

Deed, DE, NewCastle, JOHN BRYAN to ANDREW BRYAN, 1784

THIS INDENTURE made the 9th day of May in the fourth year of the reign of our Sovereign Lord George the third by the grace of God, of Great Britain, France, and Ireland, King defender of the faith viz., and in the year of Our Lord 1764.

BETWEEN **JOHN BRYAN** and **MARY [BRYAN]** his wife of St. Georges hundred and County of Newcastle upon Delaware, farmer, of the one part and **ANDREW BRYAN** of Appoquinimink hundred and County aforesaid, Turner, of the other part.

WHEREAS **SAMUEL GRIFFIN**, late of Duck Creek in the county aforesaid, Yeoman, and **MARY [GRIFFIN]** his wife and **JOHN TAYLOR**, late of the county aforesaid, Yeoman, and **MARY [TAYLOR]** his wife, and others, in and by a certain indenture or instrument of writing under their hand and seals duly executed reciting as is therein recited and for the consideration therein mentioned did grant and convey unto **PETER CODRATT**, of Kent County on Delaware, Yeoman, and to his heirs and assigns a certain tract or parcel of land situated lying and being in the county of Newcastle aforesaid on the south side of a small run commonly called Mill Run. Containing by metes and bounds, in the said recited indenture mentioned, 227 acres.

TO HOLD to the said **PETER CODRATT**, his heirs and assigns forever, under certain rents and reservation, in the said recited indenture bearing date the 28th day of August in the year of Our Lord 1721 and recorded in the rolls office at Newcastle for the county of New Castle in LIB F PAGE 121, reference being thereunto had may more fully and at-large appear.

AND WHEREAS the said **PETER CODRATT** by his deed bearing date the 10th day of August in the year of Our Lord 1727 did, for the consideration there in mentioned, sell and convey a certain part or parcel of the above recited a tract of land containing by estimation 195 Acres more or less unto **ANDREW BRYAN**, the elder of the county of Newcastle aforesaid, and his heirs and assigns forever, in and buy the said indenture may more fully and at-large appear the same being recorded in the rolls office at Newcastle in LIB H PAGE 208. And whereas the said **ANDREW BRYAN** Sr., being lawfully seized and possessed of the aforesaid tract of land and premises, did in his lifetime make his last will and testament in writing bearing date the 22nd day of March in the year of Our Lord 1749 and amongst other things there in specified saith:

ITEM I give and devise and bequeath unto my loving sons **ALEXANDER BRYAN**, **JOHN BRYAN**, and **ANDREW BRYAN** all my aforesaid plantation and real estate, one third part each, of My aforesaid Three Sons to be equally divided amongst them share and share alike.

The same being duly executed and recorded in the register general's office at Newcastle, reference being thereunto had met more fully and at-large appear.

AND WHEREAS the aforesaid **ALEXANDER BRYAN**, eldest son of the aforesaid **ANDREW BRYAN**, died being lawfully seized of, and in, the one third part of the aforesaid plantation with the appurtenances, did in his lifetime make his last will and testament in writing bearing date the 21st day of November Anno Domini 1761. And amongst other things there in devised saith:

ITEM I give, devise, and bequeath unto my well-beloved brothers, **JOHN BRYAN** and **ANDREW BRYAN**, my whole real estate willed to me by my father with all the messuages and tenements thereunto belonging equally to be divided between them to be possessed and enjoyed to them and their heirs forever.

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The same being recorded in the registrar's office at Newcastle relation being they're onto had met more fully and at-large appear.

AND WHEREAS the said **ANDREW BRYAN** Jr., and **REBECCA REBECCA** his wife, by virtue of the last will and testament of the aforesaid **ANDREW BRYAN** Sr. and **ALEXANDER BRYAN**, deceased, for a valuable consideration to them paid by **JOHN BRYAN** of St Georges hundred and County of Newcastle, aforesaid, sell and convey unto the said **JOHN BRYAN** all their undivided right, title, interest, property, claim and demand of, and into, the aforesaid 195 acres of land as devised to the said **ANDREW BRYAN** Jr., by the aforesaid **ANDREW BRYAN** Sr., deceased, and the aforesaid **ALEXANDER BRYAN**, deceased, as will appear by the deed of the said **ANDREW BRYAN**, and **REBECCA [BRYAN]** his wife, recorded in the rolls office at Newcastle, in LIB U PAGE 286, reference thereunto had.

NOW THIS INDENTURE WITNESSETH that the aforesaid **JOHN BRYAN**, and **MARY** his wife, by the virtue of the last will and testament of the aforesaid **ALEXANDER BRYAN**, deceased, and for and in consideration of the sum of £360 current money of this government to them in hand paid, by the aforesaid **ANDREW BRYAN**, the receipt whereof the said **JOHN BRYAN**, and **MARY** his wife, do hereby acknowledge and thereof and from every part and parcel thereof do acquit and forever discharge said **ANDREW BRYAN**, his heirs, executors, and administrators, by these presents has granted, bargained, sold, remised, released, and forever quit claimed and by these presents do Grant, bargain, Cell, remise, release and forever quitclaim unto the said **ANDREW BRYAN**, his heirs and assigns, forever all the following described tract or parcel of land, situated and lying and being in St. Georges hundred and County of Newcastle aforesaid.

Beginning at a Spanish Oak standing on the branch or creek called Mill Creek and running N 3 degrees W 48 perches to a stake in the field; thence by the Old Line N/NW 100 perches to a corner Black Oak; thence by **CARDEN's** line NW 100 perches to a corner hickory; thence E/NE 65 perches to a corner White Oak by a branch of Mill Creek, being a corner of **WILLIAM GORDON's** lately, and then up the said Branch N 24 perches; N 23 degrees E 26 perches; N 22 degrees W 41; N 53 degrees W 38 perches; N 76 degrees W 38 perches to a corner White Oak, of the land late of Dr. **PATRICK KIRBY**; then by a line of marked trees S 33 degrees W 100 perches to an old Corner Black Oak; do course 158 perches to a double Maple standing by the Mill Creek; then down the said Creek on the several courses thereof and binding therewith 353 perches to the first mentioned Spanish Oak and place of beginning.

Containing 195 Acres be the same more or less.

TOGETHER with all and singular the houses, outhouses, woods, under woods, timber and trees, ways, waters, and water courses, privileges, hereditaments and appurtenances to the same belonging or in any ways appertaining.

AND the reversion and remainder of the premises together with all and singular the estate, right, title, claim, and interest, of him, the said **JOHN BRYAN** and **MARY**, his wife, of, in, or to the aforesaid plantation, or any part thereof which he now hath or claimeth, by virtue of the aforesaid **ANDREW BRYAN's** last will, and all the estate which he now holdeth or claims by virtue of the last will and testament of **ALEXANDER BRYAN**, deceased, as well as all the estate, right, property which he now half by virtue of the sale made by **ANDREW BRYAN** and **REBECCA**, his wife, to the

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aforesaid **JOHN BRYAN**, as aforesaid, with all the rents, issues, and profits thereunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the aforesaid 195 acres of land and premises with the appurtenances, and every part thereof, to him said **ANDREW BRYAN**, his heirs and assigns forever, under the yearly quit rents already due and to become due to the chief Lord or Lords of the fee thereof.

AND the aforesaid **JOHN BRYAN** and **MARY** his wife do covenant, grant, agree to, and with, the aforesaid **ANDREW BRYAN**, his heirs and assigns, that he, the said **JOHN**, and **MARY** his wife, and their heirs, shall and will at the proper costs and charges of him, the said **ANDREW** or his counsel learned in the law, make, sign, seal, execute, and perform all and every such convenience, deed, or release which may be needful or necessary for the better confirming of the aforesaid land and premises to the aforesaid **ANDREW BRYAN**, his heirs and assigns.

AND the said **JOHN BRYAN** just said hereby granted premises with their and every of their appurtenances unto the said **ANDREW BRYAN**, his heirs and assigns, and **MARY**, his wife, against him, the said **JOHN BRYAN**, his heirs, executors, and administrators and against all and every other person, persons, lawfully claiming any estate, right, title or interest of, in, or to the same or any part thereof by, from, or under him, them, or any of them shall and will warrant and forever defend by these presents.

IN WITNESS WHEREOF the aforesaid **JOHN BRYAN** and **MARY** his wife hath hereunto set their hands and seals the day and year first above written.

JOHN BRYAN {seal}
MARY BRYAN {seal}

Sealed and delivered in the presence of

JACOB PETERSON
JAMES BRYAN SR.
JAMES BRYAN JR.

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May 15th 1764

Received of **ANDREW BRYAN** the sum of £360, payment of the within deed of the land received.

JOHN BRYAN

This 9th day of May 1764 before me one of his Majesty's justices of the peace for the county of Newcastle on Delaware, came the within mentioned **MARY**, the wife of the within mention **JOHN**, and being by me examined separately and apart from her husband, and the contents of the within indenture made known unto her, did acknowledge that she executed the same voluntarily and of her own accord without any threat or compulsion or restraint of him, the said **JOHN**, or any other person whatsoever.

In testimony whereof I have hereunto set my hand and seal the day and year above said.

JACOB PETERSON
New Castle County

Acknowledged in the court of common pleas held at Newcastle for the county of Newcastle in May term 1764.

And testimony whereof I have hereunto affixed the public seal of the said County.

THEODORE MAURICE Deputy Prothonotary
Recorded August 4th 1764

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

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