

Generations 6, 7, 8, 9

THE DUKE FAMILY

by

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“The dry branches of genealogical trees bear many pleasant and curious fruits for those who know how to search after them.”

—Henry Ward Beecher

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THOMAS DUKE IN VIRGINIA

As far as the DUKE family of Virginia is concerned, one of the most revealing and exciting records to come to light is an entry in William Byrd's Title Book. This was the record book of Colonel William Byrd (born in Virginia in 1674), son of William Byrd I, legatee of Thomas Stegge (will proven May 15, 1671), grandson of John Bird, goldsmith of London, and his wife Grace Stegge.

The first William Byrd came to Virginia as a young man. Upon his death in 1704, the extensive lands he held were devised to his son Col. William Byrd, the second of that name in Virginia. Like his father, the second Col. William Byrd was a Councilor of Virginia, a seat he held for thirty-seven years, was receiver-general of quit rents, and otherwise a very important and influential man in the colony. He was educated in England. During his lifetime he added substantially to his vast land holdings and built the Byrd mansion on the James River known as Westover mansion.

It has been said that in the year 1704, according to quit-rent rolls, four persons held one third of the land in Henrico County; William Byrd alone held 180,000 acres.

Gen 11
Gen 11
Gen 10
His father, the first William Byrd, married Mary Horsmanden, daughter of Warsham and Susan Horsmanden of Ham in the Parish Lenham, Kent, and the granddaughter of Reverend Daniel Horsmanden, rector of Ulcomb, Kent, and his wife Ursula St. Leger of Ulcombe, Kent, daughter of Warsham St. Leger (P.C.C., Wills, Penn 58). The first marriage of Mary was between 1667 and 1670 to Samuel Filmer of East Sutton, Kent, and her marriage to William Byrd was her second marriage (Va. Mag. of Hist. & Bio. Vol. 15, p. 181). William and Mary (Horsmanden) Byrd had, besides William Byrd, Susan Byrd who married John Brayne of London, Ursula Byrd who married Robert Beverly, Mary Byrd who married James Duke, and a son Worsham who died young.

Their son (Col.) William Byrd married Lucy Parke on May 4, 1706. Her sister Frances Park married John Custis. They were the daughters of Gen. Daniel Parke, Esqr., a Virginian, who for his services to the Queen was appointed Governor of the Leeward Islands. Gen. Parke married Jane Ludwell, a daughter of Phillip Ludwell (died 1675) and Lucy Higginson. Phillip Ludwell was her third husband. She had been previously married to (1) Lewis Burwell who died in 1653 and (2) William Bernard.

Gen. Daniel Parke died in 1709. His will was proved and recorded in England. An entry in the private diary of Col. William Byrd under date of April 1, 1709, states that on that day he received a "report of the death of my father Parke." Besides the two daughters mentioned, Parke had a third daughter and a son named Daniel Parke to whom he left most of his real estate.

JAMES DUKE
SON OF COL. HENRY DUKE, ESQR.

James Duke, son of Col. Henry Duke, Esqr. (Councilor), was born and reared in James City County, Virginia. Unfortunately, the records of James City County for those years have been lost due to the devastation of fire and war. Apparently, James Duke had no land grants in his name and the land which he later owned was given to him by his father. James married Mary Byrd, daughter of the first Col. William Byrd of Virginia and his wife Mary Horsmanden, about 1700/01.

The will of the elder Col. William Byrd, father of Mary, was written on July 8, 1700, in which he gave "to my youngest daughter Mary three hundred pounds." This clearly indicates she was not yet married, especially in light of the fact that he refers to the two other daughters as "my Daughter Mrs. Susan Brain" and to his "Daughter Ursula" as the "late wife of Robert Beverly." For confirmation of the marriage of James Duke and Mary Byrd the Duke family is again indebted to Col. William Byrd (the second of that name and brother of Mary Byrd), who, obviously had a penchant for record keeping. The secret diary of Col. William Byrd, deciphered and printed in recent years, has provided much needed information on James Duke. The Secret Diary of Col. William Byrd of Westover, 1709-1712, edited by Louis B. Wright and Marion Tingling makes it quite clear that James Duke married Mary Byrd., sister of the second Col. William Byrd of Virginia; that James Duke was the son of Col. Henry Duke, Esqr. whom Col. Byrd visited often. Both Col. Duke and Col. Byrd were members of the Council of Virginia. Notes in the above mentioned diary reveal he frequently rode to his "brother Duke's" and together they went "over the river" to Col. Duke's. Col. Byrd would, on occasion, spend the night with one or the other before returning home or going on to Williamsburg, or to Queen's Creek where his brother-in-law John Custis lived.

In his diary Byrd referred to the wife of James Duke as "my sister," or "my sister Duke." "Brother Duke" was used when speaking of James Duke. He referred to Robert Beverly, husband of his sister Ursula, in the same manner. In his diary on March 4, 1720, he mentioned "my brother Beverly," (The London Diary, and Other Writings- Wright and Tingling)."

The fact that the Chickahominy River had to be crossed to go from the home of James Duke to that of his father, Col. Henry Duke, Esqr., places the home of James Duke on the south and west side of the river while his father lived just over the river on the other side. From land records previously quoted it is obvious that James Duke on a portion of the land his father had by patent in 1690 and 1694. The 1690 grant was on Webb's run near Mattahunk Neck as was the 82 acres Col. Duke had in 1711 and part of the 736 acres granted

him in 1694. It was also near the Birchen Swamp. The Colonel could have assigned land of several acquisitions to his sons, Henry, Jr. and James Duke. The land on which James Duke lived was in James City County until all land south of the Chickahominy River was added to Charles City County in 1720.

Mention is made of James Duke in a patent dated June 16, 1714, when John Woodard of James City County was issued 230 acres of land on the East side of Diaken Swamp including the Swamp and through the Birchen Swamp on Mr. James Duke's line (Va. Land Pat. Bk. 10, p. 191). At that time part of the land below the Chickahominy River was still in James City County, but fell into Charles City County in 1720.

In 1714 James Duke was a Justice in James City County. In 1726 James Duke was a Justice in Charles City County. The Charles City County, Virginia, Order Book, 1717- 1751, mentions James Duke many times with various suits against him. On several occasions he was fined for not going to church. On November 8th, 1749, he is one of the 1,082 tythables in the county listed on page 519.

James Duke died in Charles City County in 1751; It is certain his will was recorded, as later records prove, but the pages containing his will are missing from the back of the book. The following Order Book, 1751-1757, for Charles City County is damaged and pages up to 25 are illegible.

One of his children, Edmund Duke, made a deed in 1771 to land " given me by my father James Duke." The deed refers to land on the Chickahominy River and mentions **Pease Hill**. This certainly places the land owned by James Duke of Charles City County at the spot where Col. Henry Duke, the Councilor, owned land as shown by the following patent:

Patent to Simon Jeffreys, June 16, 1714, 66 acres of land on the upper side of **Pease Hill Creek** formerly granted to John Soane on October 21, 1687 (Va. Land Pat. Bk. 10, p. 162).

Henry Duke, Esqr. owned land adjoining John Soane on Webb's Run)

The above deed is important in that it proves that James Duke owned land along the chickahominy River which had formerly been granted Col. Henry Duke, Esqr. by patent before 1700. It also proves the location was south of Chickahominy River, in that portion of James City County which was added to Charles City County in 1720, as has already been explained. It also proves Edmund was a son of James Duke of Charles City County. The words, " peter-field parish," written without capitals, is thought by some to refer to a man. It is slightly confusing in that no parish of that name could be found in the records, but it seems doubtful the words referred to a man as only Edmund Duke and his wife Jane signed the instrument.

April 3, 1754- Mary Duke and Joab Mountcastle, Executors of the Last Will of James Duke, Dec'd, are defendants in a case against the estate (Charles City Co., Va., Order Bk. 1751-1757, p. 51).

Joab Mountcastle was a son-in-law of James Duke. *Gen 10* Mary was the widow of James Duke; a few years later she married Richard Corbett. By that time she was over sixty-five years of age. James and Mary (Byrd) Duke had a number of children including the Henry Duke and Mary Duke mentioned below.

May 4, 1758, Mary Duke Infant and orphan of James Duke, dec'd, with the approbation of the Court made choice of Richard Corbett for her guardian who together with Stephen Bowry and Edward Minge his Securities entered into and acknowledged their bond for securing the sd orphan's Estate and indemnifying the Courts (Charles City Co., Va., Order Bk., 1758-1766, p. 17).

April 2, 1761, Elizabeth Poindexter vs. Richard Corbett and Mary his wife and Joab Mountcastle, the Exers of James Duke, dec'd, Defts etc. (Charles City County, Va., Order Bk, 1758-1766, p. 273).

Gen 10 On May 6, 1770, Richard and Mary Corbett deeded to Henry Duke of Charles City County a water grist mill called and known by the name of Duke's Mill. Witnessed by Francis Timberlake, Mary Hillard, and Sarah Marston. Proved December 26, 1771 (Charles City Co., Va., Bk., 1766-1774, p. 353 & 354).

An accounting of the Estate of James Duke, Dec'd, was returned in 1768 by Richard Corbett. It was a detailed account covering all debts and obligations paid by the executor from 1751 to date of return. It even included the amount paid the Reverend Peter Fontaine for the funeral service. It listed assets of 221 pounds twelve pence and 6 farthings, and amounts received totaling 367 pounds, 13 pence, and 3½ farthing.

" In obedience to an order of the Worshipful Court of Charles City County" the return of Richard Corbett, executor of the Estate of James Duke, Dec'd was examined by George Minge, William Green Muntford, and Thomas Ballard who found a balance of 93 pounds 10 pence and 1 farthing due Richard Corbett. Recorded May 11, 1768 (Charles City, Co., Va., Deeds Wills, etc. 1689-1774).

No division of property or other estate records could be found. James Duke and his wife Mary (Byrd) , probably, had more children than those given in the following pages.

Children of James Duke of Charles City County, Virginia

Joab Mountcastle, one of the executors of the James Duke Estate, was a son-in-law of James Duke, having married his daughter Anne. Joab Mountcastle died early in 1773. In his will written the 5th of September, 1770, proved in Charles City County on May 5, 1773, he mentioned his wife Anne; sons: John, David, William, Benjamin, Edmund, Joseph, Richard, and Henry Mountcastle; his daughters: Elizabeth Fear (Ferrer), Mary Lanced, and Sary Charles. Witnessed by John Christian, Samuel Christian, and Eaton Nance. Securities were John Christian, William Marston, and Henry Duke (Charles City Co., Va., Will Bk. 1766-1774, p. 447).

In October 1801, Edmund Taylor, Guardian of Mary Marten (Marston) Duke, bought household and kitchen furniture of Joseph Adams (Granville Co., N. C. Will Bk. 5, p. 187).

Henry Duke, son of James Duke, made his will on December 9, 1789. He gave to his son-in-law Benskin Hopkins "one negro named Isham." He devised the remainder of his estate to his wife, Elizabeth Duke, during her natural life and after her decease the plantation to his "neice Mary Marston Duke daughter of Edward (Edmund) Duke, dec'd." He willed the residue be divided between his son-in-law and his neice. Witnessed by Samuel Pryor, Richard L. Lacy, John Walker, and John Williams. Proved on July 16, 1795 (Charles City Co., Va., Will Bk., 1789-1808, p. 213).

Elizabeth, wife of Henry Duke, may have been a daughter of John S. Marston whose estate was settled on March 3rd, 1772, with John Christian administrator. Amounts were paid to Henry Duke and to Sarah Marston (Charles City Co., Va., Deeds & Wills, 1689-1774, p. 127).

Henry Duke guardian of the "Infant John Soane Marston" son of John Marston, entered an accounting on August 7, 1771, and again in August 1774 (Charles City Co., Va., Deeds & Wills, 1689-1774, p. 469).

There were many connections between the Christian, Duke, Lacy, Southall, Lightfoot, and Soane families. Benskin Hopkins, born about 1765, son of James Hopkins and his wife Elizabeth Marston, married Mildred Duke, daughter of Henry Duke. William Marston was sheriff of James City County in 1714 at the same time that James Duke and Henry Soane were justices in that county. Henry Soane Sr. had a grant in James City County in 1651 on the east side of the Chickahominy River for transporting himself and wife Judith; daughters Judith and Elizabeth; sons Henry and John Soane. A son William son was born later.

Elizabeth Soane, daughter of Henry Soane, Jr., married Benskin Marston (died 1750), son of William Marston. Elizabeth died in 1759 at the age of 55. The wife of William Marston was Frances Benskin, who had been previously married to Thomas Lightfoot. John Soane in his will mentioned his brothers, Peter Field and William Soane. Peter Field married Judith Soane, born 1646. Col. Henry Duke, Esqr. had land adjoining John Soane.

William Duke, son of James Duke of Charles City County

John
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William Duke the eldest child of James Duke and Mary Byrd was named for his grandfather Col. William Byrd who died in 1704/5. When William Duke was less than ten years of age he went to live with his uncle at Westover on the James River.

Col. William Byrd (second of that name) took much pride in the fact that he had been educated in England where he had been exposed to culture and polish that most of his colonial contemporaries could not equal. He

felt an obligation to pass on to others the benefits of these advantages. It was his custom to take over sons of his neighbors, to teach them, and to otherwise train them. These children were not bound to him. In his diary under date of July 29, 1711, he wrote, " I gave Will Eppes leave to see his mother" Two weeks later, on August 14th he stated, " I let Mrs. Eppes know she need trouble herself to bring her son no more because I would have no one that would not follow orders."

Col. Byrd is known to have taken into his home the two orphaned children of his " sister Brayne (Susan Brayne)" who lived and died in England. He was seemingly a strict disciplinarian who tolerated no foolishness and according to tradition taught them to work (Secret Diary of Col. Wm. Byrd of Westover, 1709-1712).

There is no recorded proof that William Duke was the son of James Duke and his wife Mary Byrd. However, the conclusion was reached only after years of intensive, painstaking, and exhausting research. All other conceivable possibilities were checked and one by one ruled improbable. The search lead through all the court records and much printed material of Isle of Wight, Surry, Prince George, James City, and Charles City Counties. No stone was left unturned. Finally, the constant association of Col. William Byrd with the Duke family, the confirmation of the marriage of James Duke to Mary Byrd, plus the strong family tradition that William Duke was reared by Col. William Byrd seemed too persistent to be ignored.

It would certainly be reasonable to presume that Col. William Byrd would and did take over and educate a child of his sister Mary. A hand typed history of the Duke family of North Carolina has been passed around for many years. A copy still being circulated states that William Duke, who died in North Carolina, was reared by and lived with Col. William Byrd of Westover. The history has this to say of its origin:

"This is a copy verbatim written by George Wortham (about 1875), lawyer of Granville County, North Carolina, a colonel in the late War of the Confederacy. This history was obtained from the late Lewis Y. Christmas (born about 1800) of Warren County, North Carolina, who was a retired gentleman of high veracity and integrity and who devoted himself to the collection of family genealogy; and also from letters and other information obtained by said Wortham and is in the main a correct history."

The beginning of the history speculates that William Duke was a younger son of Rashleigh Duke, Esq. of Hayes Farm, Devonshire, England. This portion, it seems, can be dismissed as pure conjecture and incorrect as it has been quite aptly pointed out by Jane Morris in her book, *Duke-Symes Family* (p.92), but the remainder of the history seems to be factual and can hardly be disputed, especially that portion beginning with William Duke and his descendants. Mr. Wortham wrote that William Duke, in 1709, went to live at Westover "with

of Isle of Wight County. By that will John Duke was clearly an elder son and, as later records will show, William Duke was at least ten years older than John Duke by which the supposition that they were brothers becomes moot.

On October 28, 1745, John Duke sold his holdings on Reedy Creek to Sterling Clack who had, by this time, already acquired the Baker tract (Brunswick Co., Va., Deed Bk. 3, p. 96). On May 11, 1744, William Duke sold his land to Lewis Parham (see later). On December 5, 1745, Nathaniel Green sold one half of his land to Lewis Parham (Brunswick Co., Va., Deed Bk. 3, p. 113). Lewis Parham the remaining half of the 282 acres of the Green tract from the heirs of Nathaniel Green on February 16, 1749 (Brunswick Co., Va., Deed Bk. 4, 75).

gln 9
As nearly as can be determined William Duke was born about 1701. His children were born after 1720 and were grown in the 1740s. He was twice married. His first wife was the mother of his known children and was dead by 1737. Her given or surname may have been Thamar (Thamor) as this name persists in the various Duke lines of descent for several generations. William Duke had a daughter by that name who married Peter Greene, son of Edward. William Duke had sons, William, Samuel, John, and Joseph Duke. There could have been other unidentified daughters, but the four sons seems to have been all that he had.

After the death of his first wife, William Duke married Elizabeth Bartholomew, the widow of John Bartholomew. The Inventory of the Estate of John Bartholomew was recorded in Brunswick County, Virginia, in 1735 (Brunswick Co., Va., Will Bk. 1, p. 234).

Besides his widow Elizabeth, John Bartholomew left one young son, Charles Bartholomew. Her marriage to William Duke took place before August, 1737, as proven by the document below:

August 4, 1737 - "On petition of John Butler against William Duke who intermarried with Elizabeth Bartholomew late Relict of John Bartholomew Dec'd for two pounds one shilling nine pence of current money due by the balance of an amount the said Butler having proved the same according to law the said Duke appearing at the Bar and having nothing to object to the amounty against the Party . . . at the motion of the Party Butler's attorney judgment granted him for the aforesaid, etc. (Brunswick Co., VA., Order Bk. 1, p. 171)."

William Duke gives to his son William Duke

gln 9
July 1, 1742 - William Duke the Elder of Brunswick County, Virginia, and Elizabeth his wife conveyed to "William Duke the Younger of the same county and state for five shillings and Love and Affection all that certain tract of land on the south side of the Fork of Reedy Creek containing 317 acres and bound as of Patent bearing date of September 28, 1728, etc. (Brunswick Co., Va., Deed Bk. 2, p. 168)."

With this act William Duke gave to his eldest son, William Duke, all his land in Brunswick County. It can thus be assumed that William Duke, Jr. had reached manhood and had married, or contemplated marriage, at about that time. He did, by 1744, marry Mary Green, a daughter of Edward Green of Brunswick County who lived on Fountain's Creek. The marriage took place after October 2, 1740, when Mary, as Mary Green, proved a deed made by her father Edward Green (Brunswick Co., VA., Deed Bk. 1, pgs. 486-489). *John*

On May 11, 1744, William Duke the Younger and Mary his wife and William Duke the Elder and Elizabeth his wife sold to Lewis Parham, all of Brunswick County, " all that parcel of land granted unto the sd William Duke the Elder by Letters Patent September 28, 1728 containing 317 acres, etc. (Brunswick Co., Va., Deed Bk. 2, p. 463)."

Thereafter William Duke and his family disappeared from the Virginia records. They moved to North Carolina where another son, Samuel Duke had preceded them. Sameul Duke " proved his rights" at New Bern, North Carolina, on November 10, 1743 (Colonial Records of North Carolina -- Clarke, Vol. 4, p. 40).

William Duke and his sons had a number of land grants in North Carolina. William Duke, Sr. received 600 acres in present Warren County before 1746 as subsequent records will show. Until 1746 that part of North Carolina was Edgecombe County. It was not until 1779 that it became Warren County.

On April 20,th of 1745 William Duke petitioned for a grant of 300 acres of land (Colonial Records of North Carolina-- Clarke, Vol. 4, p. 763). He received the grant as on March 3, 1746, William Duke of Granville County (that part of Edgecombe County became Granville County in 1746) sold to Edward Green of Brunswick County, Virginia, a tract of land on Reedy Creek in Granville County, North Carolina, containing 300 acres " Beginning at a white oak thence . . . up the Swamp to the first station Being a tract of land granted the sd William Duke by Patent bearing date New Bern April 20, 1745." Witnessed by West Harris and James Ross. Proved at the March Court, 1746 (Granville Co., N.C. Deed Bk. A, p. 15).

After the sale of the 300 acres of land to Edward Green on March 3, 1746, William Duke the Elder still held 300 acres of land he received by patent on April 20, 1745. These were, certainly, two different tracts of land as Edward Green retained possession of the 300 acre tract he bought from William Duke until 1750 when he deeded it to his son Peter Greene for five shillings (Granville Co., N.C., Deed Bk. B, p. 234).

William Duke gives to his son John Duke

On March 4, 1746, one day after William Duke sold land to Edward Green, William Duke (Sr.) of Granville County conveyed to " John Duke my well beloved son " of Granville County, a tract of land containing 250 acres on O'Pos-

by his certain Writing Obligatory did bind himself that if the said Samuel Duke should be convicted in the Action afd. that he should pay all such damages as should be adjudged to the sd Charles King or render his Body to Prison for the same or that the sd William Duke would do it for him as the sd Writing Obligatory manifestly appears. But the sd Samuel Duke the Debts and Damages afd. to the sd Charles King hath not paid nor his Body to Prison hath rendered as by the sd Charles King.

We are informed, Therefore We Command you that by good and lawful Men of your Bailiwick you make known to the sd William Duke that he be before Our Justices at Our Next Court to be held by the sd County at the Court house on the First Tuesday in March next to show cause if any he can why the sd Charles King Execution agn. him of the Debt & Damages afd. ought not to have according to the sd form of the sd Writing Obligatory if to him it seems Expedient. And have you there then the Names of those by whom you shall make known, and this Writ. Witness Daniel Weldon Clerk of Our sd Court the fourth day of December A.D. 1755. And in the XXIX year of Our Reign

DANL. WELDON C. C.

Death of William Duke, Senr.

gmg
William Duke, Senr. died early in 1775. He left no will. He had given to his children in his lifetime, and had retained for his own use only fifty acres of land in Bute County. Seemingly, he arranged for the disposition of those remaining acres prior to his death by deeding it to one of his grandsons. The fifty acre tract was part of three hundred acres he had by patent in Granville County, (now Bute) on April 20, 1745. In 1746 he gave two hundred and fifty acres of the 300 to his son John Duke. His son John Duke died in 1755 and

his widow, Mary (Myrick) Duke later married Matthew Edwards. William Duke, probably with the intent that the two hundred and fifty acres of land, he had given his son John, should be conserved for the sons of John Duke, bought the land back from Mary and Matthew Edwards in 1763 and gave it to Matthew Duke and John Duke (Jr.), sons of John Duke. After 1771 Matthew Duke was in full possession of the two hundred and fifty acres and lived adjoining his grandfather William Duke, Senr. Matthew was the elder of the two grandsons and was grown by 1765 while John (son of John) was still a minor. In 1772 William Duke was an old man. His last recorded act was the transfer of his fifty remaining acres of land to Matthew Duke. The deed written in 1772, and recorded after his death, was a conveyance by William Duke, Senr. to Matthew Duke, both of Bute County, for six pounds current money " a parcel of land in the County of Bute on tanphat Branch being the Plantation whereon William Duke now lives, containing by estimation fifty acres

WILLIAM DUKE, JUNR., SON OF WILLIAM DUKE, SENR.

gms
William Duke, Junr. born in Brunswick County, Virginia, was grown by 1742, at which time his father, William Duke, and Elizabeth his wife of Brunswick County, conveyed to him for five shillings and "love and affection" the 317 acres granted the elder William Duke on September 28, 1728 (Brunswick Co., Va., Deed Bk. 2, p. 168).

gms
By 1744 William Duke, Junr. was married to Mary, a daughter of Edward Green of Brunswick County. On July 17, 1744, William Duke, the Younger and Mary his wife joined with William Duke the Elder and Elizabeth his wife in conveying to Lewis Parham, all of Brunswick County, Virginia, the same 317 acres mentioned above (Brunswick Co., Va., Deed Bk. 2, p. 463).

gms
Mary Green was not yet married when on June 17, 1740, she, as Mary Green, along with her brother Joseph Green and John Peterson, witnessed a deed made by her father Edward green to Alexander Sutherland, all of Brunswick County, Virginia, for 300 acres of land on the south side of Fountain's Creek in Brunswick County. The deed was proved by Mary Green and John Peterson and recorded October 2, 1740. It was later proved by Joseph Green separately (Brunswick Co., Va., Deed Bk. 1, pgs. 486-489).

The Duke and Green families left Virginia between 1742 and 1750 and 1746. William Duke, Junr. became a wealthy and influential man in the County of Granville, which became Bute County in 1764 and finally Warren 57

Page 55- Paragraph 4- lines 3 through 5 should read:

"of Granville which became Bute County in 1764 and finally Warren County in 1779. He was listed in the 1790 United States Census of Warren"

Academy in 1787 and was one of six commissioners appointed to lay out the town of Warrenton, North Carolina. The Commissioners were directed to lay off and set apart, out of the 100 acres already purchased, a lot or square convenient and sufficient for a courthouse, prison, stocks, etc. They were also to lay out one hundred lots of at least one half acre each with convenient streets and squares, the remainder, if any, to remain for the use of the town. No one person was to be permitted to buy more than six lots and purchasers were required to build within three years a brick, stone or well framed house not less than twenty-five feet long and sixteen feet wide with a brick or stone chimney.

William Duke, Junr., obtained by purchase and by patent thousands of acres of land in what eventually became Warren County. He appropriately named his plantation Purchase Patent. The name is mentioned in a number

Winnifred and Jonathan Davis had a number of children. They were William, Green, Wiley, Jonathan, Jr, David, Lucy, Ann (Nanny), Mary, Martha, and Winnifred Davis. Jonathan Davis, Jr. married Susan Wortham, a granddaughter of William Duke, Sr. Nanny Davis married William P. Duke, son of Green Duke. Jonathan Davis died in Wilkes County, Georgia in 1818.

Settlement of the Estate of William Duke (Jr.)

2008
William Duke died intestate in 1793. A small part of the estate was disposed of by a nuncupative will made on his deathbed in the presence of Jonathan Davis and Winnifred Davis and Green Duke. He requested "all his tobacco, except one hundred pounds of it, should go to his son Green Duke." the one hundred pounds was to go to pay Torrence and Turnbull. At a Court of Warren County on October 26, 1793, the nuncupative will was declared to be of the best knowledge and recollection of Jonathan and Winnifred Davis. It was ordered recorded at the April Session by the Superior Court of Law for Halifax District, North Carolina, in 1796 (Warren Co., N. C., Will Bk. 8, p. 278).

A very lengthy inventory of the personal estate of William Duke was presented at the November Court of Warren County in 1793 by Green Duke, Administrator of the Estate of William Duke and ordered recorded. An accounting of Sales of the Estate of William Duke, Dec'd totaling 576 pounds seven pence and 8 farthing was recorded at the February Court in 1794 along with an accounting of the division of the negroes belonging to the estate. The division was made in obedience to an order of the Court that directed Phil Hawkins, John Wortham, W. E. Johnston, and J. Turner to appraise and divide them. There were six lots, each valued at 620 pounds, 13 pence, and 10 farthings as follows:

- 4008
- Lot (1) to Mrs. Duke (widow of William Duke, Dec'd)
 - Lot (2) to Edward Jones behalf his wife (Thamar Duke).
 - Lot (3) to Captain Thomas Christmas behalf his wife (Sarah Duke)
 - Lot (4) to Robert Jones behalf his wife (Ann, or Nanny, Duke)
 - Lot (5) to Green Duke
 - Lot (6) to Isaac Howze behalf his wife (Mary Duke)
- (Warren Co., N. C., Will Bk. 7, p. 78).

In 1794 the legatees of William Duke, Dec'd agreed upon a division of the bonds. The Administrator returned the account and acceptance of the Division which was recorded in 1797. The agreement bears the signatures of Robert Jones, Edward Jones, Green Duke, Thomas Christmas, and, signing in behalf of Isaac Howze and his wife Mary were their children, William Houze, Edmund

Mary Duke, Daughter of William Duke and his wife Mary Green

Mary Duke married Isaac Howze; the name is spelled variously Howze, House, and Houze. The family came to what is now Warren County, North Carolina, from Brunswick County, Virginia, where their association with the Duke family began.

In 1794, Isaac Howze, in behalf of his wife Mary, received her lot of negroes from the estate of her father, William Duke. Isaac Howze and Mary, seemingly, died between that time and 1797 when four of their children, Edmund House, John Howze, William Howze, and Daniel Jones in behalf of his wife Mary (Howze), signed the Agreement of Division of the bonds belonging to the Estate of William Duke. Daniel Jones was from Granville County, North Carolina.

John B. House (Howze) went to Tennessee as did many folk from North Carolina. He died in Henry County, Tennessee. His will, dated January 27, 1846, bequeathed to his wife Elizabeth; to his sons John B. House and William L. House; to daughters Jane House, Mildred Melvina House, Mary Jane House, Sarah Ann Stovall; to the children of his deceased daughter Martha House, Sarah, Elizabeth, and Thomas; to his daughter Elizabeth Ann Duke. He appointed Elizabeth House, William House, and Amos Milliken executors (Henry Co., Tn., Wills, 1844-1856, p. 276).

Elizabeth Ann House married her relative William Duke of Henry County, Tennessee. He was the son of William Parham Duke, formerly of Warren County and his wife Rebecca Kirk of Tennessee. Additional information on Elizabeth Ann (House) and her husband William Duke can be found in the record of William Parham Duke in this book.

William Houze married Burchet Robertson on May 9, 1785 (Warren Co., N.C., Marriages).

Green Duke, only Son of William Duke and Mary Green

Gen 7
Green Duke was probably not yet born when William Duke and his wife Mary migrated with his parents and brothers to what is now Warren County, North Carolina. Green's parents were married in Brunswick County, Virginia, about 1742. Many of their friends and relatives remained in Virginia, while others joined the general migration into North Carolina after 1740. Many close friendships and some kinships developed in any given area in those early times that resulted in lasting family ties despite distances and lack of fast communication. Therefore, although many years had past, it is not surprising that Green Duke later met and married Miss Parham of Brunswick County, Virginia, where the Duke family lived prior to their settling in North Caro-

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lina. In Brunswick County the Parham family was a next neighbor to the Duke family. It was to Lewis Parham that William Duke sold his plantation in 1744.

It has been mistakenly stated many times that Green Duke married Elizabeth Parham, daughter of Lewis Parham; due, no doubt, to the fact that Green Duke had one son named Lewis Parham Duke and another named William Parham Duke. No other proof has ever been offered.

Lewis Parham who lived in Brunswick County was a son of Ephraim Parham of Surry County, Virginia, who wrote his will, in Surry, in 1726. Ephraim bequeathed to his wife Frances; to his son Ephraim Parham; to his son Lewis Parham he devised, when Lewis became twenty-one years of age, a plantation on the north side of the Meherrin River containing 180 acres of land and a tract of land on Reedy Branch (this land adjoined the Duke land); to daughter Frances the wife of Hinchey (Hincea) Mabury; to grandson James Parham. Witnessed by Peter Green, John Whittington, and Richard Raines (Surry Co., Va., Will Bk. 7, p. 41).

It is generally believed that Frances, wife of Ephraim Parham, was Frances Green, sister of Peter Green, one of the above witnesses, and related to Nathaniel Green who sold land to Lewis Parham in 1745. When Lewis became of age he settled on the land in Brunswick County left to him by his father Ephraim Parham. He had a number of children, one of them was Lewis Parham, Jr., and another was James Parham.

Lewis Parham, Sr. gave to his sons Lewis, Jr. and James Parham, jointly, a grist mill on an acre of land. In 1742 Lewis Parham, Jr. gave his half interest in the mill to his brother James Parham (Brunswick Co., Va., Will Bk. 2, p. 238).

James Parham was in North Carolina for a time, but later returned to Brunswick County, Virginia, where he died in 1791. It was probably during this stay in North Carolina that Green Duke married his daughter Mary Parham. The marriage is proven by the will of James Parham written September 4, 1790. The will of James Parham was proved on April 25, 1791. In it he devised to his wife Mary Parham; to sons, James, Ephraim, Lewis, and Nathaniel Parham; to daughters, Elizabeth, Susannah, Ann (Nancy), Rebecca Hill, Mary Duke, Frances Randol, and Sary (Sarah) Atheison (Brunswick Co., Va., Will Bk. 5, pgs. 422-424).

It should be noted as secondary proof that the daughters of Green Duke and his wife had almost identical names to those of the daughters of James Parham. The daughters of Green Duke were Sarah, Elizabeth, Susannah, Martha (Patsy), Rebecca, and Ann (Nancy).

Green Duke was on the List of Taxables of Bute County in 1771 with five polls. In 1784 he bought 850 acres of land from his father, William Duke. According to a Tax List of Warren County (formed in 1799 from part of Bute County), Green Duke had, in the year of 1784, 1,954½ acres of land, one white poll and eighteen black polls. In the 1790 Census of Warren County

Green Duke was listed with forty-five slaves and his father, William Duke, with fifty-three slaves.

William Duke was dead by 1793 and Green Duke was administrator of his father's estate from which he received a large inheritance. This, together with that which he already had made Green Duke a very wealthy man. On the 1799 Tax List of Warren County Green Duke was charged with 5,566 acres of land and forty slaves. The home he built for his family in Warrenton, North Carolina, still stands.

Green
Green Duke made his will on February 14th, 1811. It was exhibited and proved by the witnesses at the May Court of Warren County in 1811.

Will of Green Duke ✓

In the name of God Amen. I, Green Duke Senior of the County of Warren and State of North Carolina being of sound mind and memory do make and ordain publish and declare this my last Will and Testament in manner and form following (to wit)--

Item, I give to my son William P. Duke all my land on the east side of the new road that runs through Purchase Patent

Item, I give to my son Lewis P. Duke the following negroes

Item, I also give to my son Lewis P. Duke the following tract of land and five negroes in trust for the benefit of my son Green B. Duke

Item, I give to my daughter Elizabeth Hunt the following negroes

Item, I give to my daughter Sally Fitts the following negroes

Item, I give to my grandchildren Susannah Callier, Polly Callier, Rebeckah Callier and Patsy Callier three hundred dollars . . . the above is the proportion of my estate that I have given James Calliers children which together with what I have paid for him will make him equal.

Item, I give to my daughter Patsey Lytle the following negroes

Item, I give to Polly Wortham three hundred dollars

9/17
Item, I give to Patsey Lanier three hundred dollars . . . this is the part of my estate given to my daughter Rebeckah Washington's two daughters instead of herself.

Item, I wish my executors to retain in their hands out of my estate one thousand dollars and to apply it as they think best for the support of my daughter Nancy Clanton

And I do constitute nominate and appoint my two sons William P. Duke, Lewis P. Duke and my two sons in law Henry Fitts and Thomas Hunt Executors of this my last will and Testament -- In witness whereof I have set my hand and seal this 14th day of February in the year of our Lord 1811.

Green Duke (seal)

Signed sealed and published
and declared in the presence of
Robt. Park
Phillip C. Pope

Warren County May Court 1811

This last will and Testament of Green Duke senr Dec'd was exhibited in Open Court for probate and proved by the oaths of Robt. Park and Phillip C. Pope subscribing witnesses thereto whereupon Henry Fitts one of the Executors named in the will qualified according to law.

Wm Green C. C.

(Warren Co., N.C., Will Bk. 16, p. 31).

Daughters of Green Duke of Warren County, North Carolina

Martha Duke

Martha (Patsey) Duke married Archibald Lytle. In 1802, he was security for the marriage bond of Thomas Hunt and Elizabeth Duke, youngest daughter of Green Duke.

In 1776 Archibald Lytle was living in Granville County on the road to Hillsboro in Orange County, North Carolina. During the Revolutionary War, he was Captain of a North Carolina Regiment. William and Harydman Duke of Orange County, stated in their pension applications that they had sold their Revolutionary War bounty land to Archibald Lytle. Sometime after the war, Arch Lytle and his family settled in Williamson County, Tennessee, where between 1806 and 1808 ~~where~~, he bought land from John Nichols (Williamson Co., Tn., Deed Bk. A, p. 381).

Williamson County tax records for the year of 1813 show Arch Lytle owner of 2004 $\frac{1}{4}$ acres of land on the Big Harpeth River with one white poll and six black polls. When his brother-in-law, William Parham Duke, went to Tennessee, Arch Lytle was witness to a deed of sale from Joseph Lon to William Parham Duke, Williamson County, 1823

There are numerous entries in the records of Williamson County in which Arch Lytle and his sons are a party. Also, many marriages of this family are recorded in Williamson County, Tennessee.

Rebecca Duke

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Rebecca Duke, one of the daughters of Green Duke and his wife Mary Parham, was married in Warren County to Lewis Lanier. The marriage bond is dated May 4, 1785, with Thomas Christmas, bondsman.

Lewis Lanier was the son of Thomas Lanier who died in Warren County in 1804 or 1805. Thomas Lanier was twice married. His first wife, Elizabeth Hicks, was the mother of his children. His second wife was Frances Clanton. This second marriage was that of an older couple, both with grown children.

Frances Clanton was the widow of William Clanton and the mother of Edward (Edy) Clanton who married Nancy Duke, another daughter of Green Duke and his wife Mary Parham. Frances Clanton Lanier married, thirdly, Matthew Duke, grandson of William Duke, the Elder, of Granville and Bute Counties. Her first husband died in 1789 (Warren Co., N.C., Will Bk. 5, p. 205).

Lewis Lanier died intestate in 1799. On November 21, 1799, Rebeckah Lanier, widow of Lewis Lanier, relinquished her right of administration to William P. Duke. Green B. Duke was the witness (Warren Co., N.C., Will Bk. 10, p. 147).

William P. Duke qualified as administrator of Lewis Lanier, Dec'd on November 28, 1799, and posted bond with Edward Christmas and Thomas Christmas as his security (Warren Co., N.C., Will Bk. 10, p. 160).

At the February Court in 1800 William P. Duke qualified and posted bond as guardian of Polly H. Lanier, orphan of Lewis Lanier, Dec'd (Warren Co., N.C., Will Bk. 10, p. 203).

At the August Court in 1800 Rebeckah Duke Lanier was appointed guardian of Lewis G. Lanier, orphan of Lewis Lanier, Dec'd, with Green Duke her security. At the same court Rebeckah Lanier was appointed guardian of Patsey Duke Lanier, orphan of Lewis Lanier, Dec'd (Warren Co., N.C., Will Bk. 10, pgs. 331 & 333).

A division of the Estate of Lewis Lanier, Dec'd was drawn up under date of April 1, 1801. The widow, Rebeckah, received one third, 120 acres of land. The remainder was divided amongst her children, Patsey D. Lanier, Lewis G. Lanier, and Polly Hicks Lanier. The negroes belonging to the estate were divided at a later date (Warren Co., N.C., Will Bk. 18, p.18 & 98).

Mary Hicks Lanier married her cousin Benjamin Heath Wortham on October 15, 1804, in Warren County. The will of Benjamin H. Wortham was probated in Maury County, Tennessee.

Lewis Green Lanier married several times and had many children. He lived for a time in Williamson County, Tennessee, where a number of his children and grandchildren were married. He died in Maury County, Tennessee.

Rebeckah Duke Lanier, widow of Lewis Lanier, married, secondly, on August 26, 1805, Captain John Washington of Walnut Grove, Granville County. They had one daughter, Rowena Washington who married her cousin Dr. James L. Wortham, grandson of Tamar Duke and William Wortham of Warren County, North Carolina.

The 1826 will of John Washington mentioned James L. Wortham "who married my daughter Rowena," Mary H. Wortham, and George Washington Wortham (Granville Co., N.C., Will Bk. 10, p. 179).