

Deed, DE, Sussex, HENRY & NANCY DEPUTY to SAMUEL WALTON, 1831

Deed **SAMUEL WALTON** from **HENRY DEPUTY** and wife

This indenture made the 28th day of June in the year of Our Lord 1831 between **HENRY DEPUTY** and **NANCY** his wife of the county of wood in the state of Virginia and **SAMUEL WALTON** of Sussex County and state of Delaware.

Witnesseth whereas the said **HENRY DEPUTY** and **NANCY** his wife in right of set **NANCY** are entitled by the laws of inheritance of this state 21 undivided sixth part of a certain piece or parcel of land being the one third part of the intestate lands of Joshua Hayes Hays deceased which were assigned to Betsy Hayes, deceased, Widow of the said Joshua Hays, deceased, for her dower in that said intestate lands and which said one third part or dower lands of the said Betsy Hayes remain undivided as by the report of the five freeholders appointed by the orphans Court at Georgetown the first day of April 1828 recorded in the records of said Court will more fully appear.

Now this indenture witnesseth that the said **HENRY DEPUTY** and **NANCY**, his wife, for and in consideration of the sum of \$45, the receipt whereof they do hereby acknowledge, have granted, bargained, sold, aliened, a conveyed and confirmed and by these presents do hereby grant, bargain, sell, alien, convey and confirm to the said **SAMUEL WALTON** his heirs and assigns all their undivided right and part and share of and in the above mentioned piece or parcel of dower land above mentioned situate in Cedar Creek hundred, Sussex, County and state of Delaware meted and bounded as follows:

Beginning at a stone in a line of the land of **DONOVAN SPENCER** and a corner for land of **WILLIAM FOUNTAIN**; thence with said **FOUNTAIN**'s line South $48\frac{1}{2}$ and degrees east 296 perches to a stone on the edge of a point of woodland belonging to **JOHN BRYAN**; thence with **BRYAN**'s Land south 82 degrees west 2 and along the middle of a branch 54.2 perches; thence up the road 22 perches to a post corner of the $\frac{2}{3}$ part of the land of said **JOSHUA HAYES**, deceased, which were sold to pay the debts of the said **JOSHUA HAYES**, deceased, and now in the possession of **WILLIAM PIERCE** senior; thence there with therewith North $5\frac{1}{2}$ degrees east $29\frac{1}{2}$ perches to a marked red cedar standing on the graveyard; thence north $83\frac{1}{2}$ degrees west $32\frac{1}{2}$ perches to a post; thence North $10\frac{1}{2}$ degrees east 20 perches to a post; thence North 38 degrees east $6\frac{1}{4}$ perches to a large Fork Mulberry Tree near the house; North $80\frac{3}{4}$ degrees west 40 perches to a post and $10\frac{1}{2}$ degrees east 53 perches to a post standing one perch in perpendicular distance from the line of **WILLIAM FOUNTAIN**'s land; thence parallel thereto North $48\frac{1}{2}$ degrees West 68th perches to a stone; thence south 71 degrees west $31\frac{1}{2}$ perches to a post; thence North $48\frac{1}{2}$ degrees west $36\frac{1}{2}$ perches to a stone in a line of the lands of **DONOVAN SPENCER**; thence there with North 42 degrees east 28 perches to the place of beginning.

Computed to contain 44 Acres be the same more or less.

AND ALSO all the trees, woods, under woods, ways, waters, water courses, houses, gardens, fences, enclosures, amenities, profits, advantages, hereditaments, and appurtenances whatsoever in right of them the said **HENRY DEPUTY** and **NANCY** his wife to the said 44 acres of land above mentioned belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, unto issues and profits of the said premises and of every part and parcel thereof and all the estate, right, title, interest, claim and demand whatsoever of them the said **HENRY DEPUTY**

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and **NANCY** his wife, of, in, and to the said 44 acres of land and premise and every part thereof.

TO HAVE AND TO HOLD the said 44 acres of land and all and singular the other premises above mentioned and every part and parcel thereof with the appurtenances so far as in right of them, the said **HENRY DEPUTY** and **NANCY** his wife, belongs or a pertains in right, law, and equity unto the said **SAMUEL WALTON** his heirs and assigns to their only proper use, benefit, and behoof.

And the said **HENRY DEPUTY** and **NANCY** his wife for themselves and their heirs and each of them and against all and every other person and persons against their right and said 44 acres of land, will warrant and forever defend to the said **SAMUEL WALTON**, his heirs and assigns, by these presents.

In witness whereof the said **HENRY DEPUTY** and **NANCY** his wife have hereunto set their hands and seals the day and year first above written.

HENRY DEPUTY {seal}
NANCY DEPUTY {seal}

Signed, sealed, and delivered in the presence of us. The words one interlined before signing and sealing hereof.

H. L. PRETISS
D. R. MALL ???

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Wood County

To wit, we **MATTHEW CASHEL** and **H. L. PRENTISS** to certify that **HENRY DEPUTY** a party to a deed bearing date the 28th day of June 1831, and hereto annexed, personally appeared before us and acknowledged the same to be his free act and deed and requested us to certify the same to the clerk of court and County and state of Virginia in order to be recorded.

Given under our hands and seal this 2nd of July 1831

MATTHEW CASHEL {seal}
H. L. PRENTISS {seal}

Do certify that **NANCY DEPUTY**, a party to a deed bearing date 28th of June 1831, personally appeared before us in said County and being examined separate and apart from her husband acknowledged the same to be her act and deed and wished us to certify the same to the clerk of Wood County in order to be recorded.

Given under our hands and seal the second day of July 1831

MATTHEW CASHEL {seal}
H. L. PRENTISS {seal}

Virginia
Wood County

I **JOHN STEVENSON** Junior, Clerk of the county court of Wood County, do hereby certify that **MATTHEW CASHEL** and **HOURY PRENTISS** whose names are assigned to the within acknowledgments were at the time of such signature acting justices of the peace in and for said County duly commissioned and qualified as such and the full faith and credit is to be given to their acts and doings in the premises.

And testimony whereof I have hereunto set my hand and affixed the seal upset County Court this 6th day of July 1831 and in the 56th year of the Commonwealth.

J. STEVENSON Jr, Clerk

This deed was lodged in the recorders office in and for the county of Sussex on the 9th day of August 1831.

G. A. EWING, recorder

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