

Deed, DE, Sussex, HENRY & SARAH DRAPER to RICHARD HINMAN 1722

Deed of sale 4 for 1/4 of 800 [acres of] land, **HENRY DRAPER** and wife to **RICHARD HINMAN**.

THIS INDENTURE made the 7th Day of August in the 9th year of the reign of our Sovereign Lord George King of Great Britain Etc and in the year of Our Lord 1722.

BETWEEN **HENRY DRAPER** of the county of Sussex upon Delaware and **SARAH [DRAPER]** his wife who was one of the granddaughters of **JOHN AVERY**, late of the county of for said, deceased of the one part and **RICHARD HINMAN** of the county of Sussex aforesaid Esquire of the other part.

WHEREAS **EDMUND ANDROS** Esquire, lieutenant governor and general of New York Albany and territories in America, did in and by one certain patent under his hand and great seal bearing date 15th a January Anno Domini 1675 Grant and confirm, unto the above mentioned **JOHN AVERY**, a tract of land called **AVERY'S REST** lying upon Rehoboth in the county aforesaid.

Beginning a day Creek parting **JOHN KING's** land and the said **AVERY's** called **KING's** Creek founding at a White Oak standing upon the point of a marsh running up the said Creek North-Northwest 400 perches to another White Oak standing by the creek side and from thence with a line East-Northeast to a certain Black Walnut standing in the woods 320 perches from thence with a line South-Southeast 400 perches to a bounded Poplar standing by a maple parting **JOHN RHODES'** land and the said **AVERY's** from thence West-Southwest by the said marsh 320 perches to the first bounded White Oak standing at the point by the aforesaid **KING's** Creek.

CONTAINING AND LAID OUT for 800 acres to hold to him, the said **JOHN AVERY** his heirs and assigns forever, under the yearly rent of 8 bushels of wheat for the same as by the said patent on record may more fully appear reference there to being had and whereas the said **JOHN AVERY** being so seized of the said tract of land he for a valuable consideration sold and conveyed part of the said tract of land unto one **JOHN DUPREE** the same lying in Forked Neck so called and sometime afterward died seized of the remainder, and intestate, leaving issue behind him five children namely **MARY, ELIZABETH, SARAH, JEMIMA** and **JOHN** (who is since deceased) so that the land aforesaid fell to the said **MARY, ELIZABETH, SARAH** and **JEMIMA**. share and share alike.

AND WHEREAS the said **SARAH AVERY** intermarried with one **JOHN KIPHAVEN**, who had issue by her, the above named **SARAH DRAPER**, and the said **SARAH**, the mother, being since deceased, the fourth part of the above-mentioned tract, of right, doth belong unto the above named **SARAH**, the present conveyor.

WHERE FOR THIS INDENTURE WITNESSETH that the said **HENRY DRAPER** and **SARAH** his wife for and in consideration of the sum of £60 lawful silver money of America to them in hand paid by the said **RICHARD HINMAN** the receipt whereof they do hereby acknowledge and thereof doth acquit and forever discharge the said **RICHARD HINMAN**, his heirs and assigns by these presents have granted, bargained, sold, aliened, enfeoffed and confirmed and by these presents does grant, bargain, sell, alien, enfeoff and confirm unto the said **RICHARD HINMAN** his heirs and assigns, and by these presents all that the aforementioned fourth part of the said 800 acres, situate, lying and being as aforesaid, accepting only and reserving thereout of the said 800 acres the part of the same which **JOHN AVERY** sold and conveyed in his lifetime as aforesaid. Together with all and singular the houses, outhouses, barns, buildings, ways, waters, water courses, swamps, cipples, marshes, woods, under-

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woods, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining. And the reversions and remainders, rents, issues and profits thereof and of every part and parcel thereof and all the estate, right, title, interest, property, claim and demand whatsoever of them the aforesaid **HENRY DRAPER** and **SARAH** his wife, of, in, or to the same and all deeds, evidences, writings, concerning the same.

TO HAVE AND TO HOLD the said fourth part of the above-mentioned 800 acres except as before accepted and all other the premises hereby granted or mentioned so to be with the appurtenances unto the said **RICHARD HINMAN** and his heirs to you the only proper use in behoof of him the said **RICHARD HINMAN** his heirs and assigns forever, under the yearly rent accruing to the lord of the fee thereof, and the said **HENRY DRAPER** and **SARAH** his wife and their heirs and the hereby granted land and premises with the appurtenances unto the said **RICHARD HINMAN** his heirs the against them the said **HENRY DRAPER** and **SARAH** his wife and their heirs against all other persons whatsoever lawfully claiming the same shall and will warrant and forever defend by those presents these presents.

AND said **HENRY DRAPER** and **SARAH** his wife for themselves their heirs, executors and administrators do covenant, promise and grand to, and with, the said **RICHARD HINMAN** his heirs and assigns by these presents, that they, the said **HENRY DRAPER** and **SARAH** his wife, their heirs, executors and administrators and all and every other person or persons whatsoever having or lawfully claiming any estate, right, title or interest of, in, or to, the hereby granted land and premises shall and will upon the request, cost, and charges, in the law whatsoever, make and execute and acknowledge or cause to be all such further and other acting, acts, deeds or deed, device or devices, in the law for the better and more perfect assuring and conveying the hereby granted land and premises with the appurtenances on to the said **RICHARD HINMAN** his heirs and assigns as by his or their council, learned in the law, shall by reasonably, devised, advised, or required.

IN WITNESS WHEREOF the parties to these presents have interchangeably said their hands and seals here onto the day and year first above written

HENRY DRAPER {seal}
SARAH DRAPER {seal}

Seals and delivered in the presence of

SIMON KOLLOCK
PETER MARSH
RICHARD NEWCOMBE

Sussex

The within deed was acknowledged and made over an open court of Common Pleas held at Lewes in and for the county of Sussex aforesaid on the 7th Day of August 1722 by the within named **HENRY DRAPER** and **SARAH** his wife unto the within named **RICHARD HINMAN** his heirs and assigns according to law and the within contents.

Test
PHILLIP RUSSELL, Deputy Clerk

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