

Land Grant of 1739  
As Granted to  
Robert M<sup>c</sup>Kay, Jost Hyte, William Duff & Robert Green  
For Lands Then Located in Orange County  
In the Vicinity of Naked Creek,  
Now Rockingham and Page Counties.  
Signed by  
William Gooch, Lieutenant Governor  
Of the Colony of Virginia  
1727-1749



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 29<sup>th</sup>
- "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 1739.
- A "pole" is 16.5 feet, 320 poles comprise one mile.
- The symbol  $\frac{\cdot}{\cdot}$  in [brackets] on line nine is written in what appears under magnification to be pencil rather than ink consistent with the script of the document.

## Copyright and Citation

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1 **George** the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith  
To all to whom these Presents

2 shall come greeting **Know Ye** that for the Consideration [*MS. illegible*] Order of our Trusty and Welbeloved  
William Gooch Esq; our Liut Governor

3 and Commander in Chief of our Colony and Dominion of Virginia in our Council of the said Colony the Twenty  
[first] Day of October One thousand seven

4 hundred and thirty one **We have** Given Granted and Confirmed and by these Presents for [us] our Heirs  
and Successors Do Give Grant and Confirm unto

5 Robert M<sup>c</sup>Kay Jost HYTE William Duff and Robert Green one certain Tract or Parcel of Land containing One  
thousand two hundred and sixty four Acres

6 lying and being in the County of Orange on the West Side of the blue Ridge of Mountains and bounded as  
followeth /to wit/ **Beginning** at four

7 white oaks on the West side of the naked Creek about thirty Poles above where the Irish path crosseth the  
said Creek and running thence South forty five

8 Degrees West sixty Poles to a Pine North forty Degrees West five hundred sixty six Poles to two Pines  $\frac{\cdot}{\cdot}$   
North forty Degrees East two hundred and twenty eight

9 Poles to a Pine [ $\frac{\cdot}{\cdot}$ ] North thirty four Degrees East one hundred and twenty one Poles to two Pines North  
eight Degrees West twenty Poles to a white Oak North East

10 one hundred and eighty eight Poles crossing the Creek to two white Oaks South [eight] Degrees East one  
hundred and eighty six Poles to a Pine  $\frac{\cdot}{\cdot}$  South thirty four

11 Degrees West two hundred and eight Poles to two Pines South forty Degrees [West one] hundred and seventy  
Poles to a Pine South three Degrees East ninety four Poles

12 to two Pines South twenty five Degrees West on hundred and forty eight Poles to a Pine South forty Degrees  
East four hundred and forty eight Poles to two white

13 Oaks and thence South West one hundred Poles crossing the Creek to the beginning **With all** Woods  
Underwoods Swamps Marshes Longrounds

14 Meadows Feedings and their due Share of all Veins Mines and Quar[ries] [*MS. torn*] discovered as not  
discovered within the bounds aforesaid and being part of the

15 said Quantity of One thousand two hundred and sixty four Acres of Land and [*MS. torn*] Rivers Waters and  
Water Courses therein contained together with the [privileges] of

16 Hunting Hawkey Fishing Fowling and all other Profits Commodities and [Hereditam]ents whatsoever to the  
same or [any part thereof belonging or in anywise]

17 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]

<sup>18</sup> [and] every of their Appurtenances unto the said Robert M<sup>c</sup>Kay Jost Hyte William Duff and Robert Green and to their Heirs and Assigns forever To the only

<sup>19</sup> use and behoof of them the said Robert M<sup>c</sup>Kay Jost Hyte William Duff and Robert Green their Heirs and Assigns forever **To be held** of us our Heirs and

<sup>20</sup> Successors as of our Mannor of East Greenwich in the County of Kent in free and common Soccage and not in Capite or by Knights Service **Yielding**

<sup>21</sup> **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

<sup>22</sup> Rent of one Shilling Yearly to be paid upon the Feast of Saint Michael the Arch Angel and also Cultivating and Improving three Acres part of every fifty of

<sup>23</sup> the Tract abovementioned within three Years after the Date of these Presents **Provided** always that if the three Years of the said fee Rent shall at any

<sup>24</sup> time be in Arrears and Unpaid or if the said Robert M<sup>c</sup>Kay Jost Hyte William Duff and Robert Green their Heirs or Assigns do not within the space of

<sup>25</sup> three Years next coming after the Date of these Presents Cultivate and Improve three Acres part of every fifty of the Tract abovementioned Then the Estate

<sup>26</sup> hereby Granted shall Cease and be utterly Determined and threereafter it shall and may be lawful to and for us our Heirs and Successors to Grant the same

<sup>27</sup> Lands and Premises with Appurtenances unto such other Person or Persons as we our Heirs and Successors shall think fit **In Witness** whereof we

<sup>28</sup> have caused these our Letters patent to be made **Witness** our Trusty and Welbeloved William Gooch Esq; our Lieutenant Governor and Commander in

<sup>29</sup> Chief of our said Colony and Dominion at Williamsburg Under the Seal of our said Colony the Twenty sixth Day of March One thousand seven

<sup>30</sup> hundred and thirty nine In the Twelfth Year of our Reign

(SEAL)  
[Wax seal on ribbon]

William Gooch

George the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c. We will to whom these presents shall come greeting Know ye that for the Consideration in these presents contained in an Order of our Trusty and Welbelov'd William Gooch Esq. our Lieutenant Governor and Commander in Chief of our Colony and Dominion of Virginia in our Council of the said Colony the Twenty sixth Day of October One thousand seven hundred and thirty nine We have Given granted and Confirmed and by these Presents for us our Heirs and Successors Do Give Grant and Confirm unto Robert M. Kay Esq. John Hylte William Duff and Robert Green one certain Tract or Parcel of Land containing one thousand two hundred and sixty four Acres being and being in the County of Orange on the West side of the Blue Ridge of Mountains and bounded as followeth to wit Beginning at four white Oaks on the West side of the White Creek about thirty Poles above where the Irish path crosses the said Creek and running thence South forty five Degrees West unto two Pines North forty Degrees West seven hundred and sixty six Poles to two Pines North twenty five Degrees East two hundred and seven Poles to a white Oak North three Degrees West one hundred and twenty seven Poles to two Pines North forty Degrees East two hundred and twenty eight Poles to a Pine North thirty four Degrees East one hundred and twenty one Poles to two Pines North eight Degrees West twenty Poles to a white Oak North one hundred and eighty eight Poles crossing the Creek to two white Oaks South eight Degrees East one hundred and eighty six Poles to a Pine South thirty four Degrees West two hundred and eight Poles to two Pines South forty Degrees East one hundred and seventy Poles to a Pine South three Degrees East ninety four Poles to two Pines South twenty four Degrees West one hundred and forty eight Poles to a Pine South forty Degrees East four hundred and forty eight Poles to two white Oaks and thence South West one hundred and twenty eight Poles crossing the Creek to the said Robert M. Kay Esq. John Hylte William Duff and Robert Green their Heirs and Assigns forever To have hold Possession Enjoy the said Tract or Parcel of Land with all the Appurtenances unto the said Robert M. Kay Esq. John Hylte William Duff and Robert Green and to their Heirs and Assigns forever To be held of us our Heirs and Successors as of our Mannor of East Greenwich in the County of Kent in free and common Socage and not in Capiteum 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 Rent of one Shilling yearly to be paid upon the Feast of Saint Michael the Arch Angel and also Cultivating and Improving three Acres part of every fifty of the Tract abovementioned 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 Robert M. Kay Esq. John Hylte William Duff and Robert Green their 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 abovementioned Then the Writ 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 Welbelov'd William Gooch Esq. our Lieutenant Governor and Commander in Chief of our said Colony and Dominion at Williamsburgh Under the Seal of our said Colony the Twenty sixth Day of March One thousand seven hundred and thirty nine In the Twelfth Year of our Reign

William Gooch

