

**Land Records of Paul Phelps and Kin in
Swanton, Franklin County, Vermont
Compiled by David L. Martin and Cathy Kuhl**

Records were found for Paul Phelps, his sons Solomon, Jedediah, and Paul, Jr. and for Daniel Walker who almost certainly was married to Paul's daughter Zerviah.

Deeds are in the order the date on which they were prepared. Some of the deeds were recorded 15 years after the transaction.

Solomon Phelps

27 Nov 1809

Deeds: Vol.9, p. 83

Solomon Phelps of Swanton, Franklin County, Vermont leased lot number 8 in Swanton containing 100 acres excepting "all mines and minerals, and eight tenths of all pines and oak timber and running water whereon Mills may be constructed" from Jonathan and Elijah Ferris for an annual rent of \$12.50. The lease had no termination date and could be sold but the buyer had to accept the terms of the lease. The lease required that Solomon pay all taxes on the land.

Witnesses: Wm, Brayton, D. M. Camp.

Recorded: 31 May 1825

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-Q72Z?i=343&cat=90531>

Daniel Walker

27 Nov 1809

Deeds: Vol 6, pp. 58-60

Daniel Walker of Swanton, Franklin, Vermont leased north half of lot number ten in Swanton containing 50 acres from Jonathan Ferris of Swanton and Elijah Ferris of the City of New York. Eight tenths of all mines & minerals of all pine and oak timber and all running water where on mills may be set away excepted. Annual rent of \$6.25. Lease required that Daniel pay all taxes on the land.

Witnesses: Frederick Barnsham?, Benjamin Miegs

Recorded: Feb 21st, 1814

Note: This land was adjacent to Paul's land in the same survey lot.

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSR-P-C9LJ-S?i=46&cat=90531>

Jedediah Phelps

1 Jan 1810

Deeds: Vol. 4, p. 350

Jedediah Phelps of Swanton, Franklin County, Vermont leased from Valentine R. Goodrich of Swanton 25 acres of the north part of lot number 9 in Swanton for 3 dollars 12.5 cents annual rent.

Witnesses: Thos Mansfield, Benjamin Weed

Recorded: 1 Mar 1811

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-974S-X?i=184&cat=90531>

No date

Deeds: Vol. 9, pp. 148-9

Jedediah transferred the above lease with one undated sentence, which was probably appended to the lease. "Know all men by these presents that I Jedediah Phelps do give, grant, sell and convey to Joseph Atkinson the within lease with all the privileges therein continued witness my hand".

Witness: Elijah Edson

Recorded 21 Mar 1826.

Note: The clerk wrote: "Rec[eived] the foregoing Lease from V. R. Goodrich to Jed^d Phelps, assigned by said Phelps to Jos Atkinson and by said Atkinson to A. J. Brown, for record Town Clerks office Swanton March 21 1826 and recorded them at length."

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-Q72S?cat=90531>

Paul Phelps, Jr.

19 Apr 1810

Deeds: Vol. 9, pp. 84-85

Paul Phelps Jr., of Swanton, Franklin County, Vermont leased from Jonathan Ferris of Swanton and Elijah Ferris of the city and state of New York the west half of Lot number 31 in Swanton containing 50 acres for \$6.25 annual rent payment. The terms of this lease appear to be the same as the 1709 lease to Solomon Phelps.

28 Apr 1810

Paul Phelps Jr. Transferred the lease to **Solomon Phelps** with the following statement apparently appended to the lease "Know all who this may concern that I Paul Phelps Jun, do deliver the within lease with all the privileges thereunto and belonging to Solomon Phelps to his proper use and benefit."

Witnesses: Jed Phelps, Jacob Durkee[?]

The two transactions were recorded together 31 May 1825

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-Q72Z?i=343&cat=90531>

1 Jul 1811

Deeds: Vol. 9, p. 85

Paul Phelps, Jr. of Swanton assigned the lease from Jonathan Ferris and Elijah Ferris on the west half of lot number 31 in Swanton containing 50 acres of land for \$200 to Oliver Potter and David C. Davis.

Witnesses: Wm. Drayton and D. M. Camp.

Recorded: 31 May 1825

Note: One of Paul Jr's transactions appears to be missing as he first assumed the lease, then almost immediately transferred it to Solomon and then sold the lease to Potter and Davis about a year later.

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-Q72N?i=344&cat=90531>

Vendue (public auction)

27 Feb 1813

Deeds: Vol. 5, p. 526

The following notice was entered in the deed book.

The proprietors and lease owners of the Town of Swanton are hereby notified and warned that unless the tax of one cent on each acre of land granted by the Legislature of this state at their October session at Montpelier AD 1812 [is paid] before the first Monday of April next so much of their lands as will pay said tax and cost will be sold at public vendue at Ira Andrews dwelling house in Swanton at nine o'clock fore noon of said day to the highest bidder. Dated at Swanton this 27th day of March February AD 1813.

John Pratt Junr. Constable

Note: The lessees were obligated to pay any taxes on the land they leased, and the proprietors had to pay the tax on unleased land.

The Vendue was held on April 5, 6, and 7. There were about 174 names in the index to the Vendue in the Research Guide to Swanton. These names included proprietors, lessees and buyers.

Solomon Phelps

Deeds: Vol. 5, p. 529

Solomon's property is listed but was not sold.

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-977V-8?i=583&cat=90531>

Paul Phelps

Deeds: Vol. 5, p. 533

Paul's property is listed but was not sold.

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-977Z-4?i=585&cat=90531>

Jedediah Phelps

Deeds: Vol. 5, p. 543

Jedediah's 25 acres on lot 9 is listed and was sold to Ezekiel Goodrich. Redeemed by V.R. Goodrich.

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-974J-X?i=590&cat=90531>

Note: Jedediah assigned this lease to Joseph Atkinson (see Jedediah on p. 2) but that transfer was not recorded until 1826. No mention of the Vendue appeared in the 1826 record. It is unclear whether Jedediah left Swanton before or after the Vendue.

Solomon Phelps

2 Feb 1814

Deeds: Vol. 9, p. 87

Solomon Phelps of Swanton, Franklin County, Vermont sold to Oliver Potter of the same place for \$430 lot number 8 in Swanton being 100 acres "which I hold by virtue of a lease from Jonathan & Elijah Ferris . . . and which I convey and assign subject to the rents, covenants and arguments in said lease contained."

Witnesses: Elisha Barney, Clarissa Green

Recorded: 31 May 1825

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSY3-Q7V8?i=345&cat=90531>

Paul Phelps

2 May 1814

Deeds: Vol 6, p. 87

Paul Phelps of Swanton, Franklin County Vermont sold to George W. Powers of Swanton for \$500 the south half of lot number ten in Swanton containing fifty acres of land "and is the same I have a lease from Jonathan and Elijah Ferris". Paul asserted that "I have good right and lawful authority to bargain and sell the same" and "that they [the property] are free and clear of all encumbrance except subject to said lease".

Witnesses: Paul Phelps Jr., Seth Whitmore.

Recorded : 7 May 1814

Note: The original lease does not appear to have been recorded, but its terms were probably identical to those of Solomon's lease made 7 Nov 1809. Paul became a freeman in

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSR-P-C9L8-2?i=60&cat=90531>

Daniel Walker

21 Feb. 1814

Deeds: Vol. 6, p. 60-61

Daniel Walker sold the above lease on the north half of lot 10 to Amhurst Thayer of Swanton for \$200 for the 50 acres of land.

Witnessed: Thomas Come? & Shadrach Hathaway

Recorded: 21 Feb. 1814

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRP-C9LX-Z?i=47&cat=90531>

Daniel Walker

27 July 1814

Deeds: Vol. 6, p. 133

Daniel Walker of Swanton, Franklin County, Vermont sold for \$200 to Ezekiel O. Goodrich of Swanton lot No. 32 "being the lot which I now occupy".

Witnessed: Stephen S. Brown & Benjamin Thurstin[?]

Recorded: 28 Aug 1814

Note: This land was adjacent to Jedediah's land.

<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSRP-C9L5-H?i=83&cat=90531>

Notes:

1. Records for the Phelps were obtained by David Martin and records for Daniel Walker by Cathy Kuhl.
2. The parcels leased by the Phelps family members and Daniel Walker were on adjacent lots (8, 9, 10, 31, and 32; lot 31 was adjacent to lot 8 and lot 32 was adjacent to lot 9) in Swanton, according to the plat map on p. 145 of the *Research Guide For Swanton, Vermont* by Alan Levorsen.
3. Some of these transactions seemed to read like deeds but the property was still encumbered by the original perpetual lease.
4. None of the sales (assignments) of the leases was co-signed by a wife.
5. The index to Phelps's deeds is at this url:
<https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSLR-N97X-6?i=125&cat=90531>