

Deed, DE, NewCastle, CHARLES BRYAN to ROBERT CULBERTSON, 1762

THIS INDENTURE made the 14th day of December in the year of Our Lord 1762 and in the third year of the reign of our Sovereign Lord **GEORGE** the 3rd over Great Britain, France and Ireland King defender of the faith and between **CHARLES BRYAN** of St. George's hundred and County of New Castle on Delaware and **MARY [CAMPBELL BRYAN]** his wife of the one part and **ROBERT CULBERTSON** of Mill Creek Hundred and county aforesaid, cord winder, of the other part.

WHEREAS **WILLIAM PENN** true and absolute proprietor and Governor in Chief of all the counties of New Castle, Kent and Sussex on Delaware and province of Pennsylvania by his patent dated the 11th day of the 6th month Anno Domini 1702 attested under the hands of **EDWARD SHIPPEN, GRIFFITH OWEN, THOMAS STORY** and **JAMES LOGAN** commissioners of the said **WILLIAM PENN** and recorded and the roles office at Philadelphia in book Y volume 2nd page 348 and did grant and convey for the consideration there in mentioned a certain tract of land situated in the county of New Castle aforesaid containing 1200 and 50 acres on to a certain **JOHN GUEST** to hold to him the said **JOHN GUEST** his heirs and assigns forever under the yearly quit rent of one bushel of good winter wheat for every hundred acres. And whereas a certain **JOHN ENGLAND** by sundry good conveyances and issues under the law duly executed became seized in his demise as of fee and of and in a certain parcel part whereas parcel of the same 1,250 acres containing 600 acres to hold, the 600 acres of land being part of the 1,250 acres aforesaid to him the said **JOHN ENGLAND** his heirs and assigns forever. And whereas the said **JOHN ENGLAND** by his deed dated the 16th day of May Anno Domini 1733 did for the consideration there in mentioned sell and convey 35 acres and 102 purchase of land being part of the 600 acres aforesaid with the appurtenances on to a certain **DAVID SMYTH** to hold to him the said **DAVID SMYTH** his heirs and assigns forever and whereas the said **DAVID SMYTH** by his deed dated the 5th day of January Anno Domini 1744 and recorded and rolls office in New Castle in Lib. 0 page 183 and did for the consideration therein mentioned sell and convey the said 35 acres and 102 purchase with the appurtenances unto **CHARLES BRYAN**, party hereto, to hold to him the said **CHARLES BRYAN** his heirs and assigns forever.

AND WHEREAS a certain **JOHN CAMPBELL** late of the county of New Castle on Delaware aforesaid did purchase a certain tract or parcel of land containing 600 from a certain **SUSANNA GUEST** being part of a tract of 1,000 acres situate lying and being in the county of New Castle aforesaid on a branch of White Clay Creek as of appears by a deed duly executed from the said **SUSANNA GUEST** date of the 15th day of October 1712 and recorded in the roles office at New Castle in Lib. I Page 442 unto the said **JOHN CAMPBELL** the said 1,000 acres being patented the 23rd day of October Anno Domini 1701 which patent is recorded in the rolls office Philadelphia and patent book a Vol. 2 page 123.

AND WHEREAS the said **JOHN CAMPBELL** did in his lifetime sell and convey several parcels of land to several persons being part of the said 600 acres of land last mentioned so that the said **JOHN CAMPBELL** at the time of his death was and stood seized of 258 acres of land only part of the said last mentioned 600 acres.

And whereas the said **JOHN CAMPBELL** by his last will and testament dated the 29th day of December and Anno Domini 1726 did devise and bequeath one moiety or half part of the said 258 acres whereof he stood seized on to his daughter **MARY** now the wife of **CHARLES BRYAN**, party hereto, and the other half part or moiety unto his wife [**JULY ANN CAMPBELL JULIE ANN CAMPBELL**] [**JULIAN CAMPBELL**] during her natural life and after her decease on to a certain **THOMAS SELLY**.

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AND WHEREAS a certain deed dated the 28th day of January Anno Domini 1747/1748 and recorded in the roles office at New Castle in Lib. P Page 533 and did sell and convey the aforesaid moiety or half part of 258 acres aforesaid unto **CHARLES BRYAN**, who is party hereto, so that the said **CHARLES BRYAN** is and stands seized in his own right and his own use of and in the two tracts or parcels of land, herein recited, reference to the before in part recited patent conveyances in the last will and testament more fully and at-large appear.

NOW THIS INDENTURE WITNESSETH that the said **CHARLES BRYAN** and **MARY** his wife for and in consideration of £150 current money of this government to them in hand well and truly paid by the said **ROBERT CULBERTSON** at or before the sealing and delivery hereof the receipt whereof the said **CHARLES BRYAN** and **MARY** his wife do hereby acknowledge and thereof and of every part and parcel there of do acquit and exonerate and forever discharge the said **ROBERT CULBERTSON** in his heirs, executors, administrators and assigns and every of them by these presents have granted, bargain, sold, aliened, released, enfeoffed, and confirmed and by these presents do grant, bargain, sell, alien, release, enfeoff and confirm unto the said **ROBERT CULBERTSON** and to his heirs and assigns all the before recited to tracts or parcels of land and premises situate, lying and being in Mill Creek Hundred and County of New Castle aforesaid the first.

Beginning at a corner marked Maple standing by a Meadow Run and from thence S 10 degrees W 137 perches to a corner marked White Oak and; thence N 45 degrees E 124 perches to a corner marked Maple standing by a meadow Run and up to the said run and by several courses there of 98 perches to the first mentioned Maples and place of beginning.

Containing 35 acres and 102 perches, be the same more or less, within said boundaries to tract or parcel of land.

Beginning at a corner post standing in the line of **EVAN RICE**'s land; thence S 85 degrees E 56 perches along said **RICE**'s line to a corner Black Oak; thence S 31 degrees E by a line of **CHARLES CAMPBELL**'s land 120 perches; thence S 29 degrees W by a line of said **CHARLES CAMPBELL**'s land 110 purchase to a corner White Oak, free by Muddy Run; thence of said run by the several courses thereof 145 perches to a corner White Oak tree standing by the said run; thence N 21 degrees E by the other moiety or half part of said land 129 perches to the first mention post and place of beginning.

Containing 129 acres of land be the same more or less within the same boundaries.

Together with all and singular the houses, out houses, barns, stables, edifices, buildings, orchards, gardens, fences, ways, water, water courses, woods, underwoods, timber, and trees, mines, minerals, quarries, meadows, marshes, swamps, cripples, savannas, hunting and hawking, fishing, fowling, liberty, privileges, hereditaments and appurtenances whatsoever their into belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues, and profits and all the estate, right, title, interest, used, possession, trust, property, claim and demand whatsoever of them to said **CHARLES BRYAN** and **MARY** his wife of, in, to or out of the said premises or any part thereof.

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To have and to hold to said 35 acres and 102 perches and the said 129 acres of land, hereditaments, and premises hereby granted or mentioned or intended to be here by granted and every part and parcel thereof with the appurtenances unto the said **ROBERT CULBERTSON** his heirs and assigns to the only proper use and behoof of the said **ROBERT CULBERTSON** for his heirs and assigns forever and that free and clear or otherwise the said **CHARLES BRYAN** and **MARY** his wife and their heirs at all times hereafter saved and sufficiently kept harmless of and from all and all manner of others show my gifts, grants, bargains, sales, leases, releases, joiners, dower's, wills, entails, mortgages, judgments, executions, troubles and encumbrances whatsoever heretofore by the said **CHARLES BRYAN** and **MARY** his wife have been had made done or suffered the quit rents now do and hereafter to become do for the same to the chief Lord or Lords of the fee or soil of the premises only accepted and forprized and the said **CHARLES BRYAN** and **MARY** his wife have been, had made, done, agree to, and with the said **ROBERT CULBERTSON** his heirs and assigns by these presents that they the aforesaid **CHARLES BRYAN** and **MARY** his wife and their heirs and the said 35 acres and 102 purchase of land and the said 129 acres of land and premises hereby granted and over part and parcel every part and parcel thereof with the appurtenances unto the aforesaid **ROBERT CULBERTSON** his heirs and assigns from and against them the said **CHARLES BRYAN** and **MARY** his wife and their heirs and against all and every other person or persons whatsoever lawfully claiming or to claim buy from or under him her them or any of them shall and will warrant and forever defend by these presents.

In witness whereof the said **CHARLES BRYAN** and **MARY** his wife have hereunto said their hands and seals the day and year first above written

CHARLES BRYAN {seal}
MARY BRYAN {seal, her mark}

Signed sealed and delivered in the presence of us

JOHN BRYAN
CHARLES BRYAN

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And further we the above named **CHARLES BRYAN** and **MARY BRYAN** do hereby empower and authorized **DAVID TINNEY** Esquire and **GEORGE READ** gentleman or either of them or our lawful attorneys for us and in our names to acknowledge this deed in open Court of Common Pleas at New Castle in any subsequent Court after the date hereof in as full and ample a manner as if we personally present witness our hand and seal to this as well as to the above day and year first written.

CHARLES BRYAN

MARY BRYAN {her mark}

New Castle County

MARY BRYAN the wife of **CHARLES BRYAN** a party to the within deed being of full age and being examined by me, the subscriber, one of his Majesty's justices of the peace for the said County, and the contents of within deed made known to her separately and apart from her said husband, declared that she signed, sealed and executed the within deed to **ROBERT CULBERTSON** freely and of her own accord without any force or compulsion of her said husband or any other, thereunto moving.

Given under my hand February 4th 1763

EVAN RICE

Acknowledged in the court of common pleas held at New Castle for the county of New Castle in February term 1763 given under my hand and seal the county aforesaid.

WILLIAM SPENCER Jr, Deputy Prothonotary

Recorded November 6th November 4th 1763

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Transcribed from original documents by Brent R. **BRYAN** & Martha M. **BRYAN**.

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Brent R. **BRYAN**

Martha M. **BRYAN**

BRYANMitchellGenealogy@gmail.com