

**Deed, NY, Dutchess, Owners to Peter Soper, 1828**

THIS INDENTURE made the twenty eighth day of May in the year of our Lord 1828.

BETWEEN **HENRY CONKLIN, JOHN ADRIANCE** and **ABRAHAM G. STORM**, all of the town of Poughkeepsie in the county of Dutchess, commissioners appointed in and by a rule of the Supreme Court of Judicature of the state of New York made in February term in the year of our Lord 1828 to partition the premises hereafter described among the owners thereof of the first part and **PETER SOPER** of the town of Hyde Park in the county of Dutchess of the second part **PETER EVERETT [PETER EUELL]** and **ABRAHAM LANSING**, and **ESTHER [LANSING]** his wife, of Poughkeepsie in the county of Dutchess did, in the October term in the year 1827, exhibit to the Supreme Court of Judicature of the people of the state of New York, a petition setting forth:

THAT he, the said **PETER EVERETT**, was seized in fee simple as a tenant in common of one undivided ninth part and,

THAT the said **ABRAHAM LANSING**, and **ESTHER** his wife, in right of the said **ESTHER** were seized in fee simple as tenants in common of one undivided ninth part of the whole into nine parts to be divided of all and singular the lands and premises in the said petition contained and described and of which the lands and premises hereinafter contained are part and parcel. The said petition also further setting forth,

THAT **JOSEPH STURGES**, and **POLLY [MARY STURGES]** his wife, in right of the said **POLLY**, were seized in fee simple as tenants in common of one undivided ninth part of the said premises.

THAT **MOSES SOPER** was seized in fee simple as tenants in common of one undivided ninth part of the premises.

THAT **ABRAHAM SOPER** was seized in fee simple as tenants in common of one undivided ninth part of the said premises.

THAT **PETER SOPER** was seized in fee simple as tenants in common of one undivided ninth part of the said premises.

THAT **DAVID SOPER** was seized in fee simple as tenants in common of one undivided ninth part of the said premises.

THAT **STEPHEN CLEVELAND** was seized in fee simple as tenants in common of one undivided ninth part and also one fourth of one ninth part of the said premises.

THAT **JAMES PALMETIER** was seized in fee simple as tenants in common of one fourth part of one ninth part of the said premises.

THAT **JOHN WILSON**, and **CATHERINE [WILSON]** his wife, in right of the said **CATHERINE**, was seized in fee simple as tenants in common of one fourth part of one ninth part of the said premises.

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That **ABRAHAM VAN WYCK**, and **SALLY ANN [VAN WYCK]** his wife, in right of the said **SALLY ANN**, was seized in fee simple as tenants in common of the remaining one fourth part of one ninth part of the said premises.

As by the said petition filed in the office of the clerk of the said Supreme Court at the city of Albany, reference thereunto being had will more fully appear.

AND whereas afterwards such proceedings were therefore had and said Supreme Court that the said Court did in the term of February in the year 1828 ascertain, determine, and adjudge:

THAT the said **PETER EVERETT** was seized in fee simple as tenants in common of and in ninth part of the lands and premises in the said petition contained and described,

THAT the said **ABRAHAM LANSING** and **ESTHER** his wife and right of the said **ESTHER** was seized in fee simple as tenants in common of and in ninth part of the said premises.

THAT the said **JOSEPH STURGES** and **POLLY** his wife in right at the said Polly was seized in fee simple as tenants in common of an in one Nights part of the said premises

THAT the said **MOSES SOPER** was seized in fee simple as tenants in common of one ninth part of the said premises.

THAT the said **ABRAHAM SOPER** was seized in fee simple as tenants in common of one ninth part of the said premises.

THAT the said **PETER SOPER** was seized in fee simple as tenants in common of one ninth part of said premises.

THAT the said **DAVID SOPER** was seized in fee simple as tenants in common of one ninth part of said premises.

THAT the said **STEPHEN CLEVELAND** was seized and fees simple as tenants in common of and in ninth part and also that of 2/3 of the remaining 9th part of the said premises.

And that the said **JOHN WILSON** and **CATHERINE** his wife by right of said **CATHERINE** were seized in fee simple as tenants in common of and in the remaining one third of the ninth part of the said premises, subject to the dower of **JANE SOPER**, Widow of **CORNELIUS SOPER** deceased, and

THAT the said James commentary and **ABRAHAM VAN WYCK** and **SALLY** and his wife had no interest in the said premises.

And did thereupon, in due form of law, appoint the set **HENRY CONKLIN**, **JAMES ADRIANCE**, and **ABRAHAM G. STORM**, the said parties to these presents of the first part, commissioners to make partition of the said premises among the said owners their of according to their respective rights therein as ascertained, determined, and a judged by the said court has by the record of the said Supreme Court in the office of the clerk there of in the city of Albany, reference to her into being had will manifestly appear.

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AND where has such further proceedings were afterwards had in the said Supreme Court, within the said term of February in the year of 1828, upon and by reason of the said petition and the said proceedings and the appointment of the said commissioners for the purpose the said commissioners, party to these presents of the first part, were, by rule of the said Court, duly authorized and required to sell the said premises in question with the appurtenances at public auction to the highest bidder orbiting after giving at least six weeks notice of the term in place of such sale by publishing the same for the space of six weeks once in every week in the newspapers printed at Poughkeepsie in the county of Dutchess called "POUGHKEEPSIE JOURNAL" and "THE REPUBLICAN TELEGRAPH AND OBSERVER" and after said sale to make report their of to the said Court as to the records of the said court at the city of Albany, reference their into being had will also manifestly appear.

AND whereas the said commissioners, party to these presents of the first part, did in pursuance of such authority and direction after having given at least six public weeks notice of the time and place of such sale by plug publishing the same for the space of six weeks once every week in the newspapers printed in Poughkeepsie in the county of Dutchess called the "POUGHKEEPSIE JOURNAL" and "THE REPUBLICAN TELEGRAPH AND OBSERVER" on the 23rd day of April in the year 1828 so sell at that farm of land and premises hereafter described to **PETER SOPER**, the said party to these presents of the second part, for the sum of \$681.92, that being the highest sum bid therefore and he the bidder thereof.

AND whereas such sale was afterwards, in the term of May in the year 1828, in due form of law reported to and approved of the said court and it was thereupon considered and adjudged, by the said Court, that the said sale should be valued and effectual in the law and that the said commissioners, party to the parties to these presents of the first part, whereby a further rule of the Supreme Court of Judicature duly authorized and required to execute a good and sufficient conveyance in the law for the premises so sold to for the said purchaser thereof as by the said records of the said Supreme Court remaining in the office of the clerk there up in the city of New York, reference their into being had, will also manifestly appear.

NOW therefore this indenture witnesses that the said parties to these presents of the first part in pursuance to the direction enough for it to them given as aforesaid and for and in consideration of the said sum of \$681.92, to them in hand paid by the said party of the second part at and before the ceiling and delivery of these presents, the receipt where of is hereby acknowledged, and the said party of the second part therefrom acquitted, discharge, granted, bargained, sold aliened, conveyed, and confirmed and by these presents do grant, bargain, sell, alien, convey, and confirm unto the said party of the second part, his heirs and assigns forever, all that farm of land, situated in the town of Hyde Park, in the county of Dutchess.

Beginning at a corner of the wall on the west side of the road leading from Captain **PETER A. SCHRYVER** To Poughkeepsie adjoining lands of **GEORGE B. EVERTSON**; and runs thence along said **EVERTSON**'s line as the magnetic needle now points North 82 degrees west 16 chains and 7 links to a corner of the wall West as the full kill; thence along the lands of said **EVERTSON** and **JOHN VAN WAGNER** South 2 degrees 45 minutes east 12 chains and four links to the wall in the line of lands of the late **ROBERT TAYLOR**, deceased; thence along said **TAYLOR**'s line South 83 degrees East 8th chains and 57 links to the wall on the east side of the said road; thence South 36 degrees and 30 minutes West 3 chains and 34 links to the

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corner of the wall east of said road; thence along **RICHARD LAWRENCE's** line South 83 degrees east 12 chains and 63 links to the corner of the wall; thence North 31 degrees 30 minutes east 5 chains and 15 links 2 an Elm tree marked; thence North 63 degrees 45 minutes West 11 chains and 28 links to the wall on the west side of the road above mentioned; thence along said wall North 50 degrees 15 minutes east 3 chains and 37 links to an angle thereof; thence North 18 degrees 30 minutes east 3 chains and 69 links to the place of beginning.

Containing 20 acres to rods and 27 purchase of land

TOGETHER WITH ALL AND SINGULAR the hereditaments and appurtenances to the same belonging or in any wise that pertaining and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

AND also all the estate, right, title, interest, property, possession, claim, and demand of the said parties of the first part and also the said **PETER EVERETT, ABRAHAM LANSING, and ESTHER** his wife, **JOSEPH STURGES, and POLLY** his wife, **MOSES SOPER, ABRAHAM SOPER, PETER SOPER, DAVID SOPER, STEPHEN CLEVELAND, and JOHN WILSON, and CATHERINE** his wife, or of any or either of them, of, in, and to the same and every part and parcel thereof with the appurtenances as far forth as the said parties of the first part as commissioners as aforesaid have power and authority to grant and convey the same.

TO HAVE AND TO HOLD the said hereby granted premises and every part and parcel thereof with the appurtenances unto the said party of the second part, his heirs and assigns, to the sole and only purpose scratch proper use and benefit and behoove of the party of the second part, his heirs and assigns forever in as full and ample a manner as the said parties of the first part to these presents ought to lawfully grant and convey the same by these presents.

In witness whereof the said parties of the first part to these presents have hereunto set their hands and seals the day and your first above written.

**HENRY CONKLIN** {seal}  
**JOHN ADRIANCE** {seal}  
**ABRAHAM G. STORM** {seal}

Sealed and delivered in the presence of

The words premises so sold to the in the third line of the third page interlined

**J. VAN BENTHUYSEN**

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State of New York  
Dutchess County

Be it remember that on the 29th day of May 1828 came before me, **SILAS HAIGHT**, commissioner to take the proof or acknowledgment of Deeds **J. VAN BENTHUYSEN**, Esquire the subscribing witness to the with indeed to me known who being duly sworn says that he saw the within named **JOHN ADRIANCE**, **HENRY CONKLIN**, and **ABRAHAM G. STORM** severally sign and deliver the with indeed are the uses and purposes there in mentioned. And that he knew that the said **JOHN ADRIANCE**, **HENRY CONKLIN**, and **ABRAHAM G. STORM** to be the persons described in the with indeed which is to me satisfactory evidence of the said fact and the said **JACOB VAN BENTHUYSEN** be further on his oath aforesaid says that he at the time of the execution of the with indeed signed his name there to as a witness and I find no material erasures or inter-lineation there in other than those noted.

**SILAS E. HAIGHT**, commissioner

Recorded the preceding deed this fourth day of June 1828 on 11 A.M.

Recording fee and certificate \$2.40 ½ cents received.

**CLAPP RAYMOND**, Clerk

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Brent R. Brian  
Martha M. Brian  
[BrianMitchellGenealogy@gmail.com](mailto:BrianMitchellGenealogy@gmail.com)