

RESEARCH REPORT:



THE ENSLAVED COMMUNITY AT THE LEIGH FARM

370 Leigh Farm Road
Durham, Durham County, North Carolina

PREPARED FOR:

Epcon Communities
119 Weston Parkway
Cary, North Carolina 27511

January 29, 2024



RICHARD
GRUBB &
ASSOCIATES, INC.

Research Report: The Enslaved Community at the Leigh Farm
370 Leigh Farm Road
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Authors:
Debbie Bevin, MA
Olivia Heckendorf, MA

Prepared by:
Richard Grubb & Associates, Inc.
525 Wait Avenue
Wake Forest, North Carolina 27587

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Introduction

Richard Grubb & Associates, Inc. (RGA) researched and prepared this report on the enslaved community at the Leigh Farm (DH0002) in Durham County, North Carolina. The goal of the report was to provide a summary of the history of slavery at the Leigh Farm, drawing on primary sources to document and, if possible, identify by name individuals who were enslaved by the Richard Stanford Leigh family from 1838 until Emancipation.

This report fulfills Stipulation I.B.iii of the Memorandum of Agreement (MOA) between the United States Army Corps of Engineers, the North Carolina State Historic Preservation Officer, and Epcon Farrington Road, LLC, for the construction of the Courtyards at Farrington Road (Undertaking), which will have an adverse effect on the Walter Curtis Hudson Farm and Store (DH2373). Although the Undertaking will have no effect on the Leigh Farm, the MOA stipulates several mitigation projects benefiting the Leigh Farm because of its historical relationship to the Hudson Farm.

The Leigh Family and Farm

The following paragraphs provide a brief genealogy of white Leigh family members and history of the Leigh Farm property. For a comprehensive history, see the *Leigh Farm Park Assessment* prepared by Edwards-Pitman Environment, Inc. (Edwards-Pitman). The assessment is available online through the City of Durham Department of Parks & Recreation.

The Leigh Family

The Leigh Farm is historically associated with the Richard Stanford Leigh (1809–1898; commonly known as Stanford) family. Stanford Leigh was the son of Sullivan Leigh (1777–1854) and Nancy Shepperd Leigh and the grandson of John Leigh (1742–1821), the first Leigh family member to settle in what was then part of Orange County.¹ On July 17, 1834, Stanford Leigh married Nancy Ann Carlton (1816–1861; commonly referred to as Ann) (Edwards-Pitman 2006:15). After Ann Leigh's death in 1861, Stanford married Leathy Hudgins (1831–1900). Stanford Leigh fathered 19 children with his two wives.

The Leigh Farm

On September 24, 1838, Stanford's father, Sullivan Leigh, gave his son 250 acres on "the waters of Newhope Creek" (Orange County Register of Deeds [OCRD] 1838 28:444). Sullivan Leigh gave Stanford Leigh an additional 250 acres in October 1846 (OCRD 1846 32:330). In 1849, Stanford purchased 237 acres adjoining his farm from the estate of Neville Barbee (ORCD 1849 34:23). Stanford further increased the size of his farm at an unknown date, bringing his total acreage as reported in the 1860 agricultural census to 987 acres (Edwards-Pitman 2006:18). The 82-acre present-day Leigh Farm, operated as a public park by the City of Durham, represents a small fraction of the property owned by Stanford Leigh at the beginning of the Civil War.

Data from the 1850 agricultural census was compiled by Edwards-Pitman in 2006 while preparing the *Leigh Farm Park Assessment*. In 1850, the Leigh Farm comprised 200 acres of improved land and 480 acres of unimproved land, with 4 horses, 2 milk cows, 9 other cows, 12 sheep, and 50 hogs (Edwards-Pitman 2006:17). The farm produced 40 bushels of wheat, 450 bushels of Indian corn, 100 bushels of sweet potatoes, 100 pounds of butter, and 20 pounds of wool that year (Edwards-Pitman 2006:17).

¹ Originally in Orange County, the land on which the Leigh Farm sits became part of Durham County upon its formation in 1881.

The 1860 agricultural census demonstrates the success and expansion of the Leigh Farm over the previous decade. The Leighs' improved acreage remained at 200 acres, while the unimproved land increased to 787 acres (Edwards-Pitman 2006:18). The Leighs owned 6 horses, 1 mule, 8 milk cows, 12 other cows, 45 sheep, and 66 hogs (Edwards-Pitman 2006:18). When comparing the 1850 census with the 1860 census, the Leigh Farm diversified and increased livestock and production, which coincides with an increase in the population of the enslaved people who labored there. In 1860, the farm produced 3 bales of ginned cotton, 125 bushels of wheat, 1,250 bushels of Indian corn, 300 bushels of sweet potatoes, 29 bushels of Irish potatoes, and 200 bushels of peas and beans (Edwards-Pitman 2006:18).

The Enslaved Community at the Leigh Farm

Built Environment

The built environment can provide insight into the lives of enslaved people and the ways in which they interacted with the farm as a whole. Today, the farm includes two dwellings for enslaved people, agricultural outbuildings, and a cemetery. The mid-nineteenth-century dwellings for enslaved people are typical of others found throughout Piedmont North Carolina, which tended to be small, one-room log or frame buildings with lofts and fireplaces. The dwelling closest to the Leigh House, facing what was historically the farm service road, has a deep eave sheltering a reconstructed log and splint chimney on its west elevation. The second dwelling, located southeast of the main house, was originally one room but has a 1930s addition which more than doubled its square footage. Other buildings on the property where the enslaved population labored include the circa-1835 Leigh House, a circa-1835 dairy, a circa-1850 smokehouse, and a circa-1850 corn crib. All other extant outbuildings at the Leigh Farm, including a late nineteenth-century carriage house and turn-of-the-twentieth-century tobacco barn and packhouse, date to the post-Civil War era.

Leigh family descendant Curtis Booker reports that a burial ground for enslaved people was located near the Leigh family cemetery, with graves marked by fieldstones (Personal Communication, Curtis Booker, 22 June 2023). Cemeteries of enslaved people share common characteristics throughout North Carolina and the American South. Burials were typically organized informally in family clusters and were oriented east-west with the head at the west end, which represented both African and Christian beliefs (Patch 2021:8). Undated and uninscribed wood or fieldstone gravemarkers commonly marked burials. Some gravemarkers and most grave decorations were made of materials at hand and have not survived to the present day due to their temporary nature and their exposure to the elements (Little 1998:36).

In November 2023, RGA conducted a ground-penetrating radar (GPR) survey of an area immediately north of the Leigh family cemetery that contains fieldstone markers (Richard Grubb & Associates, Inc. in process). Analysis of the post-processed GPR data appears to confirm that the fieldstones mark graves. Twenty-four potential burials were identified during the survey, 21 of which are marked by fieldstones and 3 of which are presently unmarked. Evidence of potential unmarked burials was found at the northern edge of the survey grid, suggesting that the cemetery may continue into the woods in that direction. A GPR survey cannot determine the identities of the people interred in the potential burials. Additional research is recommended to identify other possible burial grounds for the enslaved community.

U.S. Census Data

U.S. Census data from the mid-nineteenth century records the number of people enslaved by a named landowner, though it does not provide the names of the enslaved individuals. Nevertheless, this early census data often includes enslaved persons' ages, genders, and skin color, allowing for some understanding of their identity. The 1840 U.S. Census enumerates six enslaved people at the Leigh Farm, but their ages and genders were not recorded (U.S. Census 1840). In 1850, two enslaved people, a male aged 35 years old and a girl aged 6 years old, lived on the Leigh Farm (U.S. Census 1850). By 1860, the last census before the abolition of slavery, the population of enslaved people living on the Leigh Farm was 16 (U.S. Census 1860). Table 1 below provides a summary of census data on the enslaved people who lived and labored at the Leigh Farm in 1860. These individuals ranged in age from six months to 44 years and the majority of them were women. The increase in the population of enslaved people from the 1850 to 1860 censuses corresponds with the need for labor to support the diversification of agricultural activities that occurred during that period.

Table 1: Summary of the ages, genders, and races of the people who were enslaved by Richard Stanford Leigh, according to the 1860 U.S. Census Slave Schedule.

Age	Gender	Race
44	Male	Black
37	Male	Black
39	Male	Black
38	Female	Mulatto
27	Female	Black
26	Female	Mulatto
16	Female	Black
10	Female	Black
9	Male	Black
8	Female	Black
6	Male	Black
1	Male	Black
6 mos.	Female	Black
8	Male	Mulatto
6	Female	Mulatto
4	Female	Mulatto

The 1870 U.S. Census, the first after Emancipation, can be a source of information about Black laborers who resided with or adjacent to white families. Stanford Leigh's household in 1870 consisted of his wife Leithy and nine children. One of his older sons, Anderson, was head of his own household which included two Black laborers: an 11-year-old boy named Thomas Leigh and a 60-year-old man named Oston O'Kelly. Since Anderson owned no real estate at that time, it can be assumed that he lived on his father's farm and that the two laborers worked there and may have been formerly enslaved there. Black families enumerated immediately before or after the Leigh family in that census likely lived on or adjacent to the Leigh Farm and may have worked for the Leighs at that time. The household of 38-year-old Sarah Baker is enumerated immediately after Stanford Leigh's in 1870. Sarah Baker had five children: sons Pleasant (19) and Jack (15) and two daughters and a son under the age of 7: Waitt (7), Melissa (5), and Fidella (1). Sarah Baker was "keeping house" but her eldest children, Pleasant and Jack, both are listed as farm laborers. Sarah's neighbor, a 57-year-old Black man named

Henry Davis, is listed as a farm laborer. The proximity of these Black households to the Leighs in 1870 provides a clue about the possible identities of people who were enslaved by the Leighs, but it is not definitive evidence (Table 2).

Table 2: Black individuals enumerated near the Leigh Farm in 1870, according to the U.S. Census.

Age	Name	Gender	Race	Profession, Occupation or Trade
60	Oston O'Kelly	Male	Black	Works on Farm
11	Thomas Leigh	Male	Black	Works on Farm
38	Sarah Baker	Male	Black	Keeping House
19	Pleasant Baker	Male	Black	Works on Farm
15	Jack Baker	Male	Black	Works on Farm
7	Waitt Baker	Male	Black	
5	Melissa Baker	Female	Black	
1	Fidella Baker	Female	Black	
57	Henry Davis	Male	Black	Works on Farm

Orange County, NC Slave Records

The sale of people between enslavers was documented through deeds, wills, and bills of sale. Orange County has a compiled list of sales of enslaved individuals, which is available to the public online, sorted by the last names of the enslavers. Stanford Leigh appears on the list one time, in which he and Cheley P. Trice sold “two negroes named Jack and Sam” to Lewis Herndon, George Herndon, Willis Herndon, and Henry S. Williams in 1854 as part of the settlement of his stepmother’s (Mary Herndon Leigh) estate (Chilton 2021). Jack and Sam were not enslaved by Stanford Leigh, but were by the Herndon family. No other sales of enslaved individuals document an association with Stanford Leigh.

Wills and Estate Inventories

Because enslaved people were treated as property, they were included in estate inventories and sometimes willed to other family members following the death of the enslaver. A review of Sullivan Leigh’s (father of Stanford Leigh) will mentions the names of three enslaved people: Philip, Thomas (possible misspelling in the will), and Chainey (Orange County Court of Pleas and Quarter Sessions 1854). These three individuals were willed to Sullivan Leigh’s wife at the time, Mary, with the caveat that if she remarried, Philip, Thomas, and Chainey were to become the property of Sullivan Leigh’s children, Stanford Leigh and Susan Leigh Trice. Mary died within a year of her husband; it is not known what happened to Philip, Thomas, and Chainey. Stanford Leigh died after Emancipation so his will does not include the names of any enslaved people.

Stanford Leigh’s Account Books

Stanford Leigh’s account books from 1859–1874, which remain in the private collection of descendant Curtis Booker, were examined by Edwards-Pittman in 2006 but were not available for this current study. Leigh’s account books from the 1880s are housed at the University of North Carolina at Chapel Hill’s Southern Historical Collection as part of the Elsie H. Booker Collection (Southern Historical Collection #4580). Leigh’s late 1860s account books provide insight into the transition from an enslaved workforce to paid labor and the economic shift to the crop lien system. Leigh details transactions with “colored freedmen,” including George and Nancy Trice, Henry Marcom, and Richard Carlton (Edwards-Pittman 2006:20). Account books from the 1880s similarly include the names of hired farm laborers, tenant farmers, tenant farming agreements, and itemized accounting of wages and debts. The people listed as hired or tenant farmers may have been enslaved by Leigh or others in the area, or were descended from them. Tenants or laborers listed in the later account books

include Charles Atwater, Eliza Guthrie, Ann Council, Murphy Richmond, John Trice, and numerous members of the Barbee family. Leigh's 1886 account book describes his arrangement with a tenant farmer named John Whitaker, identified as "mulatto" in the 1880 census. In what was then a typical sharecropping agreement, Leigh provided land sufficient for a one-horse crop of corn, cotton and tobacco, horse power, and farm tools. Whitaker would keep one-half of the crops he raised, and would be responsible for clearing Leigh's land and ditches, repairing fences, and feeding stock, especially on Sundays (1886 account book, Elsie H. Booker Collection).

Summary of Findings and Recommendations for Future Research

Based on the available sources, RGA was unable to definitively identify the names of individuals who were enslaved on the Leigh Farm between 1838 and the conclusion of the Civil War. Table 3 below provides a summary of the sources RGA consulted, along with recommendations for further research.

The 1840 U.S. Census and the 1850 and 1860 U.S. Census Slave Schedules quantify the number of enslaved people living at the Leigh Farm, identified only by age, gender, and race. The 1870 U.S. Census provides information about free Black individuals living either with or near the Leigh family, including their names for the first time. Stanford Leigh's account books provide extensive detail of his transactions with named paid laborers and tenant farmers following the Civil War. Further research is recommended to cross-reference the names in those account books with additional censuses and family and land records.

RGA identified potential burials marked only by fieldstones in an area adjacent to the Leigh family cemetery, but the identities of people possibly interred there are unknown. Additional research is recommended through pedestrian survey and interviews with descendants to identify other areas, which may contain burials of enslaved people. If such areas are identified, additional GPR survey is recommended.

Public outreach within Durham and Orange counties is strongly recommended to identify any descendants of individuals enslaved at the Leigh Farm. Descendants of the individuals named in the 1870 Census and in Stanford Leigh's account books may have family records or oral traditions that could enhance the understanding of the enslaved community at the Leigh Farm and provide additional context for interpretation by the City of Durham at the Leigh Farm Park.

Table 3: Summary of sources consulted and recommendations for further survey.

Source	Findings	Recommended for Further Study
U.S. Census Records (Population and Slave Schedules)	See details above.	Yes. Look at the 1870 and 1880 U.S. Census data for names of Black families who lived in the vicinity of the Leigh family. This might provide additional names for those who were formerly enslaved but remained at or around the Leigh Farm after the Civil War. Cross-reference with Stanford Leigh account books.
Orange County NC Slave Records (Deeds, Wills, and Bills of Sale)	See details above.	No.

Source	Findings	Recommended for Further Study
Wills	See details above.	Yes. The wills of Stanford Leigh's father and grandfather provide some information about individuals enslaved by the family prior to the period studied for this report. It is possible that the wills of members of the extended Leigh family could provide additional relevant information.
Southern Historical Collection at the University of North Carolina – Chapel Hill	Elsie H. Booker Collection of Markham, Leigh, Durham, Lloyd, and Other Families Papers, 1712–1966	Yes. This extensive collection includes over 5,000 hand-written items, including Leigh family correspondence, business records, and legal papers. There is no documentation related to individuals enslaved by Stanford Leigh between 1838 and 1865. However, the collection includes his account books from the 1880s detailing arrangements with tenant farmers who may have been formerly enslaved by him. Because the account books include surnames, it may be possible to identify descendants of those tenant farmers. (The collection does include documentation of people enslaved on nearby farms by Stanford's father and grandfather.) <i>Note: the collection will not be available to the public beginning in August 2024 for approximately three years during the renovation of Wilson Library.</i>
Born in Slavery: Slave Narratives from the Federal Writers' Project, 1936–1938 (Library of Congress)	No results for the Leigh family.	No.
Orange County Tax Lists	Years Available: 1755, 1779, 1875, 1918	No. The years available online do not include the years the Leigh Farm was active under the ownership of Stanford Leigh.
Newspapers	-	Possible. Newspapers available online and on microfilm may provide additional insight into the Leigh family, and by extension, the enslaved people associated with the Leigh Farm.
Digital Library on American Slavery – People Not Property: Slave Deeds	No results for the Leigh family.	No.
U.S. Freedmen's Bureau Records, 1865–1878	The Leigh family is not mentioned.	Yes. This resource should be revisited if names of formerly enslaved people associated with the Leigh Farm are identified. This resource includes details such as employment, hospital and pension records, bounties, ration lists, school records, and tax assessments.
Agricultural Census	This information was provided in the <i>Leigh Farm Park Assessment</i> written by Edwards-Pitman 2006.	No.
Stanford Leigh, Account Books, 1859–1874	Privately Owned	Yes. According to the <i>Leigh Farm Park Assessment</i> , Curtis Booker owns Stanford Leigh's account books from 1859–1874. These account books may include names of the people he enslaved or employed following the Civil War.
North Carolina State Archives	No files for the Leigh family.	No.

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1860 Slave Schedule, Orange County, North Carolina.
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