

Duane Family
Duanesburg Patent Land Papers, 1734-1835

SC14786

QUANTITY: 76 items (extra-large folio manuscripts)
ACCESS: Open to research
ACQUISITION: Purchased from Driscoll, October 1968
PROCESSED BY: Manuscripts & Special Collections, 1969

Biographical Note:

James Duane (February 6, 1733-February 1, 1797) was a prominent American lawyer and jurist as well as a leading figure in New York State politics and government during the Revolution and early years of the American republic. He served as a delegate to the Continental Congress, a New York State senator, mayor of New York City, and a U.S. District Judge, and he was a signer of the Articles of Confederation.

Anthony Duane (ca, 1679-1747), the father of James Duane, was born in Ireland and had been an officer in the British Navy at the time he came to America about 1698. In 1702 he left the navy and married Eva Benson, the daughter of New York City merchant Richard Benson. They had two sons. After Eva died, Anthony married Althea Ketaltas (variant spelling: Hettletas), the daughter of a wealthy Dutch merchant family. James is a son from this marriage. Althea died in 1736 and Anthony married a third time, in 1741, to Margaret Riken (Rycken).

Anthony Duane's mercantile career provided him with the means to invest in land that could be developed and rented out. In 1741 he acquired a large tract located a short distance to the west of Schenectady, which at the time was primarily a frontier trading post in the colony of New York. After he died, the land passed to his son James, who expanded the estate by purchasing adjoining tracts of land.

The Duane landholdings were organized into a township that was officially recognized by letters patent, March 13, 1765. Eventually, much of the land in the original patent would form the present Town of Duanesburg in Schenectady County. The date of official recognition as a town was March 22, 1788.

Scope and Content Note:

These papers relate to the lands in the Duanesburg Patent (also frequently spelled Duanesburgh) and record the conveyance of title by various speculators that led to the acquisition by Anthony and James Duane of some 100,000 acres. Included are deeds, leases, letters patent, legal papers and surveys. Persons owning property or involved in land title transactions include John Watts, William Cosby, Daniel Horsmanden, Walter Butler, John Butler, Alexander Colden, and Cadwallader Colden.

The 76 documents, on vellum and on paper, include six letters patent (some with the seals of the Province of New York in their original round pewter boxes) and signed indentures. They show how the land in and around Duanesburgh became the property of the original owners by grants from the crown or by purchase from Indians or later owners. Anthony Duane acquired 6,000 acres in 1741; his son, James, bought 1,000 acres in 1761 and subsequently acquired large tracts by purchase and lease.

Notable among the documents for 1761 are two (one letters patent) containing plans signed by Cadwallader Colden as surveyor. These small plans are of tracts of land purchased originally in 1733 and 1734 "from the native Indians by Walter Butler and others." Colden's signature also appears on other documents.

Of the 37 vellum documents there are a number signed by royal governors: Robert Hunter in 1719, George Clarke in 1735, and William Cosby in 1734. A paper document attached to the vellum copy of a will is signed by Frances Barnard of New Jersey in 1760.

Other signatures on vellum documents, where the principal has appeared as a witness or in another capacity are those of James De Lancey, Chief Justice (1703-1776) in 1734; James Duane and his son, James C. Duane; Hugh Gaine in 1791; Daniel Horsmanden (1694-1778) at numerous times; Robert R. Livingston in 1788; Alexander Macomb in 1791; Richard Morris in 1788; and William Smith (1697-1769) in 1761. Dr. Peter Middleton's (d. 1781) signature appears several times in 1762. Gerard Bancker's signature and that of Abraham Van Vechten appear on the later endorsements.

With the exception of the royal governors, the same signatures are found on many of the paper documents, which are in some few instances duplicates of the vellum originals; in addition, there is the signature of the Loyalist Lt. John Butler (1728-1795), son of the Capt. Walter Butler of Fort Hunter, who had made the original purchase from the Indians in 1733, on a document in 1766, and signatures of a younger group of New York lawyers, including Robert Benson, John Lansing, Jr., and Peter Van Schaack.

In 1765 Duane is known to have subsidized the emigration of a group of Germans from Pennsylvania to help develop the area; thus, there are a number of documents signed that year by the Rev. Michael Schlatter of Philadelphia. The latest document, 1795, is a deed of gift of a farm in Duanesburgh from James Duane to James C. Duane.

A related document is James Duane's map of the town of Duanesburgh and the surrounding country (Map Accession Number (74744) 1765; originally 12353):

Duane, James. A.Ms.S. initials. Rough map. Duanesburgh and Surrounding Country. In pen-and-ink, a little watercolor. Folio, 22 in. x 17 in. with small paper extensions sewed on right margin, center, and lower left corner, repaired. French paper with watermark of device including a fleur-de-lys and letters "LVG" below, with "IV" off to the left. With A.Ms. notes relating to Duanesburgh in his hand in center and endorsement lower right, "Laid down by a scale of 100 Chains to an Inch. J.D." 1765 f.

This simple plan is most probably the work of James Duane, founder of Duanesburgh (created March 13, 1765). The town is centered with reference to its location in respect to neighboring towns. Though the plan is doubtless based on a formal map there is no attempt to make a professional job of it, beyond tracing the Mohawk and Schoharie rivers. Towns are shown by rough sketches of houses.

At the center left the points of the compass are indicated; the principal sites shown are:
 (Top - West) "Schoharie containing 7 towns"
 (Right - North) "Fort Hunter" (this runs into a small paper extension sewed on the right center margin)
 (Bottom - East) "Schenectade" (note that the small paper extension sewed to the lower left corner shows the Hudson and Albany)
 (Left - South) "Manour of Renselaerwyck"

In the center within the part of the plot forming the Township of Duanesburgh, Duane has written in an italic hand some information about the extent of the town and distances from the large towns in the area. His mention here of the presence of German settlers dates the work on the map from 1765 f.

Another related document is "Plan of Duanesburgh/Part of the Estate of James Duane Esq."
 (Map Accession Number (74744) 1766; originally 12419):

Cockburn, Will. A.Ms.S. pen-and-ink and watercolor on vellum. Plan of Duanesburgh ... P & O run into Lots. On two sheets, sewed, 22 plus in. x 52 plus in., worn, some stains, folded, with paper label, slightly damaged, on verso. 1766 f.

Very competent map containing a general index in lower right corner for 6571 acres; it is the lower half of a complete map of the area (its whereabouts, if ever made, not known). The paper label on the verso reads "Map/of the Subdivision of that part of the T[own of]/Duanesburgh, which was granted in right of/Capt. J. Brower and Lt. J. Butler/comprehending 5000 Acres/Donc Anno 1766."

Elevations, rivers and creeks, roads, farms and other individual properties with ownership are shown. There are notes that some of the roads were surveyed by other men.

The owners, John Butler and John Brower (or Brewer), sold their property in this year to James Duane. The town had been created in March of the previous year.

Folder List:

Folder	Item	Description	Date	Year
		Leases and Releases for Duanesburgh January 9, 1734 to December 22, 1791. Arranged chronologically.		
1	1	From Joseph Barrett and others to Gov. Cosby, 42,000 acres	January 9	1734

Folder	Item	Description	Date	Year
1	2	From Timothy Bagley to Dan. Harfmander, 6,000 acres (Lease)	March 15	1738
1	3	From Timothy Bagley to Daniel Horfmander, 6,000 acres (Release)	March 16	1738
1	4	From Nicholas Jones to Cornelius Duane, 26,000 acres	September 9	1738
1	5	From Jeremiah Dunbar to Thos. Lynch	May 29	1739
1	6	From Walter Butler to Jeremiah Dunbar, 10,000 acres	October 9	1739
1	6a	From Jeremiah Dunbar to Anthony Duane, 10,000 acres		1741
1	7	From Jeremiah Dunbar to Anthony Duane, 10,000 acres	May 22	1741
1	8	From Hendrick Cropsey to David Colden. Release for lots D and F, 1,000 acres (Butler's Purchase)	October 15	1761
1	9	From Josiah Crane to Rich. Nichollis. Release of 2,000 acres (Butler's Purchase)	December 29	1761
1	10	From Mrs. Susana Burgos to Dr. Peter Middleton. Lots A and O, 2,000 acres	March 16	1762
2	11	From Morley Harison to Geo. Harison, 2,000 acres	March 19	1762
2	12	From Morley Harison to George Harison. Release of 2,000 acres in Butler's Purchase, Lots G and H	March 20	1762
2	13	From Nicholas Jones to Cornelius Duane, 26,000 acres	April 10	1762
2	14	From Alex Colden and wife Elizabeth, 1,000 acres - Albany County between Schenectady and Schohare [sic]	March 2	1763
2	15	From Daniel Horsmanden to James Duane, 6,000 acres	March 7	1763
2	16	From Phillip Cosby to James Duane, 6,000 acres	March 8	1763
2	17	From Dan'l Horsmanden to James Duane, near Schenectady, 6,000 acres	March 8	1763
2	18	From Lt. John Butler to James Duane, 2,000 acres	October 9	1763
2	19	From Rich. Nichols to James Duane - Lease to vast Profesion(?)	May 13	1764
2	20	From Richard Nicholls to James Duane, 2,000 acres - Albany County Butler's Purchase	May 31	1764
3	21	From Duncan Read, Dr. Peter Middleton, Arch. Campbell, Alex. McNachten, Neal Gillespie to David Shaw, 4,075 acres	October 17	1765
3	22	From David Colden to James Duane, Lots C, E, D	October 29	1765
3	23	From David Colden to James Duane, 1,000 acres - Lot D	October 30	1765
3	24	From Alex. Coldon, Geo. Harrison and David Coldon to James Duane, 712 acres S. part of Lots K, H, and F	October 30	1765

Folder	Item	Description	Date	Year
3	25	From Alex Colden, Geo. Harrison and David Colden to James Duane, 712 acres - south part of lots K, H, F	October 31	1765
3	26	From Captain Jonathan Brewer to James Duane, 9,000 acres	May 13	1766
3	27	From David Shaw to James Duane, 8,000 acres in Chatham. 2,000 acres	May 29	1766
3	28	From Joseph Hawkins <i>et al</i> to James Duane, 4,150 acres	January 1	1767
3	29	From Rev. Michael Schlatter to John Sayre, 8 farms and Plantations (Nos. 89, 94, 121, 123, 124, 142, 147, 153), one-year lease	March 14	1771
3	30	From Rev. Michael Schlatter to John Sayre, 8 tracts (89, 94, 121, 123, 124, 142, 147, 153)	March 15	1771
4	31	From George Janeway and John Woodmand to James Duane	April 11	1771
4	32	From Geo. Janeway and John Woodward to James Duane for 2/15 parts of two tracts - Albany County <ol style="list-style-type: none"> 1. 5 mi. west of southerly part of Schoharie and ½ mi. south of Cobis Kill 2. 9,000 acres on Schevenus Creek and in the Susquihanna 	April 12	1771
4	33	From John Sayre to James Duane, Lease for farm No. 147 in Duanesburgh	August 16	1774
4	34	From John Sayre to James Duane, Release for farm No. 147	August 17	1774
4	35	From Rev. Wm. Johnston to Alex. Ellice, 200 acres	September 5	1774
4	36	From Rev. Wm. Johnston to Alex. Ellice, 2 lots, 284 and 55 acres	September 12	1774
4	37	From Rev. Mr. Abraham Beach, admin. of Anne Ivory's estate, Lot I	February 28	1786
4	38	From Rev. Mr. Beach to James Duane, Lot I	February 27	1786
4	39	From James Duane to Jehiel Ferris, Farm #67 (104 acres)	August 24	1787
4	40	From Cadwallader Colden, 1,000 acres - F (to James Duane)	October 17	1788
5	41	From Lady Augustus Fitzvory to James Duane, 2,000 acres	November 19	1788
5	42	From Elizabeth Jefferies, 5,000 acres whereof Lt. Wm. Cosby died seized	November 21	1788
5	43	From Sam'l Osgood <i>et al</i> to Edward Dunscomb, 2 tracts, 9,000 acres and 6,000 acres	September 19	1791
5	44	From Samuel Osgood to James Duane, 2,000 acres	September 20	1791
5	45	From Edward Clarke to William Sandford, Lease for a year - Several tracts in Duanesburg area and Vermont. Printed in London	December 22	1791

Folder	Item	Description	Date	Year
		Various legal documents relating to Duanesburgh and James Duane. Arranged chronologically.		
5	45a	Grant to Gen. Geo. Clark Livingston, 370 acres. Granted by Gov. Robert Hunter	July 1	1715
5	46	Survey made for Wm. Cosby, 20,000 acres (includes map)	October 26	1734
5	47	"Confirmation" of letters patent by King Geo. II to Walter Butler, 86,000 acres	December 16	1737
5	48	Declaration of Trust. John Milati-Jeremiah Dunbar	April 9	1739
5	48a	Certificate to Walter Burton	April	1739
5	49	"Confirmation" of letter patent of King George II to Walter Butler <i>et al.</i> , 86,000 acres	March 10	1740
6	50	Deed from Wm. Corry to Wm. Johnston, 283 acres	July 15	1755
6	51	Mary Alexander's will	February 7	1760
6	52	Captain Phillip Cosby's letter-of-attorney to Mr. Thomas Jones for the sale of Butler's Purchase	March 6	1761
6	52a	"Certification" of land in Duanesburg, 13,000 acres, with map	March 17	1761
6	53	Confirmation of letters patent (1733) by Walter Butler and, in 1734, another tract of land (18,000 acres)	May 1	1761
6	54	Deed from John Duncan to Wm. Johnston, 55 acres (part missing)	February 9	1764
6	55	Draft letters patent to Jonathan Brewer and John Butler for 5,000 acres	October 7	1769
6	56	Power of attorney of John Sayre, empowering James Duane to sell or lease Sayre's lands in Duanesburgh, Albany County	May 3	1772
6	56a	William Johnston to executors of Anthony Duane. Mortgage for £60	November 12	1756
6	57	Draft of an act of the legislature of New York 1786. To enable the administrator of Anne Avory's estate to discard certain real estate		
6	58	Copy of survey for Major Cosby <i>et al.</i> Dated June 26, 1738. New document dated October 21, 1793. Signed by Robt. Harpur		
6	59	Deed from James Duane to his son James C. Duane for farm, mill and land, 1,085 acres	September 3	1795
7	60	New York State Comptroller's office. Receipt for \$782 for areas owned by J.C. Duane and wife	November 1	1815
7	61	Memorandum of deeds relating to the BrandWine Mills	December 30	1820
7	62	Mortgage between James Duane to Herman LeRoy and Catherine Augusta Newbold. \$12,000	April 1	1833
7	63	Bond from James L. Duane to Herman LeRoy and Catherine Augusta Newbold. \$12,000	April 1	1833

Folder	Item	Description	Date	Year
7	64	Deed from Issac Riggs to James C. Duane for 40, 45, and 46 Plot	February 23	1835
7	67a	Copy of letters patent to Samuel Anchmuty and others for 23 lots. Albany County - 18,000 acres – Duanesburgh. See also Folder 10 (Item 67)	April 13	1761
		Letters Patent (with pendant seals in boxes)		
8	65	To Timothy Bagley, John Watts, and George Lurting. 6,000 acres, Albany County between Schenectady and Schoharie	February 9	1738
9	66	To Alexander Cosby and two sons. 6,000 acres, Albany County on Schoharie River near Schenectady	February 9	1738
10	67	To Samuel Anchmuty and others for 23 lots. Albany County - 18,000 acres – Duanesburgh Copy with no pendant seal files in Folder 7 (Item 67a).	April 13	1761
11	68	To Rev. Michael Schlatter for 2,000 acres on the east side of Hudson's River - Albany County near northeast corner of Manor of Rensselaerwyck	May 30	1765
12	69	To Jonathan Brower and John Butler. 5,000 acres – Duanesburgh	February 24	1770
13	70	To Barnett Tinnison and others, lands in east side of Hudson River (Albany Co.) and south side of Mohawks River. 2,500 acres called West Cambden, 250 in Duanesburgh	May 19	1770

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