

Land Grant of 1773
As Granted to
Archer Rutherford,
For Lands Then Located in Augusta County
On the Head Draft of Cooks Creek,
Now Rockingham County.
Signed by
John Murray, Earl of Dunmore,
Governor Of the Colony of Virginia
1771 – 1775



Transcription provided by:
Randy Buie
Valley Preservation Alliance for American History and Architecture
Harrisonburg, Virginia
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Notes Regarding this Transcription

While every effort has been made to complete a full transcription of the document, some words remain illegible either because of the fading of the ink or physical damage to the document in the form a water stains, dirt stains, tears or missing material. In all cases where the script is partially or completely illegible and there remains any question as to the identification of the word or phrase used then the corresponding text of the transcription will be provided in [brackets]. For those words for which there remains a great deal of uncertainty and the text provided in the transcription is a reasonable guess then a question mark will be included within the [brackets?]. If the word is completely unreadable it will be identified as manuscript illegible [*MS. illegible*]. If the original document is missing material the lost text will be accounted for as [*MS. damaged*] or otherwise described. All editorial comments will appear in *italics* within brackets.

This is a literal transcription. By this it is meant that no changes have been made to spelling, capitalization, punctuation, phrasing or sentence structure. The use of various fonts and font sizes have been employed to reflect the character and script usage of the original document, which reflect the grammatical writing structure of the period. The individual line format of this transcription demonstrates the dilemma of transferring the content of an oversized, single sheet, original document into a modern format. As such, each line between returns corresponds to a single line of script on the original sheet and have been sequentially numbered for easier reference.

Notes Regarding this Document

As a means to aid the reader's understanding of the content of this document the following information is provided:

- The Feast of Saint Michael the Arch Angel is September 29th
- "Common Soccage" or socage – The holding or having tenure of land in exchange for clearly defined requirements and fixed payments to be made at specified intervals. Sometimes in the form of agricultural goods, but especially in the form of rent.
- "Capite" – As part of holding tenure of land, being in service to the King as he requires.
- "Knights Service" - Also, as part of holding tenure of land, being required to provide military service to the King.
- The requirements of Capite and Knights Service as a condition of holding land, or tenure, were removed in England in the Tenures Abolition Act of 1660. English Acts of Parliament were not always deemed applicable within the Colonies until later dates, which may account for this specification in 1747.
- A "pole" is 16.5 feet, 320 poles comprise one mile.
- This grant was written on a pre-printed, oversized sheet containing formatted items represented by the underlined text. Hand written text is not underlined.

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¹ George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith &C
To all to whom

² these Presents shall come Greeting Know Ye that for divers good Causes and Considerations but more
Especially for and in Consideration

³ of the sum of Twenty Shillings of good and Lawful Money for our Use paid to our Receiver General of our

⁴ revenues in this our Colony and Dominion of Virginia We Have Given Granted and Confirmed and by
these presents for us our

⁵ Heirs and Successors Do Give Grant and Confirm unto Archer Rutherford one certain Tract or Parcel of Land
containing

⁶ one hundred and fifty nine Acres lying and being in the County of Augusta on the head Draft of the East

⁷ Branch of Cooks Creek and bounded as followeth, to wit, **Beginning** at a black Oak and Locust

⁸ [corner] to Rutherfords Survey and running thence South ten degrees East two hundred and forty poles

⁹ to tree pines North eighty degrees West one hundred and twenty four poles to a white Oak Grub

¹⁰ North eighty Degrees [East] four poles near the head of a Spring, North ten degrees West one

¹¹ hundred and eight[een] poles to three black oak Grubs in Rutherford's Line near a pond and

¹² with same South eighty degrees West one hundred and seventy two poles to the beginning

¹³ With all Woods Under Woods Swamps Marshes Longrounds Meadows Feedings and his due share of all
Veins Mines and

¹⁴ Quarries as well discovered as not discovered within the Bounds aforesaid and being Part of the said Quantity
of one hundred

¹⁵ and fifty nine Acres of Land and the Rivers Waters and Water Courses therein contained together with the
privileges

¹⁶ of Hunting Hawking Fishing Fowling and all other Profits Commodities and Hereditaments whatsoever to the
same or any part thereof belong

¹⁷ ing or in any wise appertaining To have hold Possess and Enjoy the said Tract or Parcel of Land and all
other the before granted Premises

¹⁸ and every Part thereof with their and every of their Appurtenances unto the said Archer Rutherford and to his

¹⁹ Heirs and Assigns forever To the only Use and Behoof of him the said Archer Rutherford his Heirs and
Assigns forever

²⁰ To be held of us our Heirs and Successors as of our Manor of East Greenwich in the County of Kent in
free and Common Soccage

²¹ and not in Capite or by Knights Service Yielding and Paying unto us our Heirs and Successors for
every fifty Acres of

- ²² land and so proportionably for a lesser or greater Quantity than fifty Acres the Fee Rent of one Shilling Yearly to be paid upon the
- ²³ Feast of Saint Michael the Archangel and also Cultivating and Improving three Acres part of every fifty of the Tract abovementioned
- ²⁴ within three Years after the Date of these Presents Provided always that if three Years of the said Fee Rent shall at any time
- ²⁵ be in Arrear and Unpaid or if the said Archer Rutherford his Heirs or Assigns do not within the Space
- ²⁶ of three Years next coming after the Date of these Presents Cultivate and Improve three Acres part of every fifty of the Tract
- ²⁷ abovementioned Then the Estate hereby Granted shall Cease and be Utterly Determined and thereafter it shall and may be Lawful
- ²⁸ to and for us our Heirs and Successors to grant the same Lands and Premises with the Appurtenances unto such other Person or Persons
- ²⁹ as we our Heirs and Successors shall think fit In Witness whereof we have Caused these our Letters Patent to be made Witness
- ³⁰ our Trusty and Welbeloved John Earl of Dunmore our Lieutenant and Governor General [*Commander in Chief erased and replaced with Governor General*] of our said Colony and
- ³¹ Dominion at Williamsburgh Under the Seal of our said Colony the first Day of March One thousand
- ³² Seven hundred and seventy three In the thirteenth Year of our Reign

(SEAL)
[*Ribbon and wax seal missing*]

Dunmore

George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c. To all to whom these Presents shall come Greeting Know ye that for divers good Causes and Considerations but more Especially for and in Consideration of the Sum of Twenty Shillings of good and Lawfull Money for our Use paid to our Receiver General of our Revenues in this our Colony and Dominion of Virginia We have Given Granted and Confirmed and by these Presents for us our Heirs and Successors Do Give Grant and Confirm unto Archer Butcherford one certain Tract or parcel of Land containing one hundred and fifty nine Acres lying and being in the County of Augusta on the head Branch of the East Branch of Cochs Creek and bounded as follows to wit Beginning at a black Oak and Locust corner to Butcherfords Survey and running thence North ten degrees East two hundred and forty poles to three pines North ten degrees East one hundred and sixty eight poles to a Locust and Hickory Sapling North ten degrees West one hundred and twenty four poles to a white Oak grub North eighty Degrees East four poles near the head of a spring North ten degrees West one hundred and eighty poles to three black oak Grubs in Butcherfords Line near a pond and with same South eighty degrees West one hundred and twenty two poles to the beginning

With all Woods Under Woods Swamps Marshes Low grounds Meadows Feedings and his due Share of all Veins Mines and Quarries as well discovered as not discovered within the bounds aforesaid and being Part of the said Quantity of one hundred and fifty nine Acres of Land and the Rivers Waters and Water Courses therein contained together with the Privileges of Hunting Hawking Fishing Fowling and all other Profits Commodities and Hereditaments whatsoever to the same or any Part thereof belonging or in any wise appertaining To have hold Possess and Enjoy the said Tract or Parcel of Land and all other the before granted Premises and every Part thereof with their and every of their Appurtenances unto the said Archer Butcherford and to his Heirs and Assigns forever to the only Use and behoof of him the said Archer Butcherford his Heirs and Assigns forever To be held of us our Heirs and Successors as of our Manor of East Greenwich in the County of Kent in free and Common Socage and not in Capite or by Knights Service Yielding and Paying unto us our Heirs and Successors for every fifty Acres of Land and so proportionably for a lesser or greater Quantity than fifty Acres the Fee Rent of one Shilling Yearly to be paid upon the Feast of Saint Michael the Archangel and also Cultivating and Improving three Acres part of every fifty of the Tract above mentioned within three Years after the Date of these Presents Provided always that if three Years of the said Fee Rent shall at any time be in Arrear and Unpaid or if the said Archer Butcherford his Heirs or Assigns do not within the Space of three Years next coming after the Date of these Presents Cultivate and Improve three Acres part of every fifty of the Tract above mentioned Then the Estate hereby Granted shall Cease and be Utterly Determined and thereafter it shall and may be Lawful to and for us our Heirs and Successors to grant the same Lands and Premises with the Appurtenances unto such other Person or Persons as we our Heirs and Successors shall think fit In Witness whereof we have Caused these our Letters Patent to be made Witness our Trusty and wellbeloved John East of Dunmore our Lieutenant and Governour General of our said Colony and Dominion at Williamsburgh Under the Seal of our said Colony the first Day of March One thousand seven hundred and seventy three In the thirteenth Year of our Reign

Dunmore

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