

Deed, SC, Charleston, HUGH BRYAN to MARY BRYAN, 1749

South Carolina

Lease for a year, **HUGH BRYAN** and executors to **MARY BRYAN**

THIS INDENTURE made the 16th day of May in the 19th year of the reign of our Sovereign Lord George the second, by the grace of God, of Great Britain, France, and Ireland, King defender of the faith & c. and in the year of Our Lord God 1745.

BETWEEN **HUGH BRYAN** of Granville County in the province of South Carolina, planter, and **MARY** his wife, of the one part and **MARY BRYAN** of the same county and Province, Widow, of the other part.

WITNESSETH that the said **HUGH BRYAN**, for and in consideration of the sum of ten Shillings, currently of South Carolina aforesaid, to him in hand paid, at and before the sealing and delivery of these presents, well and truly paid by the said **MARY BRYAN**, the receipt whereof he doth hereby acknowledge, hath bargained and sold and by these presents doth bargain and sell unto the said **MARY BRYAN** all that Plantation or parcel of land of him, the said **HUGH BRYAN**, containing 500 Acres English measure, being part of a tract of land containing 3,140 acres heretofore granted by his Majesty to **JOSEPH BRYAN**, deceased, and the said **HUGH BRYAN**, their heirs and assigns forever in joint tenancy, situate lying and being in the county and province aforesaid which Plantation or parcel of land containing 500 Acres as aforesaid is butting and bounding to the Eastward on another Plantation or tract of land containing 900 Acres, now or of late in the tenure of occupation of **STEPHEN STEPHEN BULL**, and **ELIZABETH BULL**, his wife, daughter of the said **JOSEPH BRYAN**, deceased; to the Southward on land heretofore laid out to **HILL CROFT**, deceased, and Anthony Matthews; to the westward on Pocotalago River and to the northward on land now or of late of **JONATHAN BRYAN**, and is more fully represented in a certain delineated plat thereof intended to be annexed to a certain indenture of release, of the reversion and inheritance of the said Plantation or parcel of 500 acres of land and premises intended to be made between the said **HUGH BRYAN** of the one part, and **MARY BRYAN** of the other part, and to bear date the day next after the day of the date of these presents [May 17, 1746] as in and by the said plat, relation thereunto being had doth and may more fully and at large appear. as also all and singular the houses, outhouses, edifices, buildings, barns, stables, saids, yards, gardens, orchards, fields, pastures, feedings, commons, meadows, swamps, lakes, ponds, wells, waters, water courses, fences, enclosures, gates, ways, paths, passages, woods, unto woods, timber and trees, lights, easements, profits, commodities, advantages, privileges, emoluments, hereditaments, commons, rights, members, and appurtenances whatsoever to the said Plantation or parcel of land containing 500 acres, belonging to or in any wise appertaining therewith used, occupied, enjoyed, accepted, reputed, taken, held, or known to be part, parcel, or portion thereof. And the reversion and reversions, remainder and remainders with the rents, issues, and profits of the premises, and of every part and parcel thereof.

TO HAVE AND TO HOLD the said Plantation of land, containing 500 acres and all and singular other the premises therein before mentioned and intended to be hereby bargained and sold with their and every of their appurtenances unto the said **MARY BRYAN**, her executors, administrators, and assigns from the day next before the day of the date hereof, for and during the full term and time, and unto the full end and term of one whole year, from fence next in suing, and fully to be complete in ended yielding and paying there for the rent of one pepper corn, at or on the last day of the said term, if the same shall be lawfully demanded to the intent and purpose that by virtue of these presents oh, and all of the statute for

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transferring of uses into possession, made of force in this province, the said **MARY BRYAN** may be in the actual possession of the said Plantation or parcel of land containing 500 acres in premises, and be thereby enable to accept and take a grant and release of the reversion and inheritance thereof to her and her heirs forever.

UPON TRUST nevertheless and to and for the several uses, intents and purposes intended to be mentioned and declared in the above said indenture of release so intended to be made, and to and for no other use, interest, for purpose whatsoever.

In witness whereof the said parties to these present and Dentures have interchangeably set their hands and seals the day and year first above written.

**HUGH BRYAN** {seal, his X mark}

**MARY BRYAN** {seal, her X mark}

Sealed and delivered in the presence of us

**WILLIAM HUSTON**  
**JONATHAN BRYAN**

South Carolina  
Berkeley County to wit

Memorandum that on this 18th day of May in the year of Our Lord 1749, before me **THOMAS LAMBOLL**, Esquire one of his Majesty's justices assigned to keep the peace for Berkeley County aforesaid, personally came and appeared Mr. **JONATHAN BRYAN** one of the two subscribing witnesses to the above indenture or instrument of writing and being duly sworn on the holy evangelist of almighty God made oath that he was personally present and saw the above named **HUGH BRYAN** and **MARY [BRYAN]**, his wife, sign, seal, and as their act and deed deliver the said instrument for the uses therein mentioned, and that he likewise saw **WILLIAM HUSTON** the other subscribing witness sign as witness thereto.

Taken and sworn before me the day and year first above written

**THOMAS LAMBOLL**

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South Carolina

**HUGH BRYAN** and executors to **MARY MARY BRYAN**

THIS INDENTURE made 17th day of May in the 19th year of the reign of our Sovereign Lord George the second, by the grace of God of Great Britain, France, and Ireland, King defender of the faith & c. and in the year of Our Lord 1745.

Between **HUGH BRYAN** of Granville County of the province of South Carolina, planter, and **MARY**, his wife, of the one part, and **MARY BRYAN** of the same county and Province, widow, **mother** of an **ANNE BRYAN**, as infant daughter of **JOSEPH BRYAN** late of the province, deceased, who was **brother** of the said **HUGH BRYAN** of the other part.

WITNESSETH that for and in consideration of the natural love and affection which the said **HUGH BRYAN** beareth unto his niece, the above named an **ANNE BRYAN** and to the issue of his said late brother, **JOSEPH BRYAN**, and for and in consideration of the sum of 10 Shillings current money of the said Province to the said **HUGH BRYAN** and **MARY BRYAN**, his wife, or one of them, in hand well and truly paid at in before the sealing and delivery of these presents, by the said **MARY BRYAN**, mother of said and **ANNE BRYAN**, the receipt where of the said **HUGH BRYAN**, and **MARY** his wife, do hereby acknowledge, and thereof do a quit, exonerate, and discharge said **MARY BRYAN**, her executors and administrators forever by these presents the said **HUGH BRYAN** and **MARY**, his wife, hath granted, bargained, sold, aliened, enfeoffed, remised, released, and confirmed and by these presents to fully and freely and absolutely grant, bargain, sell, alien, enfeoff, remise, release and confirm unto the said **MARY BRYAN**, mother of the said and **ANNE BRYAN**, and her heirs, in her actual possession now being by virtue of an indenture of bargain and sale to her thereof made by the said **HUGH BRYAN** and **MARY**, his wife, in consideration of ten shillings current money for one whole year commencing from the day next for the day of the date thereof at the rent of one pepper corn and by virtue of the statute for transferring of uses into possession in that case made and provided all that Plantation or parcel of land of him, the said **HUGH BRYAN**, containing 500 Acres English measure, being part of a tract of land containing 3,140 acres heretofore granted by his said Majesty unto **JOSEPH BRYAN**, deceased, and the said **HUGH BRYAN**, their heirs and assigns forever, in joint tenancy situate, lying, and being in the said County, in the province aforesaid, which said Plantation or parcel of land containing 500 Acres as aforesaid is butting and bounding on the Eastward on another Plantation or tract of land containing 900 Acres now or late in the tenure or occupancy of **STEPHEN BULL** and **ELIZABETH BULL**, his wife one other of the **daughters** of the said **JOSEPH BRYAN**, deceased, to the Southward on land heretofore laid out onto **HILL CROFT**, deceased, and **ANTHONY MATTHEWS**; to the Westward on Pocotalago River; and to the Northward on land now or of late of **JONATHAN BRYAN** and is more fully represented in a certain delineated plat thereof to these presents annexed as in and by the said plat relation being thereunto had doth and me more fully and at large appear, has also all and singular the houses, outhouses, edifices, buildings, barns, stables, saids, yards, gardens, orchards, fields, pastures, feedings, commons, meadows, swamps, lakes, ponds, wells, waters, water courses, fences, enclosures, gates, ways, paths, passages, woods, unto woods, timber and trees, lights, easements, profits, commodities, advantages, privileges, and emoluments, hereditaments, members, appurtenances whatsoever to the said Plantation or parcel of land containing 500 acres belonging or in anywise appertaining, or there with used, occupied, enjoyed, accepted, reputed, taken, held, or known to be as part, parcel, or portion thereof, and the reversion and reversions, remainder or remainders there of yearly and every year, and all other

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the rents, services, issues, and profits of the premises with the appurtenances and every part and parcel thereof, and also all the estate, right, title, interest, use, trust, possession, property, profit, benefit, claim and demand whatsoever, as well inequity as in law, of them the said **HUGH BRYAN**, and **MARY** his wife, and of either of them in, to, or out of the same and every or any part or parcel thereof.

**TOGETHER** with all and singular the deeds, evidences, escripts, muniments, and writings whatsoever touching or concerning the premises or only some or any part or parcel there of which the said **HUGH BRYAN** half in his custody or possession or can come by without suit in law or equity.

TO HAVE AND TO HOLD the plantation or parcel of land containing 500 acres and all and singular other the premises with the appurtenances herein before mentioned and intended to be hereby granted, sold, and released unto the said **MARY BRYAN**, mother of the said **ANNE BRYAN**, her heirs and assigns forever, to the several uses, boots, intense, and purposes here in after mentioned, expressed and declared, and for none other use, intent, or purpose whatsoever that is to say the only using behoof of the said **ANNE BRYAN**, until she shall attain unto the age of eighteen years and for that purpose to be let out, used, planted, or occupied by \_\_\_\_\_ **BRYAN** or \_\_\_\_\_ deceased **BRYAN** as she or they shall seem most fit and convenient, without impeachment of, or, for any manner of waste and when the said **ANNE BRYAN** shall attain unto the age of eighteen years, then to the use and behoof of the said **ANNE BRYAN**, before and during the term of her natural life, without impeachment of waste, and no longer, and from and immediately after the decease of the said **ANNE BRYAN**, then, in case she shall have heirs of her body lawfully begotten to the use of behoof of such heirs of the body of the said **ANNE BRYAN** lawfully begotten, for and during her or her natural life, without impeachment of waste and no longer and from, and immediately after, his or her decease, then, in case such heirs of the body of the said **ANNE BRYAN** lawfully begotten shall leave issue of his or her body lawfully begotten, to the use and behoof of such issue, his, her, and their heirs and assigns forever.

BUT in case the said **ANNE BRYAN** shall die before she shall attain to the age of 18 years and without leaving any heirs or body lawfully begotten, or in any case such heirs of the body of **ANNE BRYAN** lawfully begotten shall die without leaving any issue of his, or her, body lawfully begotten, in case the above named **ELIZABETH BULL** shall have or leave heirs or issue of her body lawfully begotten to the use or behoof of such issue or heirs of the body of the said **ELIZABETH BULL** lawfully begotten for and during the term of his or her natural life without impeachment of waste and no longer and from it immediately after his or her decease, then, in case such as shoe or heirs of the body of the set **ELIZABETH BULL** lawfully begotten shall leave issue of his or her body lawfully begotten to the use of behoof of such issue, his her and their heirs and assigns forever and in case there should be no heirs of the body of the set **ELIZABETH BULL** lawfully begotten, or in case such heirs of the body of the set **ELIZABETH BULL** lawfully begotten shall die without leaving any issue of his or her body lawfully begotten, then to and for the sole use of behoof of the right heirs of the above named **JOSEPH BRYAN**, deceased, forever and the said **HUGH BRYAN** for himself, his heirs, executors and administrators doth covenant, promise, grant, and decree to and with said **MARY BRYAN**, her heirs and assigns by these presents in manner and form following, that is to say, that he, the said **HUGH BRYAN**, now is and standeth, lawfully, rightfully, and absolutely seized of a good and indefeasible estate of inheritance in fee simple of and in the said Plantation or parcel of land containing 500 acres and other the premises and of and in every part and parcel thereof and hath in himself full power and lawful

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and absolute authority to grant, bargain, sell and release the same without with the appurtenances according to the true intent and meaning of these presents.

AND also that the said Plantation or parcel land containing 500 acres in other the premises with their and every of their appurtenances are, and at all times hereafter shall continue, remain and be free and clear and freed, cleared of and discharged or otherwise well, truly, and sufficiently saved and kept harmless and indemnified of, from, and against all in all manner of former and other gifts, grants, bargains, sales, feoffments, mortgages, leases, uses, trusts, wills, devices, jointures, dowers, bonds, writings, obligatory statutes, recognizance has judgments, executions, taxes, duties, fines, for preachers, issues, amerciaments, rents, arrearages of rents, and, of, and from, all other estates, titles, charges, troubles, and encumbrances whatsoever had made, done, committed, or suffered to be done, by him, the said **HUGH BRYAN** or by any other person or persons whomsoever, the quit rents already due or hereafter to grow or become due for the said premises only accepted.

AND LASTLY that he, the said **HUGH BRYAN**, shall and will, from time to time, and at all times hereafter, upon the reasonable request and at the cost and charges of the said trustee, **MARY BRYAN**, her heirs and assigns, make, do, acknowledged, levy, suffer and execute or cause and procure to be made, done, acknowledged, levied, suffered, and executed all and every such further, and other lawful and reasonable act, and acts, thing and things, device and devices, conveniences, and assurances in the law whatsoever needful or necessary for the further better and more perfect and absolute conveying, assuring, and confirming of the aforesaid plantation tract of land and premises to the uses and behoofs aforesaid as by the said trustees, **MARY BRYAN**, her heirs and assigns, or her or their counsel learn it in the law shall be reasonably devised, advised, or required, so as such further assurance, contain no further or other articles, covenants, or agreements then against the act of the party executing the same.

In witness whereof the said parties to these presents, and Dentures, have interchangeably set their hands and seals the day and year first above written.

**HUGH BRYAN** {seal, his X mark}  
**MARY BRYAN** {seal, her X mark}

Sealed and delivered in the presence of us

**WILLIAM HUSTON** [**HOUSTON**]  
**JONATHAN BRYAN**

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South Carolina  
Berkeley County to quit

Memorandum that on the 18th day of May and year of Our Lord 1749 before me **THOMAS LAMBOLL**, Esquire, one of his Majesty's justices assigned to keep the peace for the said County personally appeared Mr. **JONATHAN BRYAN**, one of the two subscribing witnesses, to the within indenture or instrument of writing in being duly sworn on the holy evangelist of almighty God made oath that he was personally present and saw the within named **HUGH BRYAN**, and **MARY BRYAN**, his wife, several sign, seal, and as their act and deed delivered the said instrument for the uses there in mentioned, and also saw Mr. **WILLIAM HUSTON**, the other subscribing witness, sign his name thereto as such.

Take it and sworn before me the day and year above written

**THOMAS LAMBOLL**

Recorded the 29th of May 1749  
**WILLIAM HOPTON**, register

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Transcribed from original documents by Brent R. **BRYAN** & Martha M. **BRYAN**.

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