

Foster (Forster), Diana Harris ^[1]

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By Mattie Erma E. Parker, 1986

b. ca. 1644

Diana Harris Foster, innkeeper, was one of the first businesswomen in North Carolina. She came to the colony, then called Albemarle ^[2], with her first husband, Thomas Harris ^[3], about 1665. In a deposition made in 1676, she gave her age as thirty-two. Diana and Thomas Harris lived in Perquimans Precinct ^[4], where Thomas held 600 acres of land granted him by patent and additional land that he bought. In 1665 Thomas was clerk of the Albemarle Council, and he later became public register, or secretary, of the colony. In the early 1670s he operated an inn, referred to in contemporary records as "the house of Thomas Harris." He died in October 1677, leaving a substantial estate in cattle and hogs and other property in addition to his land. He bequeathed his estate to Diana and his two sons, Thomas and John, provided Thomas, who had left the colony, should return within five years. Young Thomas appears not to have returned.

By March 1679/80 Diana had remarried. Her second husband, William Foster, was a widower with two children, Francis and Elizabeth. He was a justice of the county court of Albemarle ^[2] in 1684. Like Harris, he lived in Perquimans Precinct and operated an inn. The county court met at "the house of William Foster" in 1686 and apparently the following year. Foster died in October 1687, leaving his estate to Diana and his two children.

After Foster's death Diana operated the inn, first in partnership with her son, John Harris, and then as sole proprietor after his death in 1693. The fact that the inn went to Harris and his mother, instead of Foster's children, indicates that the property was inherited from Thomas Harris rather than Foster. If so, the establishment known in the 1680s as the house of William Foster was no doubt the one known earlier as the house of Thomas Harris. During the partnership between Diana and her son, the inn was called the house of John Harris. After his death it was called the house of Diana Foster. Although Harris participated in the business to a degree, Diana seems to have been in charge during the partnership as well as afterward. Her chief assistant was one Thomas Hassold, whom she employed to keep books and perform other services. The county court continued to meet regularly at the inn from 1691 to 1693. Its successor, the General Court, met at the same place.

By the time the General Court was organized in September 1694, the inn had yet another name, for Diana had married again. In May or June 1694 she wed Thomas White, and thereafter the inn was known by his name.

Diana's marriage to White proved unfortunate for her and the inn. White, who was fourteen years younger than Diana, was heavily in debt. He took over the financial affairs of the inn and immediately initiated numerous lawsuits to collect outstanding accounts. His own creditors and those of the inn reciprocated in kind. Within a short time there were nearly fifty suits in the General Court involving White and Diana or White individually. The amounts collected by White apparently were not sufficient to pay his debts, for he sold much of his wife's property to satisfy his creditors. White's handling of the business and other aspects of his conduct caused the marriage to collapse. Within a year after their wedding, Diana sued White for separate maintenance, alleging that he had sold most of her household goods and furniture, had ejected her from her home, and had left her "destitute of a Convenient Lodging and all other necessaries."

The inn continued to operate for some months after Diana's complaint to the court, but it was either closed or sold about the end of February 1695/96. No reference to it appears in extant records after 26 February, when the General Court, which had held its winter term there, adjourned. It is likely that Thomas White was stricken with his last illness while the court was sitting. By 8 Apr. 1696 his will had been probated, and creditors had begun to file suit against his estate. Despite his assiduous collection of accounts and his sales of Diana's property, White left debts that far exceeded his assets.

Diana was allowed to have certain goods and furniture from White's estate, but she was left with meager resources. There is no evidence that she resumed business as innkeeper, although she appears to have taken a lodger or two. Her situation was alleviated in 1697, at least to a degree, by a bequest from Richard Bentley, who apparently was related to her.

On 17 Feb. 1703/4 Diana married her fourth husband, Thomas Mercer. The couple went to court the following year in an effort to obtain a tract of land that had belonged to Thomas Harris and had escheated, but the courts ruled against them. Mercer died on 21 Nov. 1706. The date of Diana's death is not known.

John Harris appears to have been Diana's only child. Although Thomas Harris named two sons in his will, it was stated by the son-in-law of John Harris that John was Diana's only son by Harris. If that is correct, Harris's other son, Thomas, was born of an earlier marriage. Diana had no children by her later husbands.

John Harris was married twice. In 1687 or 1688 he married Elizabeth Waller, widow of Thomas Waller and daughter of

George and Ann Durant ^[5]. Elizabeth died shortly after the marriage, and Harris remarried. His second wife, Susanah, gave birth to a daughter, Sarah, on 20 Sept. 1689. John Harris died between May and November 1693. His only surviving child, Sarah, married Nathaniel Nicholson.

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