

Deed, DE, Sussex, PETER FRETWELL WRIGHT to BENJAMIN HUDSON, 1785

TO ALL PEOPLE to whom these presents shall come **PETER FRETWELL WRIGHT**, Sheriff of Sussex County on Delaware, sendeth greeting.

WHEREAS **THOMAS EMORY** of the term of February in the year of our Lord seventeen hundred and eighty five received a judgment against **BENJAMIN TRUITT** of the county aforesaid, yeoman, for the sum of one hundred and fifty pounds lawful money of the Delaware state, debt together with costs of suit, by him extended by occasion of the detention of the debt whereof the said **BENJAMIN TRUITT** was convict as of record doth appear.

AND WHEREAS a certain writ of Fieri Facias issued out of the Court of Common Pleas for the county aforesaid returnable the fourth day of May in the year aforesaid directed to **CORD HAZZARD** Esqr., then High Sheriff of the said County commanding him that of the goods and chattles, lands and tenements of the said **BENJAMIN TRUITT** (within his bailiwick) he should cause to be made and levied the debt and costs aforesaid, and that he should have that money before the justices at Lewes at a Court of Common Pleas there then to be held to render to the said **THOMAS EMORY** in satisfaction of his debt and costs aforesaid at which day the said Sheriff returned that by virtue of the said writ to him directed he had seized and taken in execution a certain tract or parcel of land, situate, lying and being in Cedar Creek hundred in the county aforesaid containing one hundred and one acres be the same, more or less, said to be the estate of the said **BENJAMIN TRUITT** and that he had caused inquisition thereon by two lawful men of his bailiwick who did return and say that the rents, issues and profits of the lands aforesaid with the appurtenances would yield a clear yearly value sufficient beyond resizes to satisfy the debt and costs in the said writ mentioned within the term of seven years so that he could not have the money to render as by the said writ he was commanded & so forth.

AND WHEREAS a certain **ANN CATHARINE HOLMES** of the term of February in the year seventeen hundred & eighty five recovered a Judgment against the said **BENJAMIN TRUITT** for the sum of one hundred & three pounds two shillings and ten pence like money as aforesaid together with costs of suit by her expended by occasion of the detention of that debt whereof the said **BENJAMIN TRUITT** was convict as of record doth appear.

AND WHEREAS a certain writ of Fieri Facias issuing out of the Court of Common Pleas for the county aforesaid returnable on Wednesday the first day of February seventeen hundred & eighty six directed to **PETER FRETWELL WRIGHT**, Esqr., High Sheriff of the county aforesaid commanding him tat of the goods, chattels, lands and tenements of the said **BENJAMIN TRUITT** (within his bailiwick) he should cause to be made and levied the debt and costs aforesaid and that he should have that money before the Justices at Lewes at a Court of Common Pleas there then to be held to render to the aid **ANN CATHARINE HOLMES** in satisfaction of her debt and costs aforesaid and which day the said Sheriff returned that by virtue of the said writ to him directed he had seized and take in execution the tract of land aforesaid and that he had caused an inquisition thereon to be held by two lawful men of his bailiwick who, on their oaths, did return and say that the rents, issues and profits thereof were not of sufficient clear yearly value to satisfy both the aforesaid debts and costs in the said writ mentioned within the term of seven years that the lands remained in his hands unsold & so forth.

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And thereupon one other writ of venditioni exponas issuing out of the Court of Common Pleas at the suit of the said **ANN CATHARINE HOLMES**, sheriff directed commanding him that the lands and premises aforesaid by him in execution taken he should expose to sale that he should have the money before the Justices at Lewes at a Court of Common Pleas there then to be held & at which day the said Sheriff returned that by virtue of the said writ to him directed he had sold the said lands and premises (after having given public notice of the time and place of sale as the law directs) unto **BENJAMIN HUDSON** party to these presents for the sum of thirty pounds ten shillings lawful money of the Delaware State, he being the highest and best bidder and that the highest and best price bidden which money he had ready to render.

NOW KNOW YE that the said **PETER FRETWELL WRIGHT**, Sheriff as aforesaid for and in consideration of the sum of thirty pounds ten shillings lawful money of the Delaware state to the said **PETER FRETWELL WRIGHT** well and truly paid before the sealing and deliver hereof by the said **BENJAMIN HUDSON** the receipt whereof is hereby acknowledged and thereof doth acquit, exonerate and forever discharge he said **BENJAMIN HUDSON**, his executors and administrators hath granted, bargained and sold and by these presents he, the said **PETER FRETWELL WRIGHT** doth grant, bargain and sell unto the said **BENJAMIN HUDSON**, his heirs and assigns all that the above mentioned and recited tract, piece or parcel of land contained within the butts and bounds following to wit:

Beginning at a corner post and running from thence N 47½ degrees E 70¾ perches to a Spanish Oak; thence N 33½ degrees W 111½ perches to a corner White Oak; thence N 16½ degrees W 20¾ perches to crooked White Oak; thence N 69 degrees E 40 perches to a corner Red Oak; thence N 51 degrees W 53¾ perches to a corner White Oak; thence N 39 degrees E 7 perches; thence NW 25 perches to a corner post; thence with a dividing line S 21 degrees W 122 perches to a corner post of **JOSEPH TRUITT**'s land; thence along the line of **JOSEPH TRUITT**'s land S 55 degrees E 125½ perches home to the first bounder or place of beginning.

CONTAINING in laid out for 101 acres of land, be the same more or less, being part of a large warrant bearing date the 9th day of June 1737, lying within the bounds of the manor of Warminghurst and is called and known by the name of "Spittle Field".

TOGETHER with all and singular the houses, edifices, buildings, improvements, Woods, Underwoods, Timber, trees, ways, waters, water courses, rights, members, privileges, advantages, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining.

AND the reversions, remainders, rents, issues, and profits thereof and also all of the estate, right, title, interest, use, possession, profit, property, claim, and demand whatsoever which the aforesaid **BENJAMIN TRUITT** had or should or could or ought to have had either in law or equity or otherwise however of in and to the said land and premises with the appurtenances.

TO HAVE AND TO HOLD the hereby granted and above described land and premises and all and singular the appurtenances unto the said **BENJAMIN HUDSON** his heirs and assigns to the only proper benefit and behoof of him the said **BENJAMIN HUDSON** his heirs and assigns forever and as full? Peaceable, ample, absolute and unlimited a manner as the aforesaid **BENJAMIN TRUITT** ever held as a right

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held, occupied, possessed, or enjoyed the same to all and every intent,
constitution or purpose whatever.

IN WITNESS WHEREOF the said **PETER FRETWELL WRIGHT**, Sheriff aforesaid, have
hereunto set his hand and affixed his seal the 15th day of May in the first day
of May in the year of Our Lord 1786.

PETER F. WRIGHT, Sheriff, {seal}

sealed and delivered in the presence of us the words lose at first interlined

JOHN WILLBANK
JOSEPH MILLER

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Sussex County

I do hereby certify that on the third day of May and the year of our Lord 1786 the within deed of sale was acknowledged in due form of law in open court and unto the parties therein named.

In testimony whereof I have hereunto set my hand and affixed the public seal this 15th day of May in the year before said.

D. HALL, prothonotary

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