

Deed, DE, Sussex, Mary Smith to John Lacey 1753

JOHN LACEY from **MARY SMITH**

THIS INDENTURE made the 17th day of November in the year of Our Lord 1753 between **MARY SMITH**, widow, of the county of Sussex upon Delaware of the one part and **JOHN LACEY LACEY** of the same county, Yeoman, of the other part.

WITNESSETH WHEREAS by virtue of the proprietary warrant from **BENJAMIN EASTLOW** Surveyor General, bearing date at Philadelphia the 11th day of December in the year of Our Lord 1735 requesting **WILLIAM SHANKLAND**, Deputy surveyor for the county of force headcount, to survey and lay off for **SAMUEL JOHNSON GREEN** late of this County, deceased, 150 acres of land situated on a small branch of Swan Creek including two small improvements adjoining to ye west side of **WILLIAM PRETTYMAN** land and in the county aforesaid in Indian River hundred called the name of Newport & Recourse being had to the deputy surveyor's office will more plainly appear by the surveying containing to about 160 Acres with ye butts and bounds thereof.

NOW THIS INDENTURE WITNESSETH that the aforesaid **SAMUEL JOHNSON GREEN**, late deceased of the county aforesaid leaving behind him one only child a son who has also departed this life the above **MARY SMITH** being the sister of the aforesaid **SAMUEL JOHNSON GREEN** and ye only heir to ye above said land called Newport now living, for and in consideration of you said some of £40 current money lawful money of America to her in hand paid and before ye signing, sealing and delivery thereof by the aforesaid **JOHN LACEY** you receipt whereof the doth hereof acknowledge her self therewith to be fully satisfied contented and paid and their of and every part and parcel thereof. Clearly and absolutely acquit and exonerate and discharge ye said **JOHN LACEY** his heirs and assigns and every of them hath given, granted, bargained, sold alien, enfeoffed, conveyed and confirmed and by these presents does give, grant, bargain, alien, enfeoff, convey and confirm unto the aforesaid **JOHN LACEY** his heirs or assigns forever the aforesaid mentioned 160 acres of land called Newport in the deputy surveyor's office as aforesaid together with all and singular ye woods, under woods, easements, hereditaments and appurtenances whatsoever their into belonging or in any wise appertaining or to any part or parcel thereof.

TO HAVE AND TO HOLD the aforesaid land and all and singular the premises here into belonging with the appurtenances unto the side **JOHN LACEY** his heirs and assigns to ye only proper use and behoof of him the said **JOHN LACEY** and his heirs, executors, administrators, and assigns forever and ye **MARY SMITH** her heirs and assigns **SAMUEL JOHNSON GREEN** and the land aforesaid, her heirs executors, administrators and assigns the aforesaid land and premises before hereby granted, bargain, and sold with ye appurtenances unto the said **JOHN LACEY** his heirs, executors, administrators, and assigns against her he said **MARY SMITH** before said her heirs, executors, administrators and assigns and against all and every other person or persons claiming by, from, or under her, shall and will warrant and forever defend by virtue of these presents and the said **MARY SMITH** does hereby nominate, acknowledge, and appoint her friend **BENJAMIN STOCKLEY** Esquire of Sussex County before set her true and lawful attorney to appear for her in any Court of Common Pleas held at Lewes and County aforesaid to make over and acknowledge the above deed on to **JOHN LACEY**, his heirs and assigns according to law of the above contents.

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In testimony where of the above mentioned **MARY SMITH** hath hereunto set her hand and seal the day and your first above written.

MARY SMITH {her M mark}

Sealed and delivered in the presence of us

THOMAS BRYAN
HENRY BRERETON

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