

Ray H Banks's Report on William Bankes

[Return to William Bankes](#)

- RootsWeb's WorldConnect Project: Compilation Project All Deceased Banks & Bankes Persons of European Origin in the U.S. &
 - *Note:*

DNA TEST RESULTS

In 2005 and 2006, four presumed male descendants of William Bankes underwent DNA testing of the male Y-chromosome. This chromosome is passed almost unchanged from a father to his biological sons. The results show these men are themselves closely related genetically but have no genetic relationship to any of 44 other Banks family groupings in the U.S. and Britain who are tested so far. The descendants of William Bankes likely belong to the Y-chromosome group designated as I1d1.

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*Multiple compilations have listed Banks families with claimed descent from William Bankes. These have included the families described in Mrs. Storey's book, *Grandpap's Family*, and a compilation by Reginald Smith. None of these are valid claims based on the DNA testing except for the two groups as follows who participated in the testing: (1) a fully documented line from William that was in Culpeper and Madison Cos., VA in the late 1700s, with given names such as Baylor and Slaughter and Tunstall. The descendants in the 1800s moved to Alabama, Texas, Arkansas and W. Virginia. (2) A family usually called the "Banks of Elbert" family. This family moved briefly to N. Carolina and settled mostly in Georgia, later in Mississippi, Alabama and Texas. These two families are included in the file here.*

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*In addition, the third edition of the book, *The Generalogical Record of the Banks Family*...(Sarah Franklin, editor) claimed that William here was a son of Sir John Bankes, chief justice of common pleas in England. Testing of a direct descendant of this line in fall 2008 indicated that family has an entirely different genetic profile from the family here.*

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In addition, a descendant of Richard Bankes, emigrant from Alkham, Kent, England in the mid-1600s to York, Maine, matches the family of William Bankes closely at 37 DNA markers and is presumed to be a close relative. Two other men from the Richard Bankes family have been tested, but their results -- which do not match any Bankses -- are now presumed to be caused by non-paternity events. [The Richard Bankes family is listed in this database under Richard Bankes, b. abt 1607.]

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The Banks project explained at <http://www.members.cox.net/banksfamilies/Index.html> [In this address, the "i" in the word Index must be capitalized]

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Birth year was earliest William could have been born, considering a land grant to an adult in 1660.

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*There is one tradition reported by James William Banks of Virginia. He was a William Bankes descendant from part of the family that lived continuously in Virginia and was born in 1849. He indicated there were multiple brothers from his family who came to America according to his family's tradition. (Reba Fitzpatrick Lea in her 1945 book, *The Lea Family in Nelson County, Virginia*, p. 80, based on a 1934 interview with James.) This tradition is seemingly incompatible with another tradition among the descendants of William's grandson Thomas. This latter tradition claims William was a son of Sir John Bankes of Keswick, Cumbria, and Corfe Castle, Dorsetshire, but as mentioned above, the Sir John Bankes family has an entirely different genetic profile.*

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*By way of further explanation, a 1972 book by Mrs. Sarah Franklin, relying on an opinion from a British genealogist, identifies William Bankes here as a son of Sir John Bankes of Dorsetshire. A discussion of problems with this attribution and the research underpinning this conclusion are more fully discussed in this compiler's booklet, *Early Bankes/Banks Families of Virginia and Maryland*, 2nd ed. Ray Banks, 1994, available on LDS microfilm. In this booklet, I indicate there are quite a number of potential parents of William Bankses in England and America. The link to Sir John Bankes was not included in the earlier edition of the Franklin book and is based solely on this genealogist's finding of a noncupative will for a William Bankes that was executed in Italy and the use of the given name of Ralph in the United States and England. This will does not mention Virginia. The will of William's 1669 death was filed in 1670 well after the Royalists returned to power in England. Sir John's family had sided with the Royalists and had been hounded by the forces of Parliament after the loss to the forces of Parliament in the Civil War. The genealogist argues that the will may have been created to solve problems with the Bankes estate in England and to pave the way for William to depart the English scene for America. Arguing against this: when the Royalists were out of power, there were Royalists who fled to the colonies. But in the 1670s, these Royalists could openly transact business. If William's assent to a property settlement was needed, he could simply sign an agreement with his family in this later period. William was not the eldest son of Sir John and would not be entitled to special rights. Documents between persons on both sides of the Atlantic were commonly found in the Virginia records. Sir John's other male children are seemingly accounted for in England. The tombstone of Sir John's wife (Lady Mary Bankes) listed their children and indicated that their son William died without issue.*

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NOTE: much space is here devoted to tracing the property of William in King and Queen Co., VA. This project was undertaken because genealogist William Banks in a follow-up to the Sir John Bankes theory has proposed that the King & Queen property was being held for William because he was the son of that gentleman. As part of William's subterfug he executed a noncupative (oral) will in Italy. The information presented here cannot confirm such a scenario. In fact, William obtained the property after the Royalists returned to power, and William would have no need to hide his Royal family ties. Consequently there does not seem to be any obvious indication that the land was being held for William by anyone or why there would be a reason to do so unless someone can provide proof that any of the men involved in the history of William's plantation were in some way directly involved with the business or financial interests of the England Bankes family or had some family ties.

*

William Banks is definitely associated with King & Queen Co., Virginia. However, this county did not exist until 1691 when it was carved from New Kent Co., VA. Even earlier, King and Queen Co. was in York Co. Consequently the following entries could refer to the William under consideration here:

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On 24 Jan 1660, at a court held in York Co., Virginia, a certificate was granted to William Bankes for 150 acres land for

importation of: William Ledfoote, Katherine Foulke and Edward Choames into Virginia. (York County, Virginia Records, 1659-1662, Weisinger, 1989) This 150-acre grant seems to match nicely a marginal note in Virginia for the early 1660s for William Bankes, as will be discussed.

*

On 8 Apr 1668, William Fuzey was granted 1000 acres north of the Mattaponi River in New Kent Co., VA adjacent to the lands of Mr. John Duncombe, granted in return for Fuzey's transport to Virginia of 20 persons, including Wm. Bankes. (Nell Nugent, *Cavaliers and Pioneers, Abstracts of Virginia Land Patents, 1623-1800*, Richmond, 1934, vol II, p 40...the original is Patent Book 6, p 150) Although there is no evidence this is the William Bankes under consideration, this description places the property in this grant in today's King and Queen Co. It was not unusual for early Virginia fathers with adequate income to send their sons back to England for education or training, and this could be one reason William was transported. The person obtaining the land grant for transportation would not have necessarily paid the passage of those transported.

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On 14 Apr 167_, Wm. Bancks was one of the jurors for the estate of Thomas Williams, New Kent Co., VA and also for the estate of Wm. Moore. (Virginia Genealogist, vol 20, 1976)

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In Malcolm Harris's book, *Old Kent County: Some Account of The Planters, Plantations and Places in King William County, St. John's Parish*, vol II is listed a history of the land in Mantpoyick. This land -- also identified by the more modern spelling, Mantapike -- is the site of the residence of William Bankes of King and Queen Co. Philip Bruce in his 1935 book, *Economic History of Virginia in the Seventeenth Century*, indicates that lands just north of the York River were not available for settlement until after 1648. He also indicates that the basis for land grants in this area was by headrights for importation of persons to Virginia. Occasionally the 50-acres-per-imported-person rule was violated to give a much larger grant to a prominent person, such as a minister, according to Bruce. In this general area of New Kent/King & Queen Co., the Indian King of Mattaponi in 1662 sold settlers 5000 acres there indicating it was being shared with the Indians until 1662. Even today, there is an Indian reservation across the river from the Mantapike site. Harris (p 413) lists the history of the Mantpoyick property as follows:

: Edward W. Digges, gent., 18 Apr 1653

: Thomas Baxter, bef 1656

: Adam Holland

: William Banks, 1683

: Geo. Brooke [who married a Banks] bought the plantation from Tunstall Banks when Tunstall moved to King William Co. 1764. [Parts of it were also sold prior to that date]

....Harris does not list his sources for this history of the property.

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On 18 Apr 1653, 700 acres of land on the north side of the Mattaponi River, called Mantpoyick granted to Edward Digges, Gent. for transport of 14 persons. The author identifies Edward as the youngest son of Sir Dudley Digges and a future governor of Virginia. It was also felt that Digges never lived there. The author undoubtedly was quoting from the patent books of early Virginia in describing the grant to Digges. (Genealogical Record of the Banks Family of Elbert County, Georgia.... edited by Sarah B. Franklin, 3rd edition, 1972, p. 38-39)

*

The Thomas Baxter who was involved in the King and Queen County property is mentioned in this Virginia document:



In Tylers Quarterly, Series II, vol 5, p 208 is listed a bond dated 5 Nov 1657 as follows:

York County. Thomas Baxter's bond to Adam Holland. Be it known to all men &c that I Thomas Baxter of Yorke County in Virginia Mrchant doe owe & acknowledge myselfe to be iustly indebted to Adam Holland of the same place gentleman the full & iust some of three score pds good & lawfull money of England to be paid unto ye said Holland his heyres &c. within Thirty dayes after arrivall of ye first shipp at ye port of London from Yorke Rover after ye date of these presents. For payment whereof I the said Thomas Baxter hereby engage to charge home good bills of Exchange upon my loving brother Mr Robert Baxter of London Grocer &c. In witness &c, &c this 5th day of November 1657.

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A more specific entry related to the early sale of William Bankes's later property is the following:

Indenture of Bargaine & Sale, 5 Nov 1657 betw. Adam Holland of the one part & Thomas Baxter now of York Co., in Va., Merchant, of the other part; Adam Holland for 35 cor pds (as in the ms.) Sterl. money of Eng. due to be paid to him by Thomas Baxter, given, granted, sold, etc. to Thomas Baxter 700 Acres by me on the N. Side of Mattapony Riv. in Va.; granted by Patent bearing date 18 April 1653 to Edward Diggs, Esq. & by him assigned over to A.H., the assignment bearing date 17 Mar 1656; bounded as followeth: running from a small creek, S.E. by S. & S.W. & by W. by marked trees to the River. Further, the sd. Adam Holland sold to Col. Robert Abrall. [Col. Abrahall is shown living adjacent to this property in a later description.] Witnesses were John Hillier and Thomas Ballard. The indenture was recorded 16 Nov 1657. (Book III, p 6, York County, Book III. Wills, Deeds and Orders, 1657-1659. Virginia Colonial Abstracts, Ser 2, vol 5, Lindsay Duvall compiler, Wharton Grove, VA, 1961)

*

Immediately below this entry in the York records is this entry:

Patent to Edward Diggs, Gent., 700 acres of land called Montpoqu--- (rubbed out), situated in Gloucester Co. on the N. side of Mattapony Riv., running from a small creek up by the Riv., S.E. by E. -- (one word rubbed out) Mattapony Cr. & from the Riv. into the Maine Woods, due N., due East & S.E. by S. & S.W. by marked trees to the River. The land being due to Edward Diggs, Gent. by virtue of the trans. of 14 within mentioned Patent to Adam Holland, 11 Mar 1656. Adam Holland assigns it to Thomas Baxter, 6 April 1657. Witnesses were John Hillier and Thomas Ballard. Recorded 16 Nov 1657.

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[Several notes: The rubbed out name may be a version of Mantapike, the eventual name of the property. There seem to be several words omitted after "trans of 14." Apparently Diggs received the grant in return for transporting 14 persons, which was approximately the going rate for transportations. Also the county designation (Gloucester) is probably several years behind the facts because Gloucester was formed from York in 1651 and New Kent from York in 1654. This description which includes Mattapony Creek as a landmark means the property as described is indeed the one designated as Mantapike on detailed maps in today's King & Queen Co., VA at a bend in the river across from the Mattaponi Indian Reservation.]

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Thomas Baxter did not live to enjoy his new property.

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On 26 Jan 1657/58, a coroner's jury of York Co. made its report into the death of a body found on the shore with the mark T. B. on the shirt: "Mr. Thomas Baxter who was since drowned near the ship in York River and cast on shore by the tide, the cause supposed to be the oversetting of a small boat wherein he with Mr. Giles Mode and some others were cast overboard." (Duvall, ibid, p 19)

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As a result of this untimely death, the court on 25 Oct 1658 ordered the land and cattle to be returned to Adam Holland due to nonpayment of the obligation. (Duvall, ibid, p 36)

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Adam Holland was also granted 550 acres at the 23 Sep 1658 court for importing 10 persons. (Duvall, ibid, p 45) He also won a suit against Robert Chandler at the 6 Apr 1658 court. (ibid, p 28) On 31 Oct 1661 is noted that the orphan Dennis English under the guardianship of Adam Holland petitioned to be put under the guardianship of Mr. Joseph Chew since Adam Holland is "removed out of the govt.". (York County, Virginia Records, 1659-1662, abstracted by Benjamin B. Weisinger, 1989, p 133) This same Dennis English was listed in a bond 30 Dec 1662 as being due something from the estate of Mr. Francis Holland who was contemporaneously in York Co. with Adam. (ibid, p 183)

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The reader should consult the booklet, Early Banks/Bankes Families of Virginia and Maryland, 2nd ed., Ray Banks, 1994, for more information on the Holland families in early Virginia.

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Returning to the Mantapoyick property, at some point in the 1660s, William Bankes took possession of the Mantapike property. The most detailed information about this transfer of title from Adam Holland is contained in the old Virginia patent books in a transaction dated 21 Apr 1690. (LDS reel 29325)

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[Before presenting the text of this grant, it is important to point out that the early grants were never entered into a book. Individual grants were apparently kept around the governmental office and finally copied into book form starting in 1683. As shown by comparison with county records in those few counties with surviving records from the 1600s, some of these grants were lost. They may have perished in the Indian massacre of 1621/22, the warfare of Bacon's Rebellion in 1675-76 -- both of which impacted on the Virginia capital city -- or they may have been lost in other now forgotten calamities. In addition, the version of the earliest documents exist now only in a copied form. The script is definitely chronologically later than that seen in the 1600s. Hopefully, information was not altered when these documents were transcribed. (Information on the history of these documents from, Nell Nugent, Cavaliers and Pioneers. Genealogical Publishing Co., Baltimore, 1979. Ms. Nugent was the official custodian of these grants.)

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On 21 Apr 1690 a grant was made to Mr. William Banks:...unto Mr. William Banks, New Kent Co., St. Stephen's Parish, 1079 acres in ye foresaid county called and Anciently knowne by ye name of Mantapike land, 700 acres thereof being granted by former patent to Edward Digges, Gnt. dated 18th daye of April, 1653 and ye sd Diggs assigned to Adam Holland and by ye said Holland assigned to Mr. William Banks and by a resurvey of ye aforesaid pattent made by Majc. Geo. Morris it appearing that there was contained within ye said pattent overplus more than ye said patent expressed aforesaid together with some Kings land taken with ye said survey the quantity of 379 acres more upon where the said Banks according to law entered rights and took out for ye whole quantity of one thousand seventy & nine acres as by ye said pattent may appeare dated of the 20th March 1660. [Other sources give a different date, but the text definitely says 1660 and Nugent also agrees that 1660 is the date shown in the text.] and was on a survey made and fairly marked and bounded on all sides as followeth.....[mentions Col. Robt. Abrahall's land as a boundary in the description of the boundaries that follows]....(LDS reel 29325)

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[Many conclusions can be inferred from this text. In addition, several questions are left unanswered.

Philip Bruce in his Economic History of Virginia, states that it was common to have to re-record land patents after fires

and other losses to the elements. Also, it was the practice to grant all the land anew when more parcels were added to the property. This is a factor because William Banks added additional acreage to the Mantapoyick grant. The Holland-Banks deed from the early 1660s is no longer extant. Nell Nugent in her transcription of Patent Book 4, lists six persons on the blank pages for the early 1660s, including the name William Banks with 861 acres next to it. Other blank pages for other grantees are listed elsewhere in Book 4. It is difficult to determine exactly why these grants were never entered. Perhaps they were too deteriorated. One copy of the grant document was always given to the grantee. Perhaps these grantees never brought their copies in for a later reconstruction of the originals. Other possibilities exist.]

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In explanation of the total acreage involved, the original grant was for 700 acres. A larger total of 861 acres was listed in the early 1660s, thus requiring a new grant -- and incorporating 150 acres granted in 1660 for importing three persons. A still larger total of 1079 acres was indicated in 1690, thus requiring still another grant. In reviewing the entries in the patent books, it seems to have been the custom to write out in the margin the total number of acres granted to the grantee under the grantees name. The 1690 entry, for example, says in the margin, "William Banks, 1079 acres."

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[One helpful piece of information would be provided by determining when Maj. George Morris made his survey. Unfortunately, Morris was probably the most enduring of the surveyors of the era. With James Cole, he surveyed the lands of the Chickahominy Indians in 1660, and the land of present-day Tappahannock, VA in 1680. His name also surfaces often in the 1670s as a surveyor. He was the primary surveyor of then New Kent and Old Rappahannock Co., an area that embraces a half dozen modern counties, including King & Queen Co. (Surveyors and Statesmen: Land Measurement in Colonial Virginia. Sarah Hughes, Virginia Surveyors Foundation, 1979) Complete tracing of Morris' career has not been attempted. However, he may have departed the area by 1688 because in that year Mr. Joshua Story was granted 400 acres in New Kent Co., St. Stephen's Parish [probably now in King & Queen Co.]. This land was described as deserted, but originally granted to Maj. George Morris. (Nugent, *ibid*, p 322) Morris was never described with the title "Major" until after the early 1680s. He was granted thousands of acres in this area of Virginia for importing dozens of persons into Virginia.]

*

How or why William Banks came to acquire the final additional acreage is not clear. Several authors describe the situation of settlers impinging on abandoned Indian land. The Indian population was decimated by the late 1600s. And abt 1690 they moved entirely out of the upper side of the Mattaponi. (Program -- 250th Anniversary of the Founding of King William County, Apr 1952, no author listed) Lt. Col. Abrahall -- whose land adjoined William's -- was granted anew 1010 acres on the north side of the Mattaponi River in 1662. His prior grant was dated 1653. The 1662 patent to Abrahall indicates his land adjoined Indian land. (Nugent, *ibid*, p 484) Other scenarios as to how William acquired the additional acreage are possible. One author discussing the subject of King & Queen Co. resurveys has written: "The admission that a survey revealed more land than was originally claimed is not unusual. People with the power and status of Diggs could usually win a legal dispute by saying their patent was as big as they wanted and located where they wanted. Subsequent owners -- buyer beware -- would have to straighten it out as best they could..." Referring specifically to Mantapike, the author indicates the original patent to Diggs was vague as to boundaries, and the patent to the adjacent property of John Broach states Broach's land contained Mantapike Swamp which was also right in the middle of the Diggs/Banks patent. (Tidewater Virginia Families: A Magazine of History and Genealogy, vol 7, no 3, 1998, p 160)

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It should be noted that William was addressed in several places in the 1690 grant as "Mr." William Banks. This term "Mr." was reserved in that period for persons of high standing in the community, but usually for persons whose family belonged to the armigerous gentry class. Later documents are not consistent in retaining this title for William.

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Regarding whether the transaction with Adam Holland could be considered (a) a sale or (b) a gift or bequest from a relative, the evidence would seem to indicate that a sale was involved. If the land were inherited, it normally was the custom to mention this fact so that the trail of ownership would not be lost in establishing future rights to the property.

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One final mystery involves the wording "as by ye said pattent may appeare dated of the 20th March 1660." Was William trying to sneak some extra Indian land into the patent of the early 1660s which was probably then 861 acres? Was there simply an error in the original survey? Is this just a quaint way of saying the original patent to William was dated 1660? Whatever the reason, he definitely wanted the new total of 1079 acres officially on the record. There is no mention of or explanation of any new parcels that were being granted in 1690 so a reasonable person would be led to believe that this grant was solely to legitimize Morris's survey which was probably completed before 1690. In addition, various political changes were occurring in the last years of the 1600s that gave incentive to owners to protect and document ownership rights.

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In May 1686 in the will of James Rand of St. Mary Colechurch, London, which was probated in England, he mentions he is a creditor of William Bancks in Virginia. (The Complete Book of Emigrants, 1661-1699, Colham) It is unclear whether this is the same William as the William of King and Queen Co.

*

William of King and Queen Co. may also be the William Banks listed in a 4 Apr 1688 court order of [Old] Rappahannock Co., near to King & Queen Co. Judgment upon (nil dicat) is granted to Robert Clarke as assignee of William Dougan, Administrator. Wm. Banks for 450 lbs. of tobb. and caske upon a Bill to be paid with cost of suit. (p 60, Rappahannock Co., VA, Order Bk, 1687-1689, as quoted in Virginia County Court Records. Order Book Abstracts of (Old) Rappahannock County, Virginia, 1687-1689, Sam & Ruth Sparacio, 1990)

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Beginning in 1704, colonists in most counties had to pay the king a quit rent of one shilling for each 50 acres owned. The quit rent roll of King and Queen Co. for 1704 lists William Bankes for 1079 acres there. (The Quit Rents of Virginia, 1704. Annie Smith, Genealogical Publishing Co., 1957)

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On 10 Nov 1709, William Banks of St. Stephen's Parish, King & Queen Co., wrote his will. He left 1200 acres to his eldest son Ralph Banks. This 1200 acres bequest included land owned in St. Margaret's Parish and St. John's Parishes in King William Co. (Hening's Statutes, v, p 306; Virginia Magazine of History and Biography, vol 5) Unless William had died intestate, there was no requirement that he leave all the estate to one son. Several large landowners, like Fitzhugh and Carter, divided their estates. When a person died without a will, by the law of primogeniture, the estate would then pass to the eldest son.

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In Hening's The Statutes at Large, vol VII, p 293, it is stated that the land in King & Queen Co. was called by William Banks his Home Dividend, afterward Mantapike. In the 1690 patent entry, the name Home Dividend is not mentioned and the land is described as "anciently known by the name of Mantapike land..." (see above)

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The property along the Mattapony was the subject of a description by William Hugh Grove, an English genetleman who came to Virginia in 1732:

*I sailed up the [Mattaponi] which divide[s] King and Queen County from King William....The North side...is Thick seated with gentry on its Banks with in a Mile or at most 2 mile from Each other...Most of These have pleasant Gardens and the Prospect of the River render them very pleasant [and] equall to the Thames from London to Richmond, supposing the Towns omitted.
(Rhys Isaac, The Transformation of Virginia, 1740-1790, p 35)*

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Timber from the original house at Mantapike was used to build another one in later years. The original Bankes house was built in the "Dutch" style, presumably with the low sloping roof of the day. There apparently was a large fishery there [the river makes a sharp bend at Mantapike] and was at one time of some commercial importance being located along a major road to Williamsburg and was a warehouse center for tobacco shipments. (basic info from The Genealogical Record of the Banks Family of Elbert County Georgia...., 3rd ed., edited by Sarah Banks Franklin, 1972, p 41. quoting Bagby's History of King & Queen County (1908)), [The tobacco warehouses did not come into vogue until well into the 1700s, however. RHB]

*

Death info from fact William's will was written in 1709 and Hening's The Statutes at Large, vol VII, p 293 indicates he died soon afterward. Death location ahown is only probable information and unproven.

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The book The Genealogical Record of the Banks Family, Sarah Franklin, editor, lists as children of William here: James Banks, b. abt 1688 and William Banks, b. bef 1693 -- see separate entries in this database -- but the author provides no real evidence for these relationships, and they are thus not maintained as such by me here.

Marriage 1

Mary Tunstall b: BEF. 1675 in [resident of King and Queen Co., Virginia]

Children

1. Ralph Banks b: BEF. 1689 in Virginia

2. Thomas Banks b: BEF. 1694

judybyrum92added this on 12 Mar 2012

Debra Tarletonoriginally submitted this to Tarleton Family Tree on 22 Jul 2011

From Website:wc.rootsweb.ancestry.com/cgi-bin/igm.cgi...

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 **Description:** Ray H. Banks report on rootsweb of William Bankes of K & Q Co., Va.

