

1796 deed John Cleaton to Lewis Poythress, Mecklenburg Co, VA

These items transcribed by Bpn from FHL film 32,536 Mecklenburg Co, VA Deed Book 10, p.62 and p.96. Note: In the original recording of the deed on p.62 of DB 10, in Apr of 1797, there is no mention of the name of John Cleaton's wife, Martha Cleaton, and no dower release recorded right then (which is not unusual). However, 34 pages further, on p.96 of DB 10, her name appears when it was ordered on 9 Apr 1799 to go and examine her since she could not conveniently appear. She was examined that same day, and released her dower right, and the document was recorded in Court on 10 June 1799.

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Mecklenburg Co, VA Deed Book 10, p.62:

Cleaton Snr

to

Poythress

This Indenture made this Second day of March in the year of our Lord Christ one thousand Seven hundred and ninety Six between John Cleaton and [blank space] Cleaton his wife of the County of Mecklenburg of the one part and Lewis Poythress of the Same County of the other part Witnesseth that the John Cleaton [sic] and [blank space] his wife for and in consideration of the Sum of one hundred and ninety Six dollars Current money of Virginia to Him in hand paid or so provided for that they do hereby acknowledge themselves to be fully and entirely Satisfied therewith hath granted Bargained Sold aliened released and Confirmed and by these presents doth for themselves and their heirs grant bargain Sell alien release and Confirm unto the said Lewis Poythress and to his heirs or assigns forever one Certain tract or parcel of land lying and being in the lower end of Mecklenburg County on the waters of Great Creek Containing ninety eight acres be it the Same more or less, and bounded as follows to wit, Beginning at a Sweet gum on Giles's line on the great Creek, thence along his line to a poplar ash and maple chopt inwards on the the [sic] long branch, Thence up the Said branch and meander to a Sweet gum on the Same on the branch, thence a new line to a Sweet gum on great Creek on John Webb's line, thence up the meander of the Said Creek to the beginning - To have and to hold the aforesaid tract or parcel of land with all the improvements, woods, under woods, waters, and water courses thereon Standing growing and being with all profits Comodities [sic] advantages and appurtenances whatsoever to the Same belonging or any ways appurtening and also the reversion and reversions remainder and remainders thereof and every part and parcel thereof with their and every of their appurtenances unto the Said Lewis Poythress his heirs executors administrators or assigns to the only proper use and behoof of them the Said Lewis Poythress and his heirs executors, administrators or assigns forever and they the Said John Cleaton [sic] and [blank space] his wife for themselves and their heirs doth Covenant grant and agree to and with the Said Lewis Poythress his heirs and assigns that he and They may at

all times hereafter peaceably and quietly hold and enjoy the the [sic] Said granted land and premises free from all incumberences [sic] whatever from all former Sales gifts mortgages rights of dower or any other incumberance [sic] whatever and they the Said John Cleaton and [blank space] his wife and their heirs Shall and will warrant and forever Defend the title of the Said granted land and premises - In witness whereof we have hereunto Set our hands and affixed our Seals day and date above Written  
Signed Seal'd and Delivered John Cleaton (LS)

In the presence of  
Thomas Watson  
John Giles  
Edward Giles junr  
Isham Nance  
Wm Blanton

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At a Court held for Mecklenburg County the 10th day of April 1797  
This Indenture was proved by the oath of Isham Nance and William Blanton witnesses thereto and at a Court held for the Same County the 8th [sic] day of April following the Said Indenture was further proved by the oath of Thomas Watson another witness thereto and ordered to be recorded.  
Examined Teste William Baskervill Clk Crt

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Mecklenburg Co, VA Deed Book 10, p.96:  
Cleaton

to

Poythress

The Commonwealth of Virginia to William Davis and James Harwell Gentlemen Greeting Whereas John Cleaton and Martha Cleaton by their Certain Indenture of Bargain and Sale bearing date the 2nd day of March 1796 have Sold and Conveyed unto Lewis Poythress the fee simple estate of and in ninety eight acres of land be the Same more or less lying and being in the County of Mecklenburg & Whereas the Said Martha Cleaton cannot conveniently travel to the Court of the Said County to make acknowledgement of the Said Conveyance therefore power is given unto you or any two or more of you to receive the acknowledgement which the Said Martha Cleaton Shall be willing to make before you of the Conveyance aforesaid Contained in the Said Indenture which is hereunto annexed and you are therefore commanded that you do personally go the Said Martha Cleaton and receive her acknowledgment of the Same and examine her privially [sic] and apart from the Said John Cleaton her husband whether she doth the Same freely and Voluntarily without his persuasiveness or threats and whether she be willing that the same Should be received in the County Court aforesaid and when you have received her acknowledgment and examined her as aforesaid that you distinctly and openly Certify the Said Court thereof under your Seals Sending then there this writ Witness William Baskervill Clerk of our Said Court the 9th day of April 1799 in the 23rd year of the Commonwealth.

WBaskervill

In Compliance with the within we have this day made application to the within named Martha Cleaton as herein required and She hath relinquished her right of dower to the land Contained in the hereunto annexed deed. Given under our hands and Seals this 9th day of April 1799 and of the Commonwealth the 23rd.

William Davis (LS)

Jas Horwath (LS)

At a Court held for Mecklenburg County the 10th day of June 1799

This Commission and the Certificate of the causation thereof being returned into Court were ordered to be recorded.

Tests William Baskervill Clk Crt