

## **Hartley (Hartly, Heartley), Francis** <sup>[1]</sup>

### **Hartley (Hartly, Heartley), Francis**

by Mattie Erma E. Parker, 1988

#### **d. February 1691/92**

Francis Hartley (Hartly, Heartley), secretary and Council member, was appointed secretary by a commission from the [Lords Proprietors](#) <sup>[2]</sup> dated 3 June 1684. Whether Hartley was then living in North Carolina is not known. The earliest date for which there is evidence of his presence in the colony is 5 Feb. 1684/85, when he was defendant in a suit brought in the County Court of [Albemarle](#) <sup>[3]</sup>.

Hartley, who was acting as secretary in February 1690/91, presumably held the office from 1684 until his death. From 1689 to 1691 he sat on the Council and on the courts held by that body, which he appears not to have done in earlier years. He bore the title colonel, which probably indicated his rank in the local militia. The sparse surviving records of the period tell little more about his public career.

Information on Hartley's private life is sparse. He was married in Perquimans Precinct, 2 Aug. 1685, to Susanna Garraway, daughter of John and Frances Garraway. The names of his own parents, given in the marriage record, were William and Elizabeth Hartley. He appears to have patented about 1,100 acres of land in Perquimans Precinct, but he lived, at least in his latter years, on a plantation owned by [Governor Seth Sothel](#) <sup>[4]</sup>.

Hartley must have been a close friend, or perhaps a relative, of Sothel, whose will provided that Hartley was to have "the plantation where he [Hartley] now dwells for the tearme of five years" and two-thirds "of my signory bounding on Flatty Creeke and Pascotank River" during the lifetime of Hartley and his wife. The phrase "my signory" may have been a loose use of the term "seigniorship" to designate one of several large tracts for which Sothel obtained patents while he was governor. As defined in the [Fundamental Constitutions](#) <sup>[5]</sup>, however, a seigniorship in Carolina was a tract of 12,000 acres attached to a proprietorship. It could not be alienated, in whole or in part, and could be inherited only in its entirety and in conjunction with the proprietorship to which it was attached. The bequest, therefore, raises several questions, including the possibility that there was some blood relationship between Hartley and Sothel, who left no heir-at-law. Whatever the circumstances prompting it, the bequest did not benefit Hartley, whose death occurred before Sothel's.

With the exception of several minor bequests to friends, Hartley left his estate to his wife, Susanna. If he had children, they apparently did not survive him. On 28 Nov. 1694 Susanna married William Duckenfield.

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