

Deed, DE, Newcastle, SARAH BARTON to RICE Family 1786

THIS INDENTURE made the 26th day of October in the 11th year of our American independence in the year of Our Lord 1786.

BETWEEN **SARAH BARTON** of Mill Creek Hundred in the county of Newcastle and state of Delaware and **THOMAS CULBERTSON** of the Hundred and County and State aforesaid, chair maker, and **ANN** his wife and **ROBERT CULBERTSON** of the said Hundred, County and state, chair maker, and **MARY** his wife and **ALEXANDER CULBERTSON** of the County of Westmoreland in the state of Pennsylvania, cord winder, and **RUTH** his wife of the one part and **THOMAS RICE**, farmer, **JOSEPH RICE**, farmer, **SOLOMON RICE**, farmer, and **JEREMIAH RICE**, carpenter all of Mill Creek Hundred in the county of Newcastle and state of Delaware aforesaid of the other part.

WHEREAS a certain **CHARLES BRYAN** of St. George hundred in the County of Newcastle, aforesaid, by good assurances and convinces in the law duly executed became seized in his demesne as of fee of and in to certain messages or parcels of land situated, lying, and being in Mill creek hundred and County of Newcastle the one containing 35 acres and 102 perches and the other containing 129 acres and hereinafter to be described.

AND WHEREAS the said **CHARLES BRYAN**, and **MARY [BRYAN]**, his wife, have by their deed bearing date the 14th day of December in the year of Our Lord 1762, acknowledged in court of common pleas held at Newcastle for the county of Newcastle, in February term in the year of Our Lord 1763, and recorded in the rolls office at Newcastle in Lib. W Page 31 did for the consideration therein mentioned sell and convey the above mentioned two parcels of land with the appurtenances on to **ROBERT CULBERTSON** his heirs into assigns.

TO HOLD to him the said **ROBERT CULBERTSON** is heirs and assigns forever

AND WHEREAS the said **ROBERT CULBERTSON** in his last will and testament bearing date the 28th day of August in the year of Our Lord 1766 among other things there in mentioned did devise and bequeath the said to messages or parcels of land with the appurtenances thereunto belonging unto the above named **SARAH BARTON**, being then relict of the said **ROBERT CULBERTSON**, to **DAVID CULBERTSON**, now deceased, and to the above named **THOMAS CULBERTSON**, **ROBERT CULBERTSON**, and **ALEXANDER CULBERTSON**, sons of the said **ROBERT CULBERTSON**, and parties to these presents, their heirs and assigns forever and likewise directed that the said parcels of land should be sold when they said **ALEXANDER CULBERTSON** should be 21 years of age, as by the above in part recited deed and last will, relation being there on two had met more fully and at large appear.

NOW THIS INDENTURE WITNESSETH that the said **SARAH BARTON**, **THOMAS CULBERTSON**, and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife, and **ALEXANDER CULBERTSON** and **RUTH** his wife, for and in consideration of the full sum of £495 specie to them in hand paid by the said **THOMAS RICE**, **JOSEPH RICE**, **SOLOMON RICE**, and **JEREMIAH RICE**, the receipt whereof they do hereby acknowledge and thereof do acquit, release, and discharge the said **THOMAS RICE**, **JOSEPH RICE**, **SOLOMON RICE**, and **JEREMIAH RICE** their executors and administrators forever by these presents, have granted, bargained, sold, alien, released, enfeoffed, and confirmed and by these presents do grant, bargain, sell, alien, release, and fee off, and confirm unto the said **THOMAS RICE**, **JOSEPH RICE**, **SOLOMON RICE**, **JEREMIAH RICE**, and to their heirs and assigns all that deep before recited two messages or parcels of land and premises, situate, lying and being in Mill Creek Hundred and county of Newcastle aforesaid the first:

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Beginning a corner marked Maple standing by meadow run; and from thence south ten degrees westerly, one hundred and thirty seven perches to a corner marked White Oak; and thence north forty five degrees easterly one hundred and twenty four perches to a corner marked Maple standing meadow run aforesaid and up the said run and by the several courses thereof ninety eight perches to the first mentioned Maple and place of beginning.

Containing thirty five acres and one hundred and two perches to be the same more or less within the said described boundaries the second tract or parcel of said land.

Beginning at a corner post standing in a line of **EVAN RICE**'s land; thence south eighty five degrees easterly fifty six perches along said **RICE**'s to a corner Black Oak tree; thence south thirty one degrees easterly, by a line of **CHARLES CAMPBELL**'s land one hundred and twenty perches to a corner post; thence south twenty nine degrees westerly by a line of said **CHARLES CAMPBELL**'s land one hundred and ten perches to a corner White Oak tree by Muddy run; thence up said run by the several courses one hundred and forty five perches to a corner White Oak tree standing by said run; thence north twenty one degrees easterly by land once a part of said tract one hundred and twenty nine perches to the first mentioned post and place of beginning.

Containing one hundred and twenty nine acres of land be the same more or less.

Together with all and singular the houses, out houses, barns, stables, edifices, buildings, orchards, gardens, fences, ways, waters, water courses, woods, under woods, timber and trees, mines, minerals, quarries, meadows, marshes, swamps, cripples, savannahs, huntings, hawkings, fishings, fowlings, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

And all the estate, right, title, interest, use, possession, trust, property, claim and demand whatsoever of them the said **SARAH BARTON**, **THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH**, his wife, of, in, to, or out of the said premises or any part thereof.

To have and to hold the said thirty five acres and one hundred and two perches and the said one hundred and twenty nine acres of land, hereditaments and premises hereby granted or mentioned or intended to be granted and every part and parcel thereof with the appurtenances unto the said **THOMAS RICE**, **JOSEPH RICE**, **SOLOMON RICE** and **JEREMIAH RICE** their heirs and assigns to the only proper use and behoof of the said **THOMAS RICE**, **JOSEPH RICE**, **SOLOMON RICE** and **JEREMIAH RICE**, their heirs and assigns forever.

And that free and clear or otherwise by the said **SARAH BARTON**, **THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife, and their heirs a all times hereafter saved and sufficiently kept harmless of, and from all, and all manner of former and other gifts, grants, bargains, sales, leases, releases, jointures, dowers, wills, entails, mortgages, judgements, executions and encumbrances whatsoever heretofore by the said **SARAH BARTON** and **THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife have been, had, made, done or suffered the quit rents now due and hereafter to become due for the same to the chief Lord

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or Lords of the fee or soil of the premises only excepted and preprized. And the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife do hereby covenant, grant and agree to and with the said **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE**, their heirs and assigns by these presents that they the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife and their heirs the said thirty five acres and one hundred and two perches of land and the said one hundred and twenty nine acres and land and premises hereby granted and every part and parcel thereof with the appurtenances unto the aforesaid **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE** their heirs and assigns from and against them the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife and their heirs and against all and every other person or persons whatsoever claiming or to claim by, from, or under them, or either of them, shall and will warrant and forever defend by theses presents.

Together with all and singular the houses, out houses, barns, stables, edifices, buildings, orchards, gardens, fences, ways, waters, water courses, woods, under woods, timber and trees, mines, minerals, quarries, meadows, marshes, swamps, cripples, savannahs, huntings, hawkings, fishings, fowlings, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

And all the estate, right, title, interest, use, possession, trust, property, claim and demand whatsoever of them the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH**, his wife, of, in, to, or out of the said premises or any part thereof.

TO HAVE AND TO HOLD the said thirty five acres and one hundred and two perches and the said one hundred and twenty nine acres of land, hereditaments and premises hereby granted or mentioned or intended to be granted and every part and parcel thereof with the appurtenances unto the said **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE** their heirs and assigns to the only proper use and behoof of the said **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE**, their heirs and assigns forever.

AND that free and clear or otherwise by the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife, and their heirs at all times hereafter saved and sufficiently kept harmless of, and from all, and all manner of former and other gifts, grants, bargains, sales, leases, releases, jointures, dowers, wills, entails, mortgages, judgments, executions and encumbrances whatsoever heretofore by the said **SARAH BARTON** and **THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife have been, had, made, done or suffered the quit rents now due and hereafter to become due for the same to the chief Lord or Lords of the fee or soil of the premises only excepted and preprized.

AND the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife do hereby covenant, grant and agree to and with the said **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE**, their heirs and assigns by these presents that they the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife and their heirs the said thirty five acres and one hundred and two perches of land and the said one hundred and twenty nine

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acres and land and premises hereby granted and every part and parcel thereof with the appurtenances unto the aforesaid **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE** their heirs and assigns from and against them the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife and their heirs and against all and every other person or persons whatsoever claiming or to claim by, from, or under them, or either of them, shall and will warrant and forever defend by theses presents.

AND the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife do hereby nominate, constitute and appoint **JAMES LATIMORE** and **JOHN THOMPSON** Esquires jointly and severally their lawful attorneys and attorney for them and in their names and stead to acknowledge this conveyance as and for their act and deed in any court of Common Pleas to be held at Newcastle for the county of Newcastle at any term after this date.

IN WITNESS WHEREOF the said **SARAH BARTON, THOMAS CULBERTSON** and **ANN** his wife, **ROBERT CULBERTSON** and **MARY** his wife and **ALEXANDER CULBERTSON** and **RUTH** his wife have hereunto set their hands and affixed their seals the day and year first above written.

SARAH BARTON {seal}
THOMAS CULBERTSON & ANN CULBERTSON {seal}
ROBERT CULBERTSON & MARY CULBERTSON {seal}
ALEXANDER CULBERTSON & RUTH CULBERTSON {seal}

Signed, sealed and delivered in presence of

JAMES BOGGS
JACOB MOORE

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Received the day of the date of the above written indenture and of the above named **THOMAS RICE, JOSEPH RICE, SOLOMON RICE** and **JEREMIAH RICE** the full sum of four hundred and ninety five pounds money as aforesaid in full of the consideration money mentioned in the above indentures for the absolute purchase of the land and premises before mentioned.

Witness our hands and seals.

SARAH BARTON {seal}
THOMAS CULBERTSON {seal}
ROBERT CULBERTSON {seal}
ALEXANDER CULBERTSON {seal}

Witnesses present

JAMES BOGGS
JACOB MOORE

Newcastle County

The execution of the foregoing was proven by **JACOB MOORE** one of the witnesses there to in open Court of Common Pleas held at Newcastle for the county of Newcastle of in the August term ad 1788.

And testimony whereof I have hereunto set my hand and to fix the Seal of said court.

Recorded August 3rd, 1803

GUNNING BEDFORD, prothonotary

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