

HEADING

Petition **MARGARET TRUITT** administratrix & c. for leave of court to the present Sheriff to convey lands and Etc

To the worshipful the justices of the Court of Common Pleas Now setting at Lewes in and for the county of Sussex on Delaware the 5th day of May in the year of Our Lord 1785.

THE PETITION of **MARGARET TRUITT**, Widow and administrator of **JOHN TRUITT**, late of the county of for said, Yeoman, deceased, humbly sheweth.

THAT WHEREAS **LEVIN CRAPPER**, late of Sussex County of for said Esquire, deceased, in his lifetime recovered a judgment against a certain **BENJAMIN TRUITT**, late of the county aforesaid, Yeoman, for the sum of £80.14.11 lawful money of the government of the counties of New Castle, Kent, and Sussex on Delaware, debt as also £0.42.16 like money as aforesaid, which to the said **LEVIN CRAPPER** was adjudged for his cost and charges by him expended by occasion of the detention of what that we're of the said **BENJAMIN TRUITT** was convicted as of record death appear.

AND WHEREAS a certain writ of FIERI FACIAS issued out of the Court of Common Pleas for the county of Sussex of four said returnable to the first Tuesday in February 1774 directed to **PETER ROBINSON**, Esquire, then High Sheriff of the said that County, commanding him that of the goods and chattels lands and tenements of the said **BENJAMIN TRUITT**, within his bailiwick, he should cause to be made and levied the debt and cost aforesaid and that he, should have that money before the justices at Lewes at a court of common pleas there to be held the first Tuesday in February their next following then next following to render to the said **LEVIN CRAPPER** 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 situated in Cedar Creek hundred in the county of force head containing 100 acres, be the same more or less, said to be the estate of the said **BENJAMIN TRUITT** late deceased and that he had caused and inquisition there by there on by to lawful men of the bailiwick who did return and say that the rents, issues, and profits of the lands aforesaid were not sufficient to satisfy the debt and damages in the said writ mentioned within the time allowed by law and that the lands remained in his hands for want of buyers so that he could not have the money to render as by the said writ he was commanded & c.

AND THEREUPON another writ of VENDITIONI EXPONAS issued out of the said Court bearing date the 4th day of February in the year last aforesaid to the said Sheriff directed commanding him that the land of for said by him on execution taken he should exposed to sell and that he should have the money before the justices at Lewes at a County Court of Common Pleas there to be held the first Tuesday in May then next following to render to the said **LEVIN CRAPPER** for his debt, damages, and costs of force head and that he should have their that writ & c.

AT WHICH DAY the said Sheriff, to wit, **PETER ROBINSON** returned that by virtue of the said writ to him directed he had sold the said land and premises, after having given public notice of the time and place of sale as the law directs, unto a certain **JOHN TRUITT**, son of **BENJAMIN** can you being the highest and best bidder for the sum of £45 which money he had ready to render as by the said writ he was commanded.

HEADING

AND WHEREAS the said **JOHN TRUITT**, after the purchase of the said lands and premises, and before any deed or conveyance was made to him or any person or persons in and Trust for him or to his use did and died intestate leaving your petitioner his widow and issue four children to wit: **GEORGE [TRUITT]**, his only son, **ESTHER [TRUITT]**, **SARAH [TRUITT]**, and **LEAH [TRUITT]** to whom the equitable right on the said land and premises descended and came under the Act of Assembly for the better selling intestate estate in manner and form following, that is to say:

2/5 part thereof to **GEORGE TRUITT**, only son of the said **JOHN TRUITT**, and the remaining

3/5 parts to **ESTHER, SARAH, and LEAH TRUITT** Daughters of the said **JOHN TRUITT** as "tenants-in-common" subject nevertheless to the third or dower of your petitioner for and during her natural life.

AND WHEREAS the said **JOHN TRUITT** in his lifetime did well and truly pay satisfy and discharge unto the said **PETER ROBINSON** the full and entire some of the purchase or consideration money for the lands and premises aforesaid appears by his receipt written and endorsed on the deed within exhibited to the court.

AND WHEREAS the said **PETER ROBINSON** has been since removed from his set office of High Sheriff without having made or executed any deed or convenience to the said **JOHN TRUITT** in his lifetime or to his heirs after his deceased or any other person or persons in trust for him or to his use for the lands and premises above mentioned, and exposed to sale to the said **JOHN TRUITT** as aforesaid by the said **PETER ROBINSON** as by the Judgment writs and returns aforesaid may appear.

YOUR PETITIONER THEREFORE humbly prays that your worships, agreeable to an Act of Assembly of the Delaware State entitled "An act for taking lands in execution for payment of debt" do make an order for **CORD HAZZARD** Esquire, present High Sheriff of Sussex County aforesaid to make an execute a good and sufficient deed or conveyance unto the said **GEORGE, ESTHER, SARAH, and LEAH TRUITT** minors and heirs of the said **JOHN TRUITT**, deceased, their heirs and assigns as tenants-in-common for the lands and premises aforesaid in a manner and form of for said subject nevertheless to the thirds or dower of your petitioner for and during the term of her natural life pursuant to the directions true intent and meaning of the above recited Acts of Assembly "for the better settling intestate Estates" in such cases made and provided.

And your petitioner as in duty bound will pray & c.

MARGARET TRUITT

Sussex County

I do hereby certify that at a court of common pleas held at Lewes for the county aforesaid the 5th Day in May in the year of Our Lord 1785 the foregoing petition was read and the prayer thereof granted by the court.

And testimony whereof I have hereunto set my hand and affixed the public seal of my office this 12th day of May Anno Domini 1785

D. HALL, prothonotary

HEADING

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

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