

WAKE COUNTY, NC 56  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
11/21/2008 AT 09:49:43

BOOK:013306 PAGE:01202 - 01207

Instrument prepared by: Raleigh City Attorney's Office  
Brief description for Index: Lane-Bennett House  
Parcel Identifier: 777629302  
Mail after recording to: City Planning Department  
PO Box 590, Raleigh NC 27602  
Attn: Martha Hobbs

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

**AFFIDAVIT OF CORRECTION OF TYPOGRAPHICAL OR OTHER MINOR  
ERROR**

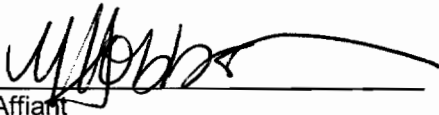
[N.C.G.S. 47-36.1]

The undersigned Affiant, being first duly sworn, hereby swears or affirms that the Raleigh City Council Ordinance (1990) 561 adopted on 5/1/1990 and recorded in Deed Book 4708, Pages 0911-913, Wake County Registry, contained the following minor error:

The ordinance did not include a statement of the owner(s) of record of the subject property on the date of adoption of the ordinance. Affiant makes this Affidavit for the purpose of correcting the above-described instrument by noting the said property owners of record, to wit: **Thomas Owen Manning**.

Affiant is knowledgeable of the agreement and the intention of the parties in this regard. Affiant is employed as Planner II for the City of Raleigh Planning Department.

A copy of the original instrument is attached as Exhibit 1.



Affiant  
Martha Daniel Hobbs

State of North Carolina County of  
Wake

Signed and sworn to (or affirmed)  
before me, this the 4 day  
of November,  
2008

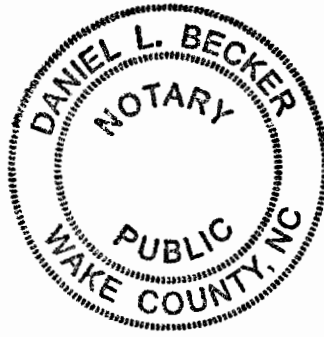
**My Commission Expires 7-6-2010.**

My Commission Expires:

Daniel L. Becker

Notary Public  
Daniel L. Becker

(Affix  
Official/No  
tarial Seal)



BK4708PG0911



00028

*City Of Raleigh*  
*North Carolina*

PRESENTED  
FOR  
REGISTRATION

90 MAY 23 AM 9:39

KENNEL L. WILKINS  
REGISTER OF DEEDS  
WAKE COUNTY

STATE OF NORTH CAROLINA)

COUNTY OF WAKE )

I, Gail G. Smith, City Clerk of the City of Raleigh, North Carolina, do hereby certify that the attached is a true and exact copy of Ordinance (1990) 561 adopted by the Raleigh City Council in their meeting held May 1, 1990, to be effective May 15, 1990.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 18th day of May, 1990.

SEAL

Gail G. Smith

City Clerk & Treasurer

EXHIBIT 1

BK 4708 PG 0912

ORDINANCE NO. (1990) 561

AN ORDINANCE DESIGNATING Lane-Bennett House, 7408 Ebenezer Church Road IN THE PLANNING JURISDICTION OF THE CITY OF RALEIGH, NORTH CAROLINA, A HISTORIC PROPERTY.

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of a Historic Properties Commission for the City of Raleigh and otherwise provided for the preservation of certain historic sites and buildings by the passage of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes; and

WHEREAS, the Raleigh Historic Properties Commission has made an investigation and recommended the following property be designated a historic property; and

WHEREAS, the North Carolina Department of Cultural Resources has made an analysis and recommendation that the following property be designated a historic property; and

WHEREAS, on the 1st day of May, 1990 a joint public hearing was held in the Council Chamber of the Municipal Building, Raleigh, by the City Council of the City of Raleigh and the Raleigh Historic Properties Commission to determine whether the hereinafter described property should be designated a historic property; and

WHEREAS, all requirements of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes, preceding the adoption of this ordinance, have been complied with.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA THAT:

Section 1. The property designated as Lane-Bennett House, in the planning jurisdiction of the City of Raleigh, North Carolina, be and is declared a Raleigh Historic Property. Said property being more particularly described as follows:

Lane-Bennett House, 7408 Ebenezer Church Road, approximately 1.23 acres, Tract 5A.

Section 2. Those elements of the property that are integral to its historical, architectural, archaeological significance, or any combination thereof are as follows:

The exterior of the one-and-a-half story frame Lane-Bennett House, constructed for Joseph Lane, brother of Joel Lane, in 1775, including all original, early, or restored features, details, and appurtenant features, and including the parcel described in Section 1, but excluding features added during the 1981 renovation.

Section 3. No building, site, structure or object that is designated in this ordinance located on the hereinbefore described site may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material or outer appearance occurs unless and until a certificate of appropriateness is obtained from the Raleigh Historic Properties Commission or its successors.

Section 4. No building, site, structure or object that is designated in this ordinance located on the hereinbefore described site may be demolished unless and until either approval of demolition is obtained from the Raleigh Historic Properties Commission or a period of one



BK 4708 PG 0913

hundred eighty (180) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it maybe amended hereafter).

Section 5. All owners and occupants of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence shall be sent by certified mail a copy of this ordinance.

Section 6. This ordinance shall be indexed after the property owner's name in the grantor and grantee indexes in the Office of the Register of Deeds of Wake County.

Section 7. City administration and the Historic Properties Commission are hereby authorized and directed to have erected an appropriate sign on the site hereinabove described setting forth the fact that said site has been designated a historic property by action of the Raleigh Historic Properties Commission and the City Council of the City of Raleigh provided, should the owners of the hereinabove described property not consent to the erection of said sign on the described premises, City administration and the Historic Properties Commission are hereby authorized and directed to have said sign located on the public right-of-way adjacent to said property.

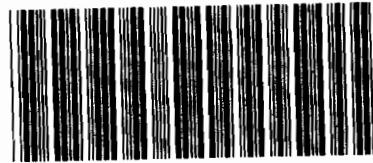
Section 8. In the event any building, site, structure, or object is demolished in accordance with the ordinances of the City of Raleigh, this ordinance shall automatically be null and void.

Section 9. Any violation of this ordinance shall be unlawful as by law provided.

Adopted: May 1, 1990

Effective: May 15, 1990

Distribution: City Council  
City Manager  
City Attorney  
Planning Department (2)  
Inspections Department (3)  
Raleigh Historic Properties Commission  
Wake County Tax Supervisor  
Property Owner and/or Occupant  
Registrar of Deeds



**BOOK:013306 PAGE:01202 - 01207**

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**Yellow probate sheet is a vital part of your recorded document.  
Please retain with original document and submit for rerecording.**

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**Wake County Register of Deeds**

**Laura M. Riddick**

## RALEIGH HISTORIC PROPERTY DESIGNATION APPLICATION AND REPORT

1. **NAME OF THE PROPERTY:** (If historic name is unknown, give current name or give street address)

Historic Name Lane-Bennett House

Current Name, or Address \_\_\_\_\_

2. **LOCATION:** 7408 Ebenezer Church Road Raleigh Wake  
street city and/or county

3. **LEGAL OWNER:** Name Thomas Owen Manning day phone \_\_\_\_\_

Address 7408 Ebenezer Church Road, Raleigh, NC 27612  
street city state zip

4. **APPLICANT/CONTACT PERSON:** Name \_\_\_\_\_ day phone \_\_\_\_\_

Address \_\_\_\_\_  
street city state zip

5. **REASON FOR REQUEST:** Historical and architectural significance of the house and dependency.

6. **GENERAL DATA:**

a. Date of construction and alterations: 1775, 1981

b. Outbuildings: Yes X No \_\_\_\_\_ If yes, number 1

c. Approximate acreage or dimensions: 1.23 acres

d. Architect, builder, carpenter and/or mason: \_\_\_\_\_

e. Use: Original Residential Present Residential

f. Is the property income producing? Yes \_\_\_\_\_ No X

7. **CLASSIFICATION:**

a. Category: building(s) X structure \_\_\_\_\_ object \_\_\_\_\_ site \_\_\_\_\_

b. Ownership: private X public: local \_\_\_\_\_ state \_\_\_\_\_ federal \_\_\_\_\_

c. Number of resources within property: Contributing Non-contributing

buildings	<u>2</u>	_____
structures	_____	_____
objects	_____	_____
sites	_____	_____

d. National Register of Historic Places status (check one): Entered (date) 1983 ;  
nominated: eligible \_\_\_\_\_ not eligible \_\_\_\_\_ ; not requested \_\_\_\_\_ ; removed (date) \_\_\_\_\_

e. Has the property been recorded during a historic survey by the City of Raleigh or the NC Historic Preservation Office? By whom and when North Carolina State Historic Preservation Office 1983

8. **SIGNATURE OF APPLICANT:** Raleigh Historic Properties Commission, Inc. date March 13,  
Post Office Box 829  
Century Station  
Raleigh, North Carolina 27602  
1990

9. **SUPPORTING INFORMATION:** (For items c., d., and e., please type or print on separate sheets of paper and attach to this application)

- a. **Photographs:** At least TWO current exterior black and white photographs of different views must be provided. Photographs must be labeled in pencil with the name of the building, structure, object or site, the address, and the date. Additional exterior or interior views and views of other structures on the property will be helpful. Color, black and white photographs and/or slides are acceptable for additional documentation.
- b. **Maps:** Include a map showing the location of the property. A tax map with boundaries marked is preferred. A sketch map is acceptable but please note street names and numbers. Other structures on the property should also be shown. Include a "North" arrow.
- c. **Justification for land to be designated:** Describe the physical appearance of the surrounding land area and its use.
- d. **Architectural description and significance:** Describe the architectural features, additions, remodelings and alterations. Include a statement regarding the architectural significance of the building.
- e. **Historical significance:** Note any significant events, personages and/or families associated with the property. Detailed family genealogies are not necessary. Please list any any additional sources of information.

10. **PLEASE RETURN TO:**

Raleigh Historic Properties Commission  
Post Office Box 829  
Century Station  
Raleigh, NC 27602

SIGNIFICANCE:

The house was built for Joseph Cane, brother of Joel Cane who owned land on which Raleigh was built. The house was later owned by Joseph Gales, founder of the Raleigh Register.

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National Park Service

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date entered

See instructions in *How to Complete National Register Forms*  
Type all entries—complete applicable sections

## 1. Name

historic Lane-Bennett House (Renomination)

and/or common Joe Bennett House

## 2. Location

street &amp; number 7408 Ebenezer Church Road not for publication

city, town Raleigh vicinity of

state North Carolina code 037 county Wake code 183

## 3. Classification

Category	Ownership	Status	Present Use	
<input type="checkbox"/> district	<input type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	<input type="checkbox"/> agriculture	<input type="checkbox"/> museum
<input checked="" type="checkbox"/> building(s)	<input checked="" type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input type="checkbox"/> commercial	<input type="checkbox"/> park
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational	<input checked="" type="checkbox"/> private residence
<input type="checkbox"/> site	<b>Public Acquisition</b>	<b>Accessible</b>	<input type="checkbox"/> entertainment	<input type="checkbox"/> religious
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input checked="" type="checkbox"/> yes: restricted	<input type="checkbox"/> government	<input type="checkbox"/> scientific
	<input type="checkbox"/> being considered	<input type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial	<input type="checkbox"/> transportation
	N/A	<input type="checkbox"/> no	<input type="checkbox"/> military	<input type="checkbox"/> other:

## 4. Owner of Property

name Ruth Little

street &amp; number 7408 Ebenezer Church Road

city, town Raleigh vicinity of state N.C. 27612

## 5. Location of Legal Description

courthouse, registry of deeds, etc. Wake County Courthouse

street &amp; number

city, town Raleigh state N.C.

## 6. Representation in Existing Surveys

title National Register Listing has this property been determined eligible? ☐ yes ☐ nodate 1977 (Removed 1980) ☐ federal ☐ state ☐ county ☐ local

depository for survey records

city, town state

## 7. Description

Condition		Check one	Check one	
<input checked="" type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input type="checkbox"/> unaltered	<input type="checkbox"/> original site	
<input type="checkbox"/> good	<input type="checkbox"/> ruins	<input type="checkbox"/> altered	<input checked="" type="checkbox"/> moved	date June 1980
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed			

### Describe the present and original (if known) physical appearance

#### Description in 1976-1977:

The Lane-Bennett House stands on a gentle hill in western Wake County, surrounded by frame outbuildings and shaded by large trees. The small, beautiful Georgian style dwelling has been neglected and vandalised during years of vacancy, but it steadfastly maintains its integrity and identity. The one-story frame dwelling is L-shaped and consists of three parts: The original three-bay section of 1775, facing east, and covered by a very steep gable roof; a one-bay extension to the south, accomplished soon after the first section and covered by a continuation of the steep roof; and a considerably later ell, which projects east from the south extension. This ell, which while not intrusive, is plain and undistinguished, contributing usable space but little else to the house. It is frame, with plain weatherboards and unmolded door and window frames. Extensions of the roof eaves and front shed porch and rear shed rooms. At the west end is a brick chimney with single stepped shoulders.

The two older sections, which read as one unit unless closely examined, have functioned as a unit through most of the house's history. The exterior form of the house is straightforward: a gable roof of acute steepness covers the front portion and shifts to a gentler slope to shelter original shed rooms to the rear. At the north end rises an interior end chimney, inscribed with the date, 1775. At the slightly newer south end rises an exterior double shoulder chimney of brick laid in Flemish bond; the shoulders are paved. The orange brick appears rather soft, and needs re-pointing. The molded cap is partially intact. Finish is generally simple and typical of the late 18th century, though most of the weatherboards are non-original, unmolded ones. Tapered, beaded rake boards occur at the gable ends, and window frames are generally molded, mitered ones.

The glory of the exterior of the house, however, is the treatment of the main (east) facade of the original section, which is beautiful and intact. The porch, in particular, is a rare survival. The roofline shifts part way down the gable to a shallower slope which becomes the shed porch roofline. The three-bay shed roof is carried on four robust yet graceful tapered posts, square-in-section, which rise to square, molded caps. Between some of the posts extend much-weathered handrails, remnants of the balustrade. The cornice of the porch, missing in places, consists of a simple board scalloped at its lower edge in a reverse ogee-arched pattern. The beaded, tapered raking cornice of the main roof extends along the side of the porch roof. Inside, the ceiling of the porch is articulated and supported by beaded rafters. The wall of the facade, sheltered by the porch, is also intact. Its paint is weathered off, but traces of a reddish color survive. The wall is covered with horizontal beaded flush sheathing. Molded, mitered three-part frames occur at doors and windows, with the windows having plain, squared, unobtrusive sills. The door, instead of the usual six-panel scheme, features six long vertical panels arranged in two ranges of three each. These panels, robust raised ones, are surrounded by Georgian quarter-round molding. The door is supported on HL hinges. In the window to the south of the door, the presumably original six-over-nine sash survives, with very heavy muntins.

Within, the house retains essentially its original plan, and the finish that survives is original. In recent years, however, the wainscot, some doors, and the mantels except for the north front one were removed. The plan consists of one large front room and one rear shed room in the original section, with an additional front room and shed room in the



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early extension at the south end. The massive north interior chimney serves a broad fireplace opening in the north front room and a smaller opening in the side of the chimney in the north shed room. In addition, a closet on the front side of the front room fireplace gives access to a warming oven in the front side of the chimney. The enclosed stair rises in a tiny space, reached by a flight of four steps, in the northwest corner of the north front room; the stair turns with winders at the corner to pass over the closet and beside the chimney.

This north wall retains the largest proportion of woodwork in the house. A wide, segmental-arched fire opening is inserted into a broad expanse of flush sheathing; the fire opening is framed by a robust rounded molding, and above it occurs a simply molded, rather narrow shelf. The sheathing continues about three-quarters of the way up the wall, and carries across the doorway to the closet beside the chimney, and jogs up to encompass the corner doorway that opens to the stair. The door to the closet, now gone, was of four raised panels. That to the stair, still in place, is of six raised panels arranged like the front door.

The rest of the mantels are gone, but photographs exist of them. The shed room fireplace in the side of the north chimney originally featured a tall, paneled mantel with an arched opening beneath four horizontal panels that rose nearly to the ceiling. That in the south room also featured an arched opening, kicking out slightly to either side, beneath a simple molding, surmounted by two horizontal flat panels below a molded shelf. Wainscots, also gone, were evidently flush-sheathed and surmounted by a simple chair rail.

The interior fabric, minus these removals, is fairly intact. The massive timber framing is exposed below chair rail line. Above, the walls are plastered over split wood lathe. The wide floor boards and the ceilings with exposed, beaded beams are still in place. Some doors with six raised panels in traditional arrangement survive. The attic level of the original portion is also plastered, and there is evidence of dormers that formerly pierced the ceiling. In the south extension, however, the attic level was apparently never finished. The finish of the south wall of the original portion, visible from the south extension, suggests that the extension may have been added immediately upon construction of the original section.

A number of outbuildings, including barn, well-house, and some gable-roof frame buildings of unknown function, survive. Of these, only the well-house, southwest of the dwelling, appears to be nearly contemporary with the house. It is of heavy timber frame construction, with a broad overhang sheltering a deep stone-lined circular well.

Description of rehabilitation and present condition:

As the accompanying photographs indicate, the Lane-Bennett House has been completely restored by its mover and owner, Ruth Little-Stokes. Every precaution was taken to retain all original fabric in the house and to stabilize this fabric. Rotted and termite-eaten areas of the frame were repaired with new wood and epoxy according to standards taught in the Preservation Technology Curriculum at Durham Technical Institute. The original front porch was re-erected. Cedar shakes replaced the old sheet metal roof. The chimneys were dismantled brick by brick and re-erected. All of the windows were missing from the structure, but molding profiles had been recorded by Richard Parsons in 1968. New windows

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Continuation sheet

Description

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were crafted by master carpenter David Patterson to the exact specifications of the profiles. Approximately one-half of the doors were also missing, and reproductions of these were crafted from the molding profiles. Most of the interior window and door trim, and all of the beaded ceiling joists, flooring and the stairway and mantel wall in the great room are original and have been refurbished.

Only two alterations were made to the original exterior. The early twentieth century wing added to the ca. 1800 section of the house was demolished, and the front window which had been replaced by a door leading into the wing was taken back to its original appearance. Secondly, three skylight panes were fitted into the roof of the ca. 1800 section between the rafters. The original framework was not altered in any way, and the roof could easily be returned to its original appearance should a later owner wish to remove the skylights.

No alterations were made to the interior. The electrical, plumbing, and heating systems are new, as the house was never equipped with such amenities. All caution was taken to avoid drilling any holes or altering the original framework during installation of these systems.

The only remaining outbuilding which was structurally sound was the smokehouse. It was moved intact to the rear yard of the Lane-Bennett House site, and is in the process of being restored.

i) The present nomination is to renominate the property. In June 1980, the Lane-Bennett House, which had been listed in the National Register in 1977, was deleted from the Register in 1980 after it was moved from its original site on S.R. 1001 in the Cary vicinity, Wake County, to a new site on Ebenezer Church Road behind Umstead State Park in the western section of the county. The move was necessitated by the imminent destruction of the house and site for realignment of the secondary road and development of several hundred acres as Regency Park, an office and residential planned community. The house had been abandoned for decades. It was in bad condition and being vandalized. It was to be destroyed. Through the efforts of the North Carolina Division of Archives and History and the Historic Preservation Fund of North Carolina (which has a preservation easement on the house), and the present owner, the house was rescued in the nick of time, moved, and carefully rehabilitated.

iii). The new site is in a very compatible, rural area; it is a 1.3 acre lot, completely wooded, part of a subdivision called Landfall which has deed restrictions prohibiting the destruction of trees over six inches in diameter and enforcing setback restrictions, minimum square footage, and strictly residential lot usage. Ancient oak trees in the front yard give the impression that the Lane-Bennett House has always been on its present site.



## 8. Significance

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> architecture	<input type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/
<input checked="" type="checkbox"/> 1700-1799	<input type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> humanitarian
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> theater
<input type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input checked="" type="checkbox"/> politics/government	<input type="checkbox"/> transportation
		<input type="checkbox"/> invention		<input type="checkbox"/> other (specify)

Specific dates 1775

Builder/Architect unknown

### Statement of Significance (in one paragraph)

Statement of significance in 1977:

The Lane-Bennett House, known locally as the Joe Bennett House, is a small, beautifully finished Georgian style farm house essentially unaltered except by neglect and vandalism. Apparently the oldest unaltered building in Wake County, it was built (in 1775, according to a chimney brick) for Joseph Lane, brother of Joel Lane who owned the land on which Raleigh was established. Later the house was purchased by Joseph Gales, founder of the influential Raleigh Register. After the Civil War the place was the home of the Bennett family.

The land on which the Joe Bennett House now stands was granted to Joseph Lane by Lord Granville. Between 1755 and 1762 Lane acquired five adjoining patents that totaled 2,547 acres along Swift Creek in northwestern Johnston County.<sup>1</sup> In 1771 that part of Johnston became a section in the new county of Wake.<sup>2</sup>

Joseph Lane, brother of Joel who owned the land on which the city of Raleigh was later built, was a member of the prominent Lane family of Edgecombe, Johnston, and Halifax counties.<sup>3</sup> He was appointed a justice of Johnston County court in 1759 and served until Wake was created. He then became a justice of the Wake County court, along with his brother Joel, and was one of the commissioners appointed to select a county seat. Joseph Lane retired as a Wake County justice of the peace in 1781 after lengthy service to both province and state.<sup>4</sup>

A brick near the top of one of the principal chimneys bears a date of 1775. Such method for dating houses is not uncommon and indicates that Joseph Lane built his house on the eve of the American Revolution. Since there are no tax records for Wake County before 1781, and since the Lane family left no personal papers as yet uncovered, and since the property remained in the hands of the family for over sixty years, there is no way to verify or disprove the stated construction date from the documentary records.

Joseph Lane was living in the house when he died in 1798. He bequeathed the homeplace and 1,752 acres to his grandson Joseph who was a minor at the time.<sup>5</sup> Young Joseph was the son of Joseph (2nd generation since 1775) and Ferebee Hunter Lane, daughter of Isaac Hunter whose tavern played a prominent role in the founding of Raleigh.<sup>6</sup> On November 27, 1819 Lane sold the house and property to Joseph Gales for \$6,000.<sup>7</sup>

Joseph Gales came to Raleigh in the late 1790s and established the Raleigh Register, for many years one of the state's most effective newspapers.<sup>8</sup> In his reminiscences Gales stated that he purchased the Lane homestead for his daughter Carolina and her husband Thomas L. West of Bertie County. The Wests had suffered a series of illnesses and were distraught by the death of their first child. Gales believed that the healthier Wake County climate and a change of residence would aid their physical and emotional recovery. He named the estate West Hill and brought Thomas and Carolina West to their new home.<sup>9</sup>

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Continuation sheet Statement of Significance Item number 8 Page 1

Gales and his family continued to reside in his large town house on Fayetteville Street in Raleigh.<sup>10</sup> A fever epidemic in 1822 claimed the life of a second daughter and forced Gales to leave the city to recover his own weakened health. He moved into the West Hill manor house where the constant attention of his daughter and the clean country air soon restored him to normal.<sup>11</sup> Not long afterwards Thomas and Carolina West returned to Bertie County. Although he advertised the land and "a tolerably good Dwelling House" in 1827, Gales decided not to sell the estate. It remained in his possession until his death in 1841.<sup>12</sup>

The executors of Gales' estate divided the property into several separate tracts. On April 23, 1842 Weston Gales, Thomas L. West, and William Peck sold the "tract of land formed by the division of the West Hill Tract called the home tract containing 437 acres" to Sarah Edwards. A second tract of 183 acres was included at a total cost of \$1,411.75.<sup>13</sup>

Sarah Edwards held the property for seven years before transferring 241 1/2 acres to Joseph William Edwards on September 3, 1849. J.W. Edwards paid \$433.30 for "a tract of land on both sides of Swift Creek . . . beginning at pointers on the Road leading from Raleigh to Haywood . . ."<sup>14</sup> On November 22, 1852 Edwards sold the same 241 1/2 acres to Phares Yates for \$1,025.<sup>15</sup> The increase in prices suggests some minor improvements or additions since prices and land values were relatively stable during that period.

Phares Yates, owner of Yates Mill, was a man of considerable wealth and prestige in the Wake County community. His daughter, Eugenia Adeline, married Joseph Zebulon Bennett, a schoolteacher, on June 21, 1863.<sup>16</sup> Her parents were dismayed that Eugenia chose to marry beneath her status, but Phares Yates granted the couple the use of the old West Hill plantation. In 1863 thirty-four-year-old Joseph Bennett took his seventeen-year-old bride to the country estate where they would live for forty-three years. Bennett discontinued his teaching career and became a gentleman farmer and landowner.<sup>17</sup>

Phares Yates died in 1902. Item three of his last will and testament read in part:

I give and devise to my eldest daughter Eugenia A. Bennett wife of J. Z. Bennett the tract of land known as part of the Joe Edwards tract lying in Wake County of the South side of the old Haywood road making the road and lane the line excepting 20 acres lying on the east side of my daughter Eugenia A. Bennetts tract. . . .

Since she received the most valuable section in the division of her father's estate, Eugenia was required by the will to pay \$75 and \$215 to her younger sisters Iola and R.C. Yates respectively.<sup>18</sup> Apparently Joseph Bennett never became a favorite in the eyes of his father-in-law. Phares Yates left no doubt that the property was to go to Eugenia alone after his death. Thus the man for whom the house was named never actually owned the property, but his residence of forty-three years erased the concern for a legal title.

Joseph and Eugenia Bennett had five children who reached maturity: Octavia, Mary, Dexter, Joseph, and Lavena.<sup>19</sup> Octavia married William G. Woodward in 1886 and a year later a daughter, Mary J., was born. Octavia died prematurely in 1892 at the age of twenty-eight. William entrusted the care of his five year old daughter to her grand-

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Continuation sheet Statement of Significance Item number 8 Page 2

parents who raised her as their own.<sup>20</sup> Joseph Bennett died in 1906 and Mary, then twenty years of age, committed herself to taking care of her grandmother.<sup>22</sup>

Eugenia Bennett had the estate divided following Joseph's death and sold the various parcels. The homeplace and sixty acres were purchased by her youngest daughter Lavena who had married A. L. Wilson of Harnett County. The date of the purchase was April 8, 1916 and the consideration was \$1,000.<sup>23</sup> The Wilsons remained in Harnett County and allowed Eugenia and Mary the use of the old house and farm near Apex. On December 10, 1924 Mary J. Woodward bought the sixty acre tract from her Aunt Lavena for \$1,000 and other valuable considerations.<sup>24</sup>

Eugenia Bennett died in 1926 at the age of eighty. Mary apparently continued to live in the family home, but years of devotion to her grandmother denied her the luxury of an active social life during her prime years. On January 22, 1932, at the age of forty-four, Mary Woodward married Dr. James C. Mann, a successful optometrist with a large practice in the Apex area.<sup>25</sup> The couple made their home in Apex and rented the old homestead to tenants who occupied the house until the late 1960s.

Mary Woodward Mann died intestate on June 18, 1967 at Duke Hospital in Durham. She was seventy-nine.<sup>26</sup> There were not direct heirs and a horde of distant relatives descended upon the estate. Claims ran as small as a 1/114 share. The court ordered that the property be divided into tracts and for the tracts to be subdivided into parcels for public sale.<sup>27</sup> On March 7, 1969 Jefferson L. and Eva W. Sugg purchased the entire tract containing the old Bennett house as well as other parcels for \$133,925.<sup>28</sup> The Suggs currently hold title to the property.

In 1977, the original nomination reported,

Since the late 1960s the Joe Bennett House has stood vacant. The natural elements are taking their toll, but the most pressing danger to the venerable structure comes from vandalism. The interior woodwork has already been ripped out, and it seems probable that more destruction will follow. The 200 year old home has been associated with some of Wake County's most illustrious families.

iii) The principal significance of the house lies in its architectural importance as one of the few surviving examples in Wake County of a small (one-room, then two-room plan) colonial house with careful, high-quality traditional finish. This character and fabric is intact. The place association with the original site could not be maintained. The site has been bulldozed and utterly altered. No site could be had nearby. The present site is a compatible alternative. Preservation easements are in place.



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Footnotes:

<sup>1</sup>Land Grants-Granville Grants (with attached plats), Secretary of State Papers, L.G. 74-J, Archives Section, Division of Archives and History, Raleigh, N. C.

<sup>2</sup>David Leroy Corbitt, The Formation of North Carolina Counties, 1663-1943, (Raleigh: State Department of Archives and History, 1969/1950/), 212.

<sup>3</sup>William L. Saunders (ed.), The Colonial Records of North Carolina (Raleigh: State of North Carolina, 10 volumes, 1886-1890), IV, 329, 331, 352, 441, 643, 711, 768, 966; V, 981; VI, 993, hereinafter cited as Saunders, Colonial Records; Walter Clark (ed.), The State Records of North Carolina (Winston and Goldsboro: State of North Carolina, 16 volumes, numbered XI-XXVI, 1895-1906), XVII, 715, 769; XXIII, 287, 995, hereinafter cited as Clark, State Records; and Elizabeth Reid, "Wake County Families", The News and Observer (Raleigh), December 28, 1975, hereinafter cited as Reid, "Wake County Families".

<sup>4</sup>Reid, "Wake County Families", Saunders, Colonial Records, VI, 993; and Clark, State Records, XXIII, 995.

<sup>5</sup>Wake County Wills, originals in Archives Section, Division of Archives and History, Raleigh; will of Joseph Lane, Sen., hereinafter cited as Wake County Wills.

<sup>6</sup>Wake County Wills--will of Joseph Lane, Sen.; Wake County Marriage Bonds, Archives Section, Division of Archives and History, Raleigh; hereinafter cited as Wake County Marriage Bonds; and Reid, "Wake County Families". See also Elizabeth Reid to Anne Kratzer, March 3, 1976 in folder for Wake County-Joe Bennett House, Survey Branch files, Historic Preservation Section, Division of Archives and History, Raleigh, N. C.

<sup>7</sup>Wake County Deed Books, Office of the Register of Deeds, Wake County Courthouse, Raleigh, Deed Book 3, pp. 383-384, hereinafter cited as Wake County Deed Book.

<sup>8</sup>Daniel Miles McFarland, "North Carolina Newspapers, Editors and Journalistic Politics, 1815-1835". The North Carolina Historical Review, XXX (July, 1953), 400.

<sup>9</sup>Gales Family Papers, Southern Historical Collection, University of North Carolina Library, Chapel Hill, N. C.; hereinafter cited as Gales Papers; and Reid, "Wake County Families".

<sup>10</sup>Gales Papers.

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<sup>11</sup>Gales Papers; and Reid, Wake County Families".

<sup>12</sup>Reid, "Wake County Families".

<sup>13</sup>Wake County Deed Book 17, p. 85.

<sup>14</sup>Wake County Deed Book 19, pp. 107-108.

<sup>15</sup>Wake County Deed Book 19, p. 496.

<sup>16</sup>Wake County Marriage Bonds; and Reid, "Wake County Families".

<sup>17</sup>Tenth Census of the United States, 1880: Wake County, North Carolina, Population Schedule, part III, 444, bound copy in Archives Section, Division of Archives and History, Raleigh; hereinafter cited as Tenth Census, 1880; and Wake County Estates Papers, Archives Section, Division of Archives and History, Raleigh, N.C., J. Z. Bennett, 1906, hereinafter cited as Estates Papers with appropriate name.

<sup>18</sup>Wake County Wills--will of Phares Yates.

<sup>19</sup>Tenth Census, 1880, p. 444; and Special Proceedings, Office of the Clerk of Superior Court, Wake County Courthouse, Raleigh, N. C., #68SP100, hereinafter cited as Special Proceeding #100, 1968.

<sup>20</sup>Wake County Marriage Bonds; and Reid, "Wake County Families".

<sup>21</sup>Special Proceeding #100, 1968; and Estates Papers--E. A. Bennett, 1908.

<sup>22</sup>See Special Proceeding #100, 1968; and Estates Papers--J. Z. Bennett, 1906.

<sup>23</sup>Special Proceeding #100, 1968; and Wake County Deed Book 356, p. 481.

<sup>24</sup>Wake County Deed Book 466, p. 5.

<sup>25</sup>Wake County Marriage Register, 1858-1959, Office of the Clerk of Superior Court, Wake County Courthouse, Raleigh, N. C.

<sup>26</sup>Bureau of Vital Statistics, Department of Human Resources, Raleigh, N. C.

<sup>27</sup>Special Proceeding #100, 1968.

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<sup>28</sup>Wake County Deed Book 1864, pp. 519-521.

## 9. Major Bibliographical References

See continuation sheet

## 10. Geographical Data

Acreage of nominated property 1.231 acres

Quadrangle name Raleigh West

Quadrangle scale 1:24000

UTM References

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Verbal boundary description and justification

See attached plat map--property being nominated is outlined in red.

List all states and counties for properties overlapping state or county boundaries

state N/A code county N/A code

state code county code

## 11. Form Prepared By

name/title Ruth Little - description of new site and restoration; original description - Catherine Cockshutt (Bishir); significance - Jerry L. Cross

organization Division of Archives and History

date April 1983

street & number 109 E. Jones St.

telephone 919.733-6545

city or town Raleigh

state North Carolina

## 12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

     national      state   X   local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

State Historic Preservation Officer signature

*William S. Price, Jr.*

title State Historic Preservation Officer

date May 9, 1983

For NPS use only

I hereby certify that this property is included in the National Register

date

Keeper of the National Register

Attest:

date

Chief of Registration

United States Department of the Interior  
National Park Service

National Register of Historic Places  
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