

1840-012

Isle of Wight County

Chancery Causes: Darden D. Hall & al vs John Whitfield, admr of Samuel Whitfield & al

Other SURNAMES: Green,
Godwin, Folk, Duck, Ross,
Ashby, Vesey,
Mears, Bidgood, Wilson,
Day, Boyd, [Tynes & Vesey]
[Richard W. Bidgood & Company]
Tynes, Todd, Wail, Goodwin
[James Wilson & Company]

Hall H.

vs.

Whitfield's Adm'r.
vs.

3
Statement of cause
3

Sept. 10th 1835 Bill & Exhibits filed by plt. att.

Oct. Court 1835 A. Young app. G. Ad litem to infants ^{defts.}

Jan. 8. 1836 Ans. Infants by their G. V. filed by
Sol Holliman att. for the defts. —

March 7th 1836 Wm. Green's depo. filed by plt.

May 4th 1836 Ans. of Holladay Whitfield filed

May 7th 1836 leave given the plt. to amend
his bill —

May 14th 1836 amended bill filed & sp. ip.
in the defts to ans. it —

Sept. 5th 1836 Ans. of Fanny Whitfield & ad. by
their G. filed —

October 8th 1836 leave given the plt. to amend
his Bill —

Feb. 21st 1837 exhibits filed p. att.

March 8th 1837 second amended bill filed

Apr. 3rd 1837 Sp. in Chy vs. J. H. Duck Sept &
Adm. of Sally Whitfield dect. also that other
deft. ans. the 2nd Am. bill —

May 4th 1838 Ans. of Margaret Whitfield
by her G. Ad litem filed —

May 4th 1838 suggested that Fanny & Mary
Whitfield have attained the age of 21 years, the
suit to be infirm prosecuted vs them —

July 4th 1838 the death of Holladay Whitfield
one of the defts. is suggested & sic: fa. vs. M. G.
Whitfield her Adm. —

Oct. 1st 1838 deposition of Wm. Green
filed by plt. att. —

Oct. 9th 1838 Interlocutory decree
entered —

March 4th 1839 com. rept. ret.
& filed — and Bill set for hearing

Hall & Co

vs.

33

Chy.

Whitfield & Co

a statement of
the cause

possession of them or some of them and that
the said real estate is sufficient to pay the
debts of the intestate - and you complain
that although repeated applications
have been made to the said John Whitfield
as a donor of the said land Whitfield to
payment of the several demands aforesaid, he
has refused to pay them alleging that he
has administered all the estate of his inter-
-state which had come to his hands to be
administered - Yet the said heirs, although
often requested to pay the same have refused
and insist that the said real estate is
in no way responsible for the said demands
all which is contrary to equity and good con-
-science. In tenor consideration whereof
one of a number of your complainants are
without remedy in the premises, have on
this Court of equity - To the said transfer that the
said John Whitfield as a donor of said
Whitfield and as heirs, Koksday Whitfield
Fanny Whitfield, Mary Whitfield, Mary
-nt Whitfield and Sally Whitfield of the
infants by some fit person to be appointed
guardians ad litem, may true & perfect
answers make to all and singular the
matters and premises as fully & particularly
as if the same were here again repeated &
interrogated - and particularly that they
may set forth whether the said land Whitfield

did not in his lifetime and at the time of
his death claim to be entitled to the same, or
not entitled of considerable real
estate of inheritance, or what real estate
and of what absolute and annuities
value subject to any claim for life of his
mother or any other person, and what
is it worth, was not the said Samuel
Whitfield entitled in remainder or
otherwise to a valuable tract of land
which he derived by the will of his father
and what other real estate has he in
the State of Virginia: but what is the actual
Samuel value thereof, and whether the
said Whitfield was not at his death
entitled as charged herein or in any
other manner, as they know, have heard,
or believe and whether the whole or any
part thereof has been paid or discharged
and that the said Samuel Whitfield
may set forth whether he has possessed himself
of any personal estate of his said intestate
and may either admit or deny sufficient
to pay the demands of your complainant,
or otherwise may set forth and disclose
a true and particular account of the
said intestate personal estate, that the said
Heirs may set forth whether they or either of them

are possessed themselves of the real estate where
of the said intestate was entitled, or also a par-
ticular account of the same and wherein the
same lies, together with the names of the
persons in whose tenure the same now is: and
your complainant pray that in case the
personal estate of the said intestate shall not
be sufficient to pay and satisfy your
orator said demands, that then the said
real estate may be sold, or so much thereof
as shall be necessary; and out of the money
arising from such sale, your complainant
and other creditors of the said Samuel
Whitfield who shall come in to contri-
bute to the expenses of this suit, may be paid
their said demands with interest thereon,
and that your complainant may be
otherwise relieved in the premises,
in the nature and circumstances of the
case require, and as to your Honor
shall seem meet. May it please your Honor.

Amos. Atkin, or per

Hall v. Huthers

3
3 Bill exhibits
2

Whitfield's answer. Huthers

September Rules 1835

Bill exhibits filed

Oct. 1835
Court 2nd 3rd ad litem app^d to inf^d

Nov^r 1835 cont^d

December Rules 1835

Cont^d

January Rules 1836

Ans^r of 3rd ad litem filed

March 7th 1836

Wm. Huthers deposition filed

May 4th 1836 ans^r of
Holladay Whitfield filed

May 7th 1836 leave given the
plaintiffs to amend their Bill

May 14th 1836 amended Bill
filed - Sp^{ec} issued to ans^r it
returnable to June Rules 1836

Sep. 5th 1836 ans^r of Fanny
Whitfield's infants filed

October 8th 1836

Leave to amend the bill
denied

Bill filed

1837 2nd amended

Bill filed

April 20th 1837 Sp^{ec} in ch^y

vs. J. H. Duck Shp. & adm^r of Sally

Whitfield's inf^d & the others def^t

to ans^r the 2nd amended Bill

May 4th 1838 Ans^r of

Margaret Whitfield by
her 3rd ad litem filed - ans^r

May 4th 1838 suggested that

Fanny Whitfield & Mary Whitfield

have attained the age of 21 years

the suit to be hereafter prosecuted vs^g

them as adult defendants

July 4th 1838 the death of Holladay

Whitfield is suggested; & a sc^{ia} fa^{ct}

vs^g John Whitfield her adm^r

October 1st 1838 Deposition of

Wm. Huthers filed

October 9th 1838

leave for an. Act 4th

& cont^d

March 4th 1839

Cont^d up to 1st 3rd filed

May 1839 decree for cont^d to abide & see the cont^d

& cont^d

May 1840 final decree

June 1st 1840 Report of Court

The Judge of the Circuit Superior Court of Law &
to the County of Orleans in Chancery sitting
in compliance shews to the Court now complain-
ant Darden & Hall and other creditors of
Samuel Whitfield deceased late of the County of
Orleans who may be interested to the issue of his last
will & testament that the said Samuel Whitfield
departed this life intestate about the day of
July 1835 indebted to the said Darden & Hall
to one William Green, one Samuel B. Green,
one William Folger and many other creditors
the said Samuel Whitfield being at the time of his
death seized in fee simple of a considerable
real and personal estate in the County of Or-
leans. Whereupon afterwards John Whitfield
for the County Court qualified as an administrator:
the said Samuel Whitfield as will appear
by a certificate of the Clerk of the County Court
of Orleans, which is hereto annexed and to
which is prayed to be taken as part of this bill
and now complainants aver that the said
Samuel Whitfield in his last will and testament
the twentieth day of June 1835 made his will
very obligatory whereby he promised to pay
demanded to John Hop the sum of thirty three
dollars and 07 Cents to which payment, he
bound himself, saying his heirs &c. as will appear
by the said specially which is hereto annexed
marked B. and is prayed to be taken as part
of this bill. and now orator Darden & Hall
chairs that the said will is specially executed
-proved and assigned to him by the said Hop as
will appear by the now on record to that effect
on the back of the same and that the said
Samuel Whitfield was at his death free from

in arrears to him the said Isaac in the following
sum of money, that is to say,

And the said Samuel Whitfield was also indebted
to the said Wm. Folk in the sum of \$12.85 due
to him by account on the 14th March 1835, as
will appear by exhibit C which is prayed to be
taken as part of this bill - and the said Whit-
field was further indebted to one H. W. Green
in the sum of \$12 for labor & services to Messrs
- on the Governor at the request of the said Sam-
- uel Whitfield by his written order which will
appear by exhibit D which is here to and
- appears to be taken as part of this bill,
the said Samuel Whitfield was indebted to
various other persons in various sums
of money some by bonds, him of the
some by reason of having paid or his
money on bonds, him of the being such
may to come in against the real estate
on the principle of subrogation. And your
complainants further shew, that the said
Samuel Whitfield at the time of his death
left a mother to wit, Holladay Whitfield
brother John Whitfield

the following viz, to wit, Fanny, Mary, Mary, Mary,
- out and Sally Whitfield who are his heirs
at law and the said sister are under the age
of 21 years - and the said real estate is in the

To the Judges of the Circuit Superior Court of Law and
Chy: for the County of Edgworth - Humbly complains,
when to the Court your orator, Benson & Kace
and others, creditors of said Whitfield decd:
- that sometime ago, to wit, about the day
of and they filed their bill in
the Court against John Whitfield a son of
said Whitfield and in his own right, Holla-
day Whitfield, Fanny Whitfield, Mary
Whitfield, Margaret Whitfield, Mary
Whitfield, among other things to be relieved
touching the matters therein contained, &
to subject the real estate of the said said
Whitfield to payment of his debts, if the
personal funds should be found insuffi-
- cient, as in and by the said original bill
and other proceedings had in the same
cause, and now remaining on record
in the Honble Court, may more fully appear
and which your orator may have to
refer to, - and your complainants, by
way of supplement and amendment to
the said bill, do hereby charge, that the
personal representation of the said said
Whitfield in the administration of the
estate has disbursed the personal funds
which was peculiarly the funds to pay
the simple contracts and open accounts
in discharge of debts by specially, being
the heirs of the said intestate. when in
fact, the specially creditors who have
the heirs bound, ought to have looked to
the real estate for their demands, and
your orator, some of whom are creditors
by simple contract pray to be let in
& substituted for the bonded creditors for
whose demands the lands were bound,
to the extent of the personal funds

which they have taken and out of which
the bonds, being the heirs to a considerable
-ble extent have been paid. Because
they are advised that in a Court of equity
when a case is made out to show that
the funds bound for the simple contracts
has been applied in exoneration of the
mortgage descended, the Court will make
the lands responsible for the claims of the
simple contract creditors. which they pray
may in this case be done. And for
a further amendment to the said
original Bill, the complainants shew
that one Robert Whitfield who is not a
party in the original Bill is one of the
heirs at law of the said Samuel Whitfield
- Esq, and therefore ought to be made
a defendant to this, as also to the original
Bill aforesaid. And now complainants
~~submit~~ pray that the said John Whit-
-field a minor: of Samuel Whitfield Esq.
John Whitfield in his own right, William
Whitfield, Robert Whitfield, James Whit-
-field, Mary Whitfield, Margaret Whitfield
and Sally Whitfield may be made up
to this amended Bill and the original
Bill and be compelled on their corporate
oaths full, true and perfect answers to
make to all the allegations in the said
original and amended Bills contained,
and that your Honor will subject the
mortgage descended and the personal
funds if any to the payment of your
complainants demands, as also the demands
of other creditors of the said Samuel

and that your Honor will grant them full
relief, and ~~not~~ make any other further
demand in the premises which may com-
-port with Equity, as also be calculated to
relieve your complainants. They pray
the Court: writ of specific decree con-
-mancy &c. A. A. Williams

Stall d.

Amended
Bill
Whitfield, ad.

For pen mls

May 14th 1856 Amended bill filed

Altham on

Ballot Box

7 ~~James~~
3 ~~Rich~~
Whitfield Co.

March 5. 1837

Rich Lehigh

March 5th 1837 This
Amended Bill filed -

To the Honble. Nichol H Baker Judge of the
Circuit Superior Court of law and chcy: for
Shelby Night County. Humbly complaining,
shew to the Court your complainants Dan-
-sen & Hall and other creditors of Saml.
Whitfield and: That sometime ago, to
wit, on the day of a.d. your
complainants filed their bill of complaint
against Saml. Whitfield and others: Saml. Whitfield
in this Court for the purpose (among other
things) of recovering their demands against
the estate of Saml. Whitfield, obtaining
a discovery and of subjecting to the
payment of debts the real estate of the
said Saml. Whitfield and afterwards
with leave of the Court your complainants
on the day of a.d. in the said
Court exhibited their amended bills and
same defendants for the purpose of
making other parties & to which bills
answers were filed & all which will
appear by reference to the said original
and amended bills and the process
thereon and all which remain in
said Court and are now prayed to
be made part of this Bill - and the
complainants by leave of the Court,
by way of further amendment to the
said original and amended Bill,
& furthermore charge that since the
filing of the said bills, to-wit, Whitfield
one of the defendants has separated his
life interest in the County aforesaid,
having the said Holladay Whitfield,
John Whitfield, Fanny, daughter, Mary
and Robert Whitfield his heirs at law

and that he estate before the County Court
of Richd. Wright, on the 5th of March 1834
was committed to Jacob H. Duckworth
of Richd. Wright County for adminis-
tration thereof - and the complainant
by the way of further ~~and~~ amendment
charge that one Henry Whitfield late
of the said County, executed this will,
having made his will which was admitted
to record in the County Court of Richd.
Wright, an office copy whereof is in the
papers aforesaid filed and prayed to be
made part of this and the other bills,
by which will the testator gives a valuable
tract of land in said County in remainder
to the said James Whitfield, charged
with some legacies & conditions - that
after the death of the testator, (the said
James Whitfield in his lifetime, although
the life estate of Holladay Whitfield
has not determined) made his election
to hold and take the said lands so as
aforesaid devised to him, upon the condi-
tions, restrictions and subject to all the
charges in the said will contained, &
as a proof of that the said James Whit-
field the devisee, did so elect, to take
the lands aforesaid, now complainant
charge that after the said will was
admitted to record as aforesaid, the
said James Whitfield made agreement to sell
said James Whitfield actually bargained
sold and conveyed to one William
Green of the said County a piece of land
of ^{and} ^{being a part of}
that my tract of land or plantation

so as aforesaid given to him by the will of
his father Henry Whitfield and in the
said deed, she the said Holladay
Whitfield (then being the tenant for
life of the said lands) actually emitted
so as to make the title of the said
Green unquestionable and valid - &
as proof thereof, now complainant
file herewith an attested office copy of
the said deed of bargain and sale made
and which is prayed to be made
a part of this bill - and now complainant
charge that the said sale and conveyance
was made to the said William Green
by the said James Whitfield, with the
knowledge, consent and approbation
of the said Holladay, John, Robert, James
May, Margaret and Sally Whitfield
and ~~offspring of Henry in improving the land~~ ^{and they further charge that even were}
it not true that the said James Whitfield
in his lifetime did elect to take the lands
so devised to him by his father, yet as
in the event that no election was made,
the said lands would have descended
to all the children of the said Henry
of whom the said James was one, in
the character of heir at law of his and
to be ~~shared~~ ^{entitled} in remainder
to $\frac{1}{6}$ part of the whole lands, & if not
the whole, certainly $\frac{1}{6}$ would be subject
to the claims of now orators - but the said
defendants refuse to allow to now orators
any part of their just demands - all
which is contrary to equity - In testimony
whereof, they pray that the
said John Whitfield as mortgagor as aforesaid
and in his own right, Holladay, Robert,

Harry, Mary and the agent Whitefield
may be made defendants, hereto, together
with Jacob H. Quick and or: of Sally
Whitefield, and that they may be com-
pelled full and perfect answer to
make to the allegations aforesaid, fully
and amply, why that the defendants
do or do not say if it is not true that
said Whitefield in his lifetime did
deed to take the lands aforesaid from
the wife of his father, did he not convey
a part thereof to Mr. Green: did he
not repay the money at his own expense
and was it not understood by them
in the lifetime of the said land that
the land was his in fee simple and
that he was to perform the condition
charged upon the said? Had the said
said Whitefield actually paid or
made advancements to or part dis-
charge of the legacies charged upon the
said lands? and that you will put
the Court: out of all doubt and part
to you orator any further and other
relief which may seem proper for
Atkinson p. 9

Whitfields Amor H.

ads.

63221, 12222

Have I.

The answer of H. M. May Miffeld to a bill exhibited against her and others in the Sup. Co. of Lane & Clatsop for Klappan county by Gordon & Vane & others.

This respondent having and receiving all advantage of exception to said bill for answer to said bill answers and says that she knows ~~nothing~~ ^{little or} nothing of the personal estate of Sarah Miffeld nor the amount of debts against the same. She understands the answer has not assets enough in his hands to pay the debts. She has paid the sum of twenty two dollars & 25 cts the amount of a note due to M. L. R. Look for which some respondent was bound as security to the said Sarah Miffeld. She also stands bound as security in two other bonds the one for \$35.75 and the other for ~~fifty~~ fifty two dollars which she will be compelled to pay, in which event she asks that ~~the same~~ she may be sub-stituted in the place of the creditor and have the same expended to her. These responsibilities she will be able to prove should the same be necessary. This respondent is in possession of the tract of land devised to her for life and she owns the said land by the will of Henry Miffeld and wishes to hold the same during life under said will. She asks that in case the interest of said land in said land be decreed to be sold that she may be allowed

to come in as a creditor against
his estate for the amount due
him and for which he is responsible
as security being willing to con-
tribute to the expenses of the suit if
required and having them sub-
mitted the property to be dis-
posed of with his costs &c expenses
required

Holladay. Whitfield.

Whitfield County Court

This day personally appeared
before me a justice of the peace &
said county ^{Holladay Whitfield} and made oath to
the truth of the foregoing answer
given under my hand & seal this
3rd May 1836

John Godwin J P

Holladay Whitfield
answer

May 4th 1836
ans. filed

The answer of Jas G Whitfield is his
advers. of Samuel Whitfield and in
his own right to set him exhibited
against him and others in the
circuit ref. as of Law & Clowery for
the counts of Int. right by Jordan
& Hall & others

This respondent having & receiving
\$6 from answer to raise fees accor-
ding and says that it is true
that he is the adviser of Governor Whitfield
and has received into his possession
the estate of said dead which was
of but little value all which has
been disbursed in the payment of
debts due from his intestate and
charges against his estate. He has
returned to the county court
his report and next current of
his estate showing a balance
of \$1000 less his share of the estate
believes there are other debts

of \$100,000. He says that he believes there are other debts against the raised estate which there are no assets in his hands to satisfy. He asks that the balance due him, or his assigns, be repaid to him in case any sale of the real estate of raised land should be decreed to be made. He has also been compelled to employ counsel to defend this suit for which he wishes be allowed pay and asks that the same may be allowed him. He files herewith his raised assign's account marked A which he prays may be taken as part of this account. This respondent further says that the raised land of Whitfield Co.

intestate was entitled under the will
of his father ^{Henry Whitfield} to a tract of land in
Rand county raised to contain
299 acres which would probably
will free from any encumbrance
for fifteen hundred dollars or more
but that the same was given to
a certain W. Midway Whitfield for
life or widowhood and then to
the said land on condition of
his paying \$100 each to his four
sisters. A copy of said will
is herewith filed marked A
& proposed to be taken as part of
this answer. Your respondent
is brother & heir of the said land
and entitled to one ^{right} part of
his estate which he claims in case
any thing should remain after
payment of his debts. Having
thus answered and denying
all fraud he prays leave to
be dismissed with his costs
& the expenses. Signed (Whitfield)

Whitfield county to me
this day Geo. Whitfield
appeared before me a justice of the
peace of said county and made
oath to the truth of the foregoing
answer given under my hand
this 2nd May 1836

Joshua Hallman J

May 4th 1836 Ans. filed

to the Judge of the Circuit Superior Court of
Law and Chancery for the County of
Whitfield. The answer of Nathl. Doug
Clerk of the Court who is appointed special
guardian to defend the infants ~~Whitfield~~
~~Whitfield~~, Mary Whitfield, Fanny
Whitfield, Maryant Whitfield and
Sally Whitfield, to the Bill of complaint
against them and other exhibits, by
Sardin D. Hall and others -

These defendants say they are
of tender years and know nothing of the
matter and things charged in the Bill;
call for strict proof and have prayed
they be dismissed -
(signed, Nathl. Doug. Special Guardian)

Deed of Whit County to wit, The Clerk of
the foregoing answer was served to
before the undersigned a justice for said
County - (signed,

(J. P.)

Whitfield
infants -

and family

Ball &

The names of Fanny Whitfield, Mary Whitfield, Margaret Whitfield, and Emily Whitfield infants under the age of twenty one years by Nathaniel Young their guardian ad litem to an original and amended bill exhibited against them and others in the circuit Superior court of Los & Clermont for the county of Washington by Sadler & Sale of J. R. R. for himself & others creditors of Samuel Whitfield dead.

These respondents having cause receiving all advantage of exception to the errors & of insufficiency of said bill, for answer thereto answer and say that they are the children of Henry Whitfield dead and the sisters of Paul Whitfield dead as mentioned in said bill. That their father Henry Whitfield by his last will & testament of record in the clerk of Washington county devised a tract of land containing about acres to his widow Holli Mary Whitfield for life with remain over in fee to Samuel Whitfield their said brother on condition of his paying to said respondents one hundred dollars each at the time of their marriage or on their arriving to the age of twenty one years, and attested copy of said will marked is filed in the cause, is relied on by said respondents and is prayed to be taken as part of this answer. If any decree is to be rendered in the cause, they claim that the said sum of one hundred dollars be reserved and reserved to them. They submit to the court whether the said answer is in any way subject to the debt of the said Paul Whitfield, inasmuch as it never came into his possession, he having died during the lifetime of his mother Holliday Whitfield, and never having paid the said sum of one hundred dollars each to said respondents.

He never elected to accept the devise
 on the conditions aforesaid, and might
 have refused to do so on the death
 of his mother or upon the marriage
 or coming of age of your respondents.
 They submit to the court whether any
 title can vest in the said locus.
 Whitfield is to make the land respon-
 sible for his debts. They claim the said
 locus respectively as aforesaid under
 their fathers will and also claim
 as heirs of the said Henry Whitfield in
 case the said devise failed.
 Your respondents further announce
 that they are infants under the age
 of 21 years and by leave to place them
 under the protection of the court
 and having them removed they pray
 to be dismissed with their costs.
signed
 86

Whitfield
 vs
 Hale

claim

Whitfield vs

ads

Hale vs

Ans. of the infants

filed by Tol
Holliman their atty

Infants
annex

Sep. 5th 1835 file

to the Judge of the circuit sup. Ct. of Cal. &
Chy. for ~~the~~ Shasta County.

The answer of Margaret Whitfield
an infant by Nathe. Doug. the guardian
ad litem, to the Bill of complaint in
the said Court exhibited against her &
others by Darius & Halse -

The defendant to answer, says, she is
of tender years, and incapable of pro-
tecting her rights - she knows nothing
of the propriety of the claim set up
& calls for strict proof - and being
unsworn, she prays, leave to be
dismissed &c. -

(Signed) Nathe. Young Esq.
ad litem -

Shasta County to wit. Nathe. Doug.
inform me a justice of said County,
came today, and made oath that
the foregoing answer is true so far as
he knows or believes - given under
my hand and seal this 4 day of
May 1858 -

Geo. F. Thomas, C.

Hall H

is.

3 ans. of
Margaret
Muffale
Whitfield Lab

May 4th 1838 this
Ans. filed

The commonwealth of Virginia to the Sheriff of Isle of Wight County
Greeting: We command you to summon John Whitfield administrator
of Samuel Whitfield decd: John Whitfield, Holladay Whitfield,
Fanny Whitfield, Mary Whitfield, Margaret Whitfield, and
Sally Whitfield (the four last, infants heirs at law of the said
Samuel Whitfield decd: to appear before the Judge of the circuit
Superior Court of Law and Chancery for the aforesaid county of
Isle of Wight at the clerks Office of the said County on the first Monday
in September next to answer a Bill in Chancery exhibited in
the said Court against them as defendants by Darden S. Hall
assignee of John Ross who sues for himself and others as complain-
ants. And if the said defendants shall fail to answer the
said Bill of the said complainants within four months
from the service of this subpoena, the said complainants
Bill will be taken as confessed and the Court will decree
accordingly - And have them show this Writ: Witness Nathaniel
Young Clerk of our said Court, at the Court House the 13th day of
August 1835 in the 60th year of the commonwealth

Nathl. Young
Co

Recd. 10 August 20 the 1833 by leaving
copies with the dep. secy. & one etc. to
Charles G. Mearns. To
for Chas. Mearns & Co.

Hall Apr. 1835

105.

Sp. in Chy.

Whitfield's Admor. and
others.

To Dep. Sup. Court Rules
1835

Atkinson p. q.

a copy to be left
with the whilp.
Holladay whi-
-thield only -
the rest are
infants or whom
no proof need
be shown. -

Atkinson

Com. to Mearns August 14 A. 1833
Chas. G. Mearns & Co.

To Mr. John Whitfield a mor: of James Whitfield jr
and: John Whitfield in his own right, Holla-
day Whitfield and Nathl. Young guardian
as liten to the defendants Fanny, Mary,
Mayant and Sally Whitfield. Take
notice, that we shall proceed to take the
depositions of Mr. Green and others at the
following times and places, to wit, at the house
of John Goodwin Esq in the County of Alle
gheny on the 24. 25. 26 and 27 days of Febru-
ary next, between the hours of nine o'clock
in the forenoon and 5 o'clock p.m.
which depositions are to be read as evidence
in the suit now depending in the Circuit Sup:
Court of Law and Chy: for the City of Pittsburgh, in
which James Whitfield and others ^{petitioners of James Whitfield jr} are ^{petitioners} and
John Whitfield a mor: of James Whitfield
jr and John Whitfield in his own right,
Holladay Whitfield, Fanny Whitfield, Mary
Whitfield, Mayant Whitfield and Sally
Whitfield are defendants.

Octo. 28. 1835-

Yours L.
James S. Ward
John creditor of
James Whitfield jr

County of Elbert, N. B. This day came before
the subscriber who is a justice of the peace
for said County, Henry Cook

who made oath that on the 28 day of
January, 1836, he delivered a true copy
of this notice to William Whitfield
and that on the day of July, 1836,
he delivered a like true copy to John
Whitfield with the name given
under my hand and seal as a justice
of said County, this day of 1836.

John Godwin

(J.G.)

original

The Commonwealth of Virginia,

To the Sheriff of *Isle of Wight*

County, GREETING:

YOU ARE HEREEY COMMANDED TO SUMMON *Robert Whitful*

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle-of-Wight, at the Court-House of Isle-of-Wight County, on the first day of *July* — *being next day*
to answer ^{*an answer*} a bill exhibited against *Wm. Gothers* term next;

in the said Court, by *Darwin D. Hall* —

and unless the said defendant shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly. And this *he* shall in no wise omit, under the penalty of £100 and have then there this writ: Witness NATHANIEL YOUNG, Clerk of our said Court, at the Court-House, the *30th* day of *June* 183*6*, and in the *30th* year of the Commonwealth.

N. Young

Executed July 4th 1826 by delivering
to Robert Whitfield a true copy
of this paper.

Wm. Whitfield
for the said John

Wm. Whitfield

10.

Wm. Whitfield

Wm. Whitfield

The said John
the county of
was at the A.
Whitfield

Whitfield -
have it done
but he may be
out of the county

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County, GREETING:

WE COMMAND YOU to summon *John Whitfield* in his own right and as administrator of *Samuel Whitfield* *decd.* *Holladay Whitfield*, *Fanny Whitfield*, *Mary Whitfield*, *Margaret Whitfield*, and *Jacob H. Duck* Sheriff of *Isle of Wight* County into whose hands the estate of *Sally Whitfield* *decd.* has been committed for administration —

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of *Isle of Wight*, at the Court House of said County, on the first Monday in *May* next, being Rule day, to answer ^{an amended} bill in Chancery in the said Court exhibited against *them* by *Darren D. Hall* and other creditors of *Samuel Whitfield* *decd.*

and if *they* shall fail to answer the Bill within four months thereafter, the Court will take the said Bill for confessed, and proceed to decree the matter thereof accordingly. And have then there this Writ.—Witness NATHANIEL YOUNG, Clerk of our said Court at the Court House, the *4th* day *April* 1837, in the *81st* — year of the Commonwealth.

Nathl. Young

Executed by delivering a true copy
 of this process to Holladay Whitfield
 Mary Whitfield & Fanny Whitfield
~~James D. Queen~~ on April
 13th 1836 and to Margaret Whit-
 field on April 19th 1836

J. Mcounigill Es
 for the Duck staff
 John J. Whitfield is no inhabitant
 of this county ~~Whitfield~~
 for the Queen staff

Wace Rogers C
 W. M. Spa. in Chy.
 Whitfield's Canon: &
 others
 To May Rules 1037 of
 the court Sp. Ct. of Cal. &c.
 A. J. J.

To Hon^{ble} Court 10th 1837
 J. Mcounigill Es
 for the Duck staff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County, GREETING:

WE COMMAND YOU to summon *John Whitfield in his own*
right and as admor. of land. Whitfield, Robert Whitfield,
and Jacob & David Lott of Isle of Wight &
admor. of Raly Whitfield

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight,
at the Court House of said County, on the first ~~Monday~~ *Monday in May* ~~1838~~ *1838*
being Rule day, to answer a bill in Chancery in the said Court exhibited against *them* by *Barber*
Dea and others

and if *they* shall fail to answer the Bill within four months thereafter, the Court will take the said Bill
for confessed, and proceed to decree the matter thereof accordingly. And have then there this Writ.—Witness
NATHANIEL YOUNG, Clerk of our said Court at the Court House, the *1st* day *of May*
183*8* in the — year of the Commonwealth.

Nathl. Young

The commonwealth of Virginia to the Sheriff of Isle of Wight County
Greeting, Whereas Darden Hall Apicene of John Rofs for himself
and others heretofore exhibited to our circuit Superior Court of Law and
Chancery, for the county aforesaid, his bill of complaint against
Holladay Whitfield and others; whereupon sundry proceedings have
been had, as appears from the records and files of the said Court; but
before a final decree could be pronounced in the cause the said
Holladay Whitfield departed this life intestate, and administration
of all and singular the goods and chattels, rights and credits of the said
Holladay Whitfield hath been in due form granted to John G.
Whitfield. And the said Darden D. Hall Apicene as aforesaid for
himself and others having supplicated us for a proper remedy in this
behalf, and we being willing that what is right and just should be
done: Therefore we command you, that you make known according
to Law to the said John G. Whitfield Administrator of Holladay Whitfield
decd. that he be before the Judge of our said ^{circuit} Superior Court of Law
and Chancery for the county aforesaid, at the Court house of the said
county on the first day of the next term, of said Court; to shew, if
any thing for himself he hath or knows to say, why the said suit
should not be proceeded in to a final decree against him in his
character aforesaid, and be in all things in the same plight and
condition as it was at the time of the decease of the said
Holladay Whitfield, and further to do and receive what our said
Court shall in that part consider. — And have then thus this
next Witness Nathaniel Young Clerk of our said Court at the
Court house the 4th day of July 1838 in the 35th Year of the
Commonwealth —

Nathl Young

Entered July 18. 1838

W. J. Turner Es
for A. Ballard Esq

Ball Appt: No

3 Dec: 1838

Whitfield's corner:

W. J. Turner Es
for A. Ballard Esq

St. Louis July 9th 1838

S. G.

Given by hand bond dated 20th Jan 1835 — 33.69
 Int to ~~20th~~ 1839 — 3 mos. 1st — 6.22
 39.89

As hly Godwin — 124. —

Int from 12 Octo. 1835 to 20 July 1839 } 25.75
 after 3 mos 6 ds: 8000 } 149.75

Rick W Bigood for Mr Milne — 19.50
 Int from 14 July: 1835 — 3.97
 23.47

John R Day apud 2 boys — 24. —
 Int from 9 May 1835 — 4.60
 28.60

Eggs Mary — 32.87
 Int from 1 Jan 1834 — 10. —
 42.87

whiff and adv. — 22.05
 Int from 8 Octo: 1835 —

same — 35.75
 Int from 8 Octo. 1835 —

same — 52. —
 Int from 10 Octo. 1833 —

~~same~~
 Int. g. whiff. or adv. bal } 10
 on ap- }
 Int from 29 Apr 1835 —

120
 28.80
 10.
 160.80
 39.89
 149.75
 23.47
 28.60
 42.87
 449.32

\$ 250

L. D. Hall

Chas
to me
by report

the claims
here the heirs

$$\begin{array}{r} 126 \\ 4.50 \\ 2.50 \\ \hline 5.00 \end{array}$$

$$\begin{array}{r} 14 \\ 18 \\ \hline 112 \\ 14 \\ \hline 212 \end{array}$$

Run

Shropshire County

Sup^r Court Clerks Office, August 26th 1839

Garden R. Hall for himself & others. Plt.

against

John G. Whitfield Adm^r of Sam^l Whitfield

decd. and others.

In Chancery

Defts.

The amount of costs in the above suit is as follows

(To wit)	To the clk. of County & Supercor Courts	\$ 21. 05
	" the Attorneys fee	16. 07
	" the Commissioners fee	16. 00
	" the Sheriffs	4. 85
		<u>\$ 58. 57</u>
	Teste N. Young Clk. Tax	<u>75</u>
		<u>59. 32</u>

~~amt. of money~~

~~\$280~~

~~cost of suit~~

~~58. 57~~

~~200 distributed pro rata~~

~~\$221. 43~~

Garden R. Hall

33. 67

Int from 3 years 7

7. 23

40. 90

= \$ 40. 90

Abby Spowin

124. -

Int from 14 Dec. 1835 to

32. 11

Jan 1. 1840

156. 11

156. 11

Bigood for Wilson

19. 50

Int from 14 July 1835 to

5. 58

Jan 1840

25. 08

25. 08

John R. Kay

\$ 24. -

Int from 9 Aug 1835 to

6. 72

Jan 1. 1840 - 4 years 8

30. 72

30. 72

Thos. Hery

32. 81

Int from 1 Dec 1834 to the

10. 96

1 Jan 1840 - 5. 7

43. 77

43. 87

296. 68

183.36

at Chert on $\$296.68$
Whitford adn $\$22.05$
Rt from 8 Oct 1835 - 5.62
4 years 3 mths - $\frac{27.67}{27.67} = 27.67$
Whitford adn 35.75
Rt 4 years 3 mths - $\frac{9.10}{44.85} = 44.85$
Whitford adn $\$52$
Rt from 18 Octo.
1833 to 1 May 1840 - 19.24
say 6 years 2 - $\frac{71.24}{71.24} = 71.24$
Whitford adn 16.00
Rt from 29 Apr
1836 to 1 May 1840 - 3.60
3 years 8 - $\frac{19.60}{19.60} = 19.60$
Total amt claiming 460.00
To pay them there is $280.$
or out Cort & sent 58.57
To be dis tributed $\$221.40$

~~Total amt for~~ $\$460.00$
2 pags pro rata each man
as follows - D. D. Kace $\$19.69$
Ashby & Goodwin 75.14
Biggs & M. M. M. 12.07
John & Ray 14.70
Tym & Wey 22.11
John G. Whitford adn 78.63
 $\$221.40$

face to
whiteford
propn X
Whitford
by Jeffs

11
Hall No

10. 3
Whitfield 3
of costs —

166
111
D. D. Hall has paid me part, and is bound to pay me
the bal. of my fees — the his suit vs. Whitfield & therefore
he will be intitled to receive my fees in said suit out of the
sale of the land —

32-816
196-855
9-84-38
1-12
10-96

6-7
24
14
5-7
24
246

Nathl Young

5-06-41
55
11-14-11
17-586

$$\begin{array}{r}
 1240 \\
 \hline
 7.64 \\
 4 \\
 \hline
 30.56 \\
 \hline
 2.28 \\
 31 \\
 \hline
 3211
 \end{array}$$

$$\begin{array}{r}
 166 \\
 \hline
 90 \\
 3 \\
 \hline
 2.88 \\
 48 \\
 24 \\
 \hline
 3.60
 \end{array}$$

$$\begin{array}{r}
 356 \\
 \hline
 2104 \\
 4 \\
 \hline
 2208.40 \\
 13276 \\
 \hline
 4810 \\
 5.28 \\
 34 \\
 \hline
 5.62
 \end{array}$$

$$\begin{array}{r}
 526 \\
 \hline
 3120 \\
 18.72 \\
 19.24 \\
 \hline
 62.0 \\
 20.0 \\
 18.11
 \end{array}$$

1825	Aug	To paid Miller Bros. on bond, which bound the heirs of the obligor	Aug 15	
1830	Feb. 28	To amount of bond due from Intestate; to the Admin. which bond bound the heirs of the obligor	Feb 28	139 40
	Apr 7	To 5 P cent Comm ⁿ on \$237.80 receipts	Apr 7	11 39
	"	To paid William Wainwright for Coffin for Intest.	"	13 00
	"	" " paid for appraising the estate	"	4 00
	"	" " paid to John Wainwright for copying the est.	"	50
	"	" " paid to John Wainwright 1000 at Law	"	10 00
	"	" " paid to John Wainwright 1000 at Law	"	1 87
	"	" " this sum for making up this account	"	2 00
	"	" " this sum to pay the State for costs of Admin.	"	2 13
				\$253.79

1830	Feb. 28	By this sum received of John Wainwright on bond, after deducting \$110. for monies collected by the Intest. belonging to said John Wainwright, which was not accounted for by the Intest. in his lifetime	Feb 28	\$ 51 49
		By amount of sales of the estate due this day		135 81
	Apr. 29	By this sum balance due the Estate of Intest.	Apr 29	\$ 253.79

Due the Administrator \$15. April 29th 1830.

Henry Whitfield in his lifetime made and published his last Will & Testament, by which he bequeathed to his wife Hellen Whitfield during her lifetime or Widowhood a tract of land in this County, containing about three hundred acres: that at her death or remarriage, the said Henry Whitfield bequeathed the said Land to his son Samuel Whitfield. The said Samuel Whitfield to pay to James Whitfield, Mary Whitfield, Margaret Whitfield & Sally Whitfield children of said Henry Whitfield, two hundred dollars each.

On the 21st day of December 1834 the said Hellen Whitfield and the said Samuel Whitfield sold & conveyed by deed to one William Brown County one acre of the aforesaid Land for the sum of two hundred & ten dollars - That the said Hellen Whitfield died sometime in the year

The amount value of the said Land is

\$ 150.00

Claims of the several plaintiffs in the said Court
Deacon J. Bates on bond which binds the heirs, dated 23rd June 1835. \$ 23.07
Ditto Do. bill dated Sept. 22nd 1834. \$ 7.75
Ditto Do. bill " " Sept. 30th 1834. \$ 8.84
\$ 52.11

William Brown marked 36

On an account for work done for said Whitfield \$ 12.00
The hand writing of said Land. Whitfield proves before your Court by the affidavit of Josiah Pinney

William Brown marked 1

On an account for work done for said Whitfield \$ 12.35
The account was proved before me by the affidavit of William Brown, except the first item of 63 cents in said account.

Levi Schrey & J. H. Goodrich marked R

For money paid by them as servants for Samuel Whitfield \$ 124.00
D. C. 12th 1835 on bond binding the heirs in which the same is recited

J. H. R. Bury Affee of Lewis Adams marked 2

Due bill dated Oct. 10th 1834 for \$ 3.50

Richard H. Bridgford & James H. Allison marked 3

on bond, which binds the heirs, dated 14th Decr 1835. \$ 19.50

John D. Day Affee of E. Bury marked 4

on bond which binds the heirs - May 9th 1835 \$ 24.00

Jones & Bury marked 5

on bond which binds the heirs - June 1st 1834 \$ 22.31
\$ 135.87

List of claims against the Estate of Samuel Whitfield decd.
said before your Commissioners by persons agreeing to contribute
towards the expenses of this work.

P. John G. Whitfield Adm^r of Holladay Whitfield
for money paid by said Holladay Whitfield on bond payable
to W. H. Todd dated the 1st of April 1835 payable the 1st of
October 1835 which bond binds the heirs of the obligors \$ 22.00

That Holladay Whitfield was security in the said bond,
was proved before your Court by the affidavit of Sampson White

Q. John G. Whitfield Adm^r of Holladay Whitfield
for money paid by said Holladay Whitfield on bond payable
to Joseph Goodwin ex^r of Joseph Goodwin V^r signed the 1st of
April 1835 payable the 1st of Oct 1835 which bond binds the heirs
of the obligors. That Holladay Whitfield was
Security in said bond, was proved before your Commissioners
by the affidavit of Joseph Goodwin. \$ 35.75

R. John G. Whitfield Adm^r of Holladay Whitfield
for money paid by the said Holladay Whitfield on bond
payable to W^m Goodwin Adm^r of Joseph Goodwin V^r signed
to John A. Brown, dated the 10th of January 1833 payable
the 10th of Oct 1833 which bond binds the heirs of the obligors \$ 52.00
That Holladay Whitfield was security in
the said bond, is fully believed by your Commissioners.

S. John G. Whitfield
for the balance found due him on
an account of his administration on the estate of
Samuel Whitfield decd. reported to the Court of Isle
of Wight County April 1835. \$ 15.00
\$ 125.00

Commissioners Office December 6th 1838

Pursuant to an order of the Circuit Superior Court of Law & Chancery
for the County of Isle of Wight pronounced the 9th day of October 1838 in
the suit Wall & others vs. Whitfield Adm^r herewith filed marked C.

On the 24th day of October 1838 a notice was issued appointing
the 6th day of December 1838 for carrying said order into effect, the said
notice was returned with service thereof acknowledged by the Defendants
John G. Whitfield, Mary H. Whitfield, Fanny A. Whitfield & A. C. Whitfield,
which notice is herewith filed marked D.

On the said 6th day of December 1838 the Defendant John
G. Whitfield attended at my office, when an account of his Admⁿ on the
estate of Samuel Whitfield decd. was made up, & a balance of sixteen dollars
was found due from the estate of said Whitfield to the said John G. Whitfield
& marked A. among the claims paid by the said John G.
Whitfield, are two bonds - one payable to Willis Green for \$ 67.15 &
the other payable to the Adm^r for \$ 140.40 both of which bonds, bind the
heirs of said Whitfield.

I have taken an account of the annual value
of the Land belonging to the said Samuel Whitfield marked B. showing
the annual value thereof to be \$ 150. It was in evidence before
your Commissioners that on the 21st of December 1834, Holladay Whitfield
& Samuel Whitfield sold & conveyed to William Green twenty one Acres
of said Land for \$ 210.

I have taken an account of the claims of
the several plaintiffs - which claims are herewith filed, & marked
G. H. A. K. L. etc. & D.

I have annexed a list of claims pre-
sented by John G. Whitfield Adm^r of Holladay Whitfield decd. who is
willing to pay ratably, the costs of the suit, & the claims are herewith
filed & marked P. Q. R. The said John G. Whitfield Adm^r of
Samuel Whitfield presented a claim, being the balance due him
on his Admⁿ on said Whitfield estate - marked S.

All of which is respectfully submitted to the Court,
Commissioners for Barth. Lightfoot Sec^y
Time employed 16 hours \$ 10.
charged to Deft. John G. Whitfield

State of Wright County to wit

That the above Lightfoot this day made
oath before me, a Justice of the peace for the said County that he be
charged by him for this report is just & proper: Given under my hand
this 1st of March 1839.

David Probst J. P.

Hall & others

vs.

2

Com^{rs} Rept

Whitfield &

March 4th 1839^{com^{rs}} rept
ret^d & filed

Return of
June 1st 1840. Report-

Report
May 1840.

How do
as: the
Methuen's answer to the
the Chairman

According to the within order to me directed,
I have paid the costs of the suit & disposed
of the balance of the money as the said
order directs, & return herewith the
receipt of the plaintiffs - all which
is respectfully submitted -

Barth. Lightfoot Comr.

Received B. Lightfoot Comr. under the
order of Ball & Whitfield & Co.
nineteen dollars and sixty nine cents,
and the further sum of fifty eight
dollars and fifty seven cents -
Costs May 1840.

(Signed) Darius D. Hall

I have received from B. Lightfoot Comr. under the
order of Ball & Whitfield & Co. the sum of
twenty dollars and seven cents, and have
paid the same to Wilson in satisfying the
claim among the creditors - (signed)
May 18th 1840.

(Signed) J. Medson

We the undersigned do acknowledge
to have rec^d from B. Lightfoot
(under a decree of the Circuit Sup^r
Court of law and chy: for the County
of Hale of Wight) in the suit of Hale
and others vs Whitfield, Adams;
and heirs, the sums respectively
affixed to our names - that is to say
the sum of - - - - -

Levi Ashby & A. Atkinson att^o. to Taylor & Co. - 37.57

Jas. A. Godwin - 37.57

W. L. Bay - 14.76

22.11

78.63

Tyng & Tracy

\$280.00

May 18th 1840 Received of B. Lightfoot, amount on the bill of
Hale & others vs Whitfield & others Seventy eight dollars & sixty three
cents being the amount of the pro of the claims due to Whitfield,
Adams -

Robt. H. Whitfield att^o.

for
John G. Whitfield att^o.

At a Circuit Superior Court of Law and Chancery continued and held for the County of Isle of Wight on Tuesday the fifth day of May one thousand eight hundred and forty.

Darden D. Hall & others Creditors of Samuel Whitfield dec'd. Pls.

Against

John G. Whitfield admor. of Samuel Whitfield dec'd. & others Defts.

Law Chancery

This Cause came on this day to be heard on the papers formerly read and the report of the Commissioner made pursuant to the order of the Seventh day of May 1839, to which no exception has been filed, and was argued by Counsel; an Consideration whereof the Court doth adjudge, decree and order that the said report be confirmed, and the parties agreeing to adopt a statement-filio, marked K, in lieu of referring the matter to a Commissioner to Scale the Claims, to pay all which, the money in the hands of the Commissioner is insufficient, the Court doth adjudge decree and order that the said Comm^r pay first to Darden D. Hall the costs of this suit, which it seems is fifty nine dollars and thirty two cents, and distribute the balance as follows, to wit: pay to Darden D. Hall the sum of nineteen dollars and sixty nine cents, Levi Ashby for the benefit of Walter N. Taylor & Co. thirty seven dollars and fifty seven cents, to James H. Goodwin thirty seven dollars and fifty seven cents, to James R. Welles twelve dollars and seven cents, to John D. Day fourteen dollars and seventy six cents, to Syms and Telfer twenty two dollars and eleven cents, and to John G. Whitfield admor. of William Whitfield dec'd: seventy eight dollars and twenty three cents, and that the receipts of the creditors be filed in this cause.

Copy Teste

Wm. P. Young Dy. Clk.

Ballou's whiteface folks -

Whereby suggested to the Court, that since
the institution of this sect, the offenses
of many whiteface, ~~and many whiteface~~
and many whiteface have attained
their full age; on motion of the J. P. by
Court, it is ordered that this sect be
hereafter prosecuted against them as
seditious offenders -

order that
Mary & others
be kept as a family

His an, un &
Mary at inf:
to adun & d
Ned

Ball v.

vs.

3
3
3

Chy-

Whitfield v. Amor:

vs.

Order entered at May Court
1838 as to Fanny & Mary Whitfield's
being of age &c.

Peace & the - in which the said & the -

On motion of the plff. & the
Court is app't. guardian to defend
the infant defendants in this cause.

order to
appl for
as letter

Hall &

nos.

Whitfield's Acad.

3 orders to
3 appl. B. G. W.
as letter to
the infant dept.

David & Hall for himself and other creditors of
said Whitfield in and. Ref:

John Whitfield executor of said Whitfield,
John Whitfield, Holladay Whitfield, and Family,
dearly beloved and only Whitfield the last 4
infants by Natl. Vows this special for depts.

The annex of John Whitfield executor: and the
said Whitfield in his own right, and of
Holladay Whitfield, now this day filed by
consent of parties - And by like consent,
his cause came on to be heard on the file,
exhibits filed, examination of witnesses, ~~and~~
~~the annex~~ ^{of all the depts} and replication thereto,
and may argue by counsel;

On consideration whereof the Court doth adj.
ord. and decree, that a Commission of
this Court, take the following accounts -

1. An account of the acting, and doing
of the depts. John Whitfield executor of
said Whitfield decd: in making up which
account, the Com. will ascertain Report
what debts paid by the said John Whitfield
as executor of said Whitfield bound the
heirs of the said said Whitfield.

secondly. An account of the real estate of
which the said said Whitfield decd.
seized and possessed, and which passed
by descent or devise, and to whom and
an app of the fee simple ^{damages} value thereof;
if any part of the same has been aliened,
when, by whom and the probable present
value thereof, at the time of such alienation.

thirdly. An account of the
~~plaintiff~~ plaintiff demands. And liberty
is given to all other creditors of the said
said Whitfield who may come in before
the said Commission and agree to contribute

to the expenses of this suit, to show and prove
the claims to which they are respectively
entitled, which said sum a c c o u n t s,
the said Court is directed to examine
state and settle, and to the Court report
with any matter specially stated, deemed
pertinent by himself, or which may be
required by the parties to be so stated.

Facet.

"

Whitfield

Worsh. Court

for the Court

Darden & Ball v. D. & C.

27

Whitfield v. D. & C.

~~This cause is now to be heard on the
original and amended bills, then
filed, of the 1st of the month of the~~

This cause (in which the original and amended
bills have been filed and the subpoena are entered
more than 4 months, and the def. Robt. Whitfield
failing to answer, the same are taken as confessed
against him, and the cause coming to be heard
on the original and amended bills, the answers of
the other defendants, the verifications, exhibits and
only are entered, replication, exhibits and
examination of witnesses —

On consideration whereof the Ct. doth
adjudge, order and decree that when
Whitfield shall come: of said Whitfield
and: render before a Court of this Court
an account of his transactions on the estate
of his intestate, ^{in which the Court may take a prima facie} also ^{the Court may take a prima facie} ^{the Court may take a prima facie}
and: paid by the said and/or: ^{the Court may take a prima facie} ^{the Court may take a prima facie} ^{the Court may take a prima facie}
the heirs; that he assign what real
estate the said said Whitfield did
sell and disposed, or otherwise
entitled to, and which has come
by devise or descent to the defendants,
or to any other person or persons, &
if the same has been disposed of, by
whom and for what price and
that he also take an account of the profits
— the annual value thereof if not
sold. And that the Court make up
an account showing the same due the plaintiffs.
Liberty is reserved to other creditors of
the said said Whitfield, to prove
before the said Court their respective
claims, ~~which~~ upon the said creditors

Copy of the original bill of the plaintiff in this cause
to the Court of the 1st of the month of the

agrees to contribute rationally to the
expenses of this suit; which said sum
account, the v. d. Com. is to examine
, state and settle, and to the Court
report with any matters specially
stated, deemed pertinent by himself
or which may be required by the
parties to be so stated in order to a
final decree.

Ball dr.

7

Whitfield dr.

prop. Sec. dr.

for the C. O.

(continued) (Oct. 10, 1858)

At a circuit Superior Court of Law and Chancery held for the County of
Isle of Wight the 9th day of October 1838—

Darren D. Hall for himself & others Compls.

against

John Whitfield in his own right and
as administrator of Samuel Whitfield
deceased, Fanny Whitfield, Mary Whitfield
Margaret Whitfield & Sally Whitfield
and Robert Whitfield.

Defendants

In Chancery—

This cause in which the original & amended
bills have been filed, and the subpoenas executed more than four months,
and the defendant Robert Whitfield failing to answer, the same are taken
as confessed against him; and the cause coming on to be heard on the original
and amended Bills, the answers of the other defendants, the scire facias
which was duly executed, replications, exhibits and Examination of Witnesses,
On consideration whereof, the court doth as judge order and decree, that
John Whitfield administrator of Samuel Whitfield deceased, render before
a commissioner of this court an account of his transactions on the estate of
his intestate, (in taking which the commissioner will take as prima facie
correct subject to be surcharged and falsified an account of the personal
funds returned to Isle of Wight County Court), also ascertain what debts paid
by the said administrator bound the heirs; that he enquire of what real
estate the said Samuel Whitfield died seized and possessed, or otherwise
entitled to, and which has come by devise or descent to the defendants or to
any other person or persons: and if the same has been disposed of, by whom
and for what price; and that he also take an account of the probable annual
value thereof if not sold. And that the commissioner make up an account
showing the sums due the plaintiffs—liberty is reserved to other creditors of the
said Samuel Whitfield to prove before the said commissioner their respective
claims, upon the said creditors agreeing to contribute ratably to the expenses of
this suit; which said several accounts the said commissioner is to examine, state,
and settle, and to the court report with any matter especially stated deemed
pertinent by himself or which may be required by the parties to be so stated
in order to a final decree—

Attest

Nathl. Young Ck.

At a court of justice held at New York on the 11th day of October 1838
before the Hon. the Chief Justice of the said State
The following cases were argued and decided:

Whitfield vs. Hall
The case was argued by Mr. Hall and Mr. Whitfield.
The court decided in favor of Mr. Hall.

The court then proceeded to the next case, *Whitfield vs. Hall*, which was argued by Mr. Hall and Mr. Whitfield. The court decided in favor of Mr. Hall. The court then proceeded to the next case, *Whitfield vs. Hall*, which was argued by Mr. Hall and Mr. Whitfield. The court decided in favor of Mr. Hall.

Hall vs. Whitfield
Whitfield vs. Hall
Whitfield vs. Hall

The court then proceeded to the next case, *Whitfield vs. Hall*, which was argued by Mr. Hall and Mr. Whitfield. The court decided in favor of Mr. Hall. The court then proceeded to the next case, *Whitfield vs. Hall*, which was argued by Mr. Hall and Mr. Whitfield. The court decided in favor of Mr. Hall.

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At a Circuit Superior Court of Law and Chancery held for the County of
Sle of Wight the 9th day of October 1838.

Orden. & Case for himself & others Comps.
against

John Whiffled, in his own right & as Adminor of - In Chancery
Samuel Whiffled decd. Fanny Whiffled, Thang
Whiffled, Margaret Whiffled & Sally Whiffled & Repts
Robert Whiffled.

This cause in which the original & amended bills have
been filed; and the Subpoena executed more than four months, & the
Defendant Robert Whiffled failing to answer, the same are taken as confessed
against him; and the cause coming on to be heard on the original and
amended Bils, the answers of the other defendants, the Serje facias, which
was duly executed, replications, exhibits, and examination of witnesses.

On consideration whereof the Court doth adjudge & decree that John
Whiffled Administrator of Samuel Whiffled decd. render before a Com-
missioner of this Court an account of his transactions on the estate of his
Intestate, (in making which account the Commissioner will take as
prima facie correct subject to be overcharged and falsified, an account of
the personal funds returned to Sle of Wight County Court) also ascertain
what debts paid by the said Administrator toward the heirs; that he enquire
of what real estate the said Samuel Whiffled did seized & possessed, or
otherwise entitled to, and which has come by devise or descent to the De-
fendants or any other person or persons; and if the same has been disposed
of, by whom, for what price, and that he also take an account of the
probable annual value thereof if not sold. And that the Commissioner
make up an account shewing the sums due the Plaintiffs - liberty is reser-
ved to other creditors of the said Samuel Whiffled to prove before the said
Commissioner their respective claims upon the said Decedent agreeing to
contribute rately to the expenses of this suit: which said several accounts
the said Commissioner is to examine, state & settle, and to the Court upon
with any matters especially stated assumed pertinent by himself or which
may be required by the parties to be so stated, in order to a final decree.

Attest. Teste. Geo. S. Young, C.

Commissioner's Office October 24th 1838.

I have appointed Thursday the
6th day of December next, for carrying the foregoing order into effect; the
parties interested in the aforementioned suit are requested to attend on
the above named day at my Office between the hours of 9 O'clock A.M. &
5 O'clock P.M. with their papers & evidence.

Barth. Lightfoot Secy. S. C. & C. W.

Receipt of the within notes acknowledged

Whitfield

Mary H. Whitfield

Fanny C. Whitfield

Mr. A. Whitfield,

To all others

to be paid to

Whitfield & Co

67

Take notice

1862
 7
 1862

$$\begin{array}{r} 180 \\ \hline 150 \\ \hline 30 \end{array}$$

At a Circuit Superior Court of Law and Chancery held for Islop Wright
County the 7th day of May 1839—

Jarvis D. Hall for himself and others. . . . Plaintiffs

against

John G. Whitfield Administrator of Samuel

Whitfield decd. and others. . . .

Defendants

In Chancery

This cause came on this day again to be heard on
the papers formerly read and the report of the commissioners made pursuant
to the order of the 9th of October 1838 to which no exceptions has been filed, and
was argued by counsel. On consideration whereof the court being of opinion that
as Samuel Whitfield died without making an election to hold the real estate
to him devised by the last Will and Testament of Henry Whitfield, and without
paying the money, the same descended to the children and heirs at Law of the
said Henry Whitfield and that the said Samuel Whitfield was entitled to one
seventh thereof, which on his death descended to his heirs at Law, who are defend-
ants in this suit and is responsible for his debts. And it also appearing to the
court that the said Samuel Whitfield in his lifetime sold and conveyed to
one William Green Twenty one acres of the said land for the sum of Two
hundred and Ten dollars the court doth therefore order and decree that
Bartholomew Lightfoot, Arthur Channel, Joseph Goodwin, John G. Hodson
and John Newman or any three of them with the aid of a Surveyor, do set
apart so much of the land whereof Henry Whitfield died seized in the
County of Islop Wright, as added to Two hundred and Ten dollars the amount
received by the said Samuel Whitfield in his lifetime of the aforesaid Wm
Green for the said Twenty one acres of land, will make one seventh of the
whole having reference to quality and quantity; and that the said commis-
— sioners who may act, after advertising the time and place of sale, for three weeks
at the door of the court house of this county, in Smithfield and at some
other public place near to the premises, sell to the highest bidder on a credit
of six months except for so much as will pay the costs of this suit, of the
survey and of the sale, which will be for cash the land that may be so
set apart, taking from the purchaser bonds with good security, and bring
the same into court, to be filed subject to the order of this court, and the
commissioners will make report &c. But the court entertaining the opinion
that probably some injustice may be done the parties by the division and
sale aforesaid decretes, doth as judge and order and decree that notwithstanding
the former part of this order if the defendants or any person on their behalf

Shall within sixty days from this date, pay to the said commissioners or any three of them, so much money as the commissioners shall think equal to the share of the land to which the heirs at Law of the said Samuel Whitfield are intitled by descent from him as aforesaid, then they shall not set apart or sell the same, but they shall bring the money into Court subject to the future order thereof —

Attest Teste Nathl Young Esq.

Filed & 3 Interlocutory
vs. 3 decrees in Chy.
Whitfield Admors. &c.

Daniel & Hall to the creditors of said
Whitfield acc: to John G. Whitfield admo:
of said Whitfield and others—

This cause this day came on to be again
heard on the papers formerly read & the
report of the Commissioners made pursuant
to the order of the 7th day of May 1839 to
which no exception has been filed nor
argued by counsel; On consideration whereof
the Court both a judge, came to the order that
the said report be confirmed. — And the
parties agreed to accept a statement
filed marked X in lieu of a fee in the matter
to a Comr. to settle the claims, to pay all
which the money in hands of the Comr.
is insufficient, the Court both a judge
came and order that the ~~report of the~~
said Commissioners pay first to Daniel
& Hall the cost of this suit which it
seems is \$59.32 — and distribute the
balance as follows, to wit, pay to
~~to~~ Daniel & Hall the sum of \$19.69

Swy Ashby for the use of	}	37.57
Walter Taylor & Co. ———		
To Saml & Goodwin ———		37.53
To James B Wilson ———		12.07
11 John D Day ———		14.76
11 Tyn and Vesey ———		22.11
and to John G Whitfield	}	78.63
admo: of H. M. L. & Co. Whitfield		

and that the receipt of the creditors
be filed in this cause. —

Wace &
Whisper
Weyburn to
the Comd
to be Rtd.

Entered

Darden Hall for himself & others

Plaintiffs

against

John G. Whitefield Adm^r. of Saml. Whitefield

& others

Defendants

Chy.

Agreeably to the annexed decree of the 7th of May 1839 in the said cause, the undersigned did proceed to value the share of the land to which the heirs of Samuel Whitefield j^{un} are entitled of that in the decree mentioned - as the said heirs had desired the same to be done preparatory to their paying the value thereof - we are of the opinion that the said Interest descended as aforesaid is worth five hundred dollars: from which sum deduct two hundred and ten dollars which leaves a balance of two hundred & ninety dollars which was paid by the heirs aforesaid to your Commissioners & the same is brought into Court with this report after deducting ten dollars as compensation to the Comm^s in valuing said Land - all of which is respectfully submitted to the Court. Given under our hands this 23^d day of July 1839.

Bard. Lightfoot
Joseph Goodwin
Arthur Chamell

Mitfield's will
into

Case & other

Samuel Mitfield died leaving his
estate to the trustee for life & then
living. Samuel was to pay his
sister \$400 no evidence of his
accepting the devise he might
have refused to pay the money
and then the land would
go to the heirs of testator. Can
the court hold the heirs of Samuel
responsible for his debts, when it
is impossible to know whether
he would accept the devise
on the conditions required.

W. M. Mason

Whitfield
at
Lace & other

note

Leave to amens
make new parts

Kall R. & Whitford R.

This suit was brought to subject the real estate of
Sam^r Whitford to pay^t of debts in the absence
of personalty. The last man was that the land
he sold unless the heirs should pay the amt,
that the Cov. might fix on its true value -
the land was valued at \$290, after allowing
for what he had sold for his life, Ten dollars
pd. to the Commissioners and a balance
remains of \$280 in the hands of the
Cov. - to pay costs of \$59.32 &
debts of 480.00

519.32
It became necessary to reach the closing
which is done by statute. & herewith filed -
that it is asked to secure the amt in hands
to be pd. to the executor pro rata -

A. Atkinson
att. sol^r

Hall

White

side for the

Count

Isle of Wight County (Trent),

I do hereby certify that at a Court held for the said county the 3^d day of August 1835 On the motion of John G. Whitfield who made oath thereto according to Law and together with Joseph Holladay his security who justifies, entered into and acknowledged their bond in the penalty of Six hundred dollars conditioned as the law directs. certificate was granted the said John G. Whitfield for obtaining letters of administration of the estate of Samuel Whitfield deceased in due form. — Given under my hand this 25th day of August 1835 —

Nath^l Pomeroy J.
"Clerk"

Contg of John G. Whit Hall & Co
files admod^o on Sam^r vs. exhibit a
Whitfields est. files admod. files by pet^r

whitfield

a

Mr. Webb
claim.

L

Tolk
in
Whitfine
of
entitled C

J. Whitfine

to of 12.55-

Mr Samuel Whitfield Jr

1834

To William Follett

July 22 To 2 harts 3/9

" 63

mar 8 " 1 set of hys slings

" 00

" 1 belt & cinchle

1 25-

1835-

mar 14 " 8 yds of cord

" 16

" " 1 pr check straps

" 50

" 1 front leather

" 50

" 6 mobs 18 cts 3 straps 9

31

1 pr of hys Springs

\$ 10.35

2 50
12 85

Mr. Friend
claim

To

I am Sir If you will please
to let Mr Godwin have 100 ^{lb} of bacon
I will settle with you at any time.

May 16. 1835.

Yours respectfully
Saml Whitfield Jr

White
order for
Bacon

William Green

Green

White

White

B.

Received of Mr
Green 100 lb of Bacon
May 17 1825

~~And the above is for order~~

1035. Mr. Samuel Whitfield Junr.

To William Green

Dr.

May 17th To 100 ^{lb.} of bacon delivered to Alexander R Godwin
@ your order @ 12[¢].

\$12:00
H. Green

Green

or



Arch

Whig

le

A. B. Hall
claims

2.

Note assigned to Hall
by Prof. del. to the
Pth. atto. & his order
filed. N. P. Y.

Saml. Whitfield
to { due Bill
D D Hall
\$ 9.70

Hall & Son,
Whitfield,
Main
catcher

Due Sarah - & Hall The sum of
nine dollars & 70 cents on Dick. Jynes
account

Samuel ~~Christie~~ Jr

Sept. 22. 1834

Saml. White

- \$ 4.44

Ball

White

extinct

//// ~~\$8.4~~
I owe Darcen D Hall Eight dollars and
Eightyfour cents for sawing up to this
date given under my hand and seal
This 3rd day of september 1834

Samuel Whitford jun

slain,

Same whet-
-file in
estate in
Chy.

~~entitled to~~
Sept. Rules 1855 filed by
pth atto:

Livy Ashby

to

Mr. Taylor

Has —

to be paid

in S. of
Baccott's

Whitfield

He is

approved of
Ashby's
value

I transfer and assign over to Walter H. Taylor
for H. & all my interest in a claim in
the hands of Archr. Atkinson or altho. at
law is suit in ^{equity} right against
the heirs of ~~Atkinson~~ ^{Atkinson} = ~~Atkinson~~ ^{Atkinson} ~~Atkinson~~
hence this 11th of November 1835 —

Wm

Wm Taylor (2)

J. H. Taylor

Ball ~~and~~

7

Whitfield
Rein ~~to~~

claim, as

exhibit

Septem ber Rules 1835

Filed by pl^t.atto.

$$\begin{array}{r} 62\frac{1}{2} \\ \hline 6.87\frac{1}{2} \end{array}$$

Our Demand we or either of us promise to pay or cause to be paid unto
William Green here the just and full sum of one hundred and fifteen dollars
for value received, for the true payment we bind ourselves our heirs and
administrators to. Given under our hands and seals this the second day
of May nineteen hundred and thirty five.

Teste

B. H. Clark

Samuel Whitfield Jr. (Seal)

Levi Ashby (Seal)

J. H. Godwin (Seal)

Isle of Wight County Court,

I do hereby certify that the above is a true copy
from the original filed in the Circuit Superior Court of Law and Chan-
cery for the county of Isle of Wight in the suit of William Green Sen. against
Levi Ashby and James H. Godwin surviving obligors of Samuel Whitfield
decd. Given under my hand this 12th day of November 1835.

Wm C. Edwards J.C.

Whitfield P.
to 3 copy Bond
Green 3

costs 36 ¢

Grew

17

3 copy Edm: A

Returned

Ashby

K

take evidence
to prove that
Ashby's son in
some son's
Spill in the C. of
Hall's, Whit-
-field Mass &c.

costs 34¢

The Commonwealth of Virginia,

To the Sheriff of Hanover County, Greeting;
We command You, that of the goods and chattels of Levi Ashby, and J. H. Godwin
(surviving obligors of Samuel Whitfield jr. decd. late in your bailiwick, you
cause to be made the sum of one hundred and fifteen dollars with 6% cent
interest thereon from the 2nd day of May 1835 till paid, which William Green
Sut. lately in our circuit Superior court of Law and Chancery hath recovered
against them for debt; also the sum of Five dollars and ninety two cents in the
same court were adjudged for his damages, as well by reason of the said debt,
as for his costs by him about his suit in this behalf expended, whereof they are
convicted as appears to us of record; and that you have the same at the Clerk's
Office of our said court, on the first Monday in January next, to render unto the
said William Green Sut. the debt and costs aforesaid. And have them there
this word. Witness Nathaniel Young, Clerk our said court, at the courthouse,
the 10th. day of October 1835 in the 10th. year of the Commonwealth.

Nath^l. Young

Rec^d. from Levi Ashby and J. H. Godwin the sum of one hundred and twenty
four dollars in full of this execution Octo. 12th. 1835.

17th. Octo: 1835 Hanover Co.

A. Atkinson att. for plt.

The amount of this execution, was paid to me by Archibald Atkinson, who rec^d.
it from J. H. Godwin and Levi Ashby who were securities in the bond on
which it issued Nov. 5th. 1835.

signed Wm. Green Sut.

A Copy Test

Nath^l. Young Clk.

J. H. P. Vesey

elocin

L

Pay to J. H. B. B. B.

Quin^{ty} ~~X~~ Maria
mark

Order

J. Whitful

Oct 10th 1834

\$ 3 and 3^{cts} 50 for work done for me

Samuel Whitfield Jr
Is a g. m. g. t. H.

Bidger for Wilson
& claim

. 1/2

Note sold to A. Atkinson
In order filed.
M. P. T.

to answer James Wilson,
~~Richd. Adkins~~

to answer Richd M
Biglow He: for the bene-
fit of James Wilson

Samuel W. Thayer

of Bond

\$19.50

James Wilson
Bond

30.

Make do.

Wm. Thayer

On demand I have my self & heirs to say Rich^d W.
Bisgood the sum of nineteen dollars and
fifty cents for Value Rec^d & Mch^d my hand and seal.
This 14th day of July 1833

Samuel Whitford Jr Seal

List of Receipts

1861

Jan 1st

Bynes & Terry

claim

Q

Am. Shilful

Vol 3 32 87

Dec 1st - Jan

December 18th: 1835
filled by pl^t. counsel

On him and I promise to pay Pynez & Tracy or
or the just sum of thirty two dollars of the
current money of the above rec'd. which payment
I bind my self & heirs & as witness my hand and
seal this the 4th of June 1834

Test

William Tracy

Samuel Pynez & Tracy

J. D. Gray's
Receipt

1

Del'd to Pth. attor. J
his order filed.

W. P. Gray

Claims presented
by
persons willing to
pay their prob:
of costs

Dec. 4th 1835 Recd. the
amot. of the within note
and Int: making \$22.25-
of Mrs. Holladay White

S. White
for M. M. R. Todd

Saml. White Jr
Note
\$22.05-

2nd P.

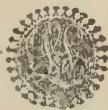
22 Dollars, 5 Cents.

Six months after date *Wes* promise to pay to *Mr. Mr. R. Todd*
his _____ order or Assigns, the sum of twenty two &
Dollars and five Cents, for value received; for which payment well and truly to be made, I
bind my self my Heirs, Executors and Administrators, jointly and severally, firmly by these
presents; as witness my Hand and Seal this the 8th day of April 1835
Teste,

Francis Whitfield

James Whitfield

Holladay Whitfield.



On demand the Eighth day of October Eighteen
hundred and thirty five we Saml Whitfield^{sr} and
Holladay Whitfield or either of us do promise to
pay or cause to be paid unto Joseph Gorovin
Executor of Josiah Nail de^{cd} the just and full
sum of thirty five dollars 75
cents lawful money of Virginia for Value rec^d
for the two payments of which well and truly
to be made we bind ourselves our heirs
executors &c given under our hands and seals
this 8th day of April 1835.

Witness - Mary H Whitfield.

Samuel Whitfield^{sr} Seal
Holladay Whitfield.

Seal

^{Ans}
Sam^l Whitfield

to { Note
Wells Exp^t

$$\begin{array}{r} \$35.75 \\ 34 \quad 2.14.50 \\ 156 \quad 53.62 \\ \quad \quad 893 \\ \hline \$276.05 \\ 35.75 \\ \hline 38.51 \end{array}$$

Pay to John Newman cash
for his account as above without receipt
to me
Joseph Newman

James Whitfield

Bank \$52.

10.20

for

62.20

R

Jan'y 24th - 1837

Recd of Mrs

Holladay Whitfield the within
note in full John Newman

Nine Months pester date we Samuel Whitfield and Hull
aday Whitfield do promise to pay or cause to be paid unto
William Goodwin Administrator of Joseph Goodwin dec'd the
just and full sum of Fifty Two — dollars and
cents current money of Virginia for value rec'd
for the true payment of which we bind ourselves and
each of us our heirs executors, and administrators firmly
by these presence as witness our hands and seals this
16th day of January 1833.

Witness

Wm. C. Cooper

Samuel Whitfield Seal

Hulladay Whitfield Seal

1830

Sept. 29. The Estate of Sarah Whitfield decd.

To John C. Whitfield adm. 40

To this sum, being the amt. found due me
on the settlement of the est.

\$ 10.00

8/2

1/1
5
1/1

This Indenture made and entered into this the twenty first day of December in the year one thousand eight hundred and thirty four between Holladay Whitfield and Samuel Whitfield Jun: of the County of Isle of Wight in the State of Virginia, of the one part, and William Greene of the County and State aforesaid of the other part. Witnesseth the said Holladay Whitfield and Samuel Whitfield Jun: for and in Consideration of the sum of two hundred and ten dollars, lawfull money of Virginia to them in hand paid by the said William Greene, at and before the sealing and delivery of these presents, the said receipt whereof is hereby acknowledged, the the said Holladay Whitfield and Samuel Whitfield Jun: have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto the said William Greene his heirs and assigns, one certain piece or parcel of land situated and being in the Ragged Islands in the County of the aforesaid County and State, adjoining the land of the said William Greene, which is the said William Greene purchased of John G. Whitfield, containing twenty one acres more or less, & is part of the land of which Henry Whitfield did seized and possessed, and bounded as follows beginning at a post in the head of a small gut and running N 35° E. 32 poles to the foot of the Causeway; thence N 35° E. 32 poles in said Green's line; thence N 45° E. 16 poles to a pine in said line; thence N 28° E. 13 poles to a pine in aforesaid line; thence N 30° E. 20 poles to a pine in said line; thence N. 35° E. 22 poles to James River; thence up James River to a marked pine on the bank; thence S 35° W. along a line of marked trees between William Greene and Samuel Whitfield Jun: to a pine near the road; thence to the beginning, together with all its appurtenances thereto belonging. To have and to hold the said piece or parcel of land with all its appurtenances unto the said William Greene, his heirs and assigns, to the only proper use & behoof of him the said William Greene, his heirs and assigns forever. And the said Holladay Whitfield and Samuel Whitfield Jun: for themselves and their heirs, will warrant and defend the right and title of the said piece or parcel of land with its appurtenances unto the said William Greene, his heirs and assigns forever against the Claims and demands of them the

Said Holladay Whitfield and Samuel Whitfield Junr. and
their heirs, and against all and every person and persons
whomsoever - In witness whereof the said Holladay Whitfield
and Samuel Whitfield Junr. have hereunto set their hands
and seals the day and year of the above mentioned -
Signed, Sealed and delivered

Holladay Whitfield *Edw*
Samuel Whitfield Jr. *Edw*

J. M. Hooker
William Perry
John H. B. Vasey

Isle of Wight County Clerk's office, April 7th 1835. This deed
from Whitfield to Grune was proved by the witnesses hereunto
submitted to record.

Teste Nathl. Young Esq.

A Copy - Teste

N. Peyton Young Esq.

Whitfield
to Grune
Deed.

(A copy)

M=

(see 75-9.)

On demand we or either of us promise to pay or cause to be paid unto William Green the just and full sum of one hundred and fifteen dollars for value received for the price payment we bind ourselves our heirs and administrators to give under our hands and seals this the second day of May eighteen hundred and thirty five —

Teste

B. F. Clark

Samuel Whitfield Junr. *Clk*

Levi Ashby *Clk*

J. H. Goswain *Clk*

Attest Teste Nathl. Young Clk.

The commonwealth of Virginia to the Sheriff of ~~Stafford~~ ^{Nassau} County. Greeting, we command you that of the goods & chattels of Levi Ashby and James H. Goswain surviving obligors of Samuel Whitfield J. Esq. late in your bailiwick you cause to be made the sum of One hundred and fifteen dollars with 8% Cent interest thereon from the 2^d day of May 1835 till paid which William Green Junr. lately in our circuit superior court of law and chancery hath recovered against them for debt — also the sum of five dollars & ninety two cents in the same court were adjudged for his damages as well by reason of the said debt as for his costs by him about his suit in this behalf expended, whereof they are convict as appears to us of record — And that you have the same at the Clerk's office of our said court, on the first Monday in January next to render unto the said William Green Junr. the debt and costs aforesaid — And have then then this writ, Witness Nathaniel Young clerk of our said court at the Court House the 10th day of Oct^r 1835 — in the 18th Year of the commonwealth — signed

On which execution are the following
endorsements — Sawt Recd from Levi Ashby and J. H. Goswain the sum of One hundred & Twenty four dollars in full of this execution Oct^r 12th 1835 — (signed) A. Atkinson Atty for plt.
12 Oct^r 1835 Nassau —

The am^t of this execution was paid to me by Arch^d Atkinson who receives it from J. H. Goswain & Levi Ashby who were securities in the bond on which it issued Nov^r 5th 1835 — (signed)
Wm Green Junr.

Satisfied & p^d to plt.

A. Atkinson Atty —

Attest Teste Nathl. Young Clk.

Green

15.

copy bond
of Leon:

Ashby & Goswin

exhibit No. 1.

This Indenture made and entered into this the twenty first day of December in the year one thousand eight hundred and thirty four, between Holladay Whitfield and Samuel Whitfield Jr. of the County of Isle of Wight and State of Virginia of the one part, and William Green, of County and State aforesaid of the other part, Witnesseth the said Holladay Whitfield and Samuel Whitfield Jr. for and in consideration of the sum of two hundred and ten dollars lawfull money of Virginia to them in hand paid by the said William Green at and before the sealing and delivery of these presents, (the said Receipt whereof is truly acknowledged) they, the said Holladay Whitfield and Samuel Whitfield Jr. have granted bargained and sold, and by these presents do give, grant bargain and sell and convey unto the said William Green, his heirs and assigns, one certain piece or parcel of land, situated and being in the ragged Island, in the County of Isle of Wight the aforesaid County and State, adjoining the lands of the said William Green, which be the said William Green purchased of John S. Whitfield, containing twenty one acres more or less, and is part of land of which Henry Whitfield did seized and possessed, and bounded as follows: beginning at a post in the head of a small gut and running N 31° West 14 poles to the foot of the cause way thence N 33° E. 32 poles in said Green's line, thence N. 43° E. 16 poles to a pine in said line, thence N 28° E. 15 poles to a pine in aforesaid line, thence N. 30° E. 12 poles to James River. thence up James River to a marked pine on the bank, thence S 33° West along a line of marked trees between William Green and Samuel Whitfield Jr. to a pine near the road, thence to the beginning, together with all its appurtenances thereto belonging. To have and to hold the said piece or parcel of land, with all its appurtenances unto the said William Green, his heirs and assigns, to the only proper use and behoof of him the said William Green, his heirs and assigns forever. And the said Holladay Whitfield and Samuel Whitfield Jr.,

for themselves and their heirs, will warrant and defend
the right and title of the said piece or parcel of land
with its appurtenances unto the said William Rann, his
heirs and assigns forever, against the claim and demand
of them the said Holladay Whitfield and Samuel Whit-
field Jr., and their heirs, and against all and every
person and persons whomsoever. In Witness Whereof
the said Holladay Whitfield and Samuel Whitfield
Jr., have hereunto set their hands and Seals the day and
Year of the above mentioned

Signed Sealed & delivered
in presence of

J. W. Hooker

William Neary

John H. B. Neary

Holladay Whitfield

Samuel Whitfield Jr.

Isle of Wight County, Clerk's office, April 7th 1835. The foregoing and
was proved by the Witnesses and admitted to record

a copy Teste

Notth. P. Young D.C.

Teste

Notth. P. Young D.C.

Whitfield &c.
to 3 copy of Dad.
Gram 3

Hall &c.

do

Whitfield &c.

exhibit

filed by pcff:

attorney.

File the exhibit in the
 V. Chy. Case - Whitford

14

$$\begin{array}{r} 134 \\ \hline 52 \\ 25 \\ \hline 79 \end{array}$$

20 day -

Whitford (Bia
 in them - 200
 42 -

~~Shirley's~~

Letter to Delana
 to Bay 20 -

~~some papers to~~
~~myself~~
~~with Mother~~
 or - to day

11

325

65

$$\begin{array}{r} 195 \\ 32\frac{1}{2} \\ 16 \\ \hline 243\frac{1}{2} \end{array}$$

Green - or
 Race - Whitford
 Chapman
 Bayfield

Hall Jr

14

Exhibit
filed by J. H.

Whitfield

Jan.
Feb. 21st 1887

Long
W. H.

Chas. H. H.

In the name of God amen, I Henry Whitfield, of the County of Isle of Wight, in the State of Virginia, do make and ordain this my last will and Testament in manner and form following — My Will and desire is that my Executor, herein after named, make sale of my two negroes Esther and George, and such of my chattel estate as may be sufficient to pay my just debts. — Item I leave unto my wife Holladay Whitfield the balance of my estate, both real and personal, during her widow-hood for the purpose of raising and maintaining my children, and at her death or marriage, I dispose of my estate in the following manner — Item I give and bequeath unto my son Samuel Whitfield, after the death or marriage of my wife the land and plantation wherein I now live, provided he pay unto each of my daughters, Frances, Polly Holladay, Margaret Ann and Sarah H. Whitfield, the sum of one hundred dollars as they respectively comes of age or marries to him and his heirs forever. —

Item I give and bequeath unto my daughter after the death of my wife, the balance of my estate, to be equally divided between them and their heirs forever — Lastly, I nominate and appoint my brother Samuel Whitfield Executor to this my last will and Testament. — Witness my hand and seal this 1st day of November 1823. —

Signed, Sealed published & declared
in presence of
Balth. Lightfoot
Robert R. Read
Peggy ^{his} Godwin
Mark

Henry Whitfield Seal

At a court held for Isle of Wight County the 1st day of December 1823. This will was presented in Court, proved by the oath of Balth. Lightfoot and Robt. R. Read two of the Witnesses and ordered to be recorded. —

Attest Nathl. Young Esq.

Copy — Attest Nathl. Young Esq.

Henry Whitfield's
Will.

(a copy)

Exec. V.

in.
Whitfield's 3 exhibit files
by Sept. 1st.

fee 50¢

Be so good as to look into the chg.
papers of Hall & Whitfield,
in a bundle of papers you will
find notes with the note of
low. Sept 1st to May 1839,
are some bonds and affi-
davit the note due to Geo.
W. Bigood, Jas. Nelson & Co. - also
the note due John & Bay, &
the note signed by Pop. to
D. R. Hall - these matters
are all settled, & the papers I
want may be endorsed sold
to ~~the~~ me - the object is to make
the signors pay the balance -

Yours

A. Atkinson

May 15. 1840

Mr. Nathl. Vaux
Clerk.
West. Ct. House

A. Williams order
for claims.

Compl'd with
May 18th 1840.

N. P. Young & Co.

Hale vs. Whitfield bill of costs . . .

2. 56

9. 98

4. 39

final decree &c. 1. 50

clk. in S. Sup. Court . . . \$18.43

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10035 County - see page 42. 100

10036 " " " 0 10

10037 " " " 15 65

10038 " " " 15 1. 61

\$21.05

Comm^{rs} fee 16. 00

Atty^o 16. 87

Shff. 4. 85

\$58.87

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procco

2.

Dr Sir, I have enclosed you the papers you wrote