

1809-011

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BEAL et ux vs. WHITEHEAD etal 10/1809

Great Horned Owl
" " " " " "
White Headed Eagle

Oct 1809 Inty dunes

To the worshipful Court of Southampton County in this
settlement - Humbly complaining shew unto your worship
your under petitioner Jpe Beal & Margaret Beal his
wife who was Margaret Whitehead, widow & relict
of Richard Whitehead decd. that during the year
the said Richard Whitehead departed this life intestate
possessed of ~~some~~ ^{three} slaves, to wit, Darcas, George, and Lydia.
that ~~before~~ previous to the death of the said Richard Whitehead
he requested that his administrator should lay out the
sum of one thousand dollars, in the purchase of a tract
of land for his children, which request has been fully
carried into effect by a decree of this Court, as will
fully appear by the said decree and the report of John
Whitehead administrator of the said Richard Whitehead decd. there
in the Clerk's office of this Court and prayed to be taken
and considered as a part of this bill - Your orator and
oratrix further lay before to this by your worship that
the said John Whitehead administrator as aforesaid, whom
your orator & oratrix pray may be made defendant in
this bill, has nearly completed ~~the~~ his administration of
the estate, so as to ascertain that neither of the above
negroes ~~are~~ is required to be sold for the payment of
the debts - in consequence whereof your oratrix is now
entitled to her dower in the said slaves and also to her
dower in the above mentioned tract or parcel of land
containing 186 ³/₄ acres, purchased by the said John Whitehead
administrator as aforesaid according to the
the before mentioned decree - But so it is, may it please
your worship, that although your oratrix is entitled
to one third part of the said slaves & land as her dower

at the same cannot be reduced into possession on
account of the non age and infancy of Elliott Whitehead,
Edgar Whitehead and Content Whitehead, children of your
orator and the said Richard Whitehead dec., all of whom
your orator prays may be made defendants
to this bill by their guardian & next friend. In tender
consideration whereof the cause being in the premises
can only be led by the intervention of a court of law, your
orator prays that the before mentioned John
Whitehead adm^r as aforesaid, the said Elliott Whitehead,
Edgar Whitehead, & Content Whitehead, may be compelled
to answer all & singular the allegations of this bill
fully, distinctly, perfectly & unreservedly - Whereupon may
it please the Court to decree that one third part of the
before mentioned tract or parcel of land containing 156 $\frac{1}{4}$
acres and one third part of the before mentioned slaves
Marcus, George and Lydia, shall be allotted & set
apart to your orator & his heirs as the dower of your
orator in the estate of the late deceased Richard Whitehead

Your orator prays for any other and
general relief in the premises which may be applicable
proper & they will ever pray &c

To the worshipful Court of Southampton County in Chancery sitting
The answer of ~~Richard Whitehead dec.~~ John Whitehead
adm^r of Richard Whitehead dec. to the foregoing bill of complaint
The said defendant saving & reserving to himself every
benefit of exception to the said bill of complaint, for answer
thinks faith - that he believes the allegations therein contained
to be true & has no objection to the decree which is prayed for.
Having answered &c he prays the same be dismissed &c

Wm Whitehead Ad

The Joint answer of Elliott Whitehead, Edgar Whitehead
& Content Whitehead infant children & heirs of Richard Whitehead
dec., by William Whitehead their guardian & next friend ap-
pointed to defend them, to the said bill of complaint -

The said defendants saving & reserving to themselves
every benefit of exception to the said bill of complaint
by their said special guardian & next friend, for answer
thinks, say, that they believe the allegations therein
to be true & correct & will willingly acquiesce in
the decree which is prayed for by the complainant.

Having answered &c they pray the same be dismissed &c

Wm Whitehead

for

Elliott Whitehead

Edgar Whitehead

Content Whitehead