

Deed, NY, Dutchess, BENJAMIN DAYLEY to PELITIAH SOPER, 1763

THIS INDENTURE made the 22nd day of May in the first year of the reign of our Sovereign Lord George III by the grace of God of Great Britain, France and Ireland, King Defender of the faith, & c. Anno Domini, 1761.

BETWEEN **BENJAMIN DAYLEY [DALEY]** of Crum Elbow precinct in Dutchess County and province of New York, cordwainer, of the one part, and **PELITIAH SOPER**, of the precinct, county and province aforesaid, ??????, of the other part.

WITNESS that the said **BENJAMIN DAYLEY** for and in consideration of the sum £100 of good and lawful money of New York, to him in hand paid at end before the ensembling and delivery of these presents by the said **PELITIAH SOPER**, the receipt whereof he, the said **BENJAMIN DAYLEY**, doth hereby acknowledge and himself to be therewith fully satisfied, contented and paid and thereof and therefrom and, of and from every part and parcel thereof, doth acquit, release, exonerate and fully discharge him, the said **PELITIAH SOPER**, his heirs, executors, administrators and assigns and by these presents doth fully, freely and absolutely acquit, release, exonerate and discharge him, the said **PELITIAH SOPER** his heirs and assigns forever given, granted, bargained, sold, released, alienated, enfeoffed, conveyed & confirmed and by these presents do give, grant, bargain, sell, alien, release, enfeoff, convey and confirm unto him, the said **PELITIAH SOPER**, his heirs and assigns forever, that is to say two several tracts or parcels of land both lying and being Crum Elbow precinct in the county and province aforesaid, in that patent commonly know by the name of the Great or Lower Nine partners in the first and General Division in the aforesaid patents in the east fear of ??? lying in the lots commonly known and distinguished by the Great lot No. 32, butted and bounded as followeth:

Beginning at the oarbed path in south line of **STEPHEN HOPKINS**, Esq. Land which is the middle line of said lot No 92; from thence running southerly as the said Oarbed path; runs 57 rods; from thence running westerly 140 ½ rods; from thence running northerly 57 rods to the said south line of **STEPHEN HOPKINS**; and from thence running easterly in said **HOPKINS'** south line 140 ½ rods butted north of said **STEPHEN HOPKINS'** land east on said oarbed path; and south partly by land belonging to **DANIEL DUNHAM** and partly and partly by land belonging to **SAMUEL SMITH** containing by estimation in this tract or parcel of land 50 acres, be the same, more or less.

The other tract or parcel of land is situate and in the precinct, county and province aforesaid in the aforesaid patent and in the thirty first lot in the first and General division, bounded as followeth:

Beginning at a stake and stones 2 rods east of **JOSEPH HERRICKS** southeast corner by the north line of **DANIEL DUNHAM** land; from thence running easterly in the line of **DANIEL DUNHAM** to a Black Oak tree and stones about it; thence running northeast 16 rods to a Walnut Tree in **SIMEON COOK's** line thence north 43 rods to a stake and stones in **STEPHEN HOPKINS'** line; from thence running northerly in the line of said **HOPKINS'** land to a stake and stones; from thence running westerly in the middle line of said thirty first by said **HOPKINS'** land; to a stake and stones standing in 2 rods east of **BENJAMIN DAYLEY's** land northeast corner in the said middle line; from thence running southwardly 57 ½ rods to the first mentioned bounds.

Deed, NY, Dutchess, BENJAMIN DAYLEY to PELITIAH SOPER, 1763

CONTAINING about 20 acres, be it more or less, making the two tracts or parcels of land, by estimation, 70 acres, be the same, more or less, as also the one equal moiety, or half part, of a certain forge situate, lying and being in the precinct, county and province aforesaid, which said, lately belonged to **ICHABOD PAINE [PAYNE]** and **BENJAMIN SKINNER**, which may and will more fully and at large appear by certain deeds of conveyance from under the hands and seals of said **PANE** and said **SKINNER**, reference thereunto being had, together with the dwelling houses thereon erected and all and singular the other out houses barns, stables, gardens, orchard, pens, fencing, trees, timber woods, under wood, pastures, feedings, meadows, meadow grounds, swamps marshes, ponds, pools, fountains, springs, rivers, river beds, streams, waters, water courses, fishing, fowling, hunting and hawking, easements, profits, privileges, hereditaments, and appurtenances, whatsoever, thereunto belonging or in anywise appertaining or which now is or formerly has been reputed, accepted, taken or known as part, parcel or member thereof or of any part, parcel or member thereof.

TO HAVE AND TO HOLD the above granted lands and premises with all and singular the privileges and appurtenances thereunto belonging or in anywise appertaining unto him, the said **PELITIAH SOPER**, his heirs and assigns forever and to the only proper use of him, the said **PELITIAH SOPER**, his heirs and assigns forevermore.

AND the reversion and reversions, remainder and remainders thereof, and all the estate, right, title, interest, property, reversion, claim, dowry or demand of him, the said **BENJAMIN DAYLEY** or his heirs, executors, administrators or assigns of, in, or to the same or of any part, parcel or member thereof. And that it may be lawful that the said **PELITIAH SOPER** shall and may, from time to time, at all times forever hereafter peaceably and quietly have hold, use, occupy, possess and enjoy the same without any lawful set, eviction, suit, trouble, interruption, or denial of him, the said **BENJAMIN DAYLEY**, his heirs, executors, administrators, or assigns, or by any other person, or persons, whatsoever claiming by, through or under them or by their procurement or otherwise shall and will, from time to time and at all times, forever hereafter, against the just and lawful claims, pretense and demand of him, the said **BENJAMIN DAYLEY**, his heirs, executors, administrators and assigns and against all and every other person or persons whatsoever shall and will secure, indemnify and keep harmless by these presents.

AND the said **BENJAMIN DAYLEY** doth covenant, promise and agree to and with the said **PELITIAH SOPER**, his heirs and assigns, and to and with every of them in manner and form following, that is to say, that at and before the ensembling and deliver hereof he, the said **BENJAMIN DAYLEY**, is the true, sold and lawful owner of all the hereby granted lands and premises, and is lawfully seized of the same as a good, pure, absolute, lawful and indefeasible estate of inheritance in fee simple, and now has in his good right full power and lawful and absolute authority to give, grant, bargain, sell, alienate, release, convey and confirm all and singular the hereby granted lands and premises in manner and form as aforesaid.

Deed, NY, Dutchess, BENJAMIN DAYLEY to PELITIAH SOPER, 1763

IN WITNESS whereof the said **BENJAMIN DAYLEY** hath hereunto interchangeably set his hand and seal the day and year first above written.

BENJAMIN DAYLEY {seal, his mark}

Sealed and delivered in the presence of

OLIVER DOUGHTY
WILLIAM DOUGHTY

[**PELETIAH SOPER, PELATIAH SOPER**]

Deed, NY, Dutchess, BENJAMIN DAYLEY to PELITIAH SOPER, 1763

Dutchess County

Be it remembered that on the 18th day of May in the year of our Lord, 1763, personally appeared before me, **JACOBUS TER BOS**, Esquire, one of the judges of the Inferior Court of Common Pleas for said county, **WILLIAM DOUGHTY**, Esq., one of the subscribing witnesses to the within release and being, by me, duly sworn on the Holy Evangelists, declared that he saw the within named **DAYLEY** put his mark as his name and seal and deliver the within release as his voluntary act and deed that he saw **OLIVER DOUGHTY** sign his name as a witness and that he, this deponent, also signed his name as a witness. And I, having carefully examined the same, and find no material erasures or interlineations therein, do allow the same to be recorded.

JACOBUS TER BOS

Dutchess

A true copy examined he 26th of July 1763

HENRY LIVINGSTON, Clerk

Deed, NY, Dutchess, BENJAMIN DAYLEY to PELITIAH SOPER, 1763

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

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