

Deed, DE, Sussex, Robert Fleming to William Fisher 1778

Deed **WILLIAM FISHER** from **ROBERT FLEMING** and others.

THIS INDENTURE MADE the 9th day of February in the year of Our Lord 1778.

BETWEEN **ROBERT FLEMING** and **MARGARET FLEMING** his wife and **JOHN CLAMPITT** and **SOPHIA CLAMPITT** his wife all of the county of Sussex in the state of Delaware of the one part and **WILLIAM FISHER** of the county aforesaid of the other part.

WITNESSETH THAT whereas there is a certain tract or parcel of land situate, lying and being in the Broadkill Hundred and County of Sussex aforesaid commonly known by the name of Cool Spring which said tract or parcel of land was granted by Patent bearing date the second day of the second month in the year of Our Lord 1686 to a certain **WILLIAM CLARK** and by sundry conveyances it became the property of a certain **JAMES CAMPBELL**, deceased, who was father of the aforesaid **MARGARET FLEMING**. And the said **JAMES CAMPBELL** dying intestate the aforesaid tract of land was divided among the several heirs of the said **JAMES CAMPBELL** agreeable to the law of Delaware state, in that case made and provided, in which division 102 Acres of the aforesaid tract of land was laid off to the aforesaid **MARGARET FLEMING** has her full share of her father **JAMES CAMPBELL**'s land, which, said 102 acres of land, is butted and bounded as follows:

Beginning at a post standing in a line dividing the Cool Spring tract from Land belonging to the heirs of **DAVID MCILVAIN**, deceased, and being a corner of **WILLIAM PERRY**'s land and running from thence South 10 degrees west 263½ perches to a post in the edge of a pond; thence South 73½ degrees east 61 perches to a corner Red Oak of **JAMES MARTIN**'s land; then with **MARTIN**'s Line North 66¾ degrees East 13 perches to a post; thence North 6 degrees east 257¼ perches is to a post in the first mentioned division line and thence with the said dividing line North 73½ West 50 perches to the place of beginning.

Containing and laid off for 102 acres of land.

WHICH SAID 102 Acres was conveyed, by a former deed from the aforesaid **ROBERT FLEMING** and **MARGARET** his wife, to the aforesaid **JOHN CLAMPITT** and **SOPHIA** his wife but a mistake in the courses in the said deed mentioned is the reason of the said **ROBERT FLEMING** and **MARGARET FLEMING** his wife joining with the said **JOHN CLAMPITT** and **SOPHIA** his wife in this deed.

NOW THIS INDENTURE WITNESSETH that the said **ROBERT FLEMING** and **MARGARET** his wife and **JOHN CLAMPITT** and **SOPHIA** his wife for and in consideration of the sum of £250 to the said **JOHN CLAMPITT** in hand paid by the said **WILLIAM FISHER**, the receipt whereof is hereby acknowledged before the signing and sealing hereof, have granted, bargained, and sold and by these presents to grant, bargain, and sell unto him the said **WILLIAM FISHER** his heirs and assigns forever all their right, title, interest, property, claim and demand of, in, or to the aforesaid 102 acres of land together with all and singular the buildings, improvements, hereditaments, and appurtenances to the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD the said 102 Acres aforesaid bargained and sold unto him the said **WILLIAM FISHER** is heirs and assigns to the only proper use and behoof of him the said **WILLIAM FISHER** his heirs and assigns forever.

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AND WE, the said **ROBERT FLEMING** and **MARGARET FLEMING** and **JOHN CLAMPITT** and **SOPHIA CLAMPITT** for ourselves, our heirs, executors and administrators do covenant and grant to and with the said **WILLIAM FISHER** his heirs, executors, administrators and assigns that we, the said **ROBERT FLEMING** and **MARGARET FLEMING JOHN CLAMPITT** and **SOPHIA CLAMPITT** the said 102 acres of land with all and singular the appurtenances onto the same belonging against the lawful claim or claims of us, the said **ROBERT FLEMING, MARGARET FLEMING, JOHN CLAMPITT, and SOPHIA CLAMPITT**, our heirs, executors, administrators and assigns and all manner of person or persons whatsoever claiming or to claim by, from, or under us, them, or any of them to the sad **WILLIAM FISHER** his heirs and assigns (to be holding of the chief Lord or Lords of the fee thereof) shall and forever will warrant and defend.

AND WE, the said **ROBERT FLEMING, MARGARET FLEMING, JOHN CLAMPITT, and SOPHIA CLAMPITT** do hereby make, constitute, and appoint **WILLIAM PERRY** of the county aforesaid our true and lawful attorney to appear for us at a court of common pleas to be held at the town of Lewes for the county of Sussex in May next, or any other subsequent court, and then and there in our name, room, and stead to acknowledge this deed in open court.

In testimony whereof we, the said **ROBERT FLEMING, MARGARET Plumbing, JOHN CLAMPITT** and **SOPHIA CLAMPITT** have hereunto set our hands and seals the day and year first above written.

ROBERT FLEMING {seal}
MARGARET FLEMING {seal, her mark}
JOHN CLAMPITT {seal}
SOPHIA CLAMPITT {seal, her mark}

Signed, sealed, and delivered in the presence of us.

ISAAC SMITH
MARY SMITH

Before me, the subscriber, one of the justices of the Court of Common Pleas came the within signers **MARGARET FLEMING** and **SOPHIA CLAMPITT** and being privately examined, separate and apart from their husbands, did declare and say that they became parties to the within deed of sale of their own free will and accord and without the threats or compulsions of their said husbands.

In witness whereof I have hereunto set my hand this 9th day of February 1778

ISAAC SMITH

Had a court of common pleas held at Lewes for the county of Sussex aforesaid the 4th day of August in the year of Our Lord 1779 the within deed was proved by **ISAAC SMITH** Esquire and acknowledged in due form of law by **WILLIAM PERRY** therein empowered by the subscribing parties.

Test

JOSEPH HALL, deputy prothonotary

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