

or make void the same And that he the said Jacob Van Dorn hath in himself good Right full Power and absolute Lawfull Authority to grant Bargain sell the same and every part thereof unto him the said John Loyd his heirs and Assigns forever in manner aforesaid And that the same now is free and from time to time and at all times hereafter shall remain free and clear to him the said John Loyd his heirs and Assigns from all and all manner of former and other Gifts Grants Bargains Sales Leases Mortgages and of and from all other Tythes Troubles Charges Demands and Incumbrances whatsoever had made committed done or suffered to be done and will Warrant and Defend the above said Premises from all and all manner of Person or Persons laying Lawfull claim to the same or any part thereof in Witness whereof I have hereunto set my hand and seal this third day of may the day and year first above written.

Sealed & Delivered in the Presence of
 of Entered the word "good" before
 Sealing and Delivery, John Longstreet
 Hendrick Smock

Jacob Van Dorn Junr

Be it Remembered that on the 27th day of July one thousand Seven hundred and Seventy four Personally came before me John Taylor one of the Judges of the Court of Common Pleas for the County of Monmouth John Longstreet one of the Subscribing Witnesses to the within Instrument being sworn on the Holy Evangelist of Almighty God Deposeth and sayeth that he saw Jacob Van Dorn Partic to the within Indenture Sign Seal and Deliver the same as his Voluntary Act and Deed for the uses therein mentioned in John Taylor

Examined and agrees with the Original.

Power. Under

Exec^r of H. Cuyler }
 Jabez Collver }
 Recorded Sep^r 14th }
 1774 in 22^d }

This Indenture made this fourth day of August in the year of our Lord one thousand Seven hundred and Seventy four Between Henry Cuyler and John Smyth Surviving Executors of the last will and testament of Henry Cuyler late of the City of New York Esq^r Deceased of the one part and Jabez Collver of the County of Sussex and Province of New Jersey of the other part Whereas the said Henry Cuyler deceased in and by his last Will and Testament duly proved and recorded in the Prerogative Office at Perth Amboy appointed the above named Henry Cuyler and John

Smyth together with Barend Rynders buyler his Executors, and there
in and thereby gave order and power to them and the Survivors of the
to sell and convey all his Lands in the Province of New Jersey. And
Whereas the said Barend Rynders buyler since the death of the said
Henry buyler the Testator is also deceased, whereby the Power of Sel-
ling is Vested in them, the said Henry buyler and John Smyth as
Surviving Executors Now This Indenture Witnesseth that the
said Henry buyler and John Smyth for and in consideration of the
Sum of Two Hundred and forty five pounds Eighteen shillings
Proclamation Money paid to them by the said Jabez Colver, the
Receipt whereof they hereby Acknowledge and discharge the said
Jabez Colver thereof forever HAVE granted bargained and Sold
and by these presents DO, by Virtue of the Order power and Au-
thority given them in and by the last will and Testament of
the said Henry buyler, grant bargain sell release and confirm
convey and confirm unto him the said Jabez Colver and to his
heirs and assigns forever All that Tract of Land Situate lying
and being in the County of Sussex and Province of New Jersey
aforesaid on the East side of the Minisink Mountain at the
North East end of the great pond and on the Road that Leads
from Capecotting to Minisink Beginning at a Chesnut Tree
standing on the South west side of a Brook called Doras's Brook about
two chains upon the foot of the Mountain, from thence running
(1) South Sixty one degrees West twenty eight chains and a half
thence (2) South twenty degrees and thirty minutes East forty
eight chains, thence (3) North forty seven degrees East fifty one
chains and sixty links and thence (4) North fifty one degrees
West thirty eight chains and a half to the place of beginning
containing one Hundred and Sixty three acres and Ninety
eight Hundredths of an acre Strict Measure together with
and every the Buildings improvements hereditaments privileges
and appurtenances whatsoever to the same belonging or appur-
taining, and also all the estate right title Interest claim and
Demand whatsoever of him the said Henry buyler deceased and
of them the said Henry buyler and John Smyth the Executors, or
either of them, in and to the same and every part thereof which
Tract of Land was Surveyed and returned to Oliver Delancey Esq.
and said Henry buyler deceased, as by the return thereof dated
the fourteenth day of January 1767 and recorded in the Surveyor
Generals Office at Perth Amboy in Book S. V. page 343. will
appear and since the death of the said Henry buyler the said

Oliver DeLancey has released his Share and Interest therein to the said Henry buyler and John Smyth Executors as aforesaid to and for the uses expressed in the will of the said Henry buyler deceased To have and To hold the above bargained Premises with the appurtenances to him the said Jabez Colver his Heirs and assigns, to the only use benefit and behoof of him the said Jabez Colver his Heirs and assigns forever And the said Henry buyler and John Smyth executors as aforesaid for themselves and their heirs do, severally and each for himself only, covenant and agree with the said Jabez Colver his heirs and assigns that they have neither done nor suffered to be done any Act matter or thing whatsoever whereby the above granted and bargained Premises may or can be any ways charged or Incumbered And the said Henry buyler doth for himself and his Heirs further covenant and agree with the said Jabez Colver his heirs and assigns that he the said Henry buyler will forever hereafter warrant and defend the above granted and Bargained Premises with the appurtenances in the Quiet and peaceable possession of him the said Jabez Colver his Heirs and assigns against the Lawfull claim and demand of all Persons whatsoever In Witness ^{whereof} the Parties to these Presents have hereunto interchangeably set their hands and Seals the day and year first above written Scaled and Delivered in the Presence of ^{RS} Henry buyler ^{RS} Abraham Burgeau William Lorton and John Smyth ^{RS}

Be it Remembered that on the eighth day of September 1774: Personally appeared before me Stephen Skinner one of his Majestys Council for the Province of New Jersey Abraham Burgeau one of the witnesses to this Instrument and being duly sworn Deposeth and saith that he was Present and saw Henry buyler and John Smyth the grantors within mentioned Seal and Delivered the same as their Voluntary Act and Deed for the uses and purposes therein mentioned

Stephen Skinner
Examined and signed with his signature

Witness my hand

Mary Ashfield
Robert Davison
Recorded Sep 15th
1774

This Indenture made this sixteenth day of May in the third year of the Reign of our Sovereign Lord George third our Great Britain France and Ireland King Defender of the Faith Anno Domini thousand seven Hundred and Sixty three Between Mary Ashfield of Shrewsbury County of Newmouth and

1774 Land Conveyance

Sussex County, New Jersey — Cuyler & Smyth (executors) to Jabez Colver

Date: 4 August 1774 (proved & recorded 8 September 1774)

Grantors: Henry Cuyler and John Smyth, surviving Executors of the last will and testament of Henry Cuyler, late of New York City, Esq., deceased

Grantee: Jabez Colver (also spelled Collver / Colver) of Sussex County, New Jersey

Consideration: £545 18s. 0d. Proclamation Money

Property: 163 acres and 98/100 of an acre (strict measure), east side of the Minisink Mountain at the northeast end of the Great Pond (now Culver's Lake)

Recording: New Jersey deed book G3, folio 506; survey by Oliver DeLancey returned 19 Jan. 1767, Surveyor General's Office, Perth Amboy, Book 5, p. 3

This deed is one of the earliest known land transactions for Jabez Colver in America and predates his move to Upper Canada by roughly twenty years. Related documents: the 1794, 1797, and 1799 Upper Canada land petitions of Jabez Collver, and the 1928 Simcoe Reformer article on Old Windham Church & Cemetery.

Full Transcription

This Indenture made this fourth day of August in the year of our Lord one thousand seven hundred and seventy-four

Between Henry Cuyler and John Smyth, surviving Executors of the last will and testament of Henry Cuyler, late of the City of New York, Esq., deceased, of the one part

and Jabez Colver of the County of Sussex and Province of New Jersey of the other part.

Whereas the said Henry Cuyler deceased in and by his last will and testament (thereby proved and recorded in the Prerogative Office of the Province of New York) did give and bequeath unto the said Henry Cuyler and John Smyth (together with Barent Rynders Cuyler his Executors and the survivors of them) full power and authority to sell and convey all his lands in the Province of New Jersey.

And Whereas the said Barent Rynders Cuyler since the death of the said Henry Cuyler the Testator is also deceased, whereby the power of selling is vested in them the said Henry Cuyler and John Smyth now surviving Executors.

Now This Indenture Witnesseth that the said Henry Cuyler and John Smyth, for and in consideration of the sum of Five Hundred and Forty-Five Pounds Eighteen Shillings in Proclamation Money paid to them by the said Jabez Colver (the receipt whereof they hereby acknowledge and discharge the said Jabez Colver, his heirs and assigns forever), have granted, bargained, sold, released, and confirmed, and by these presents do grant, bargain, sell, release, and confirm unto him the said Jabez Colver, his heirs and assigns forever,

All that tract of land situate, lying, and being in the County of Sussex and Province of New Jersey aforesaid, on the east side of the Minisink Mountain at the northeast end of the Great Pond and on the Road that leads from Pepecotting [Papakating] to Minisink,

Beginning at a chestnut tree standing on the southwest side of a brook called Borago's Brook, above two chains upon the foot of the Mountain; from thence running:

- (1) South sixty-one degrees west twenty-eight chains and a half;
- (2) South twenty degrees and thirty-one minutes east forty-eight chains;
- (3) North forty-seven degrees east fifty-one chains and sixty links;
- (4) North fifty-one degrees west thirty-eight chains and a half

to the place of beginning.

Containing one hundred and sixty-three acres and ninety-eight hundredths of an acre, strict measure.

Together with all and every the buildings, improvements, hereditaments, and appurtenances whatsoever to the same belonging or appertaining.

And also all the estate, right, title, interest, claim, and demand whatsoever of him the said Henry Cuyler deceased, and of them the said Henry Cuyler and John Smyth the Executors (and either of them) in and to the same and every part thereof.

Which tract of land was surveyed and returned to Oliver DeLancey, Surveyor, for the said Henry Cuyler deceased, as by the return thereof will appear the 19th day of January 1767 and recorded in the Surveyor General's Office at Perth Amboy in Book 5, page 3.

To Have and To Hold the above bargained premises with the appurtenances to him the said Jabez Colver, his heirs and assigns, to the only use, benefit, and behoof of him the said Jabez Colver, his heirs and assigns forever.

And the said Henry Cuyler and John Smyth, Executors as aforesaid, for themselves and their heirs do severally and each for himself only covenant and agree with the said Jabez Colver, his heirs and assigns, that they have not done nor suffered to be done any act or matter or thing whatsoever whereby the above granted and bargained premises may or can be any way charged or encumbered.

And the said Henry Cuyler doth for himself and his heirs further covenant and agree with the said Jabez Colver, his heirs and assigns, that he the said Henry Cuyler will forever hereafter warrant and defend the above granted and bargained premises with the appurtenances in the quiet and peaceable possession of him the said Jabez Colver, his heirs and assigns, against all lawful claims and demands of all persons whatsoever.

In Witness Whereof the parties to these presents have hereunto interchangeably set their hands and seals the day and year first above written.

Sealed and Delivered in the Presence of:

Henry Cuyler
Abraham Burgan
William Jordan
John Smyth

Be it Remembered that on the eighth day of September 1774, personally appeared before Stephen Skinner, one of His Majesty's Council for the Province of New Jersey, Abraham Burgan, one of the witnesses to this instrument, and being duly sworn depose and saith that he was present and saw Henry Cuyler and John Smyth the grantors within mentioned seal and deliver the same as their voluntary act and deed for the uses and purposes therein mentioned.

Stephen Skinner

Sworn and signed the 8th day of September 1774.