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Levin Leigh Ancestry and the James Leigh Family

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The objective of the present research was to determine the ancestry of Levin Leigh of Craven Co. This problem has not been solved, but it appears that Levin fits in some way into the James Leigh family of Beaufort Co., and some educated guesses can be provided. Evidence as to the descendants of James Leigh will be summarized in the process of the account.

1. Levin Leigh of Craven Co.

Levin Leigh or Lee lived in Craven Co., N.C., but seems to have left very little record there. From family Bible records we know that he married his wife Keziah on 5 March 1796, but no marriage bond survives. He perhaps married secondly in Craven, bond 17 June 1817 Nancy Townsend, with James Leigh bondsman.

The Census suggests that Levin was born ca. 1755/60 - but this is based on very limited evidence, and perhaps not to be trusted, as it implies a first marriage in middle age. We find Levin, along with a number of other Lees, in Craven on the 1800 Census. He appears on p. 261, with a household of 3 white males under 10, 1 aged 26-45 and 1 white female aged 16-26. Also listed in Craven in that year are Dianna Lee (p.247), John Lee, Joseph Lee and William Lee (p.263) and Benjamin Lee and Charity Lee (p.265) (see copy enclosed). The 1810 Census of Craven is lost, and I was not able to locate Levin through the index in 1820. However, in 1830 we again find him in Craven (p.163), listed as aged 70-80. If this last record is correct he was indeed born 1755/60. If it is not correct, we know only, from the 1800 Census, that Levin was born ca. 1755/74. No probate record is found for Levin in Craven, and it is not known when he died.

Levin Leigh is not named in Craven Co. Lee/Leigh probates, and it does not appear that he inherited land there (or in Beaufort). However, we do have one important clue to his location: On 2 March 1823 Lydia Daw sold to James Leigh 50 acres on the east side of Goose Creek and south side of Deep Run, beginning at a

water oak at the mouth of a little bottom in Harper's line running with said Harper's line to a red oak in Valentine's neck thence with Bryan's line to a small pine near Levin Lee's fence thence with the said back line opposite the beginning thence with a straight course to the beginning (46:23, witnessed by Mathew Brinson, William B. Warren). James Lee sold this tract to Hardy Lee, who was Levin Leigh's son, on 17 Feb. 1828 (45:494, witnessed by Mathew Brinson, Rowland Dixon). Note that there is a long history of association between the Leigh, Dixon and Brinson families. For instance, I note that John (X) Leigh on 10 July 1790 witnessed a deed from John Daw Sr. to Benjamin Brinson for land on the west side of Upper Broad Creek (29:106). Lydia Daw, who made the 1823 sale, was apparently the divorced wife of Jonathan Daw, whose relation to John Daw is not very clear (probably first cousin).

Levin himself did not make any deeds in Craven Co., and I suspect that his fence referred to in 1823 may have been on rented land. However, this does give us a location. Goose Creek is in the western edge of what is now Pamlico Co. Deep Run flows into Broad Creek, which now forms the border between Pamlico and Craven, on the north side of the Neuse. It is worth noting that Broad Creek runs up to the Beaufort Co. line, where it is directly opposite Derhams and Leighs Creeks, ancient seat of the James Leigh family.

I also searched deeds in Beaufort, Hyde, Tyrrell, Carteret, Pitt and Jones Co., and did not find our Levin.

The relationship between James Lee (of the 1823 deed) and Levin is not known, and James' parentage is also not clear from the Craven deeds and probates. I wonder if he might be another, older son of Levin, but not shown on the family record? If not, he was perhaps a son of John Leigh. Another clue is provided by the fact that Levin's daughter Keziah, born 1808, married William Lee (born ca. 1817), said to be a cousin. Again, this William's parentage is not very clear from the Craven Co. records, although he may have been the son of that name of an elder William Lee (see below).

Levin thus seems to have been a rather poor man, at least in terms of landholding, the sort who is difficult to trace in early 19th century records. Most unfortunately, there are very few

Craven Co. tax records available, which might have helped us considerably. We do not find him on the 1790 Census, nor did I find record of Revolutionary service for him, although he was perhaps old enough to have served. The only Craven tax list of the period is that of 1779, which does not list Levin. He also does not appear on Beaufort taxes of 1779 and 1786. It does however appear likely that he was closely related to a number of other Lees who lived in the same area. We will return to this below, after discussing another matter.

2. Levi Lee of Gates Co.

It has been suggested that Levin Leigh of Craven was the same person as Levi Lee Jr., son of Levi Lee Sr. of Gates Co. However, I do not think that this can be so.

Levi Lee Sr. was born before 1755 and lived on Cypress Swamp in Gates Co. This location suggests that he belongs to the John Lee family, although I am not presently certain of his parentage. Gates Co. was created in 1779, in part from Hertford, and the Hertford records are of course lost. Levi apparently obtained his lands before 1779, perhaps by inheritance. In any case, the Gates deeds have been abstracted, and first mention Levi Lee on 1 Oct. 1791, when a deed from Elisha Ellis to Charles Eure mentions land joining him on Cypress Swamp (2:309). Levy Lee appears in Gates on the 1786 State Census (2 males 21-60, 4 other males, 3 females, no slaves) and the 1790 Census (2-4-4-0-0) and the 1800 Census (4-3-5-0-2 - 3-0-1-0-1 - 0-3). He made only one deed in his own name, on 18 Aug. 1812 when Levy Lee and wife Milley Lee, both signing by mark, sold to Capt. David Lewis 55 acres in Reedy Branch at Taylor Cross, joining John Gatling's line (9:141, witnessed by William W. Riddick, Thomas Barnes). Levi died intestate, and Gates Co. estate records show that inventory and sale of his estate were made on 3 Dec. 1818. An account was filed in May 1820, but the estate papers do not contain a list of heirs. There is an undated paper included in the estate file to the following effect: "The Grand Jury presents to the Court Levi Lee son of Levi Lee decd. wishes him to be bound to Jno. Carter." It is

not clear if this document belongs with the estate file, but it suggests that Levi Jr. may have been the youngest son of Levi Sr., and still a minor at his father's death in 1818.

The Gates deeds contain some evidence relating to the heirs of Levi Lee Sr. First we find that on 6 April 1821 Mildred (X) Lee, Levi (X) Lee, Robert Lee, Nancy (X) Lee and Mildred (X) Lee Jr. jointly sold to Lewis Sparkman 29 acres on the southwest side of Cypress Swamp, joining Levi Eure and Mary Parker (11:303, witnessed by Mills Eure, Ebron Brisco). It seems clear that these are the widow and some of the children of Levi Lee Sr. On 12 Aug. 1822 Mildred Lee sold to Alexander Carter 100 acres beginning at an oak in Mary Parker's line, running to a corner tree of David Lewis at Taylors Cross (11:215, witnessed by Elisha Umphlet, James Carter). Then on 5 Sept. 1836 Mildred (X) Lee and Nancy (X) Lee sold to Rodon Odom 100 acres joining John Gatling, Levi Eure, David Umphlet and David Lewis dec. (16:269, witnessed by Kichen Taylor, Bennet Harrell).

The Levi in the 1821 deed is evidently Levi Jr. If he was a minor in 1818 he was thus born ca. 1797/1800. The 1820 Census of Gates shows Levie Lee (1 white male aged 0-10, 1 aged 26-45, 1 white female aged 0-10, 1 aged 16-26), while at the court of August 1822 Levi Lee is listed as an insolvent taxpayer (p.1250). It thus appears that Levi Jr. of Gates Co. was a considerably younger man than our Levin Lee, and still in Gates Co. when our Levin was in Craven. He may then be the Levi Lee in Pitt Co. in 1830-1850, listed as aged 48 on the 1850 Census.

3. Other Craven Co. Lees

Levin Leigh lived in Craven Co. near a number of other Lees. As we will see below, most of these can be shown to have belonged to the Beaufort Co. Leigh family, having moved there in the 1780's and 1790's. We will detail these in the next section, and it is my opinion that Levin moved to Craven along with these cousins.

There were also a few other Lees or Leighs in Craven. These included some other members of the James Leigh family (Lionel,

William, James, Durham Leigh), who will also be treated below. A Craven Co. tax list for 1769 survives, and this shows the following:

Lee, Thomas	2 white polls	0 black polls
Lee, Burton	1	0
Lee, Jacob	1	0

A 1779 tax also survives for Craven, but is lacking two districts and shows no Lees. On the 1790 Census of Craven we find only John Lee (1-1-2-0-0).

The Jacob Lee taxed in Craven in 1769 does not appear in the deeds, and perhaps belonged to the Onslow Co. family. The other two, Thomas and Burton Lee, belonged to a separate family which had come from Maryland, and which lived in the area now Jones Co. (created in 1779). These descend from a John Lee, who had patents on Trent River in Craven in 1757 and 1767. Interestingly, this John Lee may also have reached Craven via Beaufort. We find that a John Lee on 18 Nov. 1738 had a patent of 500 acres on the north side of Tar River in Beaufort (now Pitt). Signing by mark "I", John Lee of Craven Co. sold half of this tract to William Brantley of Beaufort Co. on 18 July 1746 (2:481, witnessed by George Sugg, James Edwards), and the other half to James Edwards (2:482). John Lee made a will on 11 Jan. 1768, proven Dec. 1768, appointing his sons James Steel, John Burton Lee and Thomas Hinson Lee executors and witnessed by William Wickliffe, Robert Grimes and Andrew (A) Wallis. The will mentions a tract "in queen ans County" on the west side of "read lion branch known as Cambrwell...Left him by his father Jon Lee", which evidently refers to Queen Annes Co., Maryland. John named wife Mary, grandson Steaven Lee, and the following children:

- i. Frances, mar. James Steel.
- ii. John Burton.
- iii. Thomas Hinson.
- iv. William, born after 1753 and not taxed in 1769. His estate was administered on 9 June 1772 by widow Barbara Lee, with Cader (K) Knight and Thomas Hinson Lee securities.

This group would be found in Jones Co. after 1779. Most of the deeds in Craven prior to 1800 can be assigned either to these Lees or to members of the James Leigh family. The only evident

exception is a deed of 20 Feb. 1768 in which Ludowick Morris of Craven sold for £30 to Mary Lee of Wilmington 240 acres on the south side of Crooked Run in Craven Co., being part of a tract granted to John Fillyaw (17:205, witnessed by James Blythe, Jno. Robeson). I believe that this was also in the Jones Co. area.

The lack of other potential parents thus suggest that our Levin Leigh likely derives from the James Leigh family, and probably the branch in Beaufort. I will discuss what I know of this family in the next section.

4. James Leigh Family

James Leigh Sr. was the subject of a recent report. As we saw there, he was in North Carolina by 1701 and left a will in 1728, a resident of Beaufort. In tracing this family we are hindered by the loss of many Beaufort records. The deeds seem almost complete, but many of the early estate records and other loose papers are lost (most of the 18th century estate records that do survive have come from out of official custody and are in a CRX file at the Archives). In addition many of the court minutes have been lost, particularly those up to 1755, 1762-84 and 1787-1808. I read the surviving minutes of 1756-61 and 1785-6.

James Leigh's sons were:

1. i. James Jr., born before 1694, as he was subject to tithe in 1712.
2. ii. John, probably born a little after 1694, but before 1702.
3. iii. Lionel, born after 1701, as he does not appear on the 1702 headright lists.

1. JAMES LEIGH Jr. was probably born about 1692/3. By his father's will he inherited "part of the Tract of Land I now live on, beginning at a markt tree, at a little point above the Horse pasture and from thence neer a Tarkiln to another bounded tree and from thence towards the Head of the Creek to a Gum markt with Two notches and from thence to the Head Line, a Direct Course likewise up the Creek, Judging it to be a hundred Acres". I believe James Jr. may also have received a land patent, although record of this does not seem to survive.

James Jr. made a will in Beaufort on 24 April 1738, witnessed by William Hall, Jon Dickson and Sarah Dickson and appointing as executors his wife Mary Leigh and Benjamin Peyton. A copy of the original of this will (which is still in the Beaufort courthouse) is provided from microfilm. From this it seems likely that Mary may have been James' second wife, as the will leaves "to my wife Mary Leigh and her two children the half of my Estate" until the children came of age. Thus the elder son Peter evidently had a different mother.

We also note that the will does not specify the disposition of James' lands, and this is a matter of some interest. As they were not mentioned in the will, these lands should have passed under the law of primogeniture to Peter Leigh as eldest son. We find however that John Leigh later owned the land - but the details of succession show that he did not inherit, but purchased the land. What appears to have happened is that Peter Leigh died without issue. Under the law of primogeniture the land then passed to his next brother, Levi Leigh. This is shown by the Beaufort deeds, for on 8 March 1747 Levi Leigh (mark "L") of Beaufort Co. sold for £120 to James Campen "One hundred acres of land on Leighs Creek in Pamlico River...begining at a marked tree at a little point above the horse pasture & from thence toward the head of the creek to a gum marked with two notches, and from thence to the head line a direct course" (2:550, witnessed by John Peyton Porter, Mary (M) Dixon, Richard Flanakin). This is clearly the same land that James Leigh Sr. had bequeathed to James Leigh Jr. We also find another deed by Levi Leigh: On 14 Sept. 1727 he sold to Abraham Pritchett for £400 a tract of 600 acres lying on the south side of Pamlico River, "begining at the point of James Leigh Creek, running up the said creek to a marked tree at a little point above the horse pasture to James Leigh's line & along the said Leigh's line to the back & along the back line to the head of a gut called the second gut, and down the said Gut to Pamlico river & up Pamlico River to the first Station" (2:512, witnessed by Benj. Peyton, Saml. Gooding, Phil: Pritchett, John Peyton Porter). I do not find a purchase or grant for this land, but suspect that it may have been a land grant, not preserved, to James Leigh Jr. The land that Levi

had sold to James Campen seems to have later been sold back into the family, and is probably the same as the 100 acres on the north side of Panters Creek which Benjamin Campen sold to John Leigh on 1 Aug. 1763, "being the land said Leigh lives on" (4:39, witnessed by William Wallis, Simon Pritchett). On 9 Nov. 1774 John Lee (mark "IL") and wife Bethia sold to Isaac Partridge 100 acres on the east side of Lee's Creek "bequeathed by the last Will & Testament of Lee Snr....Sept...1728 unto James Lee Junr..." (4:443, witnessed by William Daw, Benjamin (L) Lee).

James Leigh Jr. had by an unknown first wife:

1. Peter, born by 1728, when he is mentioned in his grandfather's will, and living in 1738. Apparently died soon after. He would not seem to be the Peter Leigh, Chief Justice of South Carolina, who left a will in Charlestown in 1758.

and by second wife Mary (perhaps Peyton?):

- ii. Levi, probably born ca. 1725, and of age by 1747, when he made the deeds cited above. These deeds accounted for all of Levi's inheritance, and we do not otherwise find him in the deeds. (It is conceivable that he is the same as the Leven Leigh found in 1768-70, but I would guess not, as Leven and Levi are usually distinct names). Levi was however still living in Beaufort at the time of the tax of 1755, which lists him for 1 white poll. Only one mention of him was found in the surviving Beaufort Court of Pleas and Quarter Sessions Minutes of Mar. 1756-Dec. 1761. This was in connection with the will of Joseph Wall, dated 20 Dec. 1755. In Sept. 1756 (p.20) we find "The Last Will & Testament of Josh. Wall decd. was exhibited into Court and prov'd by Saml. Phillips one of the Subscribing Witnesses...who swore that...Levi Leigh James Wall & Joseph Wall the other subscribing Witnesses set their hands thereto in his presence..." I suspect that Levi either left the county or died, but have not been able to locate him elsewhere. No will is indexed for him in North Carolina, and no estate record is found in Beaufort - but these are quite incomplete. Note that if he did die soon after 1770 his children, if any, would not have inherited any land.
- iii. John, probably born around 1730/35. I suspect he may have been bound out as an apprentice, and on the 1755 tax of Beaufort we find a household "Thos. Dixon, John Lee" for 2 white polls. We also find John on on the Beaufort tax of 1764, for one white poll, with Levin Lee also listed. As noted above,

we first find him in the Beaufort deeds on 1 Aug. 1763 when Benjamin Campen sold to John Leigh for £8 100 acres on the north side of Panthers Creek, "being the land said Leigh lives on" (4:39, witnessed by William Wallis, Simon Pritchett). The 1779 tax of Beaufort shows John Lee (but no other Leighs) in Tripp, Campen & Bond's Districts, with property valued at £560/0/0. On 12 April 1780 John received a grant from the state of 100 acres on the south side of Pamlico River and west side of Porters Creek (5:145). John Leigh made a will in Beaufort on 13 Nov. 1782 (OWB:176), which seems to have been transcribed from a slightly damaged copy. This appointed his wife Bethiah and son Benjamin executors and was witnessed by John Benner, Margaret (I) Cullin and Francis _____. John left land on Calfhole Branch to his sons Joseph, Abraham and Benjamin and case to sons John, Shadrach and William. Widow "Bethier" Lee made a will on 25 July 1786 (OWB:211), witnessed by John B. Brefft, Elizabeth (D) Lee, which left her property to her "3 small children" Joseph, Abraham and Diana Lee. This will suggests that Bethia may have been John's second wife. No estate papers survive, but the court minutes show in June 1786 (p.63): "Benjamin Lee Executor of John Lee decd. returned to Court An Account of Sales of part of the Estate...And also a division of part of said Estate devided agreeable to the Will..." The in Dec. 1786 we find (p.97): On Motion Administration is granted Benjamin Leigh on the Estate of Bethea Leigh deced. who entered into bond in the sum of one hundred pounds with Richard Respiss and Henry Smaw his security..." John left the following children:

- i. Benjamin, probably born ca. 1758/65. Taxed in Beaufort in 1786 in Capt. Trippe's District, with 100 acres, and listed there on the 1790 Census (1-3-1-0-0). On the 1800 Census a Benjamin is listed in Craven (see copy), but he seems a little young for this man, although it may be him. Benjamin remained in Beaufort and made a will on 10 Nov. 1829, proven Nov. 1829, appointing as executors son Benjamin and friend Thomas Ellison and witnessed by Hasten Dixon and Henry (X) Dixon. The will mentions land on Calfhole Branch in the John Lee patent. Issue:
 - i. * Ann, mar. Savage.
 - ii. Benjamin.
 - iii. David.
 - iv. Samuel.
 - v. Ruthy.

- ii. John Jr., probably born in the mid 1760's, and one of two Johns of this generation. He was not taxed in Beaufort in 1789 and seems to have removed into Craven at an early date, where he appears on the 1790 Census (1-1-2-0-0). In Craven deeds on 9 Sept. 1793 John (X) Leigh of Craven sold to Thomas Purify 75 acres on the north side of Neuse River and Upper side of Upper Broad Creek at the Cole Landing (30:264, witnessed by James Hollis, Cason Brinson). I suspect he is the John listed in Craven in 1800. However, there was also another John Leigh, over 45, in Beaufort at this time. In Craven about 1800 John purchased from John Fell 50 acres on Simmon point and Northwest Creek (34:183, witnessed by William Tignor, William Caton), which he sold to Charles Williams on 4 June 1804 (4:83, witnessed by John Bragg, Wm. Tignor). Then on 28 May 1804 John Leigh sold 130 acres on the west side of Goose Creek and both sides of Mill Branch to Asa Jones (36:412, witnessed by Jas. J. Coor, Jacob Cook). I did not find a probate record for him in Craven, but there was a John Lee whose estate was administered in Beaufort in 1812 by Samuel Collins. That was probably the other John Leigh, whose identity is obscure.
- iii. Shadrach, born ca. 1765/8. Taxed in Beaufort in 1789 in Capt. White's District, without land, adjacent to Benjamin Lee, and listed in Beaufort in 1790 (1-1-1-0-0). He died in Beaufort early in 1810 and on 7 Feb. 1810 his widow Elizabeth Leigh relinquished her right of administration to Thomas Ellison, who qualified as administrator on 6 Mar. 1810 (CRX estates).
- iv. William. Perhaps born ca. 1769, as he was not taxed in Beaufort in 1789 (taxable age being then 21), but appears on the 1790 Census (1-1-1-0-0). By the 1800 Census he had removed to Craven Co. William Leigh made a will in Craven on 20 Mar. 1831, proven May 1831, appointing son John Leigh and John Brinson

executors and witnessed by John Scott, Joshua (C) Scott and Samuel Paul. This will mentions lands on Bay River and Goose Creek, putting him in the same neighborhood as our Levin Leigh. William's will names wife Rhoda and the following children:

- i. John.
- ii. William, inherited land on Goose Creek. Is this the same William who married Levin Leigh's daughter?
- iii. Barbary, mar. Reace.
- iv. Sally, mar. Heel.
- v. Betsey.
- vi. Pharaby.
- v. Joseph, born after 1774, of Craven in 1800, on 8 July 1809 purchased from Moses Jarvis two tracts on the east side of Upper Broad Creek (37:661, witnessed by Edward C. King, Wm. Taylor). He made a will in Craven on 20 April 1813, proven Dec. 1813, appointing John Brinson and Jesse Holton executors and witnessed by Dinah (X) Bentle and Jesse Holton. His heirs were his wife Winny and infant son:
 1. Abraham, judged insane by the court in Nov. 1827, at which time Winifred Lee was appointed his guardian.
 2. ZOREL.
 3. WINIFRED (n. JAS PRICE)
- vi. Abraham, not identified in later records.
- vii. Diana, perhaps the Dianna Lee living alone in Craven in 1800.

2. JOHN LEIGH was evidently born in the interval 1694/1701 and by his father's will inherited "a certain part of the Land that I now live on called by the name of the Accomack Entry, beginning at the Accomack Entry Gut running up the Gut and up the Swamp till you come to a Gum in the Swamp markt with Two noches and from thence to Two other markt Trees lying near the Savannah and from thence a direct Course to the side Line and down this way to the Beaver Dames Gut Judging it One hundred Acres". John apparently

died young, leaving at least one son and heir, Durham Leigh. We know this from a Beaufort deed of 16 Jan. 1754 in which Durham Leigh of Beaufort sold to John Tripp Junr. a tract on the "So. Side of Pamptico River formerly belonging to James Leigh & by his will given to his son John Leigh & now in the possession of Durham Leigh" (3:171, witnessed by Joshua Pritchett, Thos. (X) Vose, Wm. McIntosh). John thus had at least:

i.

Durham, born by 1733 and of age in 1754. After selling the land in Beaufort he moved to Craven (now Jones) Co. where on 26 Oct. 1754 he purchased from Armwell Howard 100 acres joining Sugs on Wilsons Creek (6:414, witnessed by Joseph Davis, William Deane, Aaron (A) Goodin). We also find that on 10 April 1761 he had two patents on the north side of Trent River. He sold these tracts in a series of deeds to Rawles Perry, dated 30 Dec. 1763 (11:357, witnessed by William (X) Randall, William (X) Perry, Richard Gove), 30 Dec. 1763 (11:363) and 2 April 1764 (11:362). Durham then seems to have gone briefly into Dobbs Co., finally moving to Duplin Co., where his estate was administered in April 1788 by Michael Glisson. He was apparently a Loyalist soldier during the Revolution, but did not lose his property as a result. The inventory of his estate shows that he left 400 acres, so careful examination of the deeds there should identify his heirs.

1754
21
1733 - Durham b. NLT
John b. ca 1698, d. NLT 1753
+ probably much younger.
JAMES - _____
|
JOHN - ^{KATHERINE}
 ^{OR}
 ^{MARY} DURHAM ??
|
DURHAM
(JAMES' DTR MARY ALSO
M. A DURHAM.

3. LIONEL LEIGH was apparently born a little after 1701, and by his father's will inherited "a certain parcell of Land lyining (sic) between Accomack Entry Gut and the Second Gut running up the Branch of the Second Gut to the Savannah and then a SE Course to the side Line and likewise bounding upon my son John Leigh on the other side being by Estimation Eighty Acres". I did not find a sale recorded for this land in Beaufort (but see below). However, Lionel evidently moved to Craven Co. There on 30 July 1741 John Dearham sold for £20 to Leonell Leigh 200 acres on the north side of Neuse River, begining at a small Red oak (1:358, witnessed by William Charlton, James Anderson). Lionel may also have patented land there. On 13 Aug. 1745 Leonel Leigh of Craven sold to John Phillips 315 acres on the north side of Nuse River, joining John Durham's land (2:548, witnessed by John (I) Yeomans, Benj. (B)

Sanders - duplicates recorded at 3:158 and 5:14). We then find that on 5 April 1747 Lionell Leigh of Craven, planter, made a gift for love and affection to his son William Leigh of a tract on the north side of Neuse River (4:81, witnessed by John Yewman, John Hollinsworth, Benja. Sanderson). Lionel appears to have died in 1749. That is, I believe his is the same as the Linioney Lee whose estate was appraised in June 1749 (filed as Simioney Lee). Sales of the estate or Lionel Leigh were made on 6 July 1750 by William Charlton, the purchasers including James Leigh.

Lionel left at least two sons:

- i. William, probably born around 1725. Received land from his father in 1747. He seems to have died without issue before the Craven tax of 1769, although no estate records were found.
- ii. James, evidently another son and heir to his brother. Possibly he was older than William. In addition to inheriting his brother's lands, I believe he may also have received a gift from his father, although the deed is not recorded. We first find him in the Craven deeds on 16 Mar. 1760, when James Leigh of Craven, signing his name, sold for £50 to Joseph Bryan 100 acres "on the No. Side of Neuse River Beginning at a Red Oak the dividing line between the said Leigh and Saunders... to...a marked Line Between James Leigh and Wm. Leigh..." (16:94, witnessed by Simon Bryan, Joseph Bryan, William (M) Dubberly). On 1 Oct. 1761 James Leigh, with Sarah Leigh (relationship not stated, but probably his wife) sold to Thomas Yewmans 12 acres on the north side of Neuse River, being "part of the tract of Land whereon the said James Leigh now lives" (2:134, witnessed by Joseph Bryan, Harris (X) Yewmans). We also find one later deed in Craven: On 24 Oct. 1782 James Leigh of Hyde Co. sold for £30 to Harris Yeoman 100 acres on the north side of Neuse and west side of Bryans Mill Swamp, being the land that Lionel Lee gave in a deed of gift to William Leigh (24:335, witnessed by Benj. May, Woody Betcher, John May). Despite this deed, we do not find James in the deeds or estates of Hyde Co. We also do not find him on the 1769 tax of Craven. What became of James and his heirs are presently unknown to me. It does seem possible that James Leigh may also have inherited his father's lands in Beaufort Co. In the Beaufort Court of Pleas and Quarter Sessions Minutes for Sept. 1758 we find (p.99): "A Deed of bargain and sale from James Leigh to Daniel Cockes for one hundred Acres of Land on the south side of Pamplicoe River was...proved by the oath of William Dixon..." This

deed is not indexed in Beaufort Co., but might account for Lionel's inheritance from his father (although that was specified as 80 acres).

The above account is incomplete in a number of respects. We note that we have no record of the heirs of Levi Leigh (son of James Jr.), and do not know the identity of younger sons, if any, of John Leigh or Lionel Leigh. It seems likely that our Leven Leigh might fit into the family through one of these avenues.

In Beaufort we do find a number of other Lees and Leighs, at least some of whom were likely in some way related to the James Leigh family. These were Joshua, Leven, Thomas and John Leigh.

JOSHUA LEE may or may not have been related to the James Leigh family, but is also found on the south side of Pamlico. The deeds show that on 13 Mar. 1790 Lazarus and George Hill Pearce sold to Joshua Lee 100 acres on the west side of Chocowinity Swamp, beginning at the Run of said swamp at the mouth of...Birds Creek but of late the Yellow day branch..." (6:205, witnessed by Major Slade, James Fanning). Joshua does not appear in Beaufort on the 1779 tax, and had perhaps been born after 1758, or else moved there from elsewhere. However, in 1786 we find Joshua Lee and Timothy Lee both taxed without land in Capt. Godley's District, and also James Lee, without land, in Capt. Willson and Lanier's Districts. Joshua probably died immediately after the purchase of land and before the 1790 Census, on which he does not appear. No probate record survives, but we find that on 8 Jan. 1792 James Lee, Timothy Lee and George Lee of Beaufort sold to Joshua Ecklin the same tract that Joshua had purchased in 1790 (6:438, witnessed by Frances White, Prusan White). These were either the sons or brothers of Joshua Lee, and the 1790 Census lists George, Timothy and James Lee in Beaufort. Only James was still there in 1800. George Lee and wife Mary had apparently moved into Pitt Co. by a deed of 5 Oct. 1795 (7:221). It may be of interest to note that the names Joshua and Timothy also appear in the Sampson-Duplin Lee family.

LEVEN LEIGH, as noted above, is suspected to have been a different person than Levi Leigh, and was perhaps born a little

after 1739 (as he was not taxed in 1755). No references to him were found in the surviving court minutes. However, on 22 Dec. 1768 Levan Lee had a grant of 100 acres in Beaufort on the west side of Derhams Creek and Juniper Swamp (N.C. Grants, 23:352). Leven Leigh of Beaufort Co., planter, sold this tract for £6 to Richard Harvey on 6 Sept. 1770 (4:298, witnessed by Joshua Roe, James Roe, Richard Roe). No further records were found, and this Leven was not taxed in Beaufort in 1779. I suspect he either died or moved elsewhere, and I have not been able to locate him in another North Carolina county.

Besides this Leven and our Levin I have found the name Levin Lee only one other time in the early records. In Johnston Co. we find a branch of the John Lee family. One of the John Lees in Edgecombe evidently moved to Johnston Co. in 1755, leaving a will in 1762. His eldest son was Robert, who left a will in 1782 naming a son Godfrey. Among others, Robert's will mentions his granddaughter Sarah Lee, daughter of Levin Lee. Johnston deeds and abstracts of court minutes do not however provide any other references to such a Levin Lee. I therefore wonder if it might be that Robert Lee had a daughter who married Levin Leigh of Beaufort Co., and that both died leaving a daughter Sarah?

THOMAS LEE appears in Beaufort records of 1758-1761, in the same area as the Leighs, but is not found in the deeds, nor was he taxed in Beaufort in 1755. We find the following references in the surviving Beaufort Court of Pleas and Quarter Sessions Minutes:

Mar. 1758 (p.83): Thomas Lee Admr. of John Dias decd. moves for a Sale of the perishable part of the Estate...

[Note: Earlier the estate of John Dias seems to have been administered by his widow. This suggests that Thomas Lee may have married the widow a little before Mar. 1758.]

Mar. 1758 (p.83a): ...Constables for the Ensuing Year... Thomas Lee from Durham's Creek to Chuckawinitey...

Sept. 1758 (p.105): William Heritage vs. Thomas Lee. als.

Dec. 1758 (p.111a): Reference Docket to Decemr. Court 1758. William Heritage vs. Thomas Lee. Petn. als. Entd. on Execution Docket.

Mar. 1761 (p.174a): Reference Docket to March Inferior Court 1761.

64. Michl. Coutanche vs. Thomas Lee. Case. als. Executed & Bail. Judgt. by Deft. & Inqy.

70. Michl. Coutanche vs. Thomas Lee. Orgl. Attacht. Judgmt. By Default. Inqy. Vend. Exponus. Contd. on Inqy. al. vend. Exponus.

June 1761 (p.181): Michl. Coutanche vs. Thos. Lee. Case.
...Jury...find for the Plaintiff 12.17.7½ Damages & 6d. costs.

June 1761 (p.185a): Reference Docket to June Inferior Court 1761.

49. Michl. Coutanche vs. Thos. Lee & Joshua Pritchett. Debt. Judgmt. Confesd. according to Specialty by Pritchett. Judgt. & Deft. Executn. to Issue.

51. Michl. Coutanche vs. Thomas Lee. Case. Judgt. by Deft. and Inqy. Verdt. of Qui. for £12.17.7½ Damages & 6d. Cost.

Sept. 1761 (p.189): Michael Coutanche vs. Thomas Lee. The Defendent Thos. Lee Being Imprisond. Upon Exn. of the Plaintive Mch. Coutanche Was Brought into Court & took the Oath...for the Releaf of pore Debtors who was then Discharged...

Thomas does not appear in Beaufort on the tax of 1779. His location near Durhams Creek and association with the Pritchetts suggests that he too was related in some way to the James Leigh family. I think that one good possibility is that he might be a younger son of John Leigh.

JOHN LEIGH: As noted above, there was another John Leigh in Beaufort in 1800, born before 1755, whose estate was apparently administered in 1812.

5. Possible Parentage of Our Levin Leigh

No direct indication of our Levin Leigh's parentage has been forthcoming, and it would appear that he did not have an inheritance in the area where he lived. It would however appear likely that Levin was in some way related to the other Leighs who lived nearby, who, as we saw above, apparently derive from John, son of James Leigh Jr. It would also appear likely that he was related in some way to the Levin Leigh found in Beaufort in 1768-70. Unfortunately, we may not have an accurate indication of our Levin's age. One possibility to keep in mind is that he may actually have been born about 1770, and that the 1830 Census entry is inaccurate. This would explain why we do not find Levin in 1790 or in other records before 1800. If that guess is correct, it would then seem likely that our Levin could be the son of the older Levin Leigh, active in Beaufort in 1768-70. The older Levin sold his land, so if he died in Beaufort he would not have left an inheritance to his heirs, which fits with the picture of our Levin

Leigh. The older Levin could in turn have been a son of Levi Leigh, or a younger son of Lionel Leigh, as noted below. Unfortunately, so many of the early Beaufort Co. records are lost that it may not be possible to test this theory.

The previous theory would provide for a close relationship to the John Leigh family, but may strain the likely chronology a little. There is also another interesting possibility. This is that that our Levin might have been the son of James Leigh, son of Lionel. This arrangement would fit better if Levin actually was born ca. 1755/60. Perhaps the older Levin was then a younger son of Lionel (Lionel died in Craven, but lived near the Craven-Beaufort border, and, as noted above, perhaps continued to own land in Beaufort at the time of his death). Unfortunately, I have not been able to learn what became of this James Leigh after 1782. At that time he was in Hyde, without land, but could well have moved back into Beaufort or Craven before his death.

6. Possibilities for Further Research

The shortage of Beaufort records may block further progress on this line. Perhaps however there might be additional information forthcoming from Craven records. Craven Court of Pleas and Quarter Sessions have been abstracted through 1756, and I have in addition read these (while working on another project) for 1757-62. I think it would be valuable to look further in later Craven court minutes, particularly since we first find positive record of our Levin Leigh in that county. Perhaps records of the 1770's would contain some clue to his parentage, such as an apprentice order. It also may be worthwhile to check Hyde Co. court minutes for the period around 1782, at which time James Leigh was resident there. An indirect technique that might yield valuable information would be to pursue some detailed investigation of records of the neighboring and associated families. Finally, some exploration in the records of New Bern District Superior Court might be valuable. All these processes would be time-consuming, and certainly with no guarantee of progress.

7. Records Searched

The primary record sources consulted for this report are as follows:

Craven Co.:

Deeds: All Leigh/Lee deeds through 1830.

Wills

Estates: Besides those worked into the above account, we find the estate of a William Lee, administered in July 1798 by James Daw. There was also an Elizabeth Lee whose estate was administered on 10 Mar. 1817 by James Bennett, with John Scott and Cason Scott bondsmen. Sales of her estate mention only the Bennett family.

Tax lists: 1769, 1779.

Court of Pleas and Quarter Sessions: Minutes checked for 1730-1762.

Apprentice Bonds: The original apprentice bonds were checked for 1748-1801, but clearly have a gap for 1769-74 and are otherwise likely incomplete. The apprentice orders could be located through the court minutes. I found that on 14 Mar. 1789 Francis Lee, orphan, was bound to George Emmerson for 4½ years to learn the trade of a shipwright. His parentage is not given and he has not been identified.

Beaufort Co.:

Deeds: All Leigh/Lee deeds through 1820.

Wills: Leigh/Lee. Also checked Peyton, Pritchett, Campen.

Estates: incompletely preserved. No Lee estates in regular county series, but several early in the CRX series.

Returns of Probate: Secretary of State records list probates granted in Beaufort for Mar. 1753-Dec. 1755, Sep. 1760, and May 1762-Oct. 1766, showing no Lees.

Court of Pleas and Quarter Sessions: The only surviving court records prior to 1808 are the minutes (including dockets as well) for 1756-61 and 1785-86, which were read in full.

Tax Lists: 1755, 1764, 1779, 1786.

Carteret Co.

Deeds: grantor index.