

**Dishman to Davis Lease**

23 Jul 1740

Prince William County, Virginia, Deed Book E, 1740-1741, pp. 15-16

**This Indenture** made this twenty third day of July in the year of our Lord God one thousand seven hundred & forty. Between **Frances Dishman** of this County of Westmoreland, Widow Executrix of the last Will and Testament of **John Dishman**, late of the said County of Westmoreland, planter, deced. of the one part and **Samuel Davis** of the said County of Westmoreland, planter, of the other part. Witnesseth that the said **Frances Dishman** for & in consideration of the sum of five shillings Sterling to her in hand paid by the said **Samuel Davis** the receipt whereof is hereby acknowledged hath granted bargained and sold and by these presents doth grant bargain and sell unto the said **Samuel Davis** his heirs, administrators, & assigns all that tract or parcel of land containing two hundred & two acres situate lying & being on Occaquan River on the lower side & on the mouth of Broad Run in the County of Prince William (formerly called Stafford) bounded as followeth, viz: Beginning at a small White Oak standing on the River side & at the lower end of a piece of low ground & extending thence North fifty degrees West three hundred & twenty poles to a Red Oak standing on a level thence South fifty degrees West one hundred & six poles to a great White Oak standing in a branch issuing out of Broad Run, thence along the water course of the said branch to the mouth thereof eight poles thence down the meanders of the said Broad Run South Westerly sixty four poles to the mouth thereof thence down the river its several courses & meanders to the beginning White Oak. And all houses, edifices, buildings, gardens, orchards, meadows, commons, pastures, feedings, trees, woods, underwoods, ways, paths, waters, watercourses, easements, profits, commodities, advantages, emoluments, hereditaments, rights, members, & appurtenances whatsoever to the same belonging or in any wise appertaining or which now are or formerly have been accepted reputed taken known used occupied or enjoyed to or with the same or as part of or member thereof. And the Reversion & Reversions Remainder & Remainders Rent & Survivors of the said premises above mentioned & of every part and parcel thereof with the appurtenances.

**To have and to hold** the said lands, hereditaments, and premises above mentioned and every part & parcel thereof with the appurtenances unto the said **Samuel Davis** his heirs, administrators, and assigns from the day next before the day of the date hereof for & during & unto the full end & term of one whole year thence next ensuing & fully to be complete and ended.

**Yielding** and paying therefore one pepper corn in & upon the feast of St. Michael the Arch angel if the same shall be lawfully demanded to the intent that by virtue of these presents and by force of the Statute for transferring uses into possession he the said **Samuel Davis** may be in the actual possession of all & singular the said premises abovementioned with the appurtenances & thereby be enabled to accept & take a Grant & Release of the Reversion & Inheritance thereof to him & his heirs to the only proper use & behoof of him the said **Samuel Davis** his heirs & assigns forever.

**In Witness** whereof the said parties to these presents have hereunto interchangeably set their hands & Seales the day & year above written

**Frances Dishman** (seal)

Sealed and Delivered in the presence of us  
the abovementioned, five shillings Sterling  
being full paid.

**Roderick Macoulloh**  
**John Weedon**  
**Joseph Sanford**

At a Court held for Prince William County July 28<sup>th</sup> 1740.

**Frances Dishman** acknowledged this Lease to be her Act & deed and  
it was thereupon admitted to Record.

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**Dishman to Davis Release**

24 Jul 1740

Prince William County, Virginia, Deed Book E, 1740-1741, pp. 17-21

**This Indenture** made this the twenty fourth day of July in the year of our Lord God one thousand seven hundred & forty between **Frances Dishman** of the County of Westmoreland widow Executrix of the last will & testament of **John Dishman** late of the said County of Westmoreland Planter deced. of the one part and **Samuel Davis** of the said County of Westmoreland Planter of the other part.

**Whereas Samuel Dishman** late also of the said County of Westmoreland Planter deced. father of the beforementioned **John Dishman** deced. by the name of **Samuel Duchminia** of the County of Westmoreland did in his life time obtain from the Right Honourable Catherine Lady Fairfax – Duchess Dowager of Cameron in Scotland the only daughter & heir of Thomas late Lord & Marguritte late Lady Culpepper deced. & sole & only Proprietor of the Northern Neck of Virginia a Grant bearing date the thirtieth day of August in the year of our Lord God one thousand seven hundred & eleven to him the said Samuel his heirs & assigns forever of & for two hundred & two acres of land situate lying & being on Occaquan River on the lower side & on the mouth of Broad Run in the County of Stafford within the said Northern Neck of Virginia bounded as followeth. Viz: Beginning at a small White Oak standing on the River side & at the lower end of a piece of low ground & extending thence North fifty degrees West three hundred & twenty poles to a Red Oak standing on a level thence South fifty degrees West one hundred & six poles to a great White Oak standing in a branch issuing out of Broad Run, thence along the water course of the said branch to the mouth thereof eight poles thence down the meanders of the said Broad Run South Westerly sixty four poles to the mouth thereof thence down the river its several courses & meanders to the beginning White Oak. Together with all Rights members, and appurtenances thereunto belonging Royal mines accepted & the full third part of all Lead, Copper, Tin, Coals, & Iron mines that shall be found thereon at & under the yearly fee rent of one shilling Sterling money for every fifty acres of this said land, as by the said Deed relation being thereunto had may more fully appear.

**And Whereas** the said **Samuel Dishman** alias Duchminia died seized of the said land & premises with the appurtenances in his demesne as of fee & after his death the same descended to the abovementioned **John Dishman** deced. oldest son & heir of the said Samuel who entered & was therefore seized in his demesne as of fee & being so thereof seized made his last Will & Testament in writing & bearing date the twenty first day of March in the year of our Lord God one thousand seven hundred & thirty eight & therein & thereby did give & bequeath the said law (by the name of his land in Prince William County (which County was formerly part of the County of Stafford) to be sold at the discretion of his executors to the highest bidder. And of his said last Will & Testament constituted & appointed his brother **James Dishman** & his wife **Frances Dishman** (party to these presents) Executors as by the said Will now remaining in the Court of the County of Westmoreland afd. [aforesaid] relation being thereunto had may more fully appear.

**And Whereas** the said **John Dishman** afterward died seized of the said land & premises with the appurtenances & after his death the said **Frances** his widow proved the said last Will & Testament in the said County Court of Westmoreland and took upon herself the burthen of the Execution thereof but the said **James Dishman** the other Executor therein named altogether relinquished & refused & still doth relinquish & refuse to act or intermeddle with the Estate of the said **John Dishman** the Testator or to take upon himself the burthen of the Execution of the said last Will & Testament .

**And Whereas** the said **Frances Dishman** in pursuance of the said last Will & Testament did give public notice that the said land was to be sold by her to the highest bidder on the second day of June last past between the hours of one & two of the clock in the afternoon at the house of the said **Frances Dishman** in the said County of Westmoreland at which time and place the

said **Samuel Davis** did bid & offer the sum of six thousand five hundred & forty pounds of tobacco which was the greatest & highest price offered or bid for the same.

**Now this Indenture Witnesseth** that for and in consideration of the said six thousand five hundred and forty pounds of tobacco to the said **Frances Dishman** in hand paid by the said **Samuel Davis** at & before the Sealing & delivery of these presents the receipt whereof is hereby acknowledged she the said **Frances Dishman** by virtue of the before verified last Will and Testament of the before mentioned **John Dishman** deced. Hath Granted bargained sold aliened release & confirmed and by these presents doth fully & absolutely grant bargain sell alien release & confirm unto the said **Samuel Davis** (in his actual possession now being by virtue of a bargain & sale to him thereof made for one year by Indenture bearing date the day next before the day of the date of these presents and by force of the Statute for transferring uses into possession) & to his heirs & assigns forever. All that the before mentioned tract or parcel of land containing two hundred & two acres situate lying & being on Occoquan River & Broad Run in the County of Prince William aforesaid (formerly called Stafford County) being the land whereon **John Florence** lately lived. And all houses, edifices, buildings, gardens, orchards, meadows, commons, pastures, feedings, trees, wood, underwoods, ways, paths, waters, water courses, easements, profits, commodities, advantages, emoluments, hereditaments, rights, members, & appurtenances whatever to the same belonging or in any wise appertaining in as full simple manner to all intents & purposes whatsoever as the same was Granted to the before mentioned **Samuel Dishman** alias **Duchiminia**. And all the Reversion & Reversions Remainder & Remainders Rents & Survivors of all & singular the said premises & of every part & parcel thereof with the appurtenances. And also all the Estate right tithe interest claim & demand whatsoever as well in Equity as in Same of them the said **John Dishman** deced. his heirs Exrs. & assigns & of any & every of those of in & to all & singular the said premises & of in & to every part & parcel thereof with the appurtenances. And also all Deeds evidences & Writings touching & concerning the said premises or any part thereof.

**To have and to hold** the said land hereditaments to all & singular the premises before mentioned and every part & parcel thereof with the appurtenances unto the said **Samuel Davis** his heirs & assigns to the only proper use & belief of the said **Samuel Davis** his heirs & assigns forever at & under the chief fee rent by the before recited grant to the said **Samuel Dishman** alias **Duchiminia** referred & payable for & out of the said land & premises referred & payable to the chief Lord or Lords of the fee. And the said **Frances Dishman** for her self her heirs Exrs. & Adms. doth covenant & grant to & with the said **Samuel Davis** his heirs & assigns that he the said **Samuel Davis** his heirs & assigns shall & may at all times forever hereafter peaceably & quietly have hold occupy posses and enjoy all & singular the said lands hereditaments & premises before mentioned with the appurtenances without the lot trouble hindrance molestation or interruption of her the said **Frances Dishman** her heirs or assigns & of all & every other person & persons whatsoever claiming or to claim by from or under her them or any of them or by from or under the before mentioned **Samuel Dishman** alias **Duchiminia** deced. or the said **John Dishman** deced. And that freed & discharged or otherwise well & sufficiently saved & kept harmless & indemnified of & from all former & other bargains, sales, gifts, grants, leases, mortgages, Jointures, dowers, uses, wills, intails, fines, postfines, issues, amerce, amounts, seizures, bonds, annuities, writings, obligatory recognizances, extents, judgments, executions, rents, & arrearages of rents & of & from all other charges Estates, rights titles, troubles, & incumbrances whatsoever had made committed done or suffered or to be had made committed done or suffered by the said **Frances Dishman** & **James Dishman** or either of them or any other person or persons whatsoever claiming or to claim by from or under them or either of them or by from or under the said **Samuel Dishman** alias **Duchiminia** or **John Dishman** deced. And lastly that she the said **Frances Dishman** & all & every other person & persons any thing having or lawfully claiming in the said premises before mentioned or any part thereof by from or under her or by from or under the said **Samuel Dishman** alias **Duchiminia** deced. or the said **John Dishman** deced. or any or either of them shall & will from time to time & at all times hereafter upon the reasonable request & at the costs & charges in the Law of the said **Samuel Davis** his heirs or assigns make do & \_\_\_\_ or cause or pressure to be made done & executed all

such further or other lawful & reasonable Act & Acts thing & things device & devices conveyances & conveyances in the Law whatsoever for the further better & more perfect granted conveying & assuring of all & singular the said premises before mentioned with the appurtenances unto the said **Samuel Davis** his heirs & assigns to the only proper use & belief of the said **Samuel Davis** his heirs & assigns for ever, as by the said **Samuel Davis** his heirs or assigns or his or their Council learned in the Law shall be reasonably advised devised or required so as such further conveyance or assurance shall not contain or amount to any further or greater Warranty than is contained in these presents.

**In Witness** thereof the said parties to those presents have hereunto interchangeably set their hands & Seales the day & year first before written.

**Frances Dishman** (seal)

Sealed and Delivered in the presence of us, the words [on a level thence South fifty degrees West one hundred & six poles to a great White Oak standing] being first interlined.

**Roderick Macoulloh**  
**John Weedon**  
**Joseph Sanford**

Received from the within mentioned **Samuel Davis** the within mentioned sum of six thousand five hundred & forty pounds of tobacco being the consideration mentioned in the within deed to be paid by him to me on the presentation hereof Witness my hand this twenty fourth day of July Anno Dom one thousand seven hundred & forty.

**Frances Dishman**

Witnesses **Roderick Macoulloh**  
**John Weedon** **Joseph Sanford**

At a Court held for Prince William County July 28<sup>th</sup> 1740.  
**Frances Dishman** acknowledged this Release & this Receipt to be her Act & deeds and they were thereupon admitted to Record.

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