with the amount money received and paid since the execution of the said by the said Def.^t

for or on account of the said plff. which
account the said Com^r is directed to
examine, state and report, with any matters
which he may deem pertinent, or which
may be required by the parties to be
so stated.

Whithead
as } now.
Francis

May June 1849.

Whitehead vs Francis

This day this cause came on to be again heard on the Papers formerly read. and on the report of the leant. Made in ~~in~~ pursuance of an order of this leant pronounced at ~~the~~ Nov Term 1849. - The exceptions thereto. and was argued by leant. On consideration whereof & by consent of parties. The leant doth adjudge order and decree, that the said report be recommended to same leant. who is directed to receive any new evidence which may be produced by either party, Touching the matters of the said Report. and he is required to report to the next court with any matters ~~specifically~~ stated, annexed petitions by himself or which may be required by either of the parties to be so stated -

Francis & Co.
Esq & Co. Decree
Whitehead

1851 March 29th Ruined

Southampton

Virginia: At a Special Court of Appeals, held at the State
Courthouse, in the City of Richmond, on
Monday February 10th 1851.

Leahbert D. Barham and Thomas M.
Newsom executors of Nathaniel Francis
deceased. appels: { upon an appeal
against { from a decree
Samuel Whitehead. appee: { pronounced

by the circuit Superior Court of law and
chancery held for Southampton county,
on the tenth day of November 1848. in
a suit in which the appellee was
plaintiff and the appellants testator
was defendants.

This day came the parties by their counsel, and
the court having maturely considered the transcript
of the record of the decree aforesaid and the
arguments of counsel, is of opinion, that there
is no error in the said decree; therefore it is decreed
and ordered that the same be affirmed, and
the appellants out of the estate of their testator
in their hands to be administered, do pay unto
the appellee her costs by her about her defence
in this behalf expended.

Which is ordered to be certified to the circuit court
of Southampton county.

Appellee's costs in the
Court of Appeals (\$45.98) Acopy. Teste Allen C. C. C.

Whithead

v

Francis Eny

Decred
To be entered
R. H. Baker
May 6. 57.

1857 May Term

Whitehead's Exam.

17.

Francis' Exam.

This cause came on this day to be again heard on the paper formerly read, and on the proceedings had in the ^{Special} Court of appeals, ~~in the~~ in this cause on the transcript of the record of the same ~~for present to the suit of~~ ~~Superior Court granted by the day of~~ and in which said Special Court of appeals the following decree was made to wit - Virginia - at a Special Court &c (here enter the decree) whereupon it is by the Court decreed and ordered that a Commissioner of this Court proceed to take the several accounts as directed by the decree of November Term 1848 which accounts the said Court is directed to examine state & report, with any matters which he may deem pertinent, or which may be required by the parties to be so stated -

Whitchend

is } Co. David

Francis

Aug: 19th 1851

Southampton Circuit Court. May the 3rd 1851.

Harriet Whitehead

against

Nathaniel Francis

Plff

In Chancery

Def.

This cause came on this day to be again heard on the papers formerly read and on the proceedings had in the Special Court of Appeals in this cause on the transcript of the record of the same, in which said Special Court of Appeals the following decree was made to wit: "Virginia: At a Special Court of Appeals held at the State Court house in the City of Richmond, on Monday, February 10th 1851.

Cuthbert D. Barham and Thomas M. Newson executors of

Nathaniel Francis deceased

against

Harriet Whitehead

Appels

Appel

Upon an appeal from a decree pronounced by the

Circuit Superior Court of Law and Chancery held for Southampton County on the tenth day of November 1848 in a suit in which the appellee was plaintiff and the appellants testator was defendant -

This day came the parties by their Counsel and the Court having maturely considered the transcript of the record of the decree aforesaid and the arguments of Counsel, is of opinion that there is no error in the said decree. Therefore it is decreed and ordered that the same be affirmed, and the appellants out of the estate of their testator in their hands to be administered do pay unto the appellee her costs by her about her defence in this behalf expended. Which is ordered to be certified to the Circuit Court of Southampton County.

Appellants Costs in the

Court of Appeals

\$45.98

Attest. Teste. I Allen c.c.w."

Whereupon it is by the Court decreed and ordered that a Commissioner of this Court proceed to take the several accounts as directed by the decree of November Term 1848. which accounts the said Commissioner is directed to examine, state and settle and report with any matters which he may deem pertinent or which he may be required by the parties to be so stated.

Attest

Teste.

J. R. Edwards Ck

Whitehead X
in
Frances.

Amice & Co

To be returned

R. K. Baker

Nov. 20 '51

1851 November Term

Whitehead v. Francis Ex.

This cause came on this day to be again heard on the papers formerly read, & on the Report of Com. Gott made pursuant to the decree of May Term last, & on the exceptions filed to said Report — on consideration whereof the Court, overruling said exceptions, doth adjudge order & decree that C. D. ^{Thomas W. Newson} Barham Exors of Nathl Francis, do recover of Harriet Whitehead the sum of Eighty five dollars & five cents, the balance due as appears by said report with interest from 31st Dec. 1848 till paid (and the Court doth further adjudge order & decree that the plaintiff recover of the ^{Wm. A. M.?} Def^s her costs expended in the prosecution of this cause —

Southampton County, To wit:

This day Joseph N. Vick of lawful age, made oath before me a justice of the peace for the county aforesaid, that on the 13th day of December in the year 1847 he delivered to the within named Harriet Whitehead a true copy of the within notice .. Given under my hand, this 13 day of December in the year 1847. Lephthah Duncanson J. P.

Whitehead

v. { Notice
Francis

1848 December 12th

To Miss Harriet Whitehead

Please take notice that on the 12th day of January next between the hours of nine in the forenoon and four in the afternoon of that day, at the Cross Keys, in the County of Southampton and State of Virginia I shall proceed to take the deposition of Benj^a B Pope, Cuthbert D. Barham & others, to be read in evidence, in my favour, in a suit now pending in the Circuit Superior Court of Law and Chancery for the County of Southampton, wherein I am Defendant and you are Plaintiff, but if from any cause the taking of said depositions shall not be commenced, or being commenced shall not be completed on that day, the taking of the same will be continued from day to day until the said depositions shall be completed.

Given under my hand this 13th day of December 1847

Nathaniel Francis

Whitehead

v.

Francis

Notice to
Staple Sep.

For the Sheriff.

Executed

Edw J Turner Deputy
of Septua (Darden) Sheriff

Southampton County to Wt A

This day Edward I Turner personally
appeared before me Mark T Peete one of the Justices of the Peace
of said County and made oath that he on the 13th Inst delivered unto
Nathaniel Francis a true copy of the ~~original~~ within notice
given under my hand and seal this 14th day of April 1848

M T Peete J. P.

To Mr. Nathaniel Francis

Sir — Take notice, that on Monday the first day of May next, between the hours of nine in the forenoon and six in the afternoon of that day, at the house of Sampson Rice at the Cross Keys in the County of Southampton, I shall proceed to take the depositions of Dr. Nicholas Schell, Lepta Sarden, Joseph T. Liles, John Bothe, Joseph D. Whitehead and others to be used as evidence for me in a suit now pending in the Circuit Superior Court of Law and Chancery of Southampton County, wherein I am Plaintiff and you are Defendant, and if from any cause, the taking of the said depositions shall not be commenced, or being commenced, should not be completed on that day, the taking of the same, will be adjourned from time to time until the said depositions shall be completed — Given under my hand this 24th March 1848.

Harnett Whitehead
by Kilby & Chandler attys.

Whitehead } take Diplo

1897

W. H. H.

Miss Harriet Whitehead

Take notice that on Tuesday the seventeenth
of October next between the hours of nine ^{in the} forenoon
And six in the afternoon of that day at the house
of Sampson & Neave at the Cross Keys in the town
of Southampton I shall proceed to take the Depositions
of A D Barham Benjamin E Pope and others to be
used as Evidence for me in a suit now pending
in the Circuit Superior Court of Law and Chancery
of Southampton County wherein I am Defendant and
you are plaintiff and if from any cause the taking
of the said depositions shall not commence or being
commenced shall not be completed on that day the taking
of the same will be adjourned from time to time until
the said Depositions shall be completed. given under my
hand this 2 day of October 1848-

Nathaniel Francis

This day John Edwards appeared before me and
made oath that he had delivered the above notice
to Harriett Whitehead Oct 2nd 1848

M. J. Peck J. P.

Whitehead

no

Francis.

Notice

Can. P. Notice v. Francis.

To Mr Nathaniel Francis

Taken notice that on Monday the thirtieth day of October, next-
(1848) - between the hours of 9 A.M., and 8 P.M. of that day,
and at the tavern of Sampson C. Rice, at the Cross Key, in Litchfield
County No. I shall proceed to take the depositions of ~~Benjamin~~
Benjamin B Waller John Whitehead Sampson C Rice
James Fisher Wm H Whitehead Isaac M Arnold ~~and others~~
and others, to be read as evidence in the suit now pending in the court
super. Court of Law & Chy, on the Chancery side, for the said County of Litchfield
in which I am Complainant and you are Defendant: and if for any cause
the said depositions shall not be taken or completed on that day, they
will be adjourned from time to time until completed. Given under my
hand this 16 day of October 1848.

Kenneth Whitehead
By Jas R Kelly her atty.

Sauhampton County, N. Y.

This day personally appeared before me ~~John~~ Barker
and made oath that he did deliver to ~~John~~ Barker
a true copy of the within notes on Tuesday
the 2nd day of Oct 1848

N. B. Barker J. P.

To Nathaniel Francis

Take notice that on the 8 of November next
at Jerusalem in the office of Mr G Goodwin between
the hours of 10 AM & 6 PM of that day I will proceed
to take the depositions of Alexander Murrell & Sampson
& Rees & others to be used as evidence for me in a suit
now pending in the circuit ^{Superior} Court of Law & Chancery
for Southampton County wherein I am plaintiff & you
are defendants Given under my hand this 31st day of Oct
1848

Harrett Wheelhead

John R Kelby

Whitehead

2 } Comr. Notice

Francis

Feb'y - 20th 1849

Executed

Edward J Turner

Deputy of Deputy

Barren Giff

Nathaniel Francis and Harriett Whitehead - You are hereby notified, that pursuant to a decree of the Circ. Sup. Court of the County of Southampton, pronounced at Ct. on: Term 1848, the undersigned Comr: will, on the 20th day of February next, at his office in Jerusalem, proceed to take the account there is required at which time and place the above parties are required to attend, with the necessary evidence and papers

W. S. Goodwyn

Comr: in Chancery

January 17th 1849 -

This day

John Boothe personally appeared before
me and made oath that he did on the
12th this inst. deliver to Nathaniel Francis
a true copy of the within notice
Given under my hand
this 13th day of Feb'y 1849

N. B. Bryant *per*

To Nathaniel Francis

Sir Take notice that on
Saturday the 1st day of this present Instant between
the hours of Ten A.M. and Six P.M. of that day at the
House of Jephtha Darden in this County I shall
proceed to take the Deposition of Martha L. Dar-
den to be used as evidence for me in the
Settlement of the accounts beore Hon^{ble} J. Goodwyn
Commissioner of the Circuit Superior Court of Law
and Chancery for Southampton County Accord-
-ding to a Decree of the said court rendered at
its last term

At
Southampton February 12-1843 Harriet Whitehead

✓
Whitethad

i 3 Comm. Notice
Francis Exor.

He returned at Aug. Court

Executed by delivery
2 true copies to all
of the parties

Geo Barham Es
for A Myre K
Sherriff

Marriett Whitehead, C. D. Borland and Thomas M. Etienne
Exrs. of Nathaniel Francis

Pursuant to the decree of the Circuit
Superior Court for the County of Southampton, at ~~Spring~~ Term
1848, the above parties are hereby notified that the several accounts
therein required, will be taken at the Commissioners office in
Jerusalem, on the 1st day of August next - At which time and
place, the parties are required to attend with the necessary papers
and evidence

W. S. Goodwyn Comm

June 1851-

C.S.C

Whitehead

v. { Off^r Chy

Francis

1847 November Rules

Amounts hand for late
to be wanted

John Barker Es
For Jacob Barnes & Son

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

Nathaniel Francis

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *November*. next, to answer a Bill in Chancery exhibited against *him* in the said Court by

Harriet Whitehead

And unless *he* shall answer the said Bill within ^{*two*} ~~four~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *21st* day of *October* 184*7*, in the *72^d* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

C. S. C.

Whitehead

To { Sp. Chy

Francis

1847 December Rules

Executed

John Barkham &
For Jacob F. Barnes Esq.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

Nathaniel Francis

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *December* next, to answer a Bill in Chancery exhibited against *him* in the said Court by

Harriet Whitehead

And unless *he* shall answer the said Bill within ^{*two*} ~~four~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *12th* day of *November* 1847, in the *72nd* year of the Commonwealth.

L.R. Edwards

[One Copy to be delivered each Defendant.]

✓ c 30
Whitelhead

to { Sp^t

Francis

1st day of May 1848 at the
Cross Keys.

Executed

Edward J Turner
of Leitha Prison Sheriff

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING :

WE COMMAND YOU, THAT YOU SUMMON *Eliza Porter (wife of*
Richard Porter)

at the Cross Keys in
to appear before the Judge of our ~~Circuit Superior Court of Law and Chancery~~ for
the County of Southampton, ~~at the Courthouse~~ on the *1st* day of *May next*
~~Term~~ to testify and the truth to say, on behalf of

Harriet Whithead in a certain matter
of controversy in our said Court, before the ~~said Judge~~ *of our said Court* depending and undetermined,
between *said Whithead* Plaintiff and
Ruthaniel Armes Defendant . And this *she*

shall in no wise omit, under the penalty of £100. And have then there this Writ.—

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this

17th day of *April* 184*8*, in the *72^d* year of the
Commonwealth.

L. R. Edwards

Whitehead
to { Spa

Francis

1st day May 1848 at the
Cross Keys.

Executed

Edw P Turner Capt
~~by~~ the (Dracon Staff

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING :

WE COMMAND YOU, THAT YOU SUMMON *Septima Darden. J. J. Giles*
John Booth. J. B. Whitehead. Isaac M. Arnold. Charles Fuller. Martin
L. Darden & Ben. C. Pope

to appear before the Judge of our ~~Circuit Superior Court of Law and Chancery~~ for ^{Cross Keys in the} at
the County of Southampton, at the Courthouse on the 1st day of May
Term next.

to testify and the truth to say, on behalf of *Harriet*.

Whitehead in a certain matter
of controversy in our said Court, before the said Judge depending and undetermined,
between *Said Whitehead* Plaintiff and
Nathaniel Francis Defendant . And this *they*
shall in no wise omit, under the penalty of £100. And have then there this Writ.—

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this
8th day of April 1843, in the 72nd year of the
Commonwealth.

L. R. Edwards Clk

Whithead

to { Spach

Francis

1848 Some French Rules

Present

Wm. Schiller &
J. H. Anderson

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

Nathaniel Francis

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *June* next, to answer ^{*an amended*} Bill in Chancery exhibited against *him* in the said Court by *Harriet Whithead*

And unless *he* shall answer the said Bill within ~~four~~ ^{*three*} months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *18th* day of *May* 1848, in the *72^d* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

Whitehead

to J. P. 4

Francis

3^d Oct. 1848 at the Grays
Rays

Executed

Edw J Turner Secy
of Jephtha Darden Ship

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING :

WE COMMAND YOU, THAT YOU SUMMON *Isaac M Arnold.*

Eliza Porter Benjamin L Waller,

at the Cross Keys in
to appear before the Judge of our Circuit Superior Court of Law and Chancery for
the County of Southampton, at the Courthouse on the *30* day of *Sept.*

~~Term~~

Whitehead

to testify and the truth to say, on behalf of *David*
in a certain matter

of controversy in our said Court, before the said Judge depending and undetermined,
between *Said Whitehead* Plaintiff and

Nathl Francis

Defendant . And this *May*

shall in no wise omit, under the penalty of £100. And have then there this Writ—

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this
16 day of *October* 184*8*, in the *72* year of the
Commonwealth.

L R Edwards

1056
Whithead
& Sp^r

Francis

30th of October 1848 at
Crosby.

Executed
Eam^d J Turner Esq^r
of Ipswich (Darius Stff)

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING :

WE COMMAND YOU, THAT YOU SUMMON

Peter Edwards. William L. Everett. James Jackson. Jesse Drury. Henry Knicker. John C. Turner. Nathaniel D. Barkham. John Barkham. John Newton. Charles Fuller
to appear ~~before the Judge of our Circuit Superior Court of Law and Chancery~~ *at the*
County of Southampton, at the Courthouse on the *30* day of *October* instant
~~Term~~ to testify and the truth to say, on behalf of *Marrit Whitehead*

in a certain matter
of controversy in our ~~said~~ Court, before the said Judge depending and undetermined,
between *Said Whitehead* Plaintiff and
Nathaniel Francis Defendant . And this *they*

shall in no wise omit, under the penalty of £100. And have then there this Writ.—

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this
20 day of *October* 184*8*, in the *73* year of the
Commonwealth.

J R Edwards

Whitehead

& 2 Sp^{rs}

Francis

20 February 1819.

Executed on

Leiftha Leardan

John Booth

Joseph F. L. L.

Henry Kinane and

Martha L. Leardan

and Joseph B. Whitehead

+ John Whitehead not
found

Edward P. Turner Esq.
of Leiftha Leardan Esq.

*Septima Darden
Is B. White
Martha Darden* } Not to be summoned

T. G. Broughton & Son, Printers.

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING :

WE COMMAND YOU, THAT YOU SUMMON *Septima Darden, John Whitehead, John Booth, Joseph T. Siles, Henry B. Darden, Martha Darden, Joseph B. Whitehead*
to appear before the ~~Judge of our~~ ^{Common Pleas} Circuit Superior Court of Law and Chancery for the County of Southampton, at the ~~Courthouse~~ ^{his office in Georgetown} on the ~~20~~ ¹⁶ day of ~~February~~ ^{March} Term ~~Int. next~~ to testify and the truth to say, on behalf of

Martha Whitehead in a certain matter of controversy in our said Court, before the said ~~Judge~~ ^{Common Pleas} depending and undetermined, between *John Whitehead* Plaintiff and *Martha Darden* Defendant . And this ~~stays~~

shall in no wise omit, under the penalty of £100. And have then there this Writ.—
Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this *2* day of *February* 184*9*, in the *73* year of the Commonwealth.

L R Edwards

J M Colver

Whitehead

vs { Sup:
Francis Exors

To August 19th 1837.

Executed on John
Whitehead

Pro Barten &c

for A. Myrick

Executed on M. Gardner
Lophak & Jacob Gardner
at found

H. P. Pope
for A. Myrick

4.65-
17.72
\$16.37

The Commonwealth of Virginia:

To the Sheriff of the County of Southampton, GREETING:

We command you to summon

John Whitehead, Jephtha Sarden, Jacob Sarden & Martha Sarden.

to appear at the ~~Clerk's~~ Office of the *Corn. Goodwyn* in of the County of Southampton, at ~~Rules to be holden for said Court, on the first Monday in~~

~~next, to answer~~ on the 19th day of the present month (*August*) to testify and the truth to speak on behalf of the plaintiff in a certain account to be taken on the said 19th day of August by the said *Corn. Goodwyn*, in a certain suit in chancery depending in our circuit court for Southampton County, between *Harriet Whitehead* plaintiff and *Math. Francis, Exors.* Defendants - and this they shall in no wise omit, under the penalty of £100.

And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, this 12th day of *August* A. D. 1851.
in the 76th year of our Independence.

L. R. Edwards, C.C.

✓
Whitehead

n. } Sup^r

Thomas Est.

15th September 1857.

Executed on Jeff Mark
Darden John White
head Martha
Darden + Jacob
Darden not found

For Barkan
for Alleyne
Thompson

The Commonwealth of Virginia:

To the Sheriff of Southampton County, GREETING:

We command you to summon *John Whitehead, Jephth Darden, Jacob Darden, & Martha Darden*

Commissioner Colbert his office in Jerusalem in the County
to appear before the ~~Justices of our County Court of Southampton, at the Court~~
16th September
~~House~~, on the ~~first~~ day of the next quarterly term, to answer *Verify and the truth*
to say in behalf of Harriet Whitehead against the Exor. of Nathaniel Francis

And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our
said Court, at the Courthouse, this *27th* day of *August* 1851,
in the *76th* year of the Commonwealth.

L R Edwards Clk

Whitehead

vs } Sums

Francis Exors

To Sept 16th 1857.

The Commonwealth of Virginia:

To the Sheriff of Southampton County, GREETING:

We command you to summon *Peter Edwards*

to appear before the ^{Commissioner Cobb} Justices of our County Court of Southampton, at the Court ^{his office in Jerusalem}
House, on the ^{16th} first day of the next ^{present month September} quarterly term, to answer ^{testify and the truth to}
speak on behalf of *Harriet Whitehead* in a certain matter
of controversy depending before said Commissioner
between said *Whitehead* plaintiff and *Math. Francis Exors*
defendant. And this they shall in no wise omit
under the penalty of £100.

And have then there this writ. Witness, *LITTLETON R. EDWARDS*, Clerk of our County
said Court, at the Courthouse, this ^{of Southampton} ^{15th} day of *September* 1851,
in the ^{76th} year of the Commonwealth.

L. R. Edwards, C.C.

Francis Ex^r

ads } Subp

Whitehead

To 16th Sept 1857

Executer on pro^{du}
John Booth & Lewis
Glorry not found
pro Barham Depty
for A Myrick
Sherriff

The Commonwealth of Virginia:

To the Sheriff of Southampton County, GREETING:

We command you to summon *Lewis Story & John Bosth*

Commissioner Cobb his office in Jerusalem
to appear before the Justices of our County Court of Southampton, at the Court
House, on the ^{16th} day of the ^{present month September} next quarterly term, to answer
to speak on behalf of Nathl. Francis Exors defts
in a certain matter of controversy depending before
said Commissioner between Harriet Whitehead plff
and said Francis Exors defts - And this they
shall in no wise omit under the penalty of \$100.

And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our County
said Court, ^{of Southampton} at the Courthouse, this 15th day of September 1851,
in the 7th ^{1th} year of the Commonwealth.

L. R. Edwards, C.C.

~~sworn to & subscribed~~
The above deposition was taken at the time &
place mentioned in the caption, before me a justice
of the peace for the County of San Francisco
Given under my hand this 12th of Jan 1848
A. S. Kelly J. P.

W. H. H. H. H.

Deposition

Francis

Courtesy to Howard Smith
1848
Jury. 12

3716

31
The deposition Benjamin Pope taken at The
Crosby on the 12th of Jan. 1848 between the
hours of nine in the forenoon and four in the
afternoon to be read as evidence in a suit
now pending in the Circuit Superior Court
of Law & Chancery for the County of Southampton
between Harriet Whitehead and Nathaniel
et Francis, This deposition being first duly
sworn on the holy evangelist of Almighty
God's deposition & said

That when passing Richard Porter House on his
way home from up the City Mrs Porter called at him
and after inquiring after the health of his family &c
wished to know what day he could come to
her House, or to Miss Harriet Whitehead, he does not
now recollect whether it was to meet at her House
or at the House of Miss Whitehead, To do some
writing for Miss Harriet Whitehead and Nathaniel
Francis, when he inquired of Mrs Porter the
nature of it, she hesitating, but at length
remarked that Miss Whitehead was going to
give Francis a deed, Witness does not recollect
whether he was told what kind of a deed
after which he named to Mrs Porter what day
he would be at her House, he went on the
day named by himself on getting there, he
thinks he found both the Plaintiff and
Defendant there, Witness very soon said to
deft that Mrs Porter had requested him to be
there that day, for the purpose of doing
some business for him and Miss Whitehead
deft said yes, and then went on to explain
what kind of a deed the Plaintiff was or
wished to make him Witness does not recollect
positively, but thinks he conversed with herself
before he prepared the deed, but after he had
written the deed and Indemnifying bond

he recollects that Plaintiff was invited in the Room where Witness was, when Witness read to Plaintiff the whole deed, and he thinks also the Bond that debt was to execute to Plaintiff after which Plaintiff signed the deed immediately after which Plaintiff went on to speak of the reasons that induced her to make the deed without being interrogated by any person. Plaintiff spoke of her indebtedness, her inability to pay without selling property &c. Plaintiff said she had no relation that she could get to do her business for her, said her brother John's health was very delicate and that she had none other that she could or would let do it, and said she preferred making debt a deed. Plaintiff said it was a matter that she had given a great deal of reflection, and had made the deed after due reflection. Witness suggested to Plaintiff the necessity or propriety of executing a larger Bond where debt said it mattered not about the amount of the bond, as he intended doing what was right towards the Plaintiff after this debt said to Witness to let Plaintiff have any goods she might buy or order, which he has always done never having had the order countermanded, and debt has always paid Witness for what goods Plaintiff has bought when called upon, and seemed to do it willingly, without complaint. Debt at some times said to Stock Parham that when he might be sent for to see Plaintiff he wished him to go, as he would be a member of his family, and that

he would pay him for his services &c. while this conversation was going on Plaintiff sat by and seemed cheerful, Witness thinks more so than usual, as if pleased at what she had done.

Question by Deft. Have you known the Plaintiff long and what has been the state of her mind? Answer I have known her since 1834 not very intimately, I have always considered her of sound mind.

Question by p't's Counsel:

Is the Plaintiff considered recognized as a person at times of weak & feverish mind? Answer I never heard that she was.

Question by same.

Do you know and if so state what reasons sometimes that induced the Deft. to desire the deed in question?

Answer I do not.

Question by same.

Did you draw the deed in question over it done by debt's direction & in the absence of Plaintiff?

Answer I drew the deed at debt's request when the Plaintiff was in another room of the house.

Question by same.

Is Mr. Francis a wealthy man & what was the value of the estate named in said deed?

Answer Mr. Francis is considered in very easy circumstances - The property at that time I considered worth four or five thousand dollars.

Question by same - Did the Plaintiff at that time consider in Francis as a friend?

Answer I think she did. *Ben E. Pope*

Whitbread

n { Deposition

Francis

Came to hand sealed Jan^y 12th
1848. J.R.G.

The deposition of Joseph Laine Taken at the
Clerk's Office on the 12th of Jan 1848 between the hours
of nine in the forenoon and four in the afternoon
to be read as evidence in a suit now pending
in the Circuit Superior Court of Law & Chancery
for the County of Southampton between Harriet
Whitehead and Nathaniel Francis. This
deponent being first duly sworn on the
Solemn Oath of Almighty God, deposes &c &
swears

Question by Deft Do you know in what manner
Harriet Whitehead has been supported by Nathaniel
Francis since Nov. 1843

Answer

In January 1844 I first went to Nathl Francis to
board from then up to the present time Harriet Whitehead
has been frequently sending to Mr. Francis for necessaries. Sugar
& Coffee &c and has always been furnished with all other necessa-
ries so far as I know from the first day of December 1846 I
was at Harriet Whitehead's house during Mr. Francis's absence
to the south during that time she was furnished with every
thing she sent for from Mr. Francis's house, as far as I know
or believe

Question by Plaintiff's Counsel (John R. Kelly)

Do you know the Plaintiff intimately how long
have you known her?

I have been acquainted ^{with} her for eighteen or twenty years part
of the time I have been intimately acquainted ^{with} her.
Ever the same -

Have you ever been employed on the premises where
she resided & if so ~~what~~ has ~~been~~ her conduct been
uniform & consistent or otherwise?

I have been employed on the premises and worked for her
in 1833 or 1834 during that time her conduct towards me

now, she treated me politely and when the matter was
done she settled with me, and in a short time paid me
200. by same.

Was her family murdered during the insurre-
ction of the negroes in this County about 1831?
Her mother's family was murdered where she resided 1831
200. by same.

Is the Plaintiff in this case of a hysterical
disposition & subject to great depressions in mind
at times?

Not that I know of she was not

Joseph Joiner

Southampton County Court.

I hereby certify that the foregoing
deposition was taken as set forth in the
caption - Given under my hand this
12 July 1848.

Alex. Myrick J.P.

Whitehead

v } Deposition

Francis

Came to hand sealed Jan-
12. 1848.

IRB

The deposition of Robert D. Barkham taken at the Oath kept on the 12th of June 1848 between the hours of nine in the forenoon and five in the afternoon to be read as evidence in a suit now pending in the Circuit Superior or Court of Law & Chancery for the County of Southampton between Harriet Whitehead and Nathaniel Francis. This deponent being first duly sworn on the Holy Evangelist deposited & sworn.

In the year 1843 on the morning of the 13 November I was in the act of starting to Mr. Richard Porter's for the purpose of seeing Nathaniel Barnes, who was then sick; and when starting Ben C. Pope came up and enquired where I was going. I told him to Porter's, he said he was going there, & we would go on; on our way there I saw him have a book & enquired what he was going to do with it; he said he had been requested to go to Mr. Porter to do some writing between Miss Horriette Whitehead & Mr. Nathaniel Francis, the nature of which he did not know.

When we got to Porter's we found Miss Whitehead there; in a few minutes Mr. Porter called me ~~to his room~~ where Miss Whitehead was. She very soon asked me what I thought of the thing she was then about to do; I told ^{her} I knew nothing about it, & could not advise; she said she had come there for the purpose of giving Mr. Francis a bond of trust, or an actual deed upon all her property. I told her I could not advise unless I knew her reasons for doing it.

She then said her reasons were, that Joseph W. Whitehead had associated himself with a Peulatto family, & was supporting them out of her corn crib & smoke house, & would very soon bring her to want, if she did not take some steps

to prevent it, & further that he (Joseph W. Whitehead) had become impatient, & even abusive to her, & that she could not live in that way any longer; another reason was, that she was already in debt some six or eight hundred dollars, which she had no means of paying without selling her property, & that she had nothing to sell except some young negroes, and if she sold them, she should be left with old negroes, women & children who could not support themselves & she must very soon come to poverty & want; I then told her if her statements were facts, I did not see what better she could do than to convey her property in some way but could not say which way would be best for her. She then said it was not a momentary thing that she had given it a good deal of reflection, & had several times proposed it to Mr. Francis, & that he had never consented to have any thing to do with it and she then feared he would not take an actual deed. I then asked her why she preferred giving an actual deed she said, if she gave a deed of trust only Mr. Francis would have no power to break Joseph Whitehead leave there - and that she could not pay the interest on her debts - must get worse every year, and ultimately when Mr. Francis should want his money she should then be broken up at once - and all she wished, was to secure to herself the certainty of a comfortable & decent support - Since the day of the writing of this deed, I heard nothing from Miss Whitehead until perhaps June 1847 when on one occasion at her house she told

me she had become dissatisfied & wished to undo what she had done, & take her property back, I asked her what grounds she expected to get the property. She ^{said} that Francis had not complied with his promise, in furnishing her all the necessities of life, servants &c. - I had ^{no} conversation with her on that subject until the 5th day of this month, at which time she told me, the ^{suit} was brought by Dr. Whitehead of Norfolk, she had nothing to do with it had authorized nothing to be written, and could not know what was or had been said as she had never seen her lawyer, or had any correspondence with him, & that the whole matter was in the hands of Dr. Whitehead.

I omitted to state that on the day that the deed was made it was read, & explained to Miss Whitehead & she expressed her satisfaction with it; on that occasion Mr. Pope suggested, that the amount in the bond was perhaps not large enough, Mr. Francis allowed he was willing to have the property valued, and after deducting the amt. of her debts, to give his bond for the balance, and ~~as~~ designed nothing but what was right in the matter. Miss W. remarked she was satisfied with it as it was, she had no doubt Mr. Francis would authorize her & if he did all was right, as she expected nor desired nothing more than a decent support for life.

Question by Deft. Have you been the physician of Miss Whitehead for several years and if so what was the state of her mind previous to 1843? Since Answer - I did not consider myself her family physician before 1843. I have never seen Miss Whitehead either before 1843 or since that time when I did not consider her sane & capable of transacting business -

Question by Deft: Do you know that Francis directed I Rees, a merchant at the Cross Keys to allow Miss Whitehead to take up such goods as she thought proper from his store.

Answer Mr. Francis directed me to say to Mr. Rees, that ^{in his request he would let} ~~if he would permit~~ Miss Whitehead to have such goods as she chose, & he would see that they were paid for.

Question by Deft: Have I not always directed you to go to Miss Whitehead whenever you were sent for as a physician.

Answer Yes Sir.

Two last questions objected to by Pliffs Counsel

Quer. by Plts: Counsel: Do you know of Plts: selling any articles & doing any other act to aid in her support.

ans: I do not.

Quer. by same.

describe as far you can her mental character.

ans: I consider Miss Whitehead to be a Lady of fine sense

Quer. by same - From your intimacy with Plt: can you state whether ^{she is subject to} ~~any~~ ^{any} ~~any~~ mental derangements.

My intimacy with the plaintiff, has not enable me to discover ~~any~~ mental derangements, more than such as are natural to most, or all persons labouring under nervous diseases.

Quer. by same - Was the Plt. indebted at the time the deed was made & to what extent?

Answer The plaintiff admitted herself to be in debt to the amount of six or eight hundred dollars.

Quer. by same - You have stated a conversation you had with Plt. recently - State the reasons that induced you to see her, ~~also~~ ^{also} whether any statements

were made to her about the difficulty with Deft. & by whom made.

Answer. In my recent visit to Miss Whitehead; I went in company with the Revd J. M. Arnold and at his instance, who visited her on the subject of her church relations, and whilst conversing on that subject he (J. M. Arnold), necessarily alluded to this suit -

Question by Deft. - Do you know any reason why Miss Whitehead was not in the room where the deed was performed by Mr. Pope?

Answer - There was a very sick man in the room where Mr. Pope was, which rendered it an improper place for a lady to be; and in the other room we were so much annoyed by Mr. Porter that it was impossible to write.

Question by Deft. - What was the situation of Mr. Porter?

Answer - He was insane.

Question by Deft. - What was the value of the property conveyed by Miss Whitehead to Francis

Answer - The property was estimated at thirty six hundred dollars & she was supposed to be one eight hundred.

Question by Deft. - How did Miss Whitehead appear to be supported when you visited her since 1843?

Answer - Upon all occasions when I have been there I never saw anything but plenty of the evidence thereof, but my means of judging were limited.

C. D. Barham

The above deposition was taken sworn to & subscribed at the time & place mentioned in the caption before one a justice of the peace for the County of Southampton - Given under my hand this 1st of Jan. 1848
Alex. Myrick JP

Whitehead

a. } Depositions

Francis

Came to hand sealed May 2^d
1848. L.R.E.

The deposition of Jacob Rarden taken this first day of May 1848 at the house of Sampson C. Reese at the Crisp Key in the County of Southampton, to be read as evidence on behalf of Harriet Whitehead in a suit now pending in the Circuit Superior Court of Law and Chancery of said County wherein said Harriet Whitehead is plaintiff and Nathaniel Francis is defendant, pursuant to the annexed notice -

The deponent being duly sworn on the Holy Evangelists of Almighty God, say -

Question by pth: atts:

State what you know as regards the execution of the deed from the pth: to the Debt: Aug. Some days previous to the execution of the deed Whitney called on Pth: for the amt.

she overheard him, Pth: reply was that she had no money, but that she had asked Sept: to let her have some money to liquidate some small claims, Sept: refused to do so, Pth: stated that she had proposed to see Sept: some produce for the purpose of settling said claims.

Ques: by same - Do you know what was the state of her mind previous to November 1843 - and whether she was subject to Depressions of spirits on account of sudden fear?

Ans: Whitney says testify as to that question

Ques: by same - What was the state of her mind at the time you called on her about the small debts?

Ans: Whitney says she seemed very uneasy about her debts, she expected to be pushed for money and saw no means by which she could pay it

2
Ques. by same - Do you know & if so state, in what light or character the plt. regarded the deed to Francis whether as a deed or security for what Francis might expend for her.
Ans. Atstump says she ~~thought~~^{wished} and expected it to be a deed of security for what debt might expend in payment of her debts.

Ques. by same. Do you know if so state, how the plt. has been provided for by Deft.?
Ans. in the month of Aug. last - I was at her house she was very ill not able to sit up and was indebted of any person to wait on her or get her any thing to eat - she requested me to go to one of the neighbours and have some thing prepared for her as she had not any thing she could eat or any person to prepare it for her.

Question by Deft. At the time you called on Pltff was she more distressed about her debts than other persons indebted to the same amount might reasonably be.
Atstump answered to be much more so than others about small amounts as she expected to be pushed for larger debts.

Question by Deft. How do you perceive how the Pltff regarded the deed to Deft.
Atstump, she wished ~~it~~ to have been a deed of trust to secure Mr Francis for the money he had paid for her, he learned these facts from the Plt in Aug. last -

Question by Deft. When on your visit to Pltff last August did you see any person about the house.

Ans. saw no person but a small negro girl about six or seven years of age.

Question by same. Do you not know that there are usually two negro women at Pltffs to wait

3
her
ans. I do not -

Question by same. Are you not the nephew of Pltff and has she any nearer relation than brothers & sisters.

ans. I am a nephew and she has no nearer relation than Brothers and sisters.

Question by same. Have you not been to Pltffs at other times than your last visit and found persons enough to wait on her.

ans. not since the property has been conveyed I have not.

Jacob H. Darden

The deposition of Charles Fuller being duly sworn say -

Ques. by plt. atts.

Have you since the execution of the deed from plt. to Deft. heard Deft. say any thing in regard thereto say so what.
Ans. I have heard him say she had given him her property to pay her debts and support her. I have heard him say ~~she~~ had given her free a cup to two store.

Ques. by same - Did Francis ever tell you that plt. had promised him to convey her property to him & that he succeeded in obtaining it after three years trial?

ans. never did.

~~Witness by same~~ - Did Deft. ever tell you to notify plt. yourself or through others, before the deed was made, that she must get some other person to attend to it for her.

ans. he did not.

Question of Deft Have you been frequently at Platts since 1843 & if so state how she has been supported as regards necessaries & provisions

answ. I don't recollect of being there more than once or twice as to support I know nothing

Question of Deft Do you know how many servants were about the house when you were there

answ. I would not tell how many but saw negroes about - the yard some of the negroes were Mr Francis and some were those men in the dock

Charles ^{King} Fuller
mark

The deposition of John Booth taken as above being sworn says.

Quer. by p'ts: atts: were you present at the p'ts: soon after the deed to Francis was made say so what took place -

answ. I went with Mr Francis to Miss Whitehead and when we got there I found no person there but Joseph Whitehead, it was named the amt. of the bond was too small Mr Francis then agreed to have a new instrument of writing drawn by Thos. P. Johnson and he would sign it -

Quer. by same - did not p't. express her ignorance as to the character of the conveyance she had made, then dissatisfaction at it

answ. not - as I was aware of -

Question of Deft Who named that the bond was too small, did Harriet Whitehead seem satisfied and what kind of an instrument was Thos. P. Johnson to prepare

Ans. Joseph B. Whitehead was I understand it - she seemed to be mad at the time my understanding was the writing between the parties

Question of Deft Did there seem to be a dispute between her & Joseph Whitehead at the time & did she express any dissatisfaction with the writing

Ans. ~~There~~ did, not as I recollect - appearing as she was with Mr Francis in the ~~forth~~ at some distance John Booth

The deposition of Benja. E. Pope taken as above being sworn says -

Quer. by p'ts: atts: In a former dep. you have said something about going to Mrs. Porter's about the deed from p't. to Deft - please state how you came to go there?

Ans. I went there at the request of the deft through Mr Porter

Quer. by same - for what purpose were you to go to Mrs. Porter's?

Ans. To write a deed from Miss Harriet Whitehead to Mr Nathl. Francis, I do not recollect that I was told what kind of a deed

Quer. by same. Was secrecy enjoined on you as to the purpose of such visit?

Ans. I think Mr Porter hesitated at first whether she would tell me, what they wished me to do, and probably asked me to say nothing about it but this I supposed proceeded from her great caution not to speak of other persons matters

Quer. by same - did Francis promise not to have the writings between p't. & himself recorded?

the pl. could take advice as regard
to the matter?

Ans I do not recollect having heard any such
promise on the part of Francis

Question of Deft Is not Mrs. Porter remar-
kable for enjoying secrecy as to all com-
munications between friends

Ans I have ever considered her particularly

Ben E. Pope

Q. Is it being duly sworn says -

Ans by same -

State if you know what was the
pl's situation & condition, as regards
mind & otherwise previous to November
1843 -

In June 1842 she sent for me to write
her will. I went and done so. I did not
think her mind very strong & bodily health
seemed to be very much impaired she was
in bed

Ans by same - did you doubt as regards the
validity of her will on account of her
situation - I did

Ans - I did

Question of Deft Did you know the pl's
will & if so what was the general state of
her mind

Ans I never saw her when I thought
she was well, but better at times
than others. The state of her mind varied

Question of Deft Do you mean to say that
her mind was rational when you saw her
Ans I have seen her when I thought she was & when
when I thought she was

Question of Deft Can you state any circumstance
from which you are led to believe she was not
in her right mind at any time

Ans At the time she sent for me to write
her will she seemed to be at a considerable
loss to know how to dispose of her property
after I began the instrument also at another
time when seemed when she seemed to tremble in
rather from her unusual manner

Question of same Did this arrangement
which you speak of seem to proceed from
a fixed cause, or was it such as might
proceed from intoxication or other tem-
porary cause

Ans I have been I cannot tell

from what first came there was but
suppose there was some and I have also
seen her under the influence of drink

Question of Deft Were you present at a
settlement between Francis for the pl's
and Joseph Whitehead, if so state what
was the state of pl's mind at that time
and what amount Francis paid said
Whitehead for pl's

Ans I was, I thought she was as much
as I met saw her, until she became
very much agitated then she acted in a singular
manner, but I might of proceeded from
anger, I do not recollect,

Question of Deft What amount did you
acting as an arbitrator decide that the pl's
should pay Joseph Whitehead & state if you
know why said Whitehead applied to Francis
for payment -

and as well as I recollect it was \$700 or \$750
for the year, ~~for~~ B. Whitehead I suppose called
on End Francis, for the reason that he had possession
of the premises at the time
Question of Deft. When you visited the Plff
since 1843 in what degree of comfort did
appear to be living.

and I did not eat in the house nor did I know
what manner she lived, but saw a servant
woman & a small girl about the house

Ans by pte. atty.

Did the pte. complain of her
situation?

and she did, in the year 1847, I think
the latter part of summer, I have heard that
her before as I recollect

Ans. by same. Did you ever see her from the date of
the deed till the summer of 1847 -
and I did

Ans. by same - you have alluded to some matters
between pte. of B. Whitehead - has she
ever reported her conduct towards him -
and she has, & during last year (say 1847)
J. J. Liles

Joseph B. Whitehead being duly sworn
says -

Ans by pte. atty.

state all you know as regards
the pte. situation previous to Nov. 1843
mentally to the same & all you know
as regards the matter in difference
between pte. and deft.

Ans. by

I am the Brother of the Plff. and have
been with her most of the time since the
insurrection of the negroes in 1831, and am pre-
pared to say from my own observation and
her own acknowledgments and regrets
that the circumstances under which she
laboured in that lamentable affair produced an
effect on her mind that she has ever laboured
under since when perplexed or troubled espe-
cially, and when she made the deed to Francis
she was still ~~that~~ was, and had her the state of her
mind so much so that she had not put on her
clothes and came out of her room for six weeks
until she started to go to Mrs. Porter to
make the deed. the cause of her great depres-
sion of mind at that time was some warrants
that were brought against her all amount-
ing to about \$40 which seemed to so operate
on her mind that she gave up for the time
all notice of her matters.
She had some 4 years before that time while
I resided in Norfolk committed her matters
of receiving and paying out of her money to
Mr. Francis. and she had told me that several

times when Mr Francis rendered her an account of the sales and disposal of the proceeds of her crops that she did not receive from him any satisfaction as to the disposition ^{or application} of her money and several times when making these statements I told her that if she did not cut off her relations with Francis that the first that she knew that Francis would get all of her property from her in some way or other.

I had had charge of her farm from May 1840 and Mr Francis had still received and paid out her money and in all of her matters had consulted me as to what was best to be done until some time before the deed was made Mr Francis ceased to say any thing to me in relation to her matters and would come to her house in every few days and hold long conversations with her and one day after he had been there and she began to speak of her miserable situation and that she expected to have her property sold I asked her if she could not get the little amount that she was pushed for from Mr Francis and she said that she had asked Mr Francis to let her have that amount and that he told her that he was done befriending of her unless she would cut off all connection with me and I then asked her if she could not see the intention of

Francis in making of such a declaration to her but her mind was at that time in such a state ^{by the appearance of simulation and deception} that I did not think her capable of knowing of what was for her own good or injury.

After I understood on her return from Mrs Porter ^{where she made the deed} what she had done I went to her and asked her if it was true that she had made a deed to Francis for her whole property and she became much excited and expressed her self angry that I should think that she had done any such thing and then stated that all that she had done was to make a conveyance ^{and} to Francis to enable him to settle up her matter and that when she chose that she could settle up with him and the deed would then be void.

I said no more about it to her until after I saw the deed lodged in the office and the next time the subject was mentioned to her by me was when Mr Francis came to make arrangements to take possession of the property at which time in presence of Francis ^{and John Smith} I told her and explained to her the situation that she had placed her self in and when I explained to her what she had done she told Mr Francis that that was not what she expected ~~that~~ or intended to do and told him that she could not stand to such a deed and Francis then promised to have a new

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buck and bond written by ~~Thos~~ J. G. Gholson of
Pittsburgh such as the said Gholson should
think the property conveyed should merit in
her favour and that the new obligation should
secure to her for certain the house and a house
for her ^{for life} on the premises with servants and
and a special amount for support intended
of the general term used in the other Bond
of a decent support, and it was under these
promises that Francis obtained possession of the
property if Mr. Francis took possession of the
property I saw ~~my~~ Sister at Mr. Brother John's whole
head when she refused to speak to me and I never
saw her any more until last September when
I received a message from her to come and
see her and I went and her whole situation
and appearance was a miserable one and she
expressed to me the deepest regret that she had not
taken ^{my} her advice in the first of my advising
of her to break off her intercourse with
Francis and then stated that all of my pre-
dictions of the consequences growing out of
her conveying of her property to Francis had
been more than realised and I have frequently
been seen her since and have seen her suffering
for the some parts of life both in want of proper
food and wood to make her a fire

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and she stated to me that she had sold some
locks to buy her little nursery that she asked Francis
for some money to pay some little debts that she had
him obliged to make and that he refused to give
her a cent and that he had for several months
ceased to do any thing for her but gave her some
milk and bread and that for two months before
about the middle of last January that she had
not had any thing but some soup that she
had killed her self

Question of Deft. When Deft. visited her previous
to the execution of the deed so frequently, was in
virtue of his reputation in the discharge of his
duty as an agent

Answer I never knew her to send for him or request him
to come to her house but once and he had no business
that I knew of in relation to her money matters as I had
seen them have a final settlement of all of
his affairs for her and she paid him for his
trouble

Question of Deft. Describe the effect which
you say the insurrection had on your mind
and in what state her mind has been since

Answer

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the affl that the insurrection produced on
her mind was to render her completely incapable
of exercising of any judgment or reason on
matters of any kind when she was excited frequently
prostrating of her system in a few hours so that
she would be thrown in a cold perspiration
and vomit for hours before it could be slept
and have to take stimulants in the largest doses
to sustain life, and on several occasions I
have thought that it would induce death
when the cause was solely the produced by her
mind and at the time that she made the deed
her mind was in a worse state than I had ever
seen it at any previous time

Jo. B. Whitman

The deposition of Mrs. Ely. Porter taken as
her amended notice - being sworn says

2nd. by J. B. W. att.:

State all you know in relation
to the execution of the deed by H. B.
to the Deft -

Ans - I think as well as I recollect Mrs. Frank
- it was the first I heard mention the subject,
afterwards I was told of it by Miss Harriet White -
head who told me of the whole matter of her
making the deed, and the causes which led her
to do it. I told her that she had more sense
than I had, but I thought that in a matter
of so much importance she ought to consider
well upon what she was about to do -
At some subsequent day, to our first
conversation, the party met at my house
to ~~do~~ execute the deed; I then repeated
to Miss Harriet what I had before done,
that she ought to reflect well before
she acted in this matter; her answer was
she had.

2nd. by same - at whose instance did you request Mr. B. E.
Pope to come to your house ^{may} and you request him to
keep it secret?

Ans - I do not now recollect that I ever saw
Mr. Pope during the time until he came to do the writing.

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Ques. by same - when did you first hear that the plt. was going to convey her property to Francis?

Ans I do not recollect the precise time; but do not think it was many days previous to the execution of the deed.

Ques. by same - In your conversations with the plt. did you or did you not advise or tell the plt. that to convey her property to Francis, was the best she could do?

Ans I do not think that I ever did -

Ques. by same - did Francis ever request you to see plt. about the matter?

Ans I do not recollect that Mr Francis ever made any such request of me.

Ques. by same - did Francis just before the deed was made, tell you that the plt. was a miserable woman, but if she would convey her property to him, he would provide for her for life?

Ans - When Mr Francis called at my house the time above referred to, he simply told me that he expected Miss Harriot make a deed to him, but do not recollect that he told me the cause.

Ques. by same - did Francis request the privilege of you to have the deed executed at your house & why?

Ans - Mr Francis I think, told me that Mr Benjamin Pope was to do the writing, and that he was not willing to go to Miss Harriot's to do it, but was willing to come to my house.

Question by Deft - What cause did Plff give for making deed to Francis?

Ans - She told me her situation was unpleasant; that she was in debt, and that her Brother Joseph was managing for her, and managed so badly that she felt compelled to do something for her relief, and what she had concluded to do.

Question by Deft - What cause of complaint did she mention as to Joseph Whitehead?

Ans - She mentioned many causes of complaint.

Question by Deft - What was the state of Plffs mind ever since you knew her?

Ans - I always thought that she had more sense than I did.

Question by Deft - In what degree of comfort has Plff lived since the execution of the deed to Deft and her? You not heard her express herself satisfied with the manner in which Deft provided for her?

Ans - I have not been there enough to know how she lived, but I do not recollect that I ever heard her complain but once; she then said that she was quite much put up for her cook was sick - Some time ^{or the year before} last year, however, I heard her making some complaints. For some time subsequent to the deed, being made Miss Harriot appeared to be satisfied.

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Question of Deft^r was the deed read to the Puff &
did she appear to be pleased with it.
Ans— I was not in the room where the writing
was done

Ques. by pty. ates. Has the pty. been subject
to derision of mind frequently, caused
by fear or from other causes?
Ans— I can't say that I think so—

Eliza Porter

Southampton County to wit:
I hereby certify that the
foregoing deposition have been taken
as set forth in the caption—
M J Peters

Whitehead

v. } Deposition

Francis

Came to hand sealed May 2.
1848.

L.R.G.

Southampton Co.

In the Court of the C. S. & G. L. G.

The deposition of Asst. Secy D. B. Barker taken
at the Cross Keys on the 1st of May, 1848 by consent
of parties to be read as evidence in a suit now
pending in the Circuit Superior Court of
Law & Chancery for the County of Dorchester
between Harriet Whitehead & Nathl. Francis on
behalf of the Deft - Asst. Secy D. B. Barker being
sworn deponent & sworn to -

Question of Deft - How has the Pltff been provi-
ded with provisions, servants &c since 1843
and what means had you of being informed
as to that matter, state from your knowledge of the
Pltff if she could at any time since 1843 ~~the~~
or previous to that time for some years, how
been in some except from artificial means &c
Did you ever consider her of a weak mind?

Ans. I am not prepared to say anything about the kind
of provision made by Mr. Francis, for Miss Whitehead, in
the way of eatables, as I never saw any thing to eat in
the house in my life except, coffee, biscuit &c &c

In relation to servants, I always found, two grown
women, & one girl 10 or 12 years old in the
house with Miss Whitehead, until some two years
ago at which time by her request Mr. Francis
sold one; & since that time she has

had one woman & a girl, except when
they were sick & not able to wait on her.

On the subject of derangement, I have never
seen her when I did not consider of sound
mind, and I have seen no cause why I should
suspect, that she ever would be deranged.
I have been the Physician to attend Miss Whitehead
ever since Mr. Francis has had possession of
her property, & have been there frequently to see
her, as well as the negro family.

G. D. Basham.

The above deposition was taken before me &
subscribed before me a Justice of the peace at the
time & place mentioned in the caption.

M. J. Pettey, J. P.

Whitehead

2 } Depositions

Francis

Came to hand sealed October 19

1848.

The depositions of ^{John Newton Esq & James Lewis Esq, Charles Fuller &c} ~~Cuthbert D Barkham~~ ^{Benjamin Pope} ~~Thos M New-~~
~~son~~ ^{Edmund Barton Esq} ~~kindred~~ ^{Edmund B. Plan} taken at the

Cross Keys on the 17th of Oct 1848 between the
hours of nine A M and six P M to be read
as evidence for the Deft in a suit now pend-
ing in the Circuit Superior Court of law and
chancery for the County of Southampton
between Harriet Whitehead Plff and Nathan-
iel Francis Deft

Cuthbert D Barkham being first duly sworn
deposes that & saith

I neither know, nor do I recollect ever to have heard, that
Nathaniel Francis was the agent either special or general
for Harriet Whitehead, until I heard it read in
Jos B Whitehead's deposition

Question by Deft Did you have any transacti-
ons with Harriet Whitehead previous to Novem-
ber 1843 and if so did you transact busi-
ness with her in person or with any one
as her agent

I did in one or more instances have medical bills against
Miss Harriet Whitehead, and I never applied to any body
for settlement except herself, though as well as my memory
serves me they were always collected by an officer

Question by same Do you know that pre-
vious to November 1843 Harriet Whitehead
transacted in person and by her brother
Joseph B Whitehead

I do not

Question by Plaintiff's counsel

Do you recollect that Mr Francis ^{paid} you a bond which
Miss Whitehead owed your wife's guardian for
Negro hire

I recollect there was such a bond, but don't know who
did pay it.

Does by some do you remember ever to have had
a ~~question~~ ^{inquiry} with Miss Whitehead about Elory Great
Malatto Girl, what passed between you at the time
and whether afterwards you did not state in the pre-
sence of some persons that you did not mind her
abuse because you did not think she Norrell
Whitehead, had mind or reason enough to know
what she was saying, or doing?

Answer—

I do not recollect the precise language used towards me
by Miss Whitehead, though I recollect it was of an abusive
character, & that I was so indignant at it that I did not
speak to for several years. I do not recollect ever to have
said that I did not ^{mind} it, as I did not think that she was
in her right mind. Though I am willing to admit
that I might have said so, but if I did say so, it was
not because I thought her to be insane.

Question by some—After the institution of the suit
of Harriet Whitehead & Francis. did you and the
Rev. Mr Arnold visit Miss Harriet Whitehead
relation to the suit? What was the object of your
visit? Did you or Mr Arnold tell her it would be
her ruin? Did you tell her that according to your
understanding of the deed to Francis, that she had
the control of the property therein conveyed, and advised
her to take the management of it in her own way
and that if she succeeded in getting the property from
Francis that Jos. B. Whitehead would spend it and
for that reason she had better let the matter remain as it
was?

Ans. I did visit Miss Whitehead in company with the Rev.
J. M. Arnold, to pay her for some books which I had
purchased of her, he (Arnold) to see her about her church
relations. We did not go in relation to the suit, but

whilst at Miss Whitehead's the subject of the suit was
mentioned, and then the Rev. Arnold told her that
her bill filed by counsel set forth that she was given
to intemperance excesses, and he thought it would in-
jure her character, & that she had better withdraw
from the church until the suit should be deci-
ded, in order to avoid having her feelings hurt.

We did not tell her that she had control of
the property, but we told her she had a right
to all the necessities of life. I don't recollect
that we said that Jos. B. Whitehead would spend
but if I did not say so I thought so, & believe Arnold
did too. I don't recollect telling Miss Whitehead that
the suit would be her ruin nor was that the idea in-
tended to be conveyed. We told her the facts set forth
in her bill would be her ruin; if ruin was men-
tioned.

Question by some. On your return from Harriet
Whitehead, with Mr Arnold, did you or Mr Arnold
in conversation, say that some things which she had
said would be evidence against her in the suit?
Answer—

Ans. I do not recollect further this deposition with not
L. B. Barham

Benja E Pope being only sworn deponent
with

Question of Deft. Did you ever hear that
The Deft was agent for the P. & F. before Nov.
1843, did you ever have any transactions
with the P. & F. previous to that time and
if so who attended to the business for
her

I never knew the Deft as agt for the P. & F. before or
up to the year 1843. Nor do I recollect
having transacted any business with the Deft

for the Plaintiff I recollect having sold
the Plt's goods and having rec^d her bond for
goods sold her, but do not recollect by
whom it was paid, there was a bond executed
by the Plt with Geo Whithead security to
A Myrick guar^t for Maryann A Pope executed
in 1842 which bond was assigned to B E & W
Pope

Question by Deft At the time the conveyance
was made to Deft in Nov 1843 did he
execute a bond conditioned for the sup
port of the Plt

The Deft did execute a bond to the Plt which
I looked upon as a bond of indemnity
which was I think for one thousand
dollars, when I recollect suggesting to the
Deft the propriety of executing a bond for
a larger amount, the Deft then remarked
that it was a matter of no consequence
as he should do what was right, the
property conveyed by deed that day I supposed
worth four thousand dollars, further
this defendant says it is not

B E & W Pope

Thomas M Newson being first duly sworn
deposes & swears

Question by Deft Did you live with the
Deft in 1843 and did you ever know
him to transact any business as the
general agent of the Plt previous to
Nov in that year

A. I did live with the defendant during the year
1843, but I did not know of the defendant transact-
ing any business for the Plt as Agent.

Question of Platt Might not Francis have
transacted business for the Platt without
your knowledge?

A. It is possible that he might, but I think it is
scarcely probable.

Thos. M. Newsom

Edward Beaton being duly sworn depo-
sith & saith

Question of Dep't Do you know of
any person acting as agent for the
Platt previous to Nov 1843 and if so
what business did they transact?

Answer, I recollect that Mr. Joseph B. Whithead had a negro
Man for the ~~Platt~~ ^{plaintiff} on the 27th day of Decr
1842. I never heard of Mr. Francis acting as agent
for Miss Harriet Whithead - Mr. Whithead had of the
said negro at a public hiring and Miss Whithead
gave her bond ~~for the hire of the said negro~~
same. ~~And~~ Mr. Whithead did live with Miss
Whithead about the year 1842.

Edward Beaton

John Kindred being duly sworn depo-
sith & saith that ~~about~~ at the date of
a bond executed ^{30th Jan'y 1843} by Harriet Whithead to
Henry Kindred the said was not ~~concerned~~
present or concerned in said execution -
as to the ~~payment~~ individual who paid
the bond he knows nothing. Further this
deponent saith not.

John Kindred

Edwin B. Clark being first & only sworn
deponent & said

Question by Dep't. Would you believe
Joseph B. Whitehead brother to the Dep't on
oath? (The Plff's counsel object to this
question because it does not involve his
general character for veracity)

Answer I would not believe him on
oath.

Question by Plff's counsel. From his general character
for veracity, would you believe Jos. B. Whitehead
on oath?

Answer as to his general character for
veracity, I am unable to say what that
is, in the estimation of other people, in
my opinion ~~he~~ it has nothing like truth
in it.

Question by same. What are your personal relations
with Mr. Whitehead? are they friendly or otherwise &
how long have they been of an unfriendly nature, if
they are unfriendly.

Answer, as to our personal relations
beside the score of friendship they are just-
such, as every man would I think be
who heard some of the circumstances
that has caused ^{my} belief of his veracity
he has neither my friendship or hatred
in a personal point of view it has
been formed entirely by his conduct before
me as while I was acting as a Justice
of the peace sometime in the early part of
last Spring

E. B. Clark

John Newton being only sworn deponent
& said

The deponent says that he rented a plantation to
Jos. B. Whitehead year 1843 early in the year that
Miss Harriet Whitehead's hands cultivated said
plantation, considered her responsible for the
work, because her hands cultivated it.

Question by Dep't. Would you believe
Joseph B. Whitehead on oath
deponent says he has no cause to disbelieve
him, but does not know what he might
do in this case.

Question by same. Would you believe
him on oath in this case.

Answer I could not say the Plaintiff's
counsel object to both of the two last
questions.

Question by Plff's counsel
have you known Jos. B. Whitehead for some
years, and do you know any thing against
his general character for veracity.

I have known him for some years and
I know ~~nothing~~ against his general
character for veracity.

John Newton

John T. Porter being only sworn deponent
& said

Question by Dep't. Would you believe
Joseph B. Whitehead on oath

Answer I would not

Ques by Phips Counsel

Are you on friendly terms with Jos B Whitehead

Ans I am not

Ques do you know any thing against
Jos B Whitehead's ~~general~~ general
character for veracity

Ans I do not know much about him
any more,

Ques how long have you known Jos B
Whitehead

Ans Five or six years

John H. Hance

Swear's Story being duly sworn
deposited & signed

Ques by Deft

Would you believe Jos B Whitehead
on oath,

(Phips Counsel objects to the
question)

Ans I would not in this case. I do
not know whether I would believe him
in any other case or not

Ques by Phips Counsel

How long have you known Jos B Whitehead
and do you know any thing against
his general character for veracity

Ans I have known him eight or ten years
and know nothing against his general
character for veracity

Dear by Sam

Where do you live

Ans I live ~~near~~ and have lived with
Mr. Francis for ten or twelve years in
the character of an overseer

Dear by Sept

What is his general character for
morality

(Objected to by P. P. Counsel)

Ans I do not know

Terri Story

Chas. Huller being duly sworn, deposes & says that
Dear by Sept

Would you believe Jos B Whitehead on oath

(Objected to by P. P. Counsel)

Ans If I knew him to be interested I would
not

Dear by P. P. Counsel

How long have you known Jos B Whitehead and
what do you know of his general character
for truth

Ans I have known him for eighteen years and

he is considered by many as a man

of no veracity, he is considered so in
consequence of the life he lives

Dear by Sam

Where do you live

Ans At Mrs Porter's in the capacity of
an overseer

Dear by Sam

Does not Mr Francis attend to business for
Mrs Porter

Ans. he transacts business for her, sometimes
advises about employing overseers &c

Ques by Deft
Has Mr. Francis any control over you as
overseer for Mrs. Porter

Ans. If he has any I do not know it

Chas. Fuller

John Edmunds being duly sworn
deposed & sayeth

Ques by Deft

Would you believe Jos B Whitehead on oath

(Objected to by Pliffs Counsel)

Ans I would not in this case, but in some
other cases I would, I have never known
Mr Whitehead to be a liar

Ques by Pliffs Counsel

How long have you known Jos B Whitehead
and did you ever know any thing against
his general character for veracity

Ans I have known him ever since and ever
boys, and I have never known any thing
against his character for truth

By Same

Where do you live
Ans I live with Mr. Francis in the
Capacity of overseer

Ques by Deft

What is Jos B Whiteheads general standing
Ans Bad enough

Ques by Pliffs Counsel
Why is it that Mr Whitehead does
not stand high

Ans because he is the keeper of a
mulatto woman, and that is
~~the reason~~ the reason I know of
his bad standing

John Edmunds

The above depositions were taken sworn
to and subscribed before me a justice of the
peace for the county of San Bernardino at the
time and place mentioned in the caption

M J Porter J. P.

Came to hand 3 October
19th 1848

Whitchurch

Depositions

Francis

Examined & sworn to Nov. 6th

1845.

Harriet Whitehead p^l
20 in Chancery

Nathaniel Francis

The depositions of Leftha Dardas
Benj. C. Waller Jeph. Drury. John. Berham and others -
taken at the Cross Keys in the County of South.
ampton on the 30th day of October 1848 between
the hours of nine A.M. and six P.M. to be
read as evidence on behalf of the Plaintiff
in a suit now pending in the Circuit
Superior Court of Law & Chancery for the
County of Southampton between Harriet
Whitehead Plaintiff and Nathaniel
Francis Defendant

Leftha Dardas being first duly sworn
deposes that on the 26th day between the first and
middle of November eighteen hundred & forty three I went
to Mr Francis on business and with in his company he
spoke of Harriet Whitehead business he first ask me
if I knew that Harriet Whitehead had made a will
and I said to him that I had understood she
had but that I did not know in what way she
had disposed of her property Francis then went on
to say in what way she had disposed of it and after
getting through he observed that he thought upon
the whole she had made a very lame will he then
spoke of Harriet Whiteheads being in debt and that
she had made to him a proposition which proposition

he said was this that she wished him to pay what she might be owing and to take her papers in hand and to keep it in his hands until he could satisfy himself for what money he might have to advance for her and also for his trouble and he said to me that he did not think he could do any such thing he then spoke of three or four accounts against Samuel Whitehead which amounted as well as I recollect which accounts he said was then in the hands of an officer to collect from Samuel Whitehead and as soon as the money was collected it was to be paid over to him for he had satisfied the claimer. Francis then observed that he had been attending to Samuel Whitehead's business for some considerable time and that she had only given him fifty dollars for his services and observed that he did not think it was enough. I met with Mr. Francis a few days after he had seen Mr. S. R. Kilby and talked with him and he asked me if I knew what was the matter with Samuel Whitehead and I said that I did not know but that I should not be surprised that she lost her reason. He then spoke of her sewing and observed that he expected she would have sued the thousand dollar bond but he found she was about to sue for ^{her} property back again and then asked me if I was in his place would I give it up or not and I said to him as for my part I should not have had any thing to do with any way.

And he observed that he had asked several men the same question and they all had told him to hold on before this suit was brought. Samuel Whitehead received a letter from Dr. H. C. Whitehead informing her that he had understood that her situation was a miserable one and if he could loan her any aid that he would do so and for her to let him know and she sent for me and at her request I wrote a letter to Dr. H. C. Whitehead. Dr. H. C. Whitehead then wrote her another letter informing her that he had employed Mr. John R. Kilby and had authorized him to see Mr. Francis and try to settle the business with a suit if he could and Mr. Kilby told me that he made the proposition to Mr. Francis and he refused to do so.

Dec. 4 & 5. Dr. Joseph B. Whitehead lived with the party in 1843 as an overseer and if so who employed him. And I think he was there in 1843 I do not know in what capacity he lived there. Dec. 4 & 5. Dr. Joseph B. Whitehead said that he was sacrificing his own interest to remain there and nothing but his infirmities & situation induced him to do it and that

4
Francis would get her property - if she did not
And I did

Ques by Deft What is the connection between
you and Harriet Whitehead
Ans we are cousins and I married her
sister

Ques by Deft Did you not sell several things
to Harriet Whitehead in 1842 & 1843

Ans I do not recollect that I sold her any
thing

Ques by same Did the Deft ever settle any
business with you for the Deft before Nov
1843

Ans Not that I recollect

Deft's Atty (R. A. Brown)

Bonja. C. Waller being duly sworn sayeth and Deposeth, That he Whitehead owed him some money and told him to go to Nathaniel Francis and he would pay it. I went to Mr. Francis and he paid it, and said he intended to pay all his debts as soon as he could. it was before I heard of his making a deed of gift to Nath. Francis but at what time it was, I do not recollect.

Ques. by ptff. how long have you known Jos B Whitehead
Ans. I have known him all my life

Ques. did you ever know any thing of him for veracity and truth

Ans. I do not.

Ques by Deft Did you ever hold but one claim against H Whitehead which was paid by Francis

Ans. I do not recollect that I ever held but one claim against Harriet Whitehead at all, and that Francis paid. ~~and further~~
This

Ques by same Did you ever hear of Francis being the agent of H Whitehead before Nov 1843

Ans. I never heard of his being her agent, but I heard of his doing business for her before I heard of her making him a deed.

Ques by Ptff How far do you live from H Whitehead

Ans. about three miles & a half, where I

of first-hand of the deed being made I heard
of it as a thing that had just occurred
and further this deponent with me
Benjamin C. Waller

Depe Drury being first and several
depositions & saying that Miss Margaret Whitehead
sued for him to go to her house, and proposed to rent out
to him her land and place her property in his hands,
and stated that she could not manage it to any ad-
vantage, she moreover stated that she was very un-
happy, and not able to attend to her business, I advised
the proposition, and advised her to get some person
who lived near her or her brother, to attend to it
for her which did not seem to suit her views at
that time some two or three months, after that
sued for me again and requested me to do
some little business for her in paying money
to Capt. Butler, and stated that she had, implicitly
Mr. Nathaniel Francis to do business for her in
future, and would not trouble me any more
She came to my house some time in the year 1835
and proposed me to, ^{me} take charge of her property and
manage it for her which she offered to compensate
me ~~for~~ for. She seemed to be very unhappy and
attributed it to the unfortunate circumstances of the
disconnection,

Question by Plaintiff

How long have you known Joseph B. Whitehead

Answer, About thirty years,
Question, by same
Have you had business with him as deputy
sheriff

Answer, He was frequently served and I had other
business matters with him, he was punctual as
most of men and, generally, paid up.

Question, by same
Have you known any thing against him, for verac-
ity, and truth.

Answer, I have not. — Jesse Drury

The Def is correct except as to the deposition
of Depe Drury so far as it contains the de-
clarations of the plain. iff
Peter Edwards being first, duly sworn deponent and so forth
that.

Question by plff. how long have you known Jos. B.
Whitehead and have you ever known any thing of him
for veracity and truth.

Answer, I have known him ever since he was a
boy and don't know that I ever knew any thing
of his veracity and truth. Peter Edwards

John Barham first being duly sworn deponent and so forth
that.

Question by plff. how long have you known Jos. B.
Whitehead and have you ever known any thing of him

for Varosity and Truth -

Answer. I have known him 12. or 15 year. and never
new any thing of him for Varosity and truth -

John Barham

= John Whitehead being first duly sworn deposed and
sworn.

Question ^{the plaintiff} What had been the state of the plaintiff mind
from the Insurrection up to the time of her making the
deed

Answer. I did not think at all times she was. I often
heard her express her fears in away that I saw no reason
for that ^{she} should come to suffer -

Question did you not attend to the plff. business at one time
as agent and did you not turn her business over to Mr.
Francis out of your hand -

Answer. I don't recollect whether I gave the papers up to
the plff. or Nath. Francis. I often see Mr Francis there
after I ceased to attend to it. My self for her

Question did you not know of Mr Francis attending to her
business generally -

Answer. I saw a note that Mr Francis wrote to her stating
to her the day he appointed to start her Cotton to Petersburg
he had been disappointed in doing so and appointed some day
in a few when he would and would send her

Question ^{did} you not often advise her if she did not let Nath.
Francis alone he would be her ruin

Answer. I did after he commenced doing her business
and buying and selling, previous to her executing the deed

Que^s by Bell: What did Francis buy & sell for her

Answer. I saw Coffee and Sugar she told me that Mr Francis Bought for her

Ques of Dep't Do you know that Francis ever bought or sold any thing for her or did any other business for her except from the statement of Harriet Lohrland herself

Answer. I was bidding for negroes for the pliff and stopped. Mr Francis came up and said he was instructed by the pliff to hire the said negro at any price. I know nothing of his doing other business for her except this and the note about the cotton before mentioned

Ques. I never did I do not. Except by the note he wrote to her about sending the Cotton to Petersburg to sell for her

Ques of Dep't Did you have any communication with Francis as the agent of the pliff before the execution of the deed
Ans. I had some papers for her but I do not recollect whether I gave them to her or to Francis. I dealt with Francis after the execution of the deed some transactions between myself and my sister
The pliff
John Whitehead
~~John Whitehead~~

Northbrook & Barham first being duly sworn deponent and
Sayeth

Question by plff. have you not recollected since your
deposition was taken the other day of receiving the amt. of
a note you held of Mr. Hamlet (Whithead of Nathaniel Francis and
did you not understand he was paying it of for him —
Ans. I had a question asked me on a previous occasion of
a character similar to this, I did not recollect, and answered
— it in that way; since that time I have called to
mind, that Francis did pay on the amt. of the
note, & I understood it to be Miss Whithead's
money that he paid it with

Question by plff. did you not hear at the taking of the
depositions on the 17th make the public declaration that
Judge Baker violated his judicial authority in disclosing
the effects that Francis being agent for the plaintiff
would have in this suit

Ans. As well as I recollect I will say that I had always
understood that a Judge had no right to make any
disclosure to either party, engaged in law suits
and if that be the fact, and Judge Baker had
made the disclosure which Japhtha D. Borden told
me he had, he certainly had gone beyond his
judicial authority

Ques of Dep. Did Francis pay you the note
you held against the plff. before or after the
execution of the cited prom. plff. to Dep.
I do not recollect —

Question by the plaintiff. at what time did that note come
into your possession and how long was it after that before it
was paid

Ans. I received the note sometime in the winter of 62 or 63
but how long I kept the note I do not know

Question by the same. Do you not know that John Newton
who gave in Evidence at this place on the 17th Inst. for —
the deft. has several years since deeded all his property
to him the said Francis

Ans. I do not know any such thing, I think that
I have heard the rumour several times that Mr.
Newton had given his property to Mr. Francis
for Francis to take care of him (Newton)
& further this deponent saith not

C. D. Barham —

The above depositions was taken & sworn to and subscribed
before me a Justice of the peace at the time and place
mentioned in the Caption.

A. B. Bryant & J. P. B. Seal

I have been called on two or three times
to attend at Miss H. Whitehead's in order
to say to the appraisers what I know in
relation to the Crops &c that was at J^d Whitehead's
in 1843,

~~Int. Nov. 24 1843~~ I was called on to
meet at said place, with Capt H. Thindred
to Arbitrate or fix on a price or amt said
H. Whitehead owed her Bro J^s B. after Mr Francis
had taken possession of the property, said J. B.
Whitehead & Mr Francis were present, & J. B. Whitehead
seemed to be dissatisfied with what Capt Thindred
~~proposed~~ ^{proposed} & their came up some words between
Miss Harriet & her Mother Jos, & in that conversation
10,000 pounds of Cotton was named several
times & 90 & 100 Barrels of Corn, but for me
to say how much Cotton or Corn was there
I do not know, neither do I know any more
about the Crops that was made, Mr Francis
was present & heard all that was said between Miss
H & her Bro, J. B. Whitehead contended he had better
take a part of the Crops than the amt fix
upon by J^d Thindred & myself, said J. Whitehead
said he would not consent to take the amt allowed
or fixed upon, by us only, by Mr Francis agreeing
to have another matter settled by which his
sister owed him, I can say said Whitehead
told me some time after Mr Francis had
possession he had take a list of all the property
on said plantation, but I never saw it
Decr 15th 1848

J^s B. Liles

I should attend but I am compelled to go
another way to day, The same statement
I will make before any Com^{ee} of the County
J. Liles

Depositions of Henry Minard, Jos. T. Lytle, John Borth
Jos. B. Whithead, John Whithead & Jephtha Dorden
taken on the 16th day of March 1849, before the Court
at his office in Jacksonville, to be read as evidence
on the part of the plaintiffs in a chancery suit now
depending in the Cir. Sup. Court of Lane & Chancery
for the County of Saccharaw, in which Norriell
Whithead is plaintiff and Estel Francis defendant.

Joseph B. Whithead having been first duly sworn depose
and says as follows - I left the plantation of Norriell White-
head in Nov. 1848, where I had been living for three years -
when I left there I made out a list of the property on the
plantation which I delivered up to Estel Francis. The follow-
ing contains the list: to wit - Crop of corn estimated at 1000
bushels, val. at \$2.00 pr. bu. - Crop of cotton 7000 lbs picked out
and 3000 in the patch, worth \$1.75 pr. lb. - 20 head of cattle, val.
at \$4.00 - 1 yoke of oxen, val. \$25 - 26 fat hogs, val. \$2.94 -
6 cows & 38 sheep and pigs val. \$1.00 a head - 17 head of sheep
val. \$1.00 a head - 100 bush of Potatoes for eating val. at
one shilling pr. bush - 15 bush of plantains val. at same
100 bushels potatoes for hogs, val. 80¢ pr. bush - 15 bushels
rice val. at \$1.00 pr. bush - Corn field peas made on 90000
corn hills, estimated at 90 bushels, val. at 80¢ pr. bush - 4000 lbs of
fodder to the best of my memory, but I took no list of the fodder
val. at 40¢ pr. lb. - 4 team ploughs val. at \$1.50 each - 7 plough
bars & 4 coulters val. at \$4.50 - 4 grub. bars val. at \$2.00 - 5
moulding bars val. at \$1.25 - Horse cart & wheels val. at \$15.00
Ox cart & wheels, val. at \$15.00 - 4 wheelbarrows, val. at \$3.70 -
I took no list of the horses, but there were two delivered to Estel
Francis, ~~val. at \$20 each~~ - I had no intercourse with Norriell
Whithead from the time I left her plantation until
August 1849, just before the institution of this suit
against Francis, where I found her with none of the
comforts of life around her. She had nothing but meat &
bread, coffee & sugar, every thing else she had to eat was fur-
nished by Mr Dorden & myself, after that time - At the

time Mr Francis took charge of the property of H. Whitehead she had an old negro woman valueless in 1844. in or about May 1845 he died. I think it was worth \$2.50 to keep him during his life in 1845. One lively negro man about 20 years of age. one lively boy aged 17 years. a young woman aged 20 years & child about 2 years. and one woman aged about 33 years and two children, one about 4 or 5 years old and the other about 3. Mr Francis has cut and carried off timber from the plantation more than is necessary for the use of the farm. And further the deponent says not.

Jos B Whitehead

Joseph T Liles having been first duly sworn deposes and says as follows. Just about the time Mr Francis took possession of the property of Harriett Whitehead Capt. Kendrick & myself were called on by Mr Jos B Whitehead and Miss Harriett Whitehead to say what Mr Jos B Whitehead's services were worth during the time he lived ^{with} Miss Harriett. They met at Miss Harriett's for the purpose, Mr Francis was present. Some difficulty occurred as to the amount to be allowed, when Mr Jos B. Whitehead stated in the presence of Mr Francis that he had made that year, 1843, from 90 to 100 barrels of corn and 10,000 lbs cotton. we agreed to allow Mr Whitehead \$75 per annum. At the time above alluded to Miss Harriett Whitehead held a claim for about \$30 against Mr B Whitehead, which he acknowledged and agreed should be deducted from the allowance made him, and further the deponent says not.

J T Liles

Henry Kendrick having been duly sworn says that he confirms the statement of Mr Liles made above, and that he remembers to have made Miss Harriett Whitehead a pair of coat wheels, and may have made more for her but does not remember, and further the deponent says not. Henry Kendrick

John Whitehead having been duly sworn says he went to Miss Harriett Whitehead some short time after Mr Francis took charge of her property, during the same fall. That he saw some corn housed and some in the heap. That there must have been more than fifty barrels in the heap. That he attended to H. Whitehead's business before Jos B Whitehead went there and the same ground he cultivated in cotton in 1843 was good for from 6 to 10,000 pounds. The deponent also states that in the latter part of 1845, some few days after Mr Francis sold the negro woman then my to Mr Kendrick he, Francis, stated to deponent that he sold her for the sum of \$560. and further the deponent says not.

John Whitehead

Lepta Dorden having been duly sworn says. That he lived near Miss Harriett Whitehead and was frequently there. That he did not see the crop after it was got in; but that there at least 135 or 140,000 corn hills in cultivation, about 60,000 of which he things made at least 1 barrel to the thousand of the balance some was good and some sorry. Some two weeks before Mr Francis took possession of the property, he went into the gin-house and thinks there were six or seven thousand pounds of cotton then picked out, and that there ^{were} several thousand pounds in the patch. He knows but little of the stock save the out hogs and sheep, which he frequently saw. There were six cows and 35 or 36 pigs from 3 weeks to two months old and 16 or 17 head of sheep, and not less than 20 head of cattle, and about 25 fat hogs, a fine yoke of Oxen and two horses. The deponent further says that Mr John B with & himself some few days since walked over the woodland of Miss Harriett Whitehead and found 31 timber trees cut and the timber carried off since Mr Francis took possession of her property. The deponent says that since the institution of the suit by Miss Harriett Whitehead against Mr Francis, she has been in a suffering condition, and that food has been several times sent her from his house, and that

she has brought food and kind attendance with her own money
and further deponent saith not - *Leffthand Darden*

John Booth being duly sworn says as follows that he
went with Mr Darden to examine the timber trees which
have been cut from H. Whiteheads land, that he confirms the
statement of Mr Darden as to the number cut and stumps
they were worth \$1 each. Deponent says that he went to Miss
Harris Whiteheads a few days after last Christmas and
that he found no potatoes on the plantation and further the
deponent saith not - *John Booth*

Common office -

March 16th 1849.

The above depositions were taken sworn to and subscribed
before me at the time and place mentioned in the caption.

M. S. Goodwyn
Clerk

Whitehead

2 } *Depositions*

Thomas

Attest with Comm. Goodwyns report
May 2. 1849

Witchhead

to } Deposition

Francis

Bound in by Mark T. Reese as
feature of the press. DR

The deposition of Sampson C. Reese taken at the office of
W. S. Goodwin, in Jerusalem, in the county of Southampton
on the 8th day of November 1848, between the hours of 10 A. M.
and 6 P. M. of that day, at the instance of the plaintiff, to be
read as evidence in a suit pending in the Circuit Court of Law
and Chancery for the county of said, in which Harriet Whitehead
is complainant; and one Nathaniel Francis is defendant—
Sampson C. Reese having been duly sworn on the Holy Evangel-
ists' Oath, as follows.

Test by complainant counsel. State whether you ever had any conversation
with Dr. Culbert D. Barham, or ever heard him make any statements, about
or concerning the state or condition of mind of Harriet Whitehead? and
if so at what time—either before, or since the execution of the deed from
Whitehead to S^d Francis, to wit the 13th Nov. 1848.

Ans. I heard Dr. C. D. Barham say in a conversation
that him and Miss Whitehead had a wiff under
standing and that ~~she~~ should have said
several things, which he denied, and said he
did not care what she might ^{say} about him that
she did not know what she was at a great
portion of her time that she was a portion
of her time drunk and a histrica. as to the
date I do not recollect but it must have been
some time between 1831 & 1835. It was after
the insurrection in Southampton.

Test by same. Did you ever hear him, or not, make any remark, or give an
opinion about, the weakness or instability of Miss Whitehead's mind—if so what?—
~~either~~ either before or since the execution of the deed.

Ans. I never did Except what I stated above
Test by same. State whether you ever heard Francis say, that he
requested Mrs. Eliza Porter to ask Mr. Benjamin E. Pope to come to her
(Mrs Porter's) house to write any deed, or transact any business between Plaintiff
and defendant.

Ans. I heard Francis say to B. E. Pope that
he Francis. did authorize Mrs. Porter to request
B. E. Pope to come to her house to do the

the writing between Francis & Whitehead
the deed, was what I understood.

Question by Deft.

Are you possessed of a remarkably retentive
memory? sufficiently so to remember & detail
conversations which occurred 12 or 15 years ago?

Answer. I am.

Question by Deft. Are you on friendly terms
with Dr. L. B. Barham?

Answer. I am not.

Question by Deft. Have you known Miss H.
Whitehead long? if so, what is your opinion
of the state of her mind?

Answer. I have known her for 20 years - as to
her state of mind I can not express an opinion.

Question - Did you see Miss Whitehead's
goods from your store in the years 1842
and 1843 -

Answer. I did - to her & on her orders

Question - To whom did you look for pay -
for the goods

Answer - I looked to Miss Whitehead, for the
goods sold up to the date of the deed to
Francis - after that, I looked to Mr. Francis
who told me to let her have any goods she
wished -

G. C. Reese

Southampton County to wit.

I hereby certify that the foregoing deposition
has been taken as set forth in the caption according
to the notice filed - Given under my hand this
8th Nov. 1848 -

M. J. Peter J. P.

rdan
Whitehead

3 Deposition of
i } M. L. Doreau
Francis

Filed with Comm. Goodwyns
report May 2. 1849

This is to Certify the within deposition was taken before me
at the house of Jephthah Barclay as mentioned in the within
Caption.

Given under my hand and seal this 17th day of
February 1849

N. B. Bryant, Justice

The following is the deposition of Miss Martha L. Darden. Taken this 17th day of February 1849 ^{at the house of} Joseph D. to be Read as Evidence before the Commissioner of the Supreme Court of Chancery for Southampton and State of Virginia in a Settlement to take place the 20th of this Inst. between Hamill Whitehead plaintiff and Nathaniel Francis Deft.

Question... were you frequently at the residence the plff's

~~Answer.~~
The witness deposes and says for the last four years I have been there once and twice a week —

Question

In what way was the plaintiff provided for by the deft and who did the plff. have to wait on her

Ans.

The plff. had a woman ^{Dinah} and small girl at her Command & frequently six the same woman spinning and weaving for the deft —

Question

have you not seen the same woman sick several times and the plaintiff had her to wait on

Ans.

I have frequently seen Dinah and the girl both sick and the plff. had to cook for her self and them and wait on them

Question

have you ever seen the plff when you thought she was in suffering circumstances —

Ans.

I have several times for the want of attention and nourishment

~~Q~~ Question

did you ever know the plff. to have to buy provisions with her own means

Ans. I have several times

Question did ^{not} the plff. possess her own household and kitchen furniture. Ans. She did

Question. did she ^{plff} have much company Ans. but very little. Question did the plff. have horses and driven often. Ans. very seldom

N. B. Bryant, Jr.

Martha L. Darden

Whithead

2 } Depositions

Francis

Filed with Genl. Goosnyus report
May 2. 1849

Deposition of Lewis Story Taken before the Comm. on the
16th day of March 1849, at the Comm. office in Jerusalem
to be read as evidence on the part of the defendant in a certain
chancery suit now depending in the Circ. Sup. court of Lane
& chancery for the County of Southampton in which Horriett
Whitehead is plaintiff and Nathl. Francis defendant.

Lewis Story having been first duly sworn says that
in a few days after the execution of the deed from Horriett
Whitehead to Nathl. Francis, he went on the plantation where
Miss Harriett lived at the request of Mrs Francis and found
the following property to wit: about 40 barrels of corn - 11 fat
hogs - val at \$2.50 each - 4 cows and 15 pigs - he saw from 13 to 14
cows, he does not know that he saw all - he saw 9 head of sheep
in the fall of 1848 there were about 30 bushels potatoes housed
I know that Mr Francis gave orders to B. E. Pope & S. C. Reese
to furnish H. Whitehead with what she wanted - that since
the institution of this suit Miss Whitehead has entertained
a feeling of hostility towards Francis, never communi-
cated her situation to him and rejected his offers
to furnish her with provisions. He does not know
that the corn he saw was all - he thinks he saw all
the fat hogs although he might not have seen all
the other stock. The deponent is now in the em-
ployment of Francis and has been in his employment
for several years - He personally knows that she refused
to receive some flour and some wool he does not
know certainly that she refused at other times to re-
ceive from Francis provisions or other thing, and
further the deponent says that not -
Lewis ^{his} Story
made

Comm. office March 16th 1848

The above deposition was taken sworn to and subscribed before
me on the day and at the place mentioned in the caption

M. S. Goodenough

Comm.

Whitehead

is } Deposition

Francis

Leave to hand sealed October
31st. 1848. J.R.C.

Atk. of John Thompson

The Deposition of Henry Kindred Edward P Turner &c
Taken at the Shop kept on behalf of the Deft to
be used as evidence in the suit now pending
in the Cir Sup Court of Mass & concerning for the
cause of Sam. Thompson between Harriet ~~Whitehead~~
Plyff and Nath Francis Deft, on the 30th of Oct
1848 between the hours of nine AM & six
PM. Henry Kindred being duly sworn
deposes that &c. That he and Joseph Liles were
called on in the year 1843 to state what amount
Joseph B Whitehead should receive for attending
to her ^{the Plyff} farm for some two or three years preced-
ing including the year 1843 nearly up to the time
we were called on which was in the latter
part of that year. I do not recollect what amount
we decided he should have. The consequence
had then been made to Francis and Whitehead
and he could not live there for nothing.

Ques by Deft Did you know of Deft's being agent
of Plyff before the execution of the deed & did
you not have transactions with her previous
thereto

Ans I did not know of his being her agent
the had work done at my shop

Ques by Plyff? How long have you known
Joseph B Whitehead and did you ever know
any thing against his character for trust
or veracity?

Ans I have known him many years. I have
no right to doubt his character for trust
or veracity, I have heard some doubt it.

(The Plyff objects to so much of the answer as relates
to what deponent has heard)

Henry Kindred

Anderson Pope being sworn deponent & said
Ques of Deft: Would you believe Joseph B. Whitehead on oath in this case! (excepted to by Plff)
Ans. I would not!

Ques of Plff: What reasons have you for not believing ^{Joseph B. Whitehead} ~~him~~ ^{as he} told me a falsehood
Ans. Because he has told me a falsehood
Anderson Pope

Edward P. Turner being duly sworn deponent and said:

Ques of Deft: Would you believe Joseph B. Whitehead on oath in this case
Ans. I have understood that Joseph B. Whitehead threatened to take my life and therefore do not like to answer the question and hope it will not be pressed! as it is pressed I answer whether I would believe him or not depends on circumstances I would not believe him where he is involved in many matters and concerned

Ques of Turner: Did you have conversations with the Plff in 1843 on whom did you execute them and did you know of the Deft acting as her agent at that time

Ans. I signed several warrants on her but at what time I do not recollect exactly, some time in 1843, Joseph B. Whitehead paid some of them, & Francis paid some of them after the deed was made to him.

Ques of Plff: Did not Joseph B. Whitehead tell you that in relation to the amount ^{Plff} ~~the~~ ^{was} owing for the ~~Plff~~ ^{him} for he did not wish you to disturb her about in consequence of the state of her mind and in a few days after did he not

pay it

Ans. He did make such a request & did pay the money

Edward P. Turner

Benj^a Pope being first sworn deponent & said
Ques. of Deft: To whom did you deliver goods for the Plff in the years 1841.2.3

Ans. I think the principle part of them were delivered to Joseph B. Whitehead and to Plffs negro Huttard
Benj^a & Pope

The deposition of Anderson Pope being opened by consent the Plff asked the following questions

Ques of Plff: Are you not indebted to Nathaniel Francis!

Ans: I am not

The above depositions were taken sworn to & subscribed before me a justice of the peace at the time & place mentioned in the caption

M. T. Peter J. P.

The within depositions were taken, sworn to and
subscribed before the Commissioner at the time and
place mentioned in the Caption -

W. W. Cobb Comr.

Jos. B. Whitehead makes the following explanation
of a difference in his deposition before Comr. Goodwyn
and his deposition above. That Mr. Goodwyn
wrote the deposition and must have made a
mistake, and I did not read the deposition
after it was written -

W. W. Cobb Comr.

Subscribed

as 3 Depositions

Francis

1857 Oct. 20th His null Comr. Report

The depositions of John Whitehead, Jos. B. Whitehead and Martha Darden taken before the Commissioner at his office in the Town of Jerusalem on the 16th day of Sept^r 1857, to be used as evidence before the said Commissioner touching a certain matter of account directed by a decree of the Circuit Court of Southampton pronounced in the suit of Whitehead vs Francis at Nov. Term 1848 -

John Whitehead being first duly sworn, says - he went to Miss Harriet Whiteheads some short time after Mr. Francis took charge of her property, during the same fall - that he saw some corn housed and some in the heap - that there must have been more than fifty barrels in the heap - that he attended to H. Whiteheads business before Jos. B. Whitehead went there and the same ground he cultivated in cotton in 1843 was good for from 6 to 10,000 pounds - The deponent also states that in the latter part of 1845, some few days after Mr. Francis sold the negro woman Winny to Mr. Watkins, he, Francis stated to deponent that he sold her for the sum of \$560. The deponent states that he thinks the rent of the plantation was worth \$75.00 ^{per year} - He thinks the board of Miss Harriet Whitehead was worth about \$60.00 ^{per year} - if she had lived at the house of Mr. Francis, and her fare had been such as it was - He thinks it was worth \$10. per year to keep the negro woman Dinah and children ^{in 1844.} - And that it was also worth \$10.00 to keep negro boy Bob - The deponent thinks that the hire of negro woman Winny was worth \$30 - He thinks the hire of negroes George and Curtis was worth \$100 per year on an average. That it was not worth more than \$20. to keep Bob & Bethie in the year 1847 & 48, and that it was worth \$8.00 per year to keep Dinah &

children for the years 1847 & 48. and that it was worth
\$18.00 to keep them in 1848. and that it was
not worth any thing to keep Hubert in 1848. He
thinks it was worth \$30 to keep Dinah & children
in 1846 and \$20 ~~to keep~~ to keep Bob & Leticia.
J. B. Whitehead

Martha Warden being first duly sworn, says,
That she lived near Miss Whitehead, and was
frequently there, and sometimes found her
without any of the comforts of life around her.
That she sometimes found her sick, without
any one to pay any attention to her. That
the negro woman Dinah wore & spun
cloth for the family of Mr. Francis whilst
she was living with Miss Whitehead. That
she has known Miss Whitehead to hire persons
to wait upon her when this negro woman
(Dinah) was sick. and further this deponent
saith not -
Martha L. Warden

Jos. B. Whitehead being first duly sworn, says
that he confirms the deposition given in before
Commr. Goodwyn on the 16th day of March
1849, and adopts it as a part of his present
deposition. and further states, that they were
two houses worth \$75. on the plantation of
Miss Whitehead that were delivered up to Mr.
Francis when he took possession of said plantation.
The deponent states it could not have taken
more than 2000 shingles to repair the houses
on the plantation of Miss Whitehead done by
Mr. Francis, - and that he saw the carts
of Mr. Francis carrying shingles from the
plantation of Miss Whitehead - He states he

saw Mr. Francis a receipt for his whole account
of \$135.50, but that Miss Whitehead had paid
him herself \$33.00 before that time. That
he thinks the brick work done on the plan-
-tation was worth about \$3.00 and that no
lime was required as there was a plenty on
the 2^d plantation - He supposes \$1.00 would have
paid for the services of hands employed in
the brick work - There was a final settle-
-ment between Miss Whitehead and Mr. Francis
in December 1842, of all transactions before
then before that time. and a bond was
given by Miss Whitehead to Mr. Francis
for his services as agent up to that time.
That she had the entire management
in clothing the negroes on the plantation
of Miss Whitehead, and frequently sent
to the store for articles necessary to make
said clothing - This deponent states that
the desk of Miss Whitehead was broken open
sometime after the suit was brought by her
against Mr. Francis, and all her papers
were stolen - and that a bond which she
held against me was afterwards in the
possession of Mr. Francis - He further
states that he thinks the negroes George
& Leotis were worth \$50. each for the
first ^{two} years that Mr. Francis had pos-
-sion of them, and \$60. for the other
three years - I know that Miss Whitehead
was frequently without any of the com-
-forts of life - and she was frequently
in want of necessary attention -
and further this deponent saith not -
Miss Whitehead

Whitehead

vs. { Depositions
Francis

1857 Oct 20 ret' with Com. Report

The depositions of Alexander Myrick, Nathan Thomas, Joseph Joiner, James D. Bayant and William Murphy, taken before the Commissioner at his office in the town of Litchfield on the 6th day of October 1857, to be used as evidence before the said Commissioner on behalf of the defts. touching a certain matter of account referred to him by the Circuit Court of Litchfield in a certain suit therein depending between Harriet Whitehead Plff. and The Executors of Nathl. Francis decd. defts. —

Alexander Myrick being first duly sworn deposes and says, as follows —

Question by Commissioner — What do you think it was worth to board ship Harriet Whitehead 2. per year? —

Answer — I think it was worth \$150.

Question by Commissioner. What do you think the personal attention of Mr. Francis was worth? — per year?

Answer — I think it was worth \$100 — and further this deponent says the not.

Alex. Myrick

Nathan Thomas being first duly sworn says as follows — That he concurs with Mr. Myrick in the above deposition relative to the board of ship Whitehead, and the personal attention of Mr. Francis. I know nothing of the manner in which ship Whitehead was boarded by Mr. Francis. That I was never there, and know nothing from personal observation. I say that it was worth \$100. in attending to ship Whitehead, and her

business in paying her debts & and further this
deponent sayeth not - M M Thomas

Joseph Joiner being first duly sworn, says as follows -

I was at the house of Mr. Francis during most of the time that Mr. Francis held possession of the property of Miss Whitehead. And I think that during that time she was amply supplied with provisions, consisting of pork, sugar, coffee and flour, by Mr. Francis. I concur with Mr. Elmyrick and Mr. Thomas in their depositions above relative to the board of Miss Whitehead and the personal attention of Mr. Francis. I was never at Miss Whitehead's but a few times except when Mr. Francis was absent in the South. During the time that Mr. Francis was absent I was there nearly every day - He was absent about a month - I went to Miss Whitehead's with Mr. Francis and Mrs. Porter, after some difficulty had arisen between Miss Whitehead and Mr. Francis, but Mr. Francis and myself did not see her - Miss Whitehead did not see Mr. Francis at all - I was frequently absent from Mr. Francis several months at a time - And further this deponent sayeth not -

Jos. Joiner

William Murphy being first duly sworn, says as follows -

I lived with Mr. Francis in the year 1843, ~~xxx~~ and until the last day of March 1844, and whilst I was there I think Miss Whitehead

was amply supplied with provisions of all kinds by Mr. Francis. I was at Mr. Francis at some time after he had possession of the property of Miss Whitehead, (The particular time I do not now recollect,) when Mr. Francis had just returned from Petersburg and I saw a bag of coffee put in a cart to be sent to Miss Whitehead - And further this deponent sayeth not -

Wm Murphy Jr

James D. Bryant being first duly sworn, says as follows -

I think it was worth \$50. to board Miss Harriet Whitehead - I know nothing of the personal services rendered by Mr. Francis - And further this deponent sayeth not -

James D. Bryant

The above depositions were taken, sworn to and subscribed before me on the day and year and place mentioned in the Caption -

Wm. C. C. C. C.

Whitehead

vs 3 Depositions
Francis

1837 Oct 20 Ret with home Reports

The deposition of John Booth taken before The Commissioner on the 16th day of Sept. 1854, at his office in the town of Jerusalem to be used as evidence before the said Comm. touching a certain matter of account directed by The Circuit of Southampton by a decree pronounced at Nov. Term 1848 in the suit of Whitehead vs Francis -

John Booth being first duly sworn, says. That he thinks that the negroes George and Curtis were worth about \$100. per year on an average during the time that they were in the possession of Mr. Francis - He states that he went to Miss Harriet Whitehead's to live in the year 1849, and that he found there in the possession of Miss Whitehead Cotton flannel, and that cotton yarn is necessary to the manufacture of the said flannel - The deponent states that ^{he thinks} it was ^{with} ^{payment} \$150. to board Miss Whitehead.

~~The only time that I was was in the house of Miss Whitehead was -~~ I never was in the house of Miss Whitehead but once. What induces me to think it was worth \$150. to board Miss Whitehead was from what I saw whilst I lived with her, because she required a good deal of attention, and I frequently saw her use a great deal of coffee and I carried brandy to her once whilst I lived with her in 1849. I think it was worth \$150. to board Miss Whitehead if she had lived with Mr. Francis, but if Miss Whitehead had lived alone and in her own house and Mr. Francis simply furnished her with provisions it would be worth about \$75.00 ^{per year}. He states that about thirty timber trees were cut off the plantation of Miss Whitehead whilst it was in the possession of Mr. Francis. That they were worth about \$1.00 per tree. I asked Lewis Story who was the

owner of Mr. Francis in December 1848, if he
had made many potatoes on the farm that Miss
Whitehead lived on, and he said they made but
few - I went there to him in Jan'y 1849, and found
none there - And further this deponent saith
not.

John Brattle

The above deposition was taken, sworn to and
subscribed before me the 16th day of Sept 1854.

Wm. Abbott Com.

Whitehead

i 3 Conc: Prepart
Francis

1849 April 2[?]
1849 May 2[?]

Whitehead
Francis

Commissioners office March 16th 1849

Pursuant to the decree of 4th Decr 1848, the
Comrs have to report the annual account together with the
depositions of Jm B Whitehead, John Whitehead, Jos T Lyles
Henry Timozed, Mr L Dordens and Lewis Story herewith
returned. Notice was first given to the 20th February 1848, and
continued from that day to the 16th March on account of
the absence of plaintiffs witnesses -

W. S. Goodwyns Comr.

Nathaniel Francis

In account with Harriett Whitehead

1844		Dr	Cr
Jan	To 100 bbls corn at \$2.00	200 00	
	" 10.000 lbs cotton at \$1.75 per hundred	175 00	
	" 20 head of cattle at \$4.00	80 00	
	" 1 yoke of oxen	25 00	
	" 26 fat hogs at \$2.94	76 44	
	" 6000 and 35 shoats & pigs at \$1.00	44 00	
	" 17 head of sheep at \$1.00	17 00	
	" 100 bush. potatoes for eating at \$1/6	16 66	
	" 15 do " for planting " "	2 50	
	" 100 do " for hogs at 8 ^c	8 00	
	" 15 do rice at \$1.00	15 00	
	" 90 do peas at 20 ^c	18 00	
	" 3.000 lbs fodder at 40 ^c	12 00	
	" 4 turn ploughs at \$1.50	6 00	
	" 7 plough hoes & 4 colters	4 50	
	" 4 grub hoes and 5 couplings hoes	3 25	
	" Horse cart & wheels & Ox cart & wheels	24 00	
	" 4 wedges and 5 axes	3 70	
Decr. 21	" rent of land this year	62 50	
	" hire of negroes George & Curtis	71 25	
	By support of Dinah & 3 children 1844		10 00
	" " by Bob " "		10 00
	To hire of women Winney	25 00	
	By board and attendance &c		150 00
	" saving 3000 lbs cotton		12 00
	" shoebinding & housing 57 1/2 lbs corn		3 00
	" and paid C Bradshaw for brick work		15 00
	" " " for lime & hire of horses		11 28
	" " " Mrs Eaters for receipt		4 00
	" " " Albany Corins act		1 90
	" " " Edwin Harris "		2 25
	" " " Carter Lamb "		3 00
	Amto car. prepaid -	889 80	222 43

1844

Decr 31

amt not found	889 80	222 43
By amt paid J. C. Fryson act.		1 50
" " " " " " " " " " " "		38 48
" " " John Whitehead "		29 00
" " " Same notes not		74 42
" " " J. B. Whitehead act		195 50
" " " B. C. Waller notes		19 68
" " " P. Edwards & Co "		18 52
" " " B. C. Everett Execution		15 02
" " " J. C. Luman note		1 85
" " " Taxes for 1843		12 43
" " " C. P. Luman 3 executions		26 95
" " " Richard Porter notes		54 40
" " " G. M. Winfree act		10 00
" " " J. T. Lytle "		1 31
" " " J. P. Dorland "		4 25
" " " C. D. Barham "		9 75
" " " B. Porter note		6 62
" " " John et al note act		20 00
" " " B. & H. P. Pope 3 notes		106 25
" " " retained duct Francis 3 "		134 93
" " " bal. due et. Francis	113 49	

1845

Jan

By bal. due et. Francis	1003 29	1003 29
" bond & attention this year		113 49
" Thuping, Dinah & 3 children		150 00
" " Bob.		15 00
" " Herbert		10 00
" " " " "		2 50
" amt paid W. Thimard note		21 04
" " " B. Scott act		2 00
" " " A. M. Sebell judgment		235 44
" " " Thimard & Pate act		10 70
" " " amt car forward		560 17

1845

amt not found	560 17
By amt paid J. C. Fryson act.	14 17
" " " " " " " " " " " "	15 47
" " " Henry Luman "	37 50
" " " Henry Thimard "	9 92
" " " Thomas et al note "	21 00
To rent of land this year	62 50
" hire of George et al	82 00
" " of Winney to Sept 1845	20 00
" amt. sale of Winney	560 00
By Int. on \$113.49	6 70
Decr 31 To bal. due W. Whitehead	59 57

1846

Jan

To bal. due not drawn	724 50	724 50
" rent of land this year	59 57	
" hire of George et al	62 50	
By bond and attention	92 00	
" Thuping, Dinah & 4 children	150 00	
" " Bob & girl Lettie	30 00	
" amt paid J. C. Fryson act	25 00	
" " " Mary Evans "	11 00	
" " " J. C. Fryson "	1 10	
" " " " " " " " " " " "	2 25	
" " " Same "	3 00	
" " " Same "	3 74	
To Int. on \$59.57	3 57	
Decr 31 By bal. due et. Francis	8 45	

1847

Jan

By bal. due et. Francis	226 09	226 09
By bal. due not drawn	8 25	
" bond & attention	130 00	
" Thuping, Dinah & 4 children	5 00	
" " Bob & Lettie	25 00	
" amt paid J. M. Arnold act	2 00	
amt car forward	190 45	

1847

Decr: 31

amts but found

190 45

By amt paid B. C. & H. P. Pope act

24 90

" " " S. C. Reese "

3 39

" " " Same "

10 43

" Put on \$8.45

" 30

To rent of land

62 50

" hire of George & Curtis

100 00

By bal. due St. Francis

67 17

229 67

229 67

1848

By bal. but down

67 17

" Pumping Dinah & children

5 00

" " Books Leticia

25 00

" board and attendance

130 00

" amt paid Dr Simmons act

7 50

" " " B. C. Waller act

2 50

" " " Beaton & Francis "

1 75

" " " for 600 bricks "

3 00

" " " J. M. Steel "

" 16

" " " E. Beaton "

2 60

" " " J. M. Arnold "

2 00

" " " Amey Newton "

1 50

" " " J. M. Arnold "

2 00

" " " B. C. & H. P. Pope "

19 56

" " " C. D. Burdick "

69 14

" 1750 lbs fodder at 40¢

7 00

" 9 head of sheep at \$1.00

9 00

" 50 lbs corn at \$1.50

75 00

" 12 head of cattle

55 00

" 3 cows

15 00

" Labor & nails in repairing

6 50

" Put on \$67.17

4 03

To rent of land

62 50

amts but found

62 50

530 41

1848

Decr: 31

amts but found

62 50

530 41

To hire of George & Curtis

100 00

" " of Sal. & Jane

5 00

By bal. due St. Francis

362 91

530 41

530 41

By bal. due St. Francis

\$ 362 91

with Put Stenow from this day till paid

Respectfully submitted

M. S. Goodenough

Clerk.

Comer. fee \$35.00

Shiffs etc "

charged to H. Whitehead & H. H.

M. S. Goodenough Clerk.

Comer. office March 16th 1849

The plaintiff Harriett Whitehead excepts to the above acts on the ground that the Comer. allowed St. Francis the debt, the whole amt paid St. M. Sebrill, including Put, costs of suit &c which amt is larger than the original med. bill which said Francis ought to have paid without suit

M. S. Goodenough Clerk.

Whitehead

V. of Comus. Report

Francis

1851 Oct 20

Whitehead
vs
Francis

Commissioner's Office, October 8th 1857

Pursuant to the decree of May Term, 1857, the Commissioner begs leave to report the annexed account directed by the decree of Ch. T. Term 1848, together with the depositions of Jos. B. Whitehead, John Whitehead, M. R. Darden, John Booth, Alexander Myrick, Nathan Thomas, J. C. Soyner and Jas. D. Bryant herewith returned with this account. Notice to the parties was first given to the 19th day of August 1857, and on account of the absence of the parties, it was continued to the 16th day of Sept. 1857, and continued from that day to the 6th day of October 1857, to take the further examination of witnesses -

Wm. W. Cobb Comr

Nathaniel Francis

In account with Harriet Whitehead.

1844			Dr.	Cr.
Jan	1	To 100 barrels of corn at \$1.00	200 00	
		" 10,000 lbs of cotton at \$1.75 per hundred	175 00	
		" 20 head of cattle at \$4.00	80 00	
		" 1 yoke of oxen	25 00	
		" 26 fat hogs at \$2.94	76 44	
		" 6 sows and 38 shoats & pigs at \$1.00	44 00	
		" 17 head of sheep at \$1.00	17 00	
		" 100 bushels of potatoes for eating 1/6 ^c	16 66	
		" 15 do. " for planting "	2 50	
		" 100 do. " for hogs at 8 ^c	8 00	
		" 15 do. of rice at \$1.00	15 00	
		" 90 do. of peas at 20 ^c	18 00	
		" 3000 lbs of fodder at 40 ^c	12 00	
		" 4 turn ploughs at \$1.50	6 00	
		" 7 plough hoes and 4 Coalters	4 50	
		" 4 grub hoes and 5 weeding hoes	3 25	
		" horse cart & wheels & 04 cart & wheels	24 00	
		" 4 wedges and 5 axes	3 75	
		" 2 horses at \$20.	40 00	
Dec	31	" rent of land this year	75 00	
		" hire of George and Curtis	100 00	
		By support of Dinah and 3 children		10 00
		" " " boy Bob		10 00
		To hire of woman Winny	30 00	
		By board, attention &c this year		150 00
		" saving 3000 lbs of cotton		12 00
		" Shucking & housing 5 7/8 barrels of corn		3 00
		" amt paid E. Bradshaw for brick work		15 00
		" " " for lime and hire of hands &c.		11 28
		" " " Mrs. Eaton acct		4 00
		" " " Mary Evans "		1 90
		amounts carried forward	\$976 05	217 18

1844		amounts brought forward	976	05	217	18	1845
Decr	31	By amt paid Edwin Harris acct			2	25-	
		" " " Carter Land "			3	00	
		" " " J. C. Soyner "			1	50	
		" " " Russ & Pute "			38	48	
		" " " John Whitehead "			29	00	
		" " " Same note & int.			74	42	Decr 31
		" " " Jos. B. Whitehead acct			195	50	
		" " " B. C. Waller note &c			19	68	
		" " " Peter Edwards "			18	52	
		" " " B. C. Everett, Executions			15	02	
		" " " J. C. Turner note			1	85-	
		" " " Taxes for 1843			12	43	
		" " " E. P. Turner 3 executions			26	95-	1846
		" " " Rich ^d . Porter note &c			54	40	
		" " " G. A. Kinges acct			10	00	
		" " " J. J. Lyles "			1	31	
		" " " Septia Darden "			4	25-	
		" " " C. D. Barham "			9	75-	
		" " " R. Porter note			6	62	Decr 31
		" " " John Newton acct			20	00	
		" " " B. E. & H. P. Pope 3 notes			106	25-	
		" " " retained due St. Francis 3 notes			134	93	
"	"	By balance due St. Francis	27	24			
			1003	29	1003	29	
1845		By balance due brought down			27	24	" "
		By board, attention &c This year			150	00	
		" Keeping Dinah & 3 children			15	00	1847
		" " Bob			10	00	
		" " Herbert			2	50	
		" amt paid H. Kindred note			21	04	
		" " " R. Scott acct			2	00	
		" " " St. M. Sebrill judgment &c			235	44	
		" " " Russ & Pute acct			10	70	
		amount carried forward			473	92	

		Amounts brought forward			473	92	
		By amt paid S. C. Russ acct			14	17	
		" " " Same "			15	47	
		" " " Henry Turner "			17	50	
		" " " Henry Kindred "			9	92	
		" " " Thomas Newson "			21	00	
		To rent of land this year	75	00			
		" Hire of George and Curtis	100	00			
		" " of Winney to Sept. 1845	20	00			
		" amount of sale of Winney	560	00			
		By interest on \$27.24				1	63
		To balance due H. Whitehead			201	39	
			755	00	755	00	
		To balance due brought down	201	39			
		By amt paid J. C. Soyner acct			11	00	
		" " " Mary Evans "			1	10	
		" " " S. C. Russ "			2	25-	
		" " " Same "			3	00	
		" " " Same "			3	74	
		To rent of land this year	75	00			
		" Hire of George and Curtis	100	00			
		By board, attention &c			150	00	
		" Keeping Dinah and 4 children			30	00	
		" " Bob and girl Lettie			20	00	
		To interest on \$20.39			12	08	
		To balance due H. Whitehead			177	38	
			398	47	398	47	
		To balance due brought down	177	38			
		By board, attention &c			150	00	
		" Keeping Dinah & 4 children			5	00	
		" " Bob & Lettie			20	00	
		" amt paid J. M. Arnold acct			2	00	
		" " " B. E. & H. P. Pope "			24	90	
		" " " S. C. Russ "			3	39	
		amount carried forward	177	38	205	29	

1847

Deer 31	Amounts brought forward	177	38	205	29
	By amount paid S. C. Russ acct			10	43
" "	To rent of land this year	75	00		
" "	" hire of George and Curtis	100	00		
" "	To interest on \$177.38	10	64		
" "	" balance due H. Whitehead			147	30
		363	02	363	02

1848

	To balance due brought down	147	30		
	By amount paid Dr. Simmons, acct			7	50
" "	" " B. C. Waller "			2	50
" "	" " Beaton & Francis "			1	75
" "	" " for 600 bricks "			3	00
" "	" " J. M. Neal "			"	16
" "	" " E. Beaton "			2	60
" "	" " J. M. Arnold "			2	00
" "	" " Nancy et alton "			1	50
" "	" " J. M. Arnold "			2	00
" "	" " B. E. & H. P. Pope "			16	56
" "	" " C. D. Barham "			69	14
" "	" 1750 lbs of fodder at 40 ^c .			7	00
" "	" 9 head of sheep at \$1.00			9	00
" "	" 50 barrels of corn at \$1.50			75	00
" "	" 12 head of cattle			55	00
" "	" 3 Sows			15	00
" "	" Labour and nails in repairing			6	50
" "	" board, attention &c.			150	00
" "	" keeping Dinah and children			5	00
" "	" " Bob and Lettie			20	00
Deer 31	To rent of land this year	75	00		
" "	" hire of George and Curtis	100	00		
" "	" " of Sal and Jane	5	00		
" "	" 30 timber trees at \$1.00	30	00		
" "	" interest on \$147.30	8	83		
	amounts carried forward	366	13	451	21

1848

Deer 31	Amounts brought forward	366	13	451	21
	By balance due et. Francis	85	08		
		451	21	451	21
" "	By balance due et. Francis			85	05
	with interest thereon from this date				
	until paid				

Respectfully submitted
 Wm. W. Cobb Comr.

Comr. fee \$40.00

Shfr. do.

Charged to the Plaintiff

H. Whitehead.

Wm. W. Cobb Comr.

Harriet Whitehead

to

Note

to Harris Exor.

\$14.25

due 25, Dec. 1838.

Feb. 14. 25.

On or before the Twenty fifth day of December next
we promise to pay to Peter Edwards Guardian to Stewart Harris
Orphan of Stewart Harris decd. the sum of fourteen dollars and twenty
five cents it being for the hire of a negro-Girl Cherry, to be
furnished with two good suits of cloths, Hat & Blanket; and
for the true payment of which, we bind ourselves, our heirs
Exors. & Adms. jointly & severally by these presents: as witness
our hands and seals this 3rd day of January, 1838.
Teste.

Harriet Mitchell *seal*

Thos. Ward Porter *seal*

Nathan Barnes

Due John C Turner for value rec.
four Dollars & 10 cents witness my hand
and seal this 3rd day 1862

Harriet Mitchell (Seal)

1/2 gallon brandy 37 1/2 Cts

Harris,
Whitehead

due him

\$4.10

Int 8

37 1/2 Cts Brandy

4.55 1/2

1.50 paid

3.05 1/2 due

rec'd

20 Oct 15

for 1 quart
wine

balance due \$1.63

Received on dollars of
the within account
Jas. H. Davis

Harrison Whithead

&

Eno Whithead

Note

\$12.00

To B. E. & H. P. Pope

~~\$42.00~~

On demand the 25 Dec 1843 we or either of us do
promise and bind our selves our Executors to pay or cause to
be paid unto Alexr Myrick guard of Margaret A Pope
the just and full sum of Twelve Dollars and — cents
It being for the hire of negro Boy Absam who is to have
usual clothings hat and blanket and is not to worke on
a Rail Road go to a sun or worke in a shingle swamp
and to be returned to the sd Alexr Myrick on the 25 Dec
1843 as witness our hands and seal this 27 Dec 1842
Test

Harriet Whitehead (Seal)
John Whitehead (Seal)

36.16

No account taken of this

36.16

on Demand the 25th Day of Decr 1843 we or either
of us promise to pay William L Rachell for the
hire of Mrs. ~~W. R. R.~~ ^{negro man} the sum of three dollars
per month for the hire of Luke. Said negro is to
be returned when called for given under our
hands & seals this the 27th Day of Decr 1842

Harriet Whitehead (Seal)
J. N. Whitehead (Seal)

Harriet Whitehead

To

Note.

\$18.57.

On demand the first day of Decem~~er~~ next
I promise to pay to Benjamin C. Walter the
Sum of eighteen dollars and fifty seven cents
with Interest from date for Value Recd of
him this fifteenth day of February eighteen hun-
-dred and forty three
Test

Harriet Whitehead Seal

1857	
101.42	1857
5	1.06
110.6	19.03
9.28	

H. Whitehead
To John
R. Porter
Alb. 25
3

One day After date I owe and promise to pay unto
Richard Porter or order the just and full sum of
six dollars and twentyfivecents it being for value
received as witness my hand and seal this 2nd day
of January 1843
Test

Wm. A. Whitehead Seal

1021370 Whiteheads
Reet

Rec^d Dec 1st 1843 of Nathaniel Francis
the sum of Two Hundred & Twenty Eight Dollars
and Fifty Cents ^{in full} being for my services on my
sister Harriet's plantation for the years of
1841-1842 & 1843 to Dec 25th

Witness
Lot J. Giles

for B. Whitehead

From the above and the sum of \$33.00 is to be deducted, it being
the amt of claims filed by H. Whitehead to J. B. Whitehead and deducted
at the time of settlement. For ever.

228.50
33.00
195.50

H. Whitehead

S. Xote

S. Francis.

#14.21

14.49

Less days After date I owe and promise to pay unto Nathaniel
Francis or order the just and full sum of fourteen Dollars
And twenty one cents ~~the~~ being for value received As witness
my hand and seal this 28th of August 1843
Fate Harriet Whithead Seal

December 30/1843 no. passport
in full of Nathaniel Francis

Edwin Harris

Miss H. W. Hay

At the head

Act

March 1839

Ship Harriet Whighthead.
to Edwin Harris Dr to three loads
of stucks at 75 cts per load \$ 2.25

December 18/1843 Received
Twenty one Dollars and
forty cents in part of
the within Note through
the hands of S. Francis
Richard Porter

H. Whitehead

33 Note

\$40.00

To W. Whitehead

54.00

For W. Whitehead

Richard Porter

the within note to -
January 15. 1848 & adj
the

\$ 40

On or before the first day of November next I promise
to pay to Jos. B. Whitehead or assigns the just and full
sum of forty dollars with interest from ~~the~~ date for value
received of him this fifteenth day of January eighteen
hundred and thirty eight witness my hand and seal
this day and date above written

Z. L. B.

Warren Whitehead

Farham Barnes

41 Whitehead +
J 13 Whitehead
Lo Recd

26.95

Eward Beaton	} Lett due 27 th April 1843	\$ 15.00	
Fi Fa vs		30	
Joseph B Whitehead		Costs	60
Harrett Whitehead		Costs	80
		<u>\$ 16.90</u>	

November 22. 1843. Recd of Joseph B Whitehead by the hands of Nathaniel Francis the sum of fifteen dollars and ninety cents for the above stated Execution,

Eward P Turner Court

Eward Beaton	} Lett due 21 st June 1843	\$ 3.36	
Fi Fa vs		7	
Harrett Whitehead		Costs	30
		Costs	25
		<u>\$ 4.18</u>	

November 22nd 1843 Recd of Harrett Whitehead the

by the hands of Nathaniel Francis the sum of four dollars & Eighteen cents in full of the above Execution

Eward P Turner Court

Breggs Artes	} Lett due 11 th July 1843	\$ 5.18	
who warrants		11	
for the benefit		Costs	30
of Eward P Turner		Costs	28
Fi Fa vs		<u>\$ 5.47</u>	
Harrett B Whitehead			

November 22nd 1843 Recd of Harrett Whitehead by the hands of Nathaniel Francis the sum of five dollars in full for the above stated Execution

Eward P Turner Court

Harriet White
Oct 20

J. L. Rees

\$ 4.23
3.00

1.23

1890

Harriett Whitehead. To. J. C. Reese.

September 15. 1843. To 2 bushels wheat $\frac{4}{9}$ \$2.25

1846

Sept 25th Paid Payment

Jamison Gilchrist
By ~~James~~ Reese

17

Harriet Whitehead

12.43

0000

0

0000

0000

0000

0

0

0

0

DR.

Manuel Whitehead

To WILLIAM L. EVERITTE, Sheriff of Southampton County.

						Dollars.	Cents.
1843.—To Tax on	461	Acres of Land,	-	-	-	3	64
"	5	Slaves,	-	-	-	2	30
"	4	Horses,	-	-	-		56
"		Two Wheel Carriages,	-	-	-		
"	1	Four do do	-	-	-	2	
"		Gold Watches,	-	-	-		
"		Silver do	-	-	-		
"		Brass Clocks,	-	-	-		
"		Wood do	-	-	-		
"	3	County and Parish Levies,	-	-	-	3	93
						\$	12 43

Received this *24th* day of *Nov* 184*3*, the sum of \$ *12.43* in full of the above tax acc't.

A. W. Murt Deputy for

WILLIAM L. EVERITTE, Sheriff.

*Whithead
Le Vreux
& Francis
\$29.00*

December 6th 1843 Received twenty Nine Dollars by
Note from Nathaniel Francis It being the price
of my Act I sold Against Harriet Whitehead
up to the present date. John Whitehead

Harriet Whitte
S. Act

\$1.90

May 1843 Harriet Whitehead Due to Mary Evans

To Mending cloth.

\$1.90

December 1843 rec'd payments in full of Nathaniel Francis

~~October 1843~~ John Edwards

Mary ^W Evans
mark

Harriet Whithead

Note

£ 20: 70

To B. C. & H. P. Pope

\$20.70

One day after date I promise to pay B E &
H P Pope or order the sum of Twenty dollars and
Twenty Cents ——— for value rec^d and for the
true payment of which I bind my self my
heirs executors adm^s or assign- as witness my hand
and Seal this 16th day of Augt, 1843
witness

Warrent Whitehead

Seal

20.70
31.24.26
41
20.70
21.11

J. Newton
So Recd
\$20.00

June 21st 1844 received twenty Dollars in full of ~~St~~
Nathaniel Francis for the rent of the Barnes place
for year 1843 it being owed by Miss Harriett
Hutchins

John ^{his} Newton
made

Harriet Whitehead
&

Nathl. Francis

note of \$69.00

due 25th Dec. 1842

B. E. & W. P. Pope

69.00
1.1400
69.00
73.74

Indulgence granted at the
request of Richard Carden
Sixty days, Jan'y 6. 1844
Richard Carden

~~69~~ Obedience the twenty fifth day of December next
We or Either of us as promise to pay unto Sarah Pope
or order the just and full sum of twenty nine Dollars
It being for the Hire of Negro man Hugh which
Negro is to have usual clothing Hat and blanket
Witness we have here unto set our hands and
Seals this 6th day of September 1842.

Teste

Jos B Whithead

Harriet Whithead. (Seal)

Nathaniel Thayer (Seal)

March 18 Rec'd from ~~Leese~~ & Peete
 Harrill Whiteheads
acct

38.48
 6.38
 .50
 9.81
 4.55

 59.72

Peete
 By E. J. Turner
acct

38.48
 4.55
 7.81
 .50
 6.38

 57.72
 1.50

acct
 J. Whiteheads

60.00
 58.22

 1.78
 60.00

Miss Harriet Whitbread

S. Quay & Peto

1842

May	5 th to 1 st Polished Traces	6/9	113
	" 1 mnd. deer	4/6	" 44
	" 1 Gall mola pro	30/4	" 30
	" 15 cnts worth flour for Mabbary		" 15

Aug	18 th 15 th Coffee	15/4	225
	" 15 th flour	25/4	" 75
	" 1 viat pepper mint	10/4	" 10
	" 15 th sugar	9/8	158
	" 3/4 Gall Brandy	4/6	" 36
	" 1 st molo	30/9	" 30
	" 2 nd whiskey	4/5	" 90
	" 15 th cotton	27/4	135
	" 1 paper pins	183/4	" 19
	" 4 yd Cut cloth	15/4	" 60
	" 2 nd "	4/4	" 28
	" 1/4 th 3 rd 4 th Tea	6/9	" 28

Aug	3 rd " This amt paid fish	12/4	200
-----	--------------------------------------	------	-----

Sept	19 th 6 th sugar	9/8	" 75
	" 1 oz Camphor	183/4	" 19

Oct	27 th 1 Chamber Pot	8/3	138
-----	--------------------------------	-----	-----

Dec	24 th " This amt paid order		" 56
-----	--	--	------

	27 th " 1 negos Blanket	10/5	105
--	------------------------------------	------	-----

1843			2739
------	--	--	------

Jan	3 rd 1 wash Lin	2/3	" 38
-----	----------------------------	-----	------

	" 5 th No 6 cotton yarn	23/4	115
--	------------------------------------	------	-----

	" 1/2 doz sup. plates	10/6	" 88
--	-----------------------	------	------

	" 1/2 " " Deep Dito	10/6	" 88
--	---------------------	------	------

	" 2 nd 6 Nails	6/8	" 17
--	---------------------------	-----	------

1843			2084
------	--	--	------

Jan	25 th 10 th No 4 cotton yarn	20/4	200
-----	--	------	-----

			2284
--	--	--	------

Ant having over

1843 To Amt Brought forward \$22 84
 May 20 " 1 lb coffee 15 1/2 oz camphor 18 3/4 1 Gall molasses 31 1 140
 June 10 " 1/2 Gall whisky 3f " 25
 14 " 1 " Ditto 3f " 50
 19 " This amt paid order 6f 1 00
 July 10 " " " " " 6f 1 00
 15 " " " " " 94 " 94
 24 " " " " " 6f 1 00
 August 14 " 1/2 pr cot cards 3/4 3 yds K. Janus 70 2 73
 " 1 Ball shoe thr. 3/4 1/2 pr a cot yarn 34 264
 " 1/2 yds Bed ticking 3/4 1 lb coffee Pot 25 " 42
 " 1 quire paper 46 1 yds calico 46 1 25 98.9
 22 " 1/4 Kentucky Janus 46 " 18
 Nov 4 " " " " " 36.98
 1844
 March 18 " 1842 acct for 14 mo. 17 days on 17.39 1 26
 " " " " 1843 " " 2 mo. 17 days on 19.59 24
 1844 " " " " " 38.48

March 18 Recd payment of Loose & Peete
 Harriet Whiteheads
 acct By E. J. Turner

38.48
 6.38
 .50
 9.81
 4.55
 59.72

38.48
 4.55
 9.81
 .50
 6.38
 59.72
 1.50

Recd
 Harriet Whiteheads

60.00
 58.22
 1.78
 60.00

38.48
 6.38
 .50
 9.81
 4.55
 59.72

H. Whitehead
To 3 of
Borham
£9.75-
3

Nov 6 - 1844 recd. the within & in full

C. B. Borham

1843	Miss Harriet Whitehead	Dr
	To A B Barham	
June 10	To visit to Give. Cupping	2.50
	" blister & maicium	1.25-
: 11.	" visit to ad. & med	2.50
	" maicium for you	1.00
12	" visit to ad & do	2.00
agst 11.	" Precipitated Carb. Ferri	1.50
		<u>\$9.75</u>

October 8th 1842
Received five dollars
in part of the within
in note for Whitbread

2446	
<u>2250</u>	cash
1941	
<u>24536</u>	
26406	

note

J. Whitbread

January 19th 1844, Received Twenty Dollars
And Eighty six cents in part of the within
note from Nathaniel Francis
John Whitbread

74
Obedward This 23rd day of Feb^r
1840 I promise to pay John Whitehead
the just and full sum of sixty four
dollars and 60 it being for value
received as witness my hand and
seal

Harriet Whitehead ^{and} Seal

J. Dardin
S. Kent

#4.25-

February 20th 1844 Received of Nathaniel Francis the sum of
Four Dollars and twenty five Cents It being the Amt in
Full against Miss Harriet Whitehead for board
Leptha Donnell

H. Whitehead

Miss Harriet Whitehead
To Jos J. Hills Dr

To services of Mass Church ³¹ 12 Days @ \$1.31
July 15th 1844 Rec'd payment of
St. Francis no frill. Jos J. Hills

206⁷¹ ..

Carter Lamb
To Recd.

\$3.00

1844

June 1844 recd. of Nathaniel Francis the sum of Three Dollars
For plugging and repairs of well at Harriet's Whitehead's
Lester

Baxter & Sams-
on

Wm. J. J. J.

December 28th 1842 Received Twenty
Eight Dollars and forty Nine Cents
In part of the within Note,
Nathaniel Francis.

Nathaniel Francis

To Note

Nathaniel Francis

\$89.44

134.53

1/2 381 18
31 8
3.50
63.53
67.03
53.00
14.53

83.44 cents

pay 1844

87.44
2.6830
87.44
73.02
28.49
63.53

With Interest from date I promise to pay unto Nathaniel Francis
Or order the just and full sum of Eighty Nine Dollars and forty
Four cents the being for value received As witness my hand and
Seal this 27. of June 1862

Teste

for B. Whithead

Alvin T. Whithead Seal

G. W. Winfree
J. L. Ricciet
\$10.00

Recd of Harriet Whitman through
H. Frances \$10. for the R. C. Advocate
to ~~6~~ of Oct. 1844.

G. N. Winch
of ~~the~~ Dec

No 7th

~~Mr~~ Eaton

Receipt

\$4.00

Petersburg April 1844

Mrs M. Frances

Bought of L. Eaton for
Miss Harriett Whitehead

1 Silk Bonnet

4,00

Received of

L. Eaton

C. Brachshaw
To Recd

$\begin{array}{r} \$13.00 \\ 11.25 - \text{Expenses} \\ \hline 26.25 \end{array}$

No 14

1844

March 26th 1844 Ad. of Nathaniel Francis fifteen
Dollars for Brick work done at Harriet Whitehead

E. H. Heston & Co. Bricklayers

To three cast iron	\$ 4.50
hand furnished	3.75-
Bord for Wards	3.00
	<u>\$ 11.25</u>

Samuel Whitehead
To
H. Kindred *note* ~~£ 10~~ *£ 01*

1845

paid 24/10/45
of October 20/1845

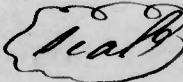
21.04 paid

~~\$18.01~~ On demand, with interest from Jan^y 1st
1843 I promise to pay or cause to be paid to Henry
Kindred, or order, the sum of Eighteen & 1/100 —
_____ dollars, for value recd, and for the true
payment of which I bind myself, heirs, assigns,
&c each severally and jointly by these presents
As witness my hand and seal this 30th

Jan^y 1843 —

Teste.

Mo I Kindred

Harriet M. Kindred 

H Whitehead
So Note
S Francis

\$50.00

Int - 3.00

O demand the 25th of December 1865 With Interest from
Date I owe and promise to pay unto Nathaniel Francis
or order the just and full sum of fifty Dollars the being
For value received As witness my hand And seal this 29th
of December 1862 Horvict Whitehead Seal

Witness

for Whitehead

Harriet Whitehead
1843

1843-

Miss Harriet Whitehead

To Recd & Date

1844	February 10 th	To 1/2 oz Camphor c 18 3/4		09
June 1	"	" 10 yds cotton cloth 60	53	
"	"	" 1 Table cloth 3/9	63	
"	"	" 1 pr Supr morocco shoes 7/-	1 30	
"	"	" 9 yds Supr Prints c 2/3	3 37	
"	"	" 8 " Calico c 1/-	1 33	
"	"	" 1 pr Ladies Gloves c 2/3	38	
"	"	" 1 oz Camphor c 18 3/4	19	
"	"	" 1 Tin Pan c 1/6	25	
"	"	" 1 do do 3/-	30	
"	"	" 1 Supr Sully whips c 9/9	1 63	10 61

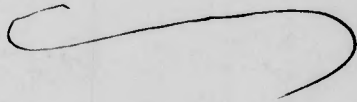
1845
Feb 8th Recd payment Due & Date
By E. P. Turner

10 70

Nov: 17th 1845 - Recd: of Captl Francis
the sum of two hundred thirty nine
dollars and 44/100, in full of Judgment
in favor of C. M. Selrell against
Horace Whitehead.

W. J. Goodwin

attys for C. M. Selrell



Francis
x
Selrell

1845

Southampton Circuit Supr Court November Term 1845
vs. M. Sevell

against
Harriet Whithead

Plff } In Case
Dft }

Judgment for the plaintiff for one hundred & twenty seven
dollars with Interest from January 1/1842 till paid & Costs
Plffs Costs \$17.28 cents.

Extract J R Edwards Esq

Debt due January 1-1842 - \$177.00

Int to Nov: 17-1845 - (3-10-17) - 41.16

Costs - 17.28

Am't due \$235.44

R. Scott
Treat
208

1845

Received of Harriet Whitbread by Nat. Francis two dollars
for the Richmond Christian Advocate in advance August
28th 1845-

Ro Scott

Harriet Whitehead
Op

Miss Harriet ~~Whitehead~~ ~~A. Francis~~ sup.
 1844 To D. C. Reese Dr.
 Sept 24th To 10 1/2 yds Cashmere & cossie 5/3 1/2 9.19 1/2
 To 1 sack wool 7/6 1.25
 To 103 Camphire 18 3/4 ~~10 1/2 yds~~ 10.63
 Oct. 8 11 1/2 yds Ribband 10c 2 paper Guedler 9 .40
 " 1 paper Hooker & eyes w/ 10 3/4 yds Cor cloth 10c .81
 " 1 pitcher 18 3/4 1.19 1/2
 " 1 Linen sup w/ 1 Linen Bucket 3 1/4 .37
 " 1 cotton Bag 2 1/3 Balanett yarn 1/6 3
 " 2 Dumbler for 9d 1.3 1.13
 Nov. 30 11 1 paper Pin 18 3/4 1 Hank silk w/ 31
 Dec. 30 11 8 yds Calico 1/6 2.00
 1845
 Aug. 25th Recdpt inf. 13 Cam. Durm 15.47

January 1/1845 recd the within
act in full of St Francis
Henry Kindred

Miss M. W. P. L. C.

act

\$10.42

1845

1843

Ship Harriet Whitehead

Ser

At A Hundred

Jan'y 26th 2 bridle-bits c 9^d making ring for another 69.31
 " " " making 6 screws & taps c 9^d .75
 April 24th 10 bushels potatoes plantings c 3^d 5.00
 May 3rd " laying 2 plough-hoes c 3^d " beating out P-hoe 9^d 1.13
 " " " putting eye on P-hoe 9^d & making eye to another 1/6 .37
 " " " 8th iron c 7^d .56
 June 20th " laying P-hoe 3^d " putting eye on P-hoe 9^d .63
 " " " laying 2 cutters c 1/6 " putting clapper in bell 9^d .62
 " " " making capring 1/6 " 3/2nd iron c 7^d .31
 July 3rd " laying P-hoe 3^d " 3 1/2nd iron c 7^d .74

\$10.42

By 12 bushels potatoes plantings rotten

.58

992
 4 1/3 59.52
 17.80
 79 32

157
 10.71
 4 25.71

992
 79
 10.71

\$ 9.92
 6
 1/3 6.9.52
 19 8
 79

43.84
 10.70
 15.47
 19.19

Hannah Whitman
 account

29.09
 45.26
 74.35

68.86
 17.81
 01.81
 27.83
 11.71

1845 Miss Harriett Whitehead & Frances sept
 To Sampson & Russell Jr

May 25th To 9 yds cotton cloth for 1.06
 1 1/8 yards Lingham 1/5 .28
 9 n Calico c 9^o 1.13
 8 n ditto c 28^o 2.28
 9 n fancy lawn 3/4 4.50
 2 Caput White for 1.37
 1 n Linen 9^o .13
 1/4 n Spoke c 1/6 .06
 1 pr Blk Valencia Shoes 1.87
 1 pr fancy Gloves 2/3 .38
 1 Parakee fan 2/3 .37
 1 Luck Charm .10
 3/4 of fancy cap lace 2/3 .28
 1/2 of cap ribbon 20 .30
 1 pair Hooks & Eyes .06

\$ 14.17

1845
 Aug 25th To c 2 ft infir 1/2 edm. " Turner

Thos. M. Newsum's
Recd.
\$21.00

7843-

4/2

2481

1845 Novr. 6th. Rec^d of Mr. Nathl. Francis the sum of Twenty
one Dollars for the Repairing of Houses at Miss Harriett Whitehead

Thos. M. Newson

Henry Linger
Receipt

\$37.50

70.00
28.00
140.00
35.00
17.50

1845 November 6th. Recd. of Nathaniel Francis the sum of
Thirty seven Dollars and fifty cents for 15000 thousand
Shingles at 15/ & thousand for the repairs at the Whitehead
Place

Henry ^{his} & Leamer
Smith

1845

not allowed

Mr Nathaniel Francis
Sept 24th 1845 - Bat of Archer & Prosser

1/2 Dozen Large Blue plates	\$4 56
1/2 " Small " "	" 56
1/2 " Edge Plates	31
	1.43

Received Payment

Archer & Prosser

4 50

4

4 50

1 43

3 07

W. Scott
Hon C Advocate

\$4.00

Do 9th

1845

Oct 12th 1846 Recd of Nathaniel Francis four dollars as his and
Hunt Whitehead subscription for the Richmond C, Advocate
No, Scott

Do 3^d

Jaymes Picot

1846

1846 May 20 Received the sum of
Eleven dollars of N. F. Francis
for Harriet Whitehead

J. C. Joyner for
Charlotte Joyner

1846 March 1st Received of N. F. Francis
the sum of one dollar and 50/100 for
Harriet Whitehead

J. C. Joyner

Harriet Whitcomb

accr

\$374

1846

1845
 Miss Harriett. Whitehead St. Francis sent
 To Sampson & Reed on
 Decr 2nd To 6 to China 3 1/2 lbs. Thick sole shoes 2.25
 " 6 yds. Cotton Lins 15 1/2 1 Ball shoe thread 10 1/2 1.00
 " 1/2 Calico 30 1/2 2 Handkerchiefs 6 1/2 43
 " 1 Almanack for 1846 6 1/2 06 374

Sept 2nd 1846

Received Payment of Nathl. Francis
 for the above acct
 Sampson & Reed
 By Harriett St. Francis

Harriet M. M. M.

So Act

\$1.10

1846

May 1846 Harriet Whitehead to Mary Evans

To weaving 17 1/2 yards flannel at 6 1/4 cts & yd.

\$ 1.10

August 1846 rec. payments in full of Nathaniel Francis

Wm John Edmunds

Mary ^{sup} Evans
mak.

Nat^s Frances

act

\$3.07

1846

Mr Nathaniel Francis for Miss Harriet Whitman

1845

Apr 12th To J. B. Porter e 3/- \$ 1.00

22 " 2 " " e 3/- 1.00

May 2 " 2 " " e 3/- 1.00

\$ 3.00

1846

Sept 25th Received Payment

Sampson & Pease
By Smith & Pease

Samuel Whitehead
act

1847

Miss Hannah Whitehead

To Sampson C. Rice

Dr.

1847

April 28th To 10 yds Red Tick 1/6 1/2 Black Shores of 4 00

" 1/2 yds Ribbon 1/6 2 yds Ribbon 18 3/4 " 75

" 1/2 yds Red Cloth 6 yds 1/2 yds Calico 18 3/4 " 78

" 1 Ball Shirts 5 11 3/4 yds Cotton Cloth 29 " 105

" 9 yds Lingham 1/6 8a loaf Sugar 20 38.5 1043.

1847

Her 3rd Paid Payment of Nathl Francis
for the above acct of ten dollars and forty
three cents.

S. C. Rice

J. H. & Rice

1847 Decr 31 Rec^d of Nathl Francis
Eng Twenty four Dollars and 90/100
in full for the amt. of Miss Harriet
Whithead's acct for the present
year

1384 76 P 100

Harriet Whitcomb

acc

75

1847

3.39

1.76-

38

\$4.97

39 76

5.73-

6.33

\$4.73

11

Miss Hannah Whitehead

1846

To Sampson C. Rose Dr
Nov 11th To 8 y^{rs} calico 18 3/4 1. P. Pin 18 3/4 1 69

" 1/4 lb Ginger 1/4 lb spice 1/4 lb coffee 4 Tr " 12

" 1500 cups & saucers 1/3 3 y^{rs} cotton cloth 10 1/2 18 299

Dec 14 " of 400 mto

Jan 1 1847

Rec'd Payment for the above
cash of \$339 1/2

Sampson C. Rose
By Gerritt M. Rose

Arnold

Receipt

No 10th

1847

October the 10th 1847 Rec^d of Miss Harriet
Whitehead by the hand of Nathaniel Francis Two
Dollars in full for the Richmond Christian
advocate, for 47 — J. M. Arnold
Agent

John
 Patience
 Susan
 George
 Charlotte
 Martha
 William
 Elizabeth
 George
 James
 Scott
 Elizabeth
 Henry
 Sarah Jane
 Harriet

1821

11th March

Spencer

Miss Harriet Whitehead

1848

To Nathaniel Francis

Prd

May 2^d To amt of 3 notes and Int held by me . . . \$159.35.88
" " " amt of 3 notes and Int p^d W. E. H. P. Pope 132.84.22
" " " Amt of 2 notes and Int p^d R. Porter 47.27.28
" " " Amt of 1 note and Int p^d John Whitehead 67.38.71
" " " amt of 1 note and Int p^d Peter Edwards Esq^r

To Lewis Harris - - - - - \$22.24.66

" " " amt of 1 note and Int p^d Henry Kimard 23.77.62
" " " Amt of 1 note and Int p^d Benj. L. Wallace 23.49.40
" " " Amt of 1 note and Int p^d Mr. L. Rochelle 45.40.20
" " " Amt of 1 Rept and Int p^d John Whitehead 36.66.56
" " " Amt of 1 Rept and Int p^d S. M. Salvee 271.04.24
" " " Amt of 1 Due Bill & Int p^d John C. Turner 5.57.45
" " " Amt of 1 Rept & Int p^d Joseph W. Whitehead 289.09.05
" " " Amt of 3 Repts and Int p^d Edward J. Turner 34.13.66
" " " Amt of 1 Rept and Int p^d John Newton 24.63.66
" " " Amt of 1 Rept and Int p^d F. M. Winfree 12.41.30
" " " Amt of 1 Rept and Int p^d B. C. Everett 19.10.54
" " " Amt of 1 acct and Int p^d H. Kindred 11.20.40
" " " Amt of 1 acct and Int p^d Archer & Rosier 1.65.55
" " " Amt of 1 acct and Int p^d Sol. T. Giles 1.64.70
" " " Amt of 1 Rept and Int p^d Septah Darden 5.32.20
" " " Amt of 1 acct and Int p^d C. B. Barham 11.79.10
" " " Amt of 1 acct and Int p^d for you 15.74.88
" " " Amt of 2 accts and Int p^d Reese & Pette 60.78.13
" " " Amt of 6 accts and Int p^d Sampson C. Reed 48.25.00

\$1371.48.00

" " " Amt of W. E. Pope's Rept 24.90.00
" " " Amt of Thos M. Newsome's Rept 21.00.00
Henry Turner 37.50.00

Miss M. Whithead

To } a/c

Ans. M. Neal

\$0. 16

do 13th

3

1848

Miss Harriet Whithead

1848

To Mrs. M. Neal

Apr 19, For Postage on the R. L. Advocate

from 1st Jan'y to 19th Apr. 1848 } \$0.16

Received Payment of M. Frances from Neal
19th June 1848

Ar nold's
Receipt

October the 27th 1848 Rec^d of Miss
Harriet Whitehead, by the hand of Nathaniel
Francis two Dollars in full for the Richmond
Christian Advocate for the present year.

S. M. Arnold
Agent

Do 3rd

Marle Frances
for B. Whitehead
ack
E. L. Linnery

1848

	Nathl Grances	Dr	
1848	To Edward L. Simmons		
Nov 2 nd	visit & med for Miss H. Whitehead.		\$ 2.75
4 th	visit & med for do		2.50
11 th	call visit & med for do		2.25
			<u>\$ 7.50</u>

Recd 1st 1848. Recd pay ment in full of
 The above acct of Nathl Grances -
 Edward L. Simmons

M. Francis for Harriett
Whitehead Acct with
Beaton & Francis

1848

Mr Nathaniel Francis (for Miss Harriett Whitehead)

1808

To Beaton & Francis Dr

Aug 11	To 12 lb Clarified Sugar	9d	150
Oct 26	" 1/2 Bu Salt	3d	35
			175

Michael Francis
To { Accy
BE + H.P. Pope

1848

492 +

(492)

Mr. Nathaniel Francis

To B & H P Pope

Dr

1848

Apr 19	To 1 Bot Sarsaparilla	\$ 1 00	
May 15	" 1 do do	1 00	
June 1	" 2 do do	2 00	
" "	" 2 Vials Op. cinnamon	25	2 25
July 7	" 15 " coffee	150	
" "	" 1/2 gal Brandy	38	1 88
Sept 18	" 2 Bots Sarsaparilla	2 00	
" "	" 1 p. Leather shoes	87	
" "	" 1 " Gout-shoes	1 25	
" "	" 1/2 " Pepper	06	
" "	" 1/2 " Spice	10	
" "	" 1/2 " Ginger	06	4 34
Oct 20	" 1 fin shawl	230	
" "	" 5 " no 6 cotton	100	
" "	" 15 " coffee	150	
" "	" 10 yds calico	150	
" "	" 3 1/2 yds cor cloth	259	9 09

All the above goods was
furnished Miss Harriet Whitehead
for her orders

1848 Decr 30th Rec^d of Nath^l Francis
the above acct infull B & H P Pope
for W F Thomas

Amey Newton
50 Kent
\$1.30

1848

June 20th / 1848 Recd. one Dollar and fifty cents of Nathaniel
Francis for weaving for Harriet Whitehead

Nancy ^{her} & Newton
make

This is to Certify that Isaac M. Arnold, Eliza Porter and John
Newton who were duly Summoned to appear at this place
on the 30th day of this Inst^{to} give in Evidence in ^{the} suit. Harriet
Whithead, Plaintiff and Nathaniel Frances Defendant, has failed
to appear. Given Under my hand and Seal this 30th day
of Oct^r. 1848

Cross Keys, Southampton. Va

N. B. K. *[Signature]*

This is to Certify this is a list of witnesses summoned
to the Cross Keys. this day to give in Evidence in the Suet-
Harnet. Whitehead plff and Nathaniel Francis defendant.
Given under my hand this 30th day of. Octr. 1928

~~Wm~~ James

W. B. Bryan

Benj. L. Waller	1 day	}
Peter Edwards	1. Co	
Henry Kindred	1. Co	
Charles Fuller	1. Co	

80 4th

B. C. Waller
To 33rd Regt
Hatter Francis
for \$250
215th Nov. 1848

1848

1845 January
Nathl Francis

To B C Waller

Dr

To making coffin for Hubbard

\$2 50

Recd payment in full of the above act of two
dollars and fifty cents. — Benjamin C. Waller

do 2^d

Nath. Francis

To *Bill* of

Barham

\$69.14

1848

\$110.23

1845 - Mr Nathaniel Francis

To C. B. Borkman - der -

For services rendered to Ellys Harriett
Whitehead, and her negroes

April 28	To Prescription & m. D. for Harriett	2.00
8	" Visit to do & m. d. -	3.00
10	" do - do - do -	2.75-
12	" do - do - do -	2.75-
28	" Visit to Winney & m. d. -	3.00
29	" do - do - do -	2.50
30	" do - do - do -	2.50
Sept 31	" Visit to Jan & m. d. -	2.75-
Sept 1	" do - do - do -	2.75-
1846	Interest up to Decr 25 - 1845	24.00 4.32
Sept 27	" Visit to Ellys Harriett & m. D	3.00
28	" do - do - do -	3.00
29	" do - do - do -	2.75-
30	" do - do - do -	2.75-
Sept 1	" do - do - do -	2.50
12	" do - do - do -	3.00
Novr 21	" Visit to Jan & m. d. -	2.50
Decr 11	" do - do - do -	2.75-
1847	Interest up to Decr 25 - 1846	2.67
July 25	" Visit to Miss H. & m. d. -	3.00
26	" do - do - do -	3.00
27	" do - do - do -	2.75-
28	" do - do - do -	2.75-
30	" do - do - do -	2.50
Oct 16	" do m. d. - do for do -	1.00
	" Interest added in	.90

\$69.14

Decr 25 - 1848 Recd. the above of in

full of Nathaniel Francis

C. B. Borkman

J. M. Arnold

B. Reed

\$2.00

20 11th

1848

March 11TH 1848

Nathaniel Francis To J. M. Arnold

Do —

To repairing Chimney hearth & do at
Miss Harriet Whitehead — \$2.00

No 12th

1848

100
Mr Nathaniel Francis (for Harriett Whitehead)
To Edward Beaton P.M.

To Postage on Richmond Christian

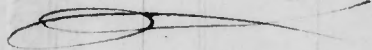
Advocate 5 years - 52

£ 2 60

1848 Jan. 1st

Received Payment

Edward Beaton, P.M.



W. W. Whitehead
 Dr 3 Accts
 of 1849
 \$ 3.00
 1849
 1848

Southampton County Court
 This day Benja. Phipps personally came
 before me a Justice of the peace for said County and made oath
 to the Justice of the within Acct. of three dollars. Given under
 my hand this 18th day of June 1849.
 Howel Harris J.

1848
May.

Mrs. Harriet Whitehead

To Nathaniel Francis do.

20 Ten hundred Bricks at \$5.00 per M. \$ 3.00

Memorandum of objections made by the plffs ^{def.} Francis
to the brick work act. to the Lime ^{test} hand
act &c. Mary Evans act. work. for the deft -
Objects to G M Winfree's act. knows nothing of it -
Car dars. act. pd with deft. due the plff -
No Recollection of owing any Deb. to B. Peter
no Recollection of but 2 notes due the deft -
Objects to B. Scott's act. -

Objects to Henry Turner act -

Do. to J. Munson's act. to Lorge -

Do. of E. Joyner's act -

Do. to Mary Evans act - plff knows nothing of it -

J. M. Arnold's act plff knows nothing of it -

The plff says ~~she has not furnished~~ no Brick

Plff wants Explanation for E. Bialous act. 1848 -

if the plff act. w. the deft. is allowed she don't ~~object~~
for Nancy Norton.

J. M. Arnold act. objected to - -

to B plff. contends. oport. of. G. C. Berhams. Act. was deft family
the deft. was not authorized by the plff ~~the plff~~
~~the plff~~ objects to the Board act. and contends
only to pay. for the provisions she consumed
the plff. Recd the negro's clothes. and returned
them without -

The horses. Recd. by Francis -

The timber sawed and Carried of the plantation
and burned by Miss Francis over -

Jerusalem Va
Sep 23 1863

5

John R Hilby Esq

Atty at Law

Suffolk Va

(B)

James

Exh. with bill

Whithead

Know all men by these presents that we Nathaniel Francis
and John Drury are held and firmly bound unto Harriet
Whitehead in the such and full sum of One thousand dollars
to the payment whereof well and truly to be made to the
said Harriet Whitehead her executors administrators or assigns we
bind ourselves our heirs Executors and assigns jointly and
severally firmly by these presents sealed with our seals
this 13th day of November in the year of our Lord 1843

The Condition of the above obligation is such that whereas
the said Harriet Whitehead having conveyed to Nathaniel
Francis by Deed of Gift certain property therein mentioned
upon the consideration that he the said Nathaniel Francis
is to furnish the said Harriet Whitehead with a decent
support clothing medical attendance and all other necessary
things during her life now in case the said Nathaniel Francis
shall pay all necessary expenses say for clothing medical
aid and support the said Harriet Whitehead decently
then this obligation to be void otherwise to remain
in full force and virtue

Witness our hands and delivered
in presence of
C. D. Barham

Nathaniel Francis (Seal)
John Drury (Seal)

Southampton County in the Clerk's Office the 20th day of
November 1843 This Bond from Nathaniel Francis & John
Drury to Harriet Whitehead was acknowledged by said
Francis & Drury & admitted to Record

Subscribed I. R. Edwards CC

Attest

I. R. Edwards CC

Whiteland

2 } Exhib. with bill

Francis

(A.)

Know all men by these presents that I Harrieh Whitehead of the County of Southampton and state of Virginia for and in consideration of the Natural love and affection which I bear to Nathaniel Francis of the County and state aforesaid as well as for the further consideration of eight hundred Dollars to me in hand paid by the said Nathaniel Francis at or before the insuing and delivery of these presents the Receipt whereof is hereby acknowledged have given and granted and by these presents do give and grant unto the said Nathaniel Francis his heirs Executors Administrators and assigns the following property to wit the tract of Land on which I live together with the appurtenances belonging thereto containing by survey five hundred and sixty acres be the said Man or his: adjoining the Lands of John & Turner Richard Peter Joseph Darius Edwin Harris and others also one Negro Man Hubbard one Negro Boy Curtis one Negro Woman Dinah and two children Sam and Wallis one Woman Winney and child Bob and all the future increase of said Negroes all of stock of horses cattle sheep and hogs and all their increase all my crop corn fodder potatoes peas and cotton one ox and one horse cart one Barouch and harness with all my farming utensils: I do have and to hold all the aforesaid Land Negroes stock of every kind and their increase with other property before named unto him the said Nathaniel Francis his heirs Executors Adminr and assigns forever and the said Harrieh Whitehead for herself her heirs Executors and Adminr the said property unto the said Nathaniel Francis his heirs Executors Adminr and assigns against the claims of her the said Harrieh Whitehead her Executors and administrators and against the claim or claims of all and every person or persons whatsoever shall and will warrant and forever defend them by these presents In Witness Whereof I have hereunto set my hand and affixed my seal this 13th day of November 1843

Signed sealed and delivered
in the presence of
C. D. Barham
Ben & Popr
J. W. Hesse

Harriet Whitehead (Seal)

Southampton County in the Clerk's Office the 20th day of
November 1843 This Deed of Gift from Harriet Whitehead
to Nathaniel Francis was proved by the Oaths of C. D. Barham
Ben & Popr & J. W. Hesse Deputies thereof and admitted to
Record

John L. P. Edwards cc

A. Hoppy

Teste.

J. R. Edwards cc

Whitbread

2. } Enriched
with 50% pure
terramine 1848

Thomas

1848 Aug - 1848

Then a further variety -
containing ~~recepted~~ as alleged
and not ~~enriched~~ by any pure
plus - human

Sept. 23. 1848

Miss Harriet Whitehead

1848

To Nathaniel Francis Dr

May 2 nd	To amt of 3 notes held by me	\$159.35.88
" "	" amt of 3 notes p? B & N P Popo	132.84.22
" "	" amt of 2 do p? R Porter	47.27.28
" "	" amt of 1 note p? John Whitehead	67.38.71
" "	" amt of 1 note p? Peter Edwards	
" "	Guard To Hewitt Harris - - -	22.24.66
" "	" amt of 1 Note paid Henry Kindred	23.77.62
" "	" amt of 1 Note p? Ben & Waller	23.49.40
" "	" amt of 1 Note p? Wm L Rockell	45.40.20
" "	" amt of 1 Receipt p? N M Sebell	271.04.24
" "	" amt of 1 New Bill p? Jno & Turner	5.51.45
" "	" amt of 1 Receipt p? Joseph B Whitehead	289.09.05
" "	" amt of 3 Receipts p? Edward J Turner	34.13.66
" "	" amt of 1 Receipt p? John Newton	21.63.66
" "	" amt of 1 Receipt p? G W Minfree	12.41.33
" "	" amt of 1 Receipt p? B & Everett	19.10.54
" "	" amt of 1 Acct p? Henry Kindred	11.70.40
" "	" amt of 1 Acct p? Archer & Rosier	1.65.35
" "	" amt of 1 Acct p? Joseph & Liles	1.64.70
" "	" amt of 1 Receipt p? Septhah Garden	5.32.20
" "	" amt of 1 Acct p? C D Barkham	11.77.10
" "	" amt of 10 Acct p? for you	15.74.88
" "	" amt of 2 Accts p? Russ & Pule	60.78.13
" "	" amt of 6 Accts p? Sampson & Russ	48.25.00
		\$1371.48.22
" "	" amt of Ben & Popo Receipt	24.90.00
" "	" amt of Tho. M Newson Receipt	21.00.00
" "	Henry Turner	37.30.00

W. Whitehead
Clarke

Attest of Charges Against Harriett M. Heston	\$6.00
To Green pair shoes for self 43 44 45-946 at 9/8 pair	X 10.00
To picking field	19.36
Benjamin & Pope act by receipt	69.14
Butcher & Warham act by receipt	19.00
Edward D Turner by receipt 2716.65	12.50
John & J. J. J. act by receipt	3.50
Benjamin & Maller act by receipt and bearing \$1.00 X	7.50
Edward & Simmons act by receipt	X 3.00
Barter Lamb act by receipt	4.00
Mrs Paton by receipt	2.00
Robert Scott act by receipt	2.00
The same	4.00
Isaac m Arnold two years	2.00
Isaac m Arnold act by receipt	2.00
Paid D. M. M. by receipt	2.00
To two tickets 42 cents each	X .84
Paid John m Deal act by receipt	.16
Brackshaw by receipt	X 26.25
To this amt of busch furnished	3.00
Board and furnishing for the same	1.30
Paid Mary Evans by receipt	X 3.00
Paid Mary Newton by receipt	
To Bott of shooting in Peterborough in 43	
1845 To one dozen lamp wool plates 1.50 & 30 shes 50 cts	3.00

2716.65
19,016.20

6.56

Whitehead

v. } Sci. fa

Francis

1849 May Term

Executed on C.D. Barham
Wm B. Parker Jr of,
Septa Corden Sh

Executed on Thos M
Newson
Eand J Turner
Septa Corden Sh

The Commonwealth of Virginia. To the Sheriff of Southampton County.
Greeting. Whereas in a suit in chancery lately depending in our Circuit
Superior Court of Law and Chancery for said County between Harriet Whitehead
Plaintiff and Nathaniel Francis defendant sundry proceedings were had
as appears from the records and files of the said Court but before a final
decree could be pronounced therein the said Nathaniel Francis departed this
life and the plaintiff has applied for a *scire facias* against Cuthbert D
Barham and Thomas M Newsom executors of the said Nathaniel Francis
Therefore we command you that you make known to the said Cuthbert D
Barham and Thomas M Newsom executors as aforesaid that they be
before the Judge of our said Court at the Court house on the first day of the
next ^{term} to shew cause if any they can, why the said suit should not be pro=
ceeded in against them in their character aforesaid and be in all things
in the same plight and condition as it was at the time ~~issue~~ of the
decease of the said Nathaniel Francis and further to do and receive
what our said Court shall in that part consider. And have then there
this writ. Witness Littleton R Edwards Clerk of our said Court at the
Court house the 24 day of April 1849 in the 73^d year of the Com=
monwealth.

L R Edwards *clerk*

Whitehead
2 of Record
Francis

A copy

At a Circuit Superior Court of Law and Chancery
held for the County of Southampton on the day of Novem-
ber 1848

Be it Remembered that heretofore to wit: ON the 21st day
of October 1847 came Harriet Whitehead by her counsel
and served out of the Clerk's Office of the Circuit Superior Court
of Law and Chancery for said County a subpoena and
decree nisi against Richard Francis which subpoena and
decree nisi together with the Return thereon made is in
the following words and figures to wit: (here insert)

And at another day to wit: At Rules held in the
Clerk's Office aforesaid on the 1st day of November 1847
The subpoena heretofore awarded Not being executed: ON
Motion of the plaintiff by her counsel another subpoena
and decree nisi is awarded against the said Defendant
which subpoena and decree nisi together with the Return
thereon made is in the following words and figures to wit
(here insert)

And at another day to wit: At Rules held in
the Clerk's Office aforesaid on the first Monday in
December 1847 came the Plaintiff by her counsel
and filed her bill in the following words to wit:
(here insert)

(Exhibits filed with the Bill)

And at another day to wit: At Rules held in the
Clerk's Office aforesaid on the first Monday in January
1848 came the Defendant Richard Francis by counsel
and filed his answer to the plaintiff's bill in the following
words and figures to wit: (here insert)

And At another day to wit: At Rules held in the
Clerk's Office aforesaid on the first Monday in April
1848: ON Motion of the plaintiff by counsel; the
cause was set for hearing;

And At another day to wit: At a Circuit Superior
Court of Law and Chancery held for the County
of Southampton on the 3rd day of May 1848:
(here insert Order of Court)

And at another day to wit: ON the 18th day of May 1848
the plaintiff by her counsel filed an Amended Bill
in the following words and figures to wit: (here insert)

Whereupon a Subpoena and Return nisi was awarded
against the Defendant to answer the said Amended Bill
which Subpoena and Return nisi together with the Return
thereon made is in the following words & figures to wit
(here Insert)

And At another day to wit: At Rules held in the
Chancery Office aforesaid on the first Monday in August
1848 came the Defendant by his Counsel and filed his
Answer to the plaintiffs Amended Bill in the following
words and figures to wit; (here Insert)

(Exhibit filed with Answer):

To which answer the Plaintiff replied generally.

And At another day to wit: At Rules held in the
Chancery Office aforesaid on the first Monday in October 1848
On Motion of the plaintiff by Counsel. The cause was
set for hearing.

And now at this day to wit: At a Circuit Superior Court
of Law and Chancery held for the County of Southampton
on the day and year first aforesaid to wit on the 10th day
of November 1848: (here Insert Dever)

The following is a copy of the Examination of Witnesses
Examination on behalf of the plaintiff (here Insert)
Examination on behalf of the Defendant (here Insert)