

# MARYLAND INDENTURE - 1838

This Indenture, made this first day of September one thousand eight hundred and thirty eight between JOHN LOFTIS and his wife, MARGARET LOFTIS of the village of Cecilton, Cecil County, Maryland, and JOHN WHITLOCK and his wife RACHAEL A. WHITLOCK of the village of Middletown, NewCastle County, Delaware, of the one part and JAMES FORD of the village of Cecilton, Cecil County, Maryland of the other part, Whereas SAMUEL WHITLOCK late of the village aforesaid, died seized of certain lots or parcels of land, situate in the vicinity of said village of Cecilton, leaving six children viz: LOUISA now the wife of WILLIAM NORRIS the aforesaid JOHN WHITLOCK, JAMES WHITLOCK, SAMUEL WHITLOCK ARIANA WHITLOCK and HENNY GREENBACK WHITLOCK, the last three being minors, and Whereas ELIZABETH WHITLOCK wife of the aforesaid SAMUEL WHITLOCK also died seized of a certain messuage tenement and lot of ground situate in the vicinity of the aforesaid village of Cecilton leaving ten children viz: ELIZABETH LOFTIS, REBECCA, wife of CHARLES AABB, the aforementioned JOHN LOFTIS, LAVINIA LOFTIS, HYLAND B. LOFTIS, ROSETTA LOFTIS, HARRIET LOFTIS, FRANCIS LOFTIS and the aforementioned ARIANNA WHITLOCK, HENNI GREENBANK WHITLOCK and SAMUEL WHITLOCK minors as aforesaid and Whereas the aforesaid JAMES WHITLOCK and LOUISA NORRIS wife of WILLIAM NORRIS aforesaid hath by their deed duly executed and recorded conveyed to the aforesaid JOHN LOFTIS all their undivided, share part or interest of so much of their fathers real property as lies at the east end of the village of Cecilton, And upon the South side of the public road, passing East & West through said village, And Whereas it is the wish and intention of the aforesaid JOHN LOFTIS and his wife MARGARET and the aforesaid JOHN WHITLOCK and his wife RACHEL by these presents to convey to the said JAMES FORD the aforesaid lots or parcels of land as hereinafter described, therefore Now this Indenture Witnesseth that the said JOHN LOFTIS and MARGARET his wife for and in consideration of the sum of sixty five dollars current money to them in hand paid by the said JAMES FORD at or before the sealing and delivery of these presents the receipt whereof we the said JOHN LOFTIS & MARGARET his wife and the said JOHN WHITLOCK and RACHAEL, his wife doth hereby acknowledge and from every part and parcel thereof doth hereby acquit exonerate, and discharge the said JAMES FORD, his heirs, executors and administrators, they the said JOHN LOFTIS & MARGARET his wife, and JOHN WHITLOCK & RACHAEL his wife hath granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents, doth grant, bargain sell, alien, enfeoff, release, convey and confirm, unto the said JAMES FORD his heirs and assigns, all their and each of their undivided, shares parts, or interests of into, and out of three several pieces lots or parcels of land, adjoining each other, one containing one eight of an acre more or less, being the former residence of the aforesaid SAMUEL WHITLOCK decd one containing one fourth of an acre more or less being the late residence of the said SAMUEL WHITLOCK and ELIZABETH his wife and on other containing four acres of land more or less the whole located at the east end of the village of Cecilton, and bounded on the north by the public road aforesaid on the east by the land of the aforesaid JAMES FORD, and on the South by the land of CHRISTOPHER JONES, and on the West by the lots of JAMES FORD aforesaid and the heirs of FREDUS MECHIN deceased, together with all and singular the buildings, improvements, woods, ways, waters, water courses, rights, liberties, priveleges, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversions and remainders, rents, issues and profits thereof, and all the estate right, title and interest whatsoever of them the said JOHN LOFTIS & MARGARET his wife and the said JOHN WHITLOCK & RACHAEL his wife both at law and in equity of, in, and to and out of the said lots or parcels of land and premises hereby bargained and sold or meant mentioned or intended hereby so to be, and every or any part and parcel thereof, To Have and To Hold all the aforesaid JOHN LOFTIS & MARGARET his wife, and the said JOHN WHITLOCK and RACHAEL his wife's undivided shares parts or interests in and to the said lots or parcels of land, so as aforesaid described together with the buildings and appurtenances, and all and singular other the premises, hereby bargained and sold, or ... mentioned or intended hereby so to be, and every part and

parcel thereof with their and every of their appurtenances unto the said JAMES FORD, his heirs and assigns forever; and to and for no other use intended and purpose whatsoever, and the said JOHN LOFTIS & MARGARET his wife, and the said JOHN WHITLOCK and RACHAEL his wife for themselves their heirs executors and administrators, doth covenant grant promise and agree to and with the said JAMES FORD his heirs and assigns that they the said JOHN LOFTIS & MARGARET his wife and the said JOHN WHITLOCK and RACHAEL his wife, and their heirs the said undivided shares or interest in the said lots or parcels of land and premises hereby bargained and sold and every or any part and parcel thereof with the appurtenances thereunto belonging to him the said JOHN FORD his heirs and assigns against them the said JOHN LOFTIS & MARGARET his wife and the said JOHN WHITLOCK and RACHAEL his wife, and their heirs and against all and every person or persons title or interest in the same, will warrant and forever defend by these presents, In witness whereof the said JOHN LOFTIS and MARGARET LOFTIS his wife and JOHN WHITLOCK and RACHAEL A. WHITLOCK his wife hath hereunto affixed their hands and seals the day and year first herein before written

Signed, Sealed and deliv	JOHN ( X his mark) LOFTIS	Seal	
ered in presence of	MARGARET LOFTIS	Seal	
SAML HUGS	JOHN WHITLOCK		Seal
BENEDICT JONES	RACHEL ANN WHITLOCK	Seal	

State of Maryland, Cecil County...: Be it remembered on this first day of September in the year of our Lord one thousand eight hundred and thirty eight personally appeared JOHN LOFTIS and MARGARET his wife, and JOHN WHITLOCK and RACHAEL his wife parties grantor named in the within and foregoing deed before us the subscribers two Justices of the Peace for the State of Maryland in and for the County aforesaid and acknowledged the said deed or instrument of writing to be their act and deed, and the lands & premises therein mentioned and thereby bargained and sold to be the right and estate of JAMES FORD party grantee also therein named his heirs and assigns forever according to the purport true intent and meaning of the sa... and the acts of assembly in such case made and provided, And we the subscribers do further certify that the said MARGARET LOFTIS and RACHEL A. WHITLOCK did sign & seal the said deed or instrument of writing out of the presence and hearing of their respective husbands and acknowledged the same & they the said MARGARET LOFTIS & RACHEL A. WHITLOCK being by us privately examined out of the presence & hearing of their sd husbands “Whether they executed and acknowledged the same willingly and freely, without induced thereto by fear of threats of, or ill usage by their said husbands, or fear of their displeasure, did declare that they executed and acknowledged

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This deed was part of a collection of documents relating to the Whit(e)lock families of Maryland and Delaware sent in by Duane Whitlock. It is of particular interest for the amount of genealogical detail it gives. Not only does it list all of Samuel Whitlock’s six children, it shows he was married twice, the second time to Mrs. Elizabeth Loftis who already had seven Loftis children (also named) and she and Samuel had three more. This family is detailed at the end of the WHITLOCK57 chart as “Also from Maryland”. Receiving this information from Duane enabled me to place one of the other families shown as “Also from Maryland”. This was the family of John Whitlock and his wife Rachel A. They show on the 1850 census of NewCastle Co., Delaware but John Whitlock was born in Maryland. This is obviously the couple mentioned in the 1838 deed. This places John as one of Samuel’s children with his birth about 1810. On the 1810 census Samuel and his wife are likely the two persons shown age 16 to 25 and they have one daughter, likely Louisa who is under 10. John is not shown so was likely born later in 1810. There is also an older woman living them age 26 to 44, possibly a mother in law.

By 1820 the family has grown. There is Louisa and John shown age 10 to 16 and joined by a son under 10 which would be James H. Whitlock who was born about 1813. It is likely that Samuel’s wife had died

by 1820 as she does not appear on this census and on Apr.13,1825 Samuel Whitlock marries the widow Elizabeth Loftis.

Our thanks to Duane Whitlock for this detail and to adding to our knowledge base for this part of the Whitlock family. Hopefully as our research progresses we will connect Samuel to the main section of the WHITLOCK57 chart.

SOURCE: R263/11; R709/20; R2782