

Deed, DE, Sussex, James Bryan to Phebe Massey 1795

609

Deed **PHEBE MASSEY** from **JAMES BRYAN** & Uxor.

This indenture made the twenty ninth day of October the year of our Lord one thousand seven hundred and ninety five between **JAMES BRYAN** of Cedar Creek Hundred Sussex County in the state of Delaware, Carpenter, and **NANCY [BRYAN]** his wife of the one part, and **PHEBE MASSEY** of Mispillion Hundred, Kent County in the state aforesaid, widow of the other part, Whereas a certain **ANDREW FULLINGTON [FULLERTON]** obtained a proprietaries warrant for 200 acres of land to be surveyed at and near the place now called Shawnee Town which said **FULLINGTON** afterwards assigned his right of the aforesaid warrant to a certain **BENNET BRYAN** who was seized and possessed of two hundred and forty acres of land in conveyance of the aforesaid warrant and being quietly seized thereof departed this life having first made his last will and testament in writing bearing the date the fifth day of November in the year of our Lord one thousand seven hundred and eighty seven and on remaining in the registers office for the county of Sussex aforesaid by which he the said **BENNET BRYAN** did devise unto his three sons, namely, **SHEPARD [SHEPHERD] BRYAN**, **JAMES BRYAN** (party hereto), and **JONATHAN BRYAN** all his lands to be respectively divided between them which said devises on the ninth day of February one thousand seven hundred and eighty eight entered into certain bonds or obligatorys made in writing for a division in the aforesaid lands that were of **BENNET BRYAN** nominating and appointing **NATHANIEL YOUNG**, **RICHARD HAYS**, **ISAAC BEAUCHAMP**, **WILLIAM BOUROUGHES** and **PEMBERTON CARLISLE**, gentlemen of the said county of SUSSEX to go upon the said testate lands of **BENNET BRYAN**, deceased and view, divide, and lay off to each heir their respective allotment by meets and bounds. And the said arbitrators taking on them the burden requested and going on the premises viewing and maturely considering the same did make partition and division therein laying off the said premises in three several allotments or dividends allotting the north west divided to **SHEPERD BRYAN** the south east allotment to **JONATHAN BRYAN** and the middle allotment to **RACHEL BRYAN** (the widow) during her lifetime and then to **JAMES BRYAN** as his allotment all of which will appear by the awards of said arbitration bearing date the sixteenth day of February one thousand seven hundred and eighty eight, reference thereunto being had.

NOW THIS INDENTURE WITNESSETH that the said **JAMES BRYAN** and **NANCY** his wife for and in consideration of the sum of two hundred and fifty pounds lawful money to them in hand paid and secured to be paid by the said **PHEBE MASSEY** have granted, bargained, sold, aliened, remised, released, enfeoffed, conveyed, and confirmed, and by these presents they, the said **JAMES BRYAN** and **NANCY [BRYAN]**, his wife, do grant bargain, sell, alien, remise, release, enfeoff, convey and confirm unto the said **PHEBE MASSEY**, her heirs and assigns forever, all the above describe middle dividend which was layed off by the aforesaid arbitrators as the dower of **RACHEL BRYAN** and the share of **JAMES BRYAN** the meets and bounds of which are as follows, viz.

Beginning at a Hickory bush in a line of **WILLIAM BURROUGH'S** land and runs from thence due east forty nine perches and six tenth of a perch; then north forty nine degrees east through the plantation on the S. E. of a small drain or gully one hundred and forty six perches and half to a post by a large red oak; then south three quarters of a degree east sixty one perches and seven tenths of a perch to a stake or post; then south thirty six degrees and seven minutes east twenty seven perches and a half to a corner of the allotment layed off for a **JONATHAN BRYAN**, in the Main road leading from the fork landing to Tusoky [Tussocky] Branch then up the said road with the line of the said **JONATHAN BRYAN'S** allotment south

Deed, DE, Sussex, James Bryan to Phebe Massy 1795

forty nine degrees west one hundred and nineteen perches and a half then leaving said road and running north seventy three degrees and three quarters west, eighty nine perches and three tenths of a perch to a Sassafras post a corner of the aforesaid **WILLIAM BOUROUGHES'** land, then north one degree and thirty one minutes west forty one perches and a half home to the place of beginning.

Containing eighty acres and one hundred & thirty nine perches of land more or less.

Together with all and singular the improvements, tenements, privileges, hereditaments and appurtenances and all things thereunto belonging or in any wise appertaining with all the right, title and estate with the reversion, remainder and profits thereof. To have and to hold the hereby granted premises with the appurtenances unto the said **PHEBE MASSEY**, her heirs and assigns, to the only proper use, benefit and behoof of her the said **PHEBE MASSEY** and the said **JAMES BRYAN** and **NANCY** his wife for themselves, their heirs, executors and administrators do covenant, promise, grant & agree to and with the said **PHEBE MASSEY**, her heirs and assigns by these presents that they, the said **JAMES BRYAN** and **NANCY**, his wife and their heirs and each of their heirs, executors and administrators the hereby granted premises limited and bounded as hath herein been described and set forth with all the appurtenances unto the said **PHEBE MASSEY**, her heirs and assigns forever against the future lawful claim of them, the said **JAMES BRYAN** and **NANCY** his wife and their and each of their heirs and against the claim or claims of all and every person or persons whosoever lawfully claiming or to claim the same by, from, or under him, her, them or any of them or by from or under any other person or persons, rights, or right, the Lord of the soil only excepted shall and will warrant and forever defend.

In testimony whereof the said **JAMES BRYAN** and **NANCY** his wife have hereunto set their hands and seals the day and year first within written.

JAMES BRYAN {seal}
NANCY BRYAN {seal}

Sealed and delivered in the presents of us

SOLOMON TOWNSEND
SIMON W. WILSON

Deed, DE, Sussex, James Bryan to Phebe Massy 1795

State of Delaware

Be it remembered that on the twenty ninth day of October in the year of our Lord, one thousand seven hundred and ninety five. **JAMES BRYAN** and **NANCY** his wife parties to the within written deed personally appeared before me **JOHN CLAYTON** one of the judges of the supreme court for the said state and acknowledged the same deed with the lands and premises therein contained to be the right and property of the within signed [**FEBY**] **PHEBE MASSEY** (widow [of **JOSHUA MASSEY**]) her heirs and assigns. According to the true intent and meaning of the same deed.

And I do further certify that I examined the said **NANCY BRYAN**, wife of the said **JAMES BRYAN**, separate and apart, and out of the hearing of her said husband, and she declared that she did voluntarily become a party to the same deed of her own free will and accord and that she was not thereto induced by any threats, menaces or compulsion of or from her said husband or for fear of his displeasure.

In testimony whereof I have hereto set my hand the same day and year aforesaid.

JOHN CLAYTON

Deed, DE, Sussex, James Bryan to Phebe Massy 1795

```
##### # # ##### ##### # # ##### ##### # #  
# # ## ## # # # ## # # # # # ## ##  
# # # # # # # # # # # # # # # # # # #  
##### # # # # ##### ##### # # # # # # # #  
# # # # # # # # # # # # # # # # # # #  
# # # # # # # # # # # # # # # # # # #  
##### # # ##### ##### # # ### ##### ##### # #
```

Transcribed from original documents by Brent R. Brian & Martha M. Brian.

This document and others can be found on our website:

[BMGEN](#)

We claim **COPYLEFT** on the documents that we publish that are our original work.

COPYLEFT "rules" can be reviewed on the web site:

[GNU Free Documentation License](#)

In short, use what you like. But if you use our stuff, mention us as the source.

Brent R. Brian
Martha M. Brian
BrianMitchellGenealogy@gmail.com