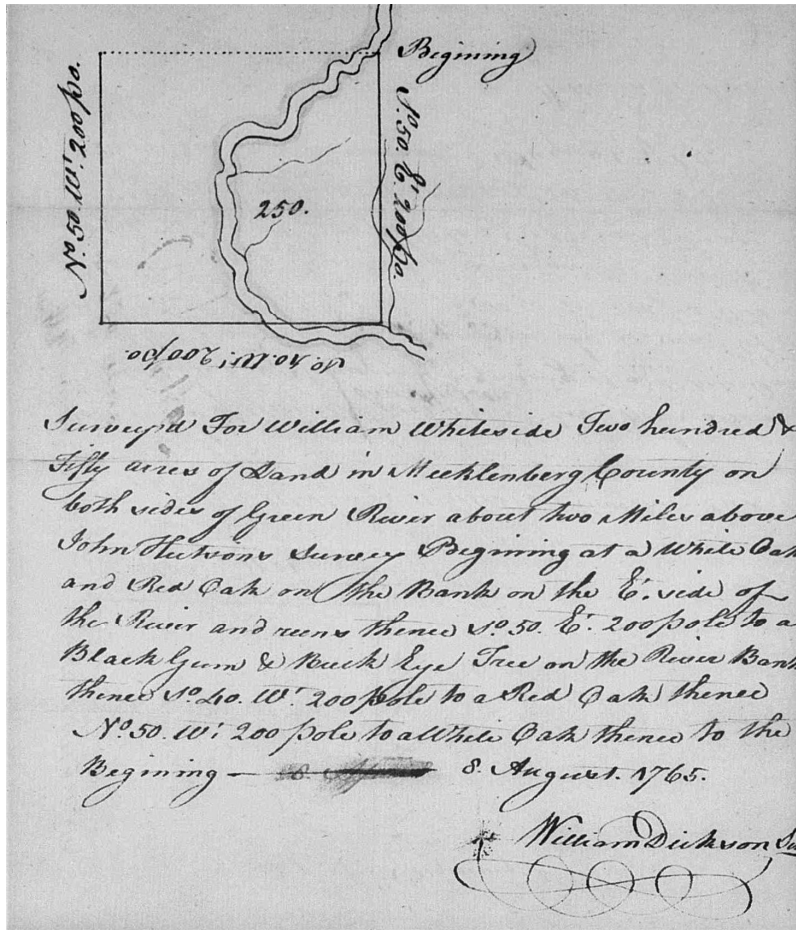


## William Whiteside of Green River

The North Carolina Auditor General's list of land survey warrants dated 6 April 1765 includes 400 acres for William Whiteside in Mecklenburg County "On the No side of Green river between Hutsons & Thomas Reynolds, Including a round hill in the middle of it."

(Warrant No. 120). The surveyor found 250 acres when he made the survey on 8 August 1765. The land was granted to William Whiteside on 25 September 1766 and recorded in Land Grant Book 18, page 263 (Mecklenburg Land Grant File 1398).



The survey describes the land as being on both sides of Green River about two miles above John Hutsons survey. On 5 August 1777 John Whitesides sold this 250 acres to Joseph McDonald. The deed states that the land fell to **John Whiteside** by heirship, he being **the only son of William Whitesides** to whom the land was granted on 25 September 1766. Witnesses to the deed were John Earle, Wm. Nevil, and Jeremiah McDonald. (Tryon/Lincoln Deed Book 2, page 379 transcribed from Tryon Deed Book 10, page 102). The April 1780 minutes of the Rutherford County Court of Pleas and Quarter Sessions reveal that it was "Ord. by the court that Agnes Simmons have letters of administration on the estate of Willm. Whiteside dec'd her late husband. Benj. Hardin joins in admin." Is this the same William?

The Auditor General's list also shows a land survey warrant for 250 acres on 21 December 1768 for Samuel Hays "On the No side of Green River including his own & Hunters improvements & Joining **the upper side of whitesides land.**"

On 30 November 1779 a land grant survey for Samuel Hays for 200 acres on both sides of Green River joining Joseph McDonnell and Edward Hogan was made (Tryon Land Grant File 1729). John Whiteside moved to Georgia by 22 September 1784 when he was issued a Georgia land grant for 287 1/2 acres in Washington County butting and bounding by the Oconee River, by William Hamm's land, by Edward Hogans land and by vacant land (Georgia Land Grant Book DDD, p. 506). On 8 December 1784 a grant was issued to John Whiteside in Wilkes Co., Georgia for 200 acres "butting and bounding north by the Beaverdam Branch westwardly by surveyed land, southwardly by Glens land and eastwardly by surveyed land" (Georgia Land Grant Book FFF, p. 63).

On 10 February 1788 John Whiteside of Greene County, Georgia appointed Thomas Still of Rutherford County his attorney to recover a tract on Green River

in dispute between himself and Joseph McDonald. (Rutherford Co. Will/Sale Bk. A, p. 25). On 19 April 1788 **John Whiteside of Greene Co., Georgia** sold the William Whiteside 250 acres grant on Green River to Daniel McClaran of Spartanborough Co., South Carolina. The deed was signed by **John Whiteside** and **Phebe Whiteside**. Oddly, there were six witnesses James Alford, Daniel Glenn, Samuel Shaw, William Glenn, John McKinney, and Thos. Morris. McKinney and Morris proved the deed in Rutherford court. (Rutherford Original Deed Book G, p. 10, No. 768). The two deeds recorded prior to this one are from Joseph McDonald to Daniel McClaren. On 3 March 1788 Joseph McDonnald of Fairfield Co., South Carolina sold to Daniel McClaren 100 acres on the north sides of Green River. The land had been granted to McDonnald 13 October 1783. Witnesses were Andrew Glen and Reudick Averdill. (Rutherford

Original Deed Book G, p. 8, No. 766). On 20 March 1788 Joseph McDonnel of Fairfield Co., South Carolina sold Daniel McClaren 350 acres on Green River that was granted to Joseph McDonnal on 15 October 1783. The witnesses were the same. (Original Deed Book G, p. 9, No. 767).

On 16 March 1789 John Whiteside and John O'Neal of Wilkes Co., Georgia sold to Alexander King lately from Virginia 200 acres "at this time in Greene County" on Beaverdam Branch in the fork of Ogechee granted to John Whiteside "under the title of Wilkes County" (Greene Co., Georgia Deed Book 3, p. 574).

### **John Whiteside and Wife Phebe Jackson of Nottoway County, Virginia**

Edward Jackson, Senr. of Nottoway County, Virginia on 2 June 1789 for six shillings and the natural love & affection he had for his son-in-law John Whiteside gave him "one negroe girl slave named Winny with all her increase." Witnesses were Jno. E. Jackson and William Holloway. (Nottoway Co., Virginia Deed Bk. 1, pp. 7-8). Edward Jackson, Senr. made his will in Nottoway County on 19 October 1789 and included a bequest to "... my Daughter Phebe Whitesides one negroe Girl named Winney and her increase, which Girl she has in possession with a Deed of Gift for the same on record ..." (Nottoway Co., Virginia Will Bk. 1, pp. 76-78).

Phebe Whitesides made a claim for land in the Louisiana Territory as follows "F. Bates Esqr. Recorder of land titles for Louisiana Territory = Will please to Notice that I Phebe Whitesides Claims a tract of land of Six hundred arpens in the District of Saint Louis by virtue of a grant obtained by my late husband John G. Whitesides from Zenon Trudeau late commander in chief of Upper Louisiana sometime in the year 1798 which claim I Shall undertake to prove by the testimony of James MacKay the said grant being now lost or mislaid - For Phebe Whitesides David Musick." (Record Book C, p. 511, Recorder of Land Titles, French and Spanish Land Grants, Missouri Archives).

A survey plat of 146 acres is recorded in French under date 10 May 1799 at Sa. Luis de Illinois with the Spanish rendition of John Whiteside as "Juan Wesday." Immediately following the plat is recorded a deed from George Wallace and wife Phebe of Marais des Liards to Kinkaid Caldwell of St. Andrew for the same 146 acres "French superficial measure, that is to say 4 acres in front by 36 1/2 acres in length" situated in the fields of said Marais des Liards. It is further stated that the land was acquired "from the Spanish Govnt. by a grant given to my said wife's former husband John Wedsay. The deed is dated 13 January 1805 and has the recorded signature of George Wallace and mark of Phoebe Jackson. (Record Book C, p. 259-260, Recorder of Land Titles, French and Spanish Land Grants, Missouri Archives).

A commissioner's certificate was issued on 10 December 1808 to "the representatives of John Whitesides alias Wedsay claiming under John

Whitesides original claimant" for the 146 "arpens of land," and its image may be viewed at <https://sl.sos.mo.gov/records/archives/archivesdb/ViewImages.aspx?Id=569716>.

The St. Louis County probate files (no. 122 and no. 352) of John Whiteside include an inventory dated 19 March 1803, stating that "the above mentioned property has been valled and apraised by thre men on oath and remains in the hands of Feeby Whitesides the wife of John Whitesides deceased." The three men included David Musick.

On 28 November 1805 George Wallace of the District of St. Louis in the Territory of Louisiana deeded to Phebe Wallace and the children which she had of her former marriage with John Whiteside (**Thomas, Salley, Lucy, Betsey, John, Anna, and Theresa Whitesides**) for "the good love will and affection which be bears toward the said Phebe Wallace and her children" 122 1/2 acres superficial measure on the Marais des Liards purchased from Asa Musick 13 January last. (St. Louis Co., Missouri Deed Bk. A, pp 182-183). In a second deed on the same date George Wallace gave up to his wife and her children any claim he might have on the estate of John Whitesides. (St. Louis Co., Missouri Deed Bk. A, p. 184). The deed to "Kinkaid Callwell" from "George Wallace and Phebe my wife" previously cited and having the recorded signature of George Wallace and recorded mark of Phebe Jackson is entered afterwards. (St. Louis Co., Missouri Deed Book A, pp. 185-186).

The probate file of John Whiteside (no. 122) includes an instrument dated 15 May 1813 by which "Phebe Pruet formerly widow of John Whitesides dec'd but now wife of Fields Pruet" relinquished to the heirs and representatives of John Whitesides all claim to any part of the estate both real and personal that came to her hands from his estate "except so much thereof as will be sufficient for my support during life." She stated that it was to be divided among them agreeable to the customs of the Spanish Government then in force (word "force" stricken) at the time of John Whitesides's death or the laws of descent now in force in this Territory. Fields Pruet also certified on the same date that he was content with his wife's relinquishment. On the same date the trustees of the

property delivered by Phebe Pruet for the heirs and representatives of John Whiteside provided a list of it including "1 Negro woman & her six children named Jerry, Daniel, Jane, Nancy, Lydia & Sally." On 28 May 1814 letters of administration were issued to Thomas Whiteside on the estate of John Whiteside.

By 1819 Winny, the slave of John and Phebe Jackson Whitesides, sued Phebe Pruitt for her freedom and 500 dollars in damages in the Missouri Superior Court, Northern Circuit (case 190). Winny petitioned for herself and her children that about 1795 she was taken from Kentucky and held as a slave in Indiana Territory by John Whiteside and his wife Phebe, that after several years they moved to the [Louisiana] Territory, and she had children afterwards with names Jerry, Daniel, Jenny, Nancy, Lydia, Sarah, Hannah, Louis, and Malinda. She stated that she, Hannah, Lewis, and Malinda were then claimed as slaves by Phebe Pruitt, that Jerry was claimed as a slave of the representatives of Thomas Whitesides deceased, that Daniel was claimed by John Whitesides, that Jenny was claimed by Robert Musick, that Nancy was claimed by Isaac VotEAU, that Lydia was claimed by John Butler, and that Sarah was claimed by Michael Hatton. In 1818 Frances Collard / Callard made an affidavit saying that in 1794 or 1795 she knew Phebe Pruet then the wife of John Whiteside living in the then Territory of Indiana at a place called Whiteside Station, that they had a negro girl slave named Winney living with them for several years, and that the said Whiteside about that time removed to the western side of the Mississippi taking Winny with them. In 1822 Thomas R. Musick made affidavit that Phebe and Fields Pruet separated, that Phebe quit housekeeping and lived among her children without claiming any interest in Winny, and that Winny was possessed by Phebe's children.

In a summary of the case it was stated that Winny proved that Phebe and her then husband resided 20-30 years ago in Illinois and during three to four years there they held Winny as a slave, **having brought her with them from Carolina** after which they moved to Missouri where she continued to be held as a slave. The court charged the jury that if they were satisfied John and Phebe had resided in Illinois with intent for that to be their home, then the 1787 Northwest

Ordinance of Congress for governing the Territory Northwest of the River Ohio stipulated that Winny should have been forever thereafter free. The jury ruled in Winny's favor and she was emancipated and awarded damages of \$ 167.50. Associated suits against Phebe Pruitt by or in behalf of Winny's children resulted in their emancipations and awarding of damages. The judgments were confirmed by the Missouri Supreme Court. According to her St. Louis County probate file (no. 394) Phebe [Jackson Whiteside Wallace] Pruitt died in 1823.

The seven children of John Whiteside and Phebe Jackson and the spouses of the daughters are named in deeds as the children sold their parts of their father's land, all recorded in St. Louis County deed books. Kinkaid Caldwell bought all the shares. **Thomas Whiteside / Whitset** sold on 23 September 1812 (Deed Bk. D, p. 276). **John Butler and wife Elizabeth** sold on 16 October 1812 (Deed Bk. D, p. 275). **Owen Winkfield / Wingfield and wife Sarah** sold on 22 January 1814. **Isaac VotEAU and wife Lucy** sold on 22 March 1814 (Deed Bk. D, p. 420). **Michael Hatton and wife Anna** sold on 21 September 1818 (Deed Bk. H, p. 65). **John J. Whitsett** sold on 14 February 1821 (Deed Bk. K, p. 51). **Michael Sanford and wife Theresa** sold on 18 October 1828 (Deed Bk. O, p. 446).

Was John Whiteside of Green River (whose wife was named Phebe) the same person as John Whiteside who married Phebe Jackson? Curiously, Phebe Jackson Whiteside Wallace Pruitt was well-acquainted with David Musick who married Prudence Whiteside, daughter of James Whiteside of Whiteside Station in Illinois who was son of William Whiteside of Whiteside Settlement in Rutherford County, North Carolina. Was there a kinship between Phebe's husband John Whiteside and the Whiteside Settlement family? David Musick was a son of Abraham Musick and Sarah Lewis who according to William Terrell Lewis in *Genealogy of the Lewis Family in America* moved "to Rutherford county, North Carolina, in 1773 [Green River] and from Rutherford to Illinois in 1794, and from thence to St. Louis county, Missouri, where they both died about the year 1800, near Florissant, twelve miles from the city of St. Louis."