

Deed, DE, Sussex, WILLIAM WALTON to THOMAS SHERMAN, 1789

Deed **THOMAS SHURMAN** from **WILLIAM WALTON**

THIS INDENTURE made the 31st day of March in the year of Our Lord 1789.

BETWEEN **WILLIAM WALTON** of the county of Sussex in the state of Delaware, and **SARAH WALTON** his wife, of the one part and **THOMAS SHIRMAN** of the county of Sussex aforesaid on the other part.

WITNESSETH that whereas two dividends or certain tracks of land situate, lying and being an Indian River hundred in the county of Sussex and about 2 miles from said Indian River and near Warwick which is which said dividends of land is part of a larger quantity to have been survey done to a certain **FRANCIS POPE** on the 19th day of April in the year of Our Lord 1722 and afterward allotted unto his daughter **ANN POPE [HOMES]** who intermarried with **JOHN HOMES [HOLMES]**, and the said **JOHN HOMES** afterward by virtue of a warrant of resurvey from The Honorable **THOMAS PENN**, proprietaries, bearing the date the 22nd day of February in the year 1739 had part of one of the above said dividends of land surveyed to him by **WILLIAM SHANKLAND**, then deputy surveyor for the county aforesaid, on the 12th day of January in the year 1742 and the other part or dividend of land was surveyed under the said **JOHN HOMES** by virtue of the said warrant of resurvey on the 14th day of the month and year last mentioned or the 9th day of April in the year of Our Lord 1755 it has been said by the said **WILLIAM SHANKLAND** the then Deputy surveyor aforesaid.

And the said **JOHN HOMES** and **ANN HOMES [ANN POPE HOLMES]** his wife by their deed of bargain and sale bearing date the 5th day of February 1756 conveyed two hundred acres, part of the above two surveys, on to a certain **JONATHAN JACOBS** as the said deed expressed. And the said **JONATHAN JACOBS**, by deed of bargain and sale bearing date the thirteenth day of November in the year of Our Lord 1757, conveyed the aforesaid two hundred acres of land on to a certain **WILLIAM COLLINS** whilst said deed ... recorded in the rolls office of the County, ledger I No 8. folio 169 ... by his last will and testament bearing date the third day of March in the year of Our Lord 1725, amongst other things, did devise his land, purchased of **JONATHAN JACOBS** and others, between his son **MATTHIAS COLLINS** and his daughter **SARAH COLLINS** the said **SARAH [COLLINS WALTON]** intermarrying with the above named **WILLIAM WALTON** who are now both parties to these presents the bounds and courses of the dividend allotted unto **SARAH** by her father's will are as follows, viz:

Beginning at a corner marked Red Oak standing by the side of the road, called the Ferry Road, 32 perches from the old corner marked White Oak of **POPE's** as well **HOMES'** beginning, when the land was first run out, and standing in the line of S 1 degree E on the west side of the plantation; thence by a dividing line through the plantation runs between the said **MATTHIAS COLLINS** and **SARAH COLLINS**, now **SARAH WALTON**, N 54 degrees E 78 perches to a post standing in a sink, or place of low ground, as the division line, between the brother and sister (that part which was laid off to **MATTHIAS COLLINS** he did convey and confirm unto a certain ??? **WAPLES** as recourse to the said deed will more plainly & fully appear); thence N 29 degrees W 24 perches (which intersects the home line of the due west of the beginning when first run out to the place where a small Red Oak corner sapling formerly stood; thence along said line with variation allowed S 87½ degrees W 59 to an old corner marked White Oak above-mentioned; thence S ¾ degree E along the said old line 62 perches home to the beginning where the Red Oak corner sapling formerly stood; thence along the sideline with variation allowed S 87½ degrees W 50

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perches to the old corner marked White Oak above-mentioned; thence S $3\frac{3}{4}$ degrees E along the old line 62 perches home to the beginning Red Oak.

Which contains that part of this survey that was allotted to the said **SARAH** as also the bounds of the other tract said to have been surveyed on the 14th day of February 1741 or 1742 on the 9th day of April above said are as followeth.

Beginning at the old corner marked White Oak of the first bounder of the old tract of **POPE's**; thence along the said line allowing the variation N $87\frac{1}{2}$ degrees E 50 perches to the place where the Red Oak corner sapling formerly stood; thence N $28\frac{3}{4}$ degrees west (along dividing line between that laid off to **JONATHAN JACOBS** above said and the land which the said **JOHN HOMES**' dividing line between that the said **JOHN HOMES** laid off unto Dr. **WOODBIDGE**, but afterwards conveyed the same unto **MARGARET WAPLES**), 180 $\frac{1}{2}$ perches to a small Hickory marked standing between slab White Oak and Red Oak standing on a hill by the plantation where **JOHN REGUA** dwells; thence along the old line of the survey S $83\frac{3}{4}$ degrees W 89 perches to a corner marked Dogwood standing the line of land formerly survey done to **ROBERT PRETTYMAN** and now held by **BURTON PRETTYMAN** along the line of said land with road S $31\frac{3}{4}$ degrees E $78\frac{1}{2}$ perches to the stump of an old corner marked White Oak, which was fell, and made punchens by the said **BURTON PRETTYMAN** and now remains at the said stump; thence N 80 ??? degrees E $79\frac{1}{2}$ perches to a Red Oak corner marked sapling which sprouted from the root of an old corner standing between two White Oaks that is slabbed; thence S $3\frac{3}{4}$ degrees E along the old line of the said land 86 perches home to the first bounder old White Oak of **POPE's** the first place of beginning.

And whereas the said **WILLIAM COLLINS** did purchase 10 acres of land from a certain **WILLIAM WAPLES**, son of the said **MARGARET WAPLES**, which is part of the land that **JOHN HOMES** conveyed unto the said **MARGARET** and the remaining part of the said land is now held by Captain **JOSEPH WAPLES**, saving only the 10 acres as aforesaid, and the said 10 acres of land was laid off unto **WILLIAM COLLINS** in their lifetime to begin as follows:

Beginning at the place where the small corner marked Red Oak stood and; thence running with the aforesaid **WILLIAM COLLINS** and **WILLIAM WAPLES** their lines, allowing the variation on the old lines; thence run N $78\frac{3}{4}$ degrees W $41\frac{1}{2}$ perches to an old Iron Oak standing about $\frac{1}{2}$ perch over the fence; thence S 89 degrees E 40 perches to a small Spanish Oak standing about $\frac{1}{2}$ a perch from the fence; thence S 31 degrees E 41 perches to the intersecting of **HOMES** line a due west course to **POPE's** old corner marked White Oak to a post; thence S $87\frac{1}{2}$ degrees W 41 perches home to the first place of beginning where the Red Oak sapling formerly stood.

Containing the 10 acres, which the said 10 acres of land the said **WILLIAM COLLINS** in his lifetime and since his death has said daughter **SARAH** and her husband **WILLIAM WALTON** has ever since quietly and peaceably held occupied and enjoyed the same and receive the yearly entrees and profits arising there from which said through several dividends and parcels of land contains 80 acres more or less.

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Now this indenture further witnesseth that the said **WILLIAM WALTON** and **SARAH WALTON** for and in consideration of the sum of £60 in gold and silver coin, current lawful money of the Delaware state, to them in hand paid by the above named **THOMAS SHERMAN** the receipt whereof the said **WILLIAM WALTON** and **SARAH WALTON** do acknowledge and themselves to be therewith fully contented, satisfied, and paid, have granted, bargained, and sold and by these presents do grant, bargain, and sell unto the said **THOMAS SHERMAN** his heirs and assigns forever all of their right, title, interest, claim and demand of, in, or two, the above-described dividend and parcel of land together with all and singular the buildings, improvements, and her edit immense onto the same belonging or in any wise appertaining as also all the estate, right, title, property, claim and demand of us, the said **WILLIAM WALTON** and **SARAH WALTON**, of, in, or two every part and parcel thereof.

TO HAVE AND TO HOLD the said tract or parcel of land to the said **THOMAS SHERMAN** his heirs and assigns to the only proper use and behoof of him, the said **THOMAS SHERMAN**, his heirs and assigns forever.

And we, the said **WILLIAM WALTON** and **SARAH WALTON**, for ourselves, our heirs, administrators do covenant and grant to and with the said **THOMAS SHERMAN** his heirs, executors, administrators and assigns that we, the said **WILLIAM WALTON** and **SARAH WALTON**, the said land against the lawful claim or claims of us, the said **WILLIAM WALTON** and **SARAH WALTON**, our heirs and assigns, all manner of persons claiming or to claim from, buy, or under us, them, or any of them to the aforesaid **THOMAS SHERMAN**, his heirs and assigns, shell and forever will warrant and defend.

And we, the said **WILLIAM WALTON** and **SARAH WALTON**, do hereby make, constitute, and appoint Colonel **HENRY NEILL**, Colonel **DAVID HALL**, Major **WILLIAM PERRY**, and Dr. **JOSEPH HALL**, all of the county of Sussex, them or either of them, are true and lawful attorneys to appear for us at a court of common pleas to be held in the said County of Sussex and the town of Lewes in the month of May next or any other subsequent court and then in there jointly, or any one of them severally, for us and in our names, rooms, and stead to acknowledge the above deed in open court agreeable to the true intent and meaning thereof.

In testimony whereof we, the said **WILLIAM WALTON** and **SARAH WALTON**, have hereunto set our hands and seals the day and year first above written.

WILLIAM WALTON {seal}
SARAH WALTON {seal}

Signed, Sealed, Delivered in the presence of us

JAMES WILKINS
ANN WAPLES

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Sussex County
Delaware state

I do hereby certify that pursuant to an act of the Assembly of the Delaware State the within named **SARAH WALTON**, being at full age and separate and apart from her husband, upon her examination acknowledged that she did freely and voluntarily execute the with indeed of her own free will and accord and that without any compulsion or threat of her husband **WILLIAM WALTON** or any other person. The above examination was taken the 7th day of April 1789 before **JOHN CLOWES**.

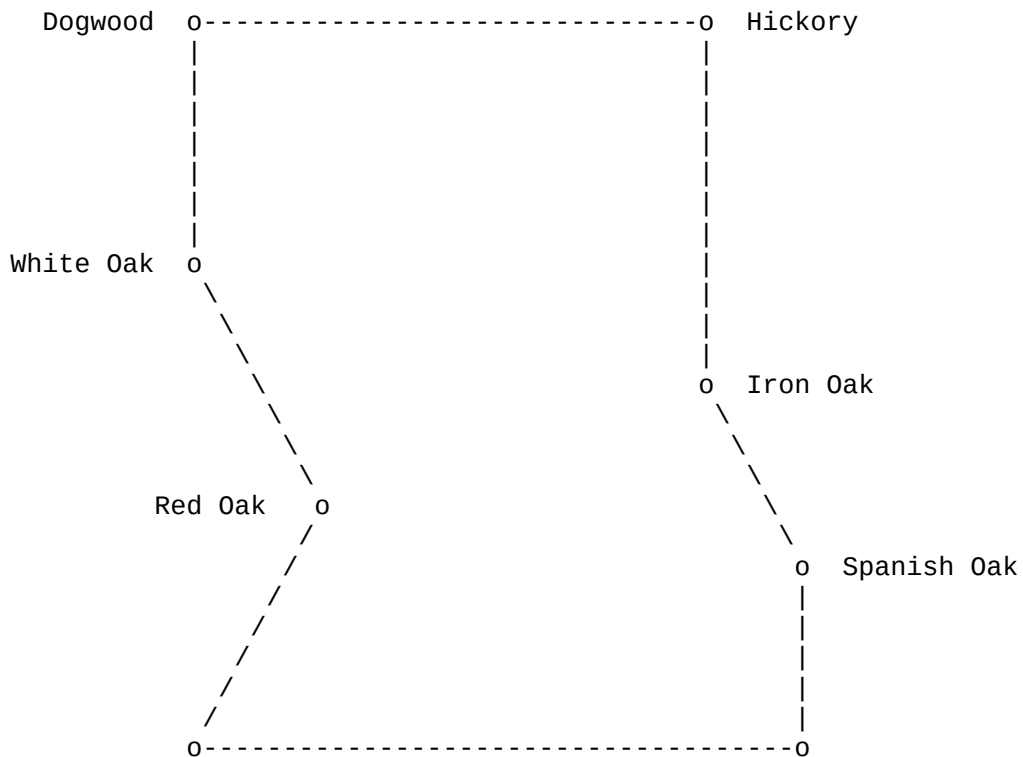
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Sussex County

I do hereby certify that at a court of common pleas held at Lewes for the county aforesaid on the 5th day of August in the year of Our Lord 1789 the due execution of the with indeed was proved in open court in due form of law by the oath of **NATHANIEL WAPLES**, Esquire, one of the subscribing Witnesses thereto and acknowledged by **DAVID HALL** Esquire attorney therein constituted and appointed on the part and behalf of the grantors with the grantee therein named.

In testimony whereof I have urine to set my hand and seal of office at lose Lewes the 15th day of August in the year aforesaid.

NATHANIEL MITCHELL prothonotary



A plat of the land **WILLIAM COLLINS** willed to his daughter **SARAH [COLLINS WALTON]** who intermarried with **WILLIAM WALTON** and buy them sold to the **THOMAS SHERMAN** surveyed at the request of the parties by.

WILLIAM PRETTYMAN
March 30th 1789

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