

Leon Wilde's Genealogical Research Website
Descendants of Capt John Dent Webarea

John Dent (1674-c1732/33), son of Capt John, of Newport West Hundred, Charles County, Maryland

Last Update: July 1999

When John₂¹ Dent of Newport West Hundred, Charles County, MD (near present day Dentsville MD), died intestate before Mar 1732/33, he left as his landed estate a large tract of land called "Dent's Inheritance". Since there is no known source giving a comprehensive list of his children, and since the records of the administration of his personal estate include no known distribution to his heirs, the partitioning of this tract after his death is the key to identifying his surviving sons. Earlier researchers have attributed only four sons to John₂, namely John₃, Hatch, Michael and Benjamin.² A thorough examination of the evidence, however, will show that John₂ also had two younger sons, Thomas and Peter.

John₂'s father Capt John₁ Dent willed him 660 acres in four tracts, namely "Cumberton" of 200 acres, "Reading" of 300 acres, "Evan's Addition" of 100 acres, and "Barnaby" of 60 acres.³ In 1720, John₂ received a warrant of resurvey combining these tracts along with contiguous vacant land into one tract; later the same year he received a certificate of resurvey for "Dent's Inheritance" of 1169 acres, which added 509 acres of vacant land to the original 660 acres; in 1721 he paid for this additional acreage and received a warrant for it. John₂, however, neglected to have a patent for the tract actually granted to

him by the Provincial Land Office through to the time of his death. It was left to his eldest son John₃ Dent to obtain the patent to "Dent's Inheritance" from the Land Office on 11 Jun 1734.⁴

Maryland law concerning intestate cases at the time distributed personal and real estate differently. As for personal estate (which included slaves), a one-third dower share was distributed to the widow absolutely (meaning she had clear possession of it and could convey it or bequeath it without constraint), and the remainder was equally distributed amongst the primary heirs, including females, of the deceased (generally meaning his children). As for real estate, Maryland law as late as 1786 followed the practice of primogeniture, meaning that the entire landed estate was distributed to the heir-at-law (generally meaning the eldest son of the deceased); a one-third dower share of real estate was divided off for the widow, but this was only a life interest, meaning that the widow could not convey or bequeath the land but only had use of it for her support until her death, at which time the land reverted back to the heir-at-law.⁵

Records on the administration of John₂ Dent's personal estate reveal very little information concerning his family. Administration on his estate was granted 10 Mar 1732/33 to Katherine Dent [his widow], with Thomas Matthews and Samuel Turner Jr as her sureties.⁶ The inventory of his personal estate (which did not include any slaves) was taken on 8 Jun 1733 by John Burch and John Chunn, with the appraisal totalling £95.11.2; Benjamin Edwards and John Haw [a physician] signed the inventory as greatest creditors, and George Dent [his brother] and Edward Turner [his nephew] signed as nearest of kin; the inventory was presented in court on 12 Jun 1733 by Catherine Dent, the administratrix.⁷ The only recorded account was passed by Catherine Dent, administratrix, on 16 Jul 1740, with an increased balance of £121.14.7³/₄; no heirs were mentioned in this account.⁸ No distribution of John₂ Dent's personal estate is known to have been recorded.

Since the practice of primogeniture in the distribution of an intestate decedent's real estate was relatively uncomplicated, early Maryland records generally left no indication of the actual carrying out of the distribution. In the case of John₂ Dent's real estate, which consisted of the tract "Dent's Inheritance" of 1169 acres, one-third (about 390 acres) would have been divided off for the widow's use until her death. The eldest son John₃ Dent would have taken possession of the remainder of the tract. Even though his father left no will, the subsequent actions of John₃ suggest that his father probably intended for "Dent's Inheritance" to provide, true to its name, an inheritance for all of his sons. Between 1733 and 1757, John₃ partitioned the 1169-acre tract into what appear to be eight roughly equal portions averaging about 146 acres each, retaining three shares for himself, and conveying one share each to his five brothers. This partitioning is detailed below.

John₃ conveyed the first three of his brothers' shares of "Dent's Inheritance" soon after his father's death, and actually prior to when he obtained the patent from the Provincial Land Office. On the same date that the administration of John₂'s estate was granted to his widow (10 Mar 1732/33) John₃ Dent conveyed 144 acres to Hatch Dent "in consideration of the natural love and brotherly affection which he hath and beareth towards the said Hatch Dent".⁹ A few months later on 14 Aug 1733, John₃ conveyed two more shares in two separate deeds, 143 acres to Benjamin Dent and 144 acres to Michael Dent; again the conveyances were "in consideration of natural love and brotherly affection which he hath and beareth towards the said [Benjamin/Michael] Dent".¹⁰ John₃ was probably prevented from conveying the last two shares at this time because his youngest two brothers Thomas and Peter were probably still minors,¹¹ and more importantly because the widow's 390-acre dower share probably encompassed these shares.

John₂'s widow Catherine survived without remarrying at least until Nov 1747, when a Charles County court record concerning roads in the Newport area referred to "the Widow Dent's Dwelling Plantation"

(Catherine would have been the only known "Widow Dent" in this area at this time).¹² While waiting to obtain their shares of their father's tract, the two youngest sons Thomas and Peter found tracts elsewhere to farm. Thomas probably resided in Port Tobacco West Hundred (near present day Welcome MD),¹³ while Peter resided in Newport East Hundred (near present day Newport MD).¹⁴ Catherine probably died by 1752, although no records directly reflecting her death are known to exist. The Charles County debt books for 1753 (changes usually took at least a year to reflect in the books) showed John₃ in possession of 737 acres of "Dent's Inheritance". Since entries that year for his brothers Hatch (145 acres), Benjamin (143 acres) and Michael (144 acres) accounted for the remainder of the tract's 1169 acres, it was apparent that Catherine's dower tract had reverted to John₃.¹⁵

With the tract apparently clear of the widow's dower claims, John₃ completed the partition of "Dent's Inheritance" on 13 Jun 1753, when John Dent and Mary his wife conveyed 150-acre shares in separate deeds to Thomas Dent and Peter Dent.¹⁶ These conveyances differed from the earlier conveyances to Hatch, Benjamin and Michael in a couple of ways. First, instead of making a gift of the shares "in consideration of natural love and brotherly affection", John₃ received from Thomas and Peter 5000 lbs of tobacco each in consideration for their shares; this apparent inequity was "corrected" later in reissued deeds to Hatch, Benjamin and Michael (see below). Second, although neither of the deeds to Thomas and Peter ever explicitly referred to a brotherly relationship with John₃, both of the deeds did contain the following insightful phrasing: "... unto [Thomas/Peter] Dent his heirs of his body lawfully begotten for ever and if the said [Thomas/Peter] Dent should die without such heirs to return to the next heir at law". This provision ensured that in case Thomas or Peter died without issue, their shares of "Dent's Inheritance" would not fall outside the Dent family (particularly to a surviving widow), but that possession would return to John₃ (the heir-at-law to the tract), to John₃'s eldest son (the succeeding heir-at-law to the tract), or so on down through John₃'s lineage.

The complete partitioning of "Dent's Inheritance" was reflected in the 1754 debt books for Charles Co, which included the following possessors of the tract along with the acreage each possessed:¹⁷

John Dent	437 acres	[437 = 3 X 145.67]
Hatch Dent	145 acres	
Benjamin Dent	143 acres	
Michael Dent	144 acres	
Thomas Dent	150 acres	
Peter Dent	150 acres	

	[1169 acres]	

Following John₃'s conveyances to Thomas and Peter, evidently there was some concern about the validity of the earlier deeds to Hatch, Benjamin and Michael, because John₃ reissued deeds for identical portions of the tract on 12 Nov 1753, 14 Oct 1754 and 3 Dec 1757 to Hatch, Michael and Benjamin respectively.¹⁸ The reason for the reissuances was probably due to the fact that John₃ had made out the earlier deeds in 1733 prior to when he obtained the actual patent on the land in 1734. There may have also been a desire to confirm the earlier deeds once the tract was completely clear of the widow's dower claims. In each of these three reissued deeds, the land was conveyed for a monetary consideration of £30 sterling money of Great Britain, no familial relationships were given between the parties to the deed, no provisions concerning a return to the "next heir-at-law" in case of death without heirs was included, and John₃'s wife Mary acknowledged relinquishment of her dower in the land. In the reissued deed to Michael the acreage was given as 148 acres, but the description of the parcel was identical with Michael's earlier deed, and subsequent debt books and a 1783 tax list consistently listed Michael as being in possession of a 144-acre part of the tract.¹⁹

Unfortunately, the distribution of John₂ Dent's intestate estate as described above leaves some questions unanswered about John₂'s family. Since the widow Catherine only had life interest in her dower portion of "Dent's Inheritance", since no known probate records exist concerning the distribution of her personal estate, and since no records of her prior to John₂'s death are known to exist, it is unknown whether she was the mother of all, some, or none of John₂'s children. Known records concerning the distribution of John₂'s personal and real estate also reveal no clues about any possible daughters.

1 For clarity purposes, subscript numbers are given after the name John to differentiate between the three generations of John Dents mentioned in this article.

2 See especially Harry Wright Newman's *Charles County Gentry* (p. 62) and *The Maryland Dents* (pp. 113-114). John₃, Hatch, Benjamin and Michael are the easiest to prove as sons. In John₃'s petition for the patent to the tract "Dent's Inheritance", he declared himself to be "the Eldest Son and heir at law to his said Father (John Dent)" (see footnote 4 below); in Oct 1767 depositions, both Hatch and Michael stated that their father was John Dent (Charles Co Court Proceedings Book Q No. 3, p. 405); John₃ indicated a brotherly relationship to Hatch, Michael and Benjamin in his 1733 deeds to each of them (see footnotes 9 and 10 below).

3 Prerogative Court of Maryland Will Book 13, p. 442

4 Maryland Land Office Record Book AM No. 1, p. 405

5 See Marylynn Salmon, *Women and the Law of Property in Early America*, The University of North Carolina Press: Chapel Hill, 1986, chap. 7, "Provisions for Widows," pp. 141-151.

6 Prerogative Court of Maryland Testamentary Proceedings Book 29, p. 268

7 Prerogative Court of Maryland Inventory Book 17, p. 243

8 Prerogative Court of Maryland Account Book 18, p. 1

9 Charles County Deed Book M No. 2, p. 322

10 Charles County Deed Book O No. 2, pp. 1 (Michael), 5 (Benjamin)

11 The birthyear of Thomas Dent is not reflected in any known records, but a reference to a Thomas Dent in Charles County Court Proceedings Book T No. 2, p. 532, suggests he may have been an adult by 1738; Peter Dent was born in about 1718, as he gave his age as about 34 years in a Dec 1752 deposition recorded in Charles County Court Proceedings Book B No. 3, p. 342.

12 Charles County Court Proceedings Book Vol. 41 (1747-48), p. 192

- 13 See Charles County Court Proceedings Book X No. 2, pp. 372, 431, Book Vol. 41 (1747-48), p. 10
 - 14 See Charles County Court Proceedings Book X No. 2, p. 452
 - 15 Charles County Debt Book for 1753, pp. 4, 7
 - 16 Charles County Deed Book A No. 3, pp. 109 (Peter), 111 (Thomas)
 - 17 Charles County Debt Book for 1754, pp. 5, 9, 99, 101
 - 18 Charles County Deed Book A No. 3, pp. 138 (Hatch), 235 (Michael), Book G No. 3, p. 146 (Benjamin)
 - 19 See Charles County Debt Books for years 1753 through 1774, Charles County Tax List for 1783
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