

Edward Mearns
Esq. J. C. C. C.
Not at home

John J. Mearns
Edward Mearns
J. C. C. C.

To William Herrenton Esq. Judge of Probate
for the District of Rutland - -

We the subscribers having been appointed
by your Honor to receive & examine the claims of the
several creditors to the estate of Edward Cheney late
of Brandon deceased. & having been sworn to the faithful
discharge of the trust reposed in us. & having given
notice to the s. creditors by advertising in the Rutland
Herald & posting up ~~advertisements~~ ^{the forms of} ~~Notifications~~ in
the most public places in Brandon & Pittsford as in
your commission to us directed. Having attended to the
several claims that have been exhibited to us. the
sums that we have allowed on each claim is follows

Pearley Canos on Book	2:47
Nathan Pearce (on do)	8:72
John Seaton. do	16 48

And a Note against Elisha Cheney s. Estate was considered amountable for payable in West cattle the first of Oct. 1813 Including Interest to this date	49:61
	77:68

One Note in favor of Dan Bowley against s. Estate payable 1 st Oct. 1813 Including Interest to this date for	82:37
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Chenezer Squires in ac ^t	0:87
William Page do	4:00
John Conant do	2:82
Charles Johnson on Notes	3:17
do on note given to Joel Green	2-8
	95:31
	172:99

Amount bro. over	172.99
Charles Johnson on Book	0.97
Eben. Chitt on D ^o	1.20
Due to the heirs of Seth Holt	55.59
Daniel Pomroy on Book	3.16
Richard Harris on D ^o	1.00
Jesse Hinds D ^o	1.24
Sam Cheney D ^o	20.00
John Jackson's Note with Interest	49.12
Jon ^a Bagley's Amount	1.00
Darius Chipman D ^o	5.00
Hickok & Chipman's Note, including Intest	4.78
Sam. Burnet Amount	7.00
Cheney Chitt. D ^o	5.00
Jesse Hinds's on Note given to } John Stroud. including Interest }	7.00
Elijah Cheney on Book	200.00
Eph ^m Cheney on D ^o	16.66
	250.45
	\$ 555.74

Settled at Brandon this 16th Day of August
A.D 1813

Eben. Chitt }
Sam. Burnet } Commisⁿ

5.27

State of Vermont Newland Protests against
 at a protest cannot be taken at Newland is
 the district of Newland on the 13 day of
 September 1893 the within was returned
 examined approved and ordered to be recorded
 William Harwood Judge of Probate

Edward Cheney,
 Cashier
 Account Allowed
 approved

44

17
 9
 40
 66

Estate
Warrant of Division

State of Vermont.

Rutland
Probate DISTRICT, ss.

The Hon. *Obadiah Noble Jr* Esq. Judge of the Probate of Wills, &c. in said
county, District
TO *David Merriam, Daniel Farrington & Chester Goff* all of *Brandon*
all sufficient freeholders, GREETING.

Pursuant to the power and authority to me given, in and by

Cheney ~~late of Brandon in said District~~ died, seized & possessed in said state, (except the widow's dower, & what may have been legally sold for the payment of the just debts of said deceased) each peace and parcel by itself, at the present true value thereof, in lawful money, all in words at length; and if said estate, or any part thereof, lie in common or undivided with the real estate of any other person, you are first to sever and divide the estate of said intestate, from the estate with which it lies in common as aforesaid, giving timely notice to all persons interested, to be present, if they see cause.

When you have perfected your inventory, you are faithfully and impartially to divide and make partition of the estate therein appraised among the children or heirs of said deceased, ~~as the law respecting the descent of intestate~~
~~according that if any of the children or grand children of said deceased have had portions~~

in the manner & form following, to wit,

To Samuel Cheney, Elijah Cheney & Elisha Cheney and the heirs of Edward Cheney *sons of said deceased* each two twelfth parts or shares of said estate, and to Dorcas wife of Ephraim Cheney, Abigail Holt, widow of Seth Holt, Betsey wife of Joseph Dutton and Polly wife of Daniel Rowley Daughters of said deceased each one twelfth part a share of said estate; and you will deduct from the respective shares of the *S Samuel* the sum of three hundred dollars, of the *S Elisha* the sum of sixty eight dollars thirty three cents, of the *S Elijah* the sum of seventy seven dollars of the *S Dorcas* the sum of fifty one dollars, forty eight cents, of the *S Abigail* the sum of sixty two dollars twenty six cents, of the *S Betsey* the sum of sixty three dollars four cents, of the *S Polly* the sum of fifty nine dollars eighty seven cents, found by this Court *S Judge* for advancements made to them respectively by the said *deceased* in his life time -

You will take notice that the *S Judge* has allowed *Sapphira John* Comand Esq. *affidavit* Brandon Agent for *S Elijah, Elisha, Abigail & Polly*, and that *Fredrick Seefeldt & Betsey Cheney* are Guardians to the heirs at law of *Edward Cheney* &c.

Moreover, if it shall appear that any messuage, tract of land, or other tenement, shall be of greater value than either party's part or share in said estate, and cannot be subdivided, or part thereof assigned to one and part to another, without great inconvenience; you may settle or assign the same to one of the parties, and award that the party to whom you shall assign the same, pay such sum or sums of money to the other party or parties, as by means thereof may have less than their share. *You will make report of that fact to this Court*

When you go about your work, let all parties concerned have notice; and if any dispute arise about the quantity of any parcel of land, you may procure an artist for the survey thereof; and if all parties be satisfied with your proceedings, let them signify the same by countersigning.

You are to be under oath faithfully to perform the said service, and when it is completed, you are to make return of this warrant with your doings thereon, into the Probate office for the county aforesaid, as soon as may be.

Given under my hand and seal of office, at *Rutland* in said county, this *20* day of *Decr* A. D. 18*15*

Rutland
Probate DISTRICT, ss.

The above named *David Merriam, Daniel Farrington & Chester Goff* personally appeared and made oath that they would faithfully perform the services assigned Before me,

Obadiah Noble Jr Judge of Probate
23rd Decr 1815
Calab Henderson Jr Just Peace

Edward Cheney, Sen.
Catala

Division

Received 15 May 1861
Recorded 17 - 651-7
W. Hall Register

STATE OF VERMONT.

Rutland } THE HON. PROBATE COURT FOR THE DISTRICT OF Rutland
 Probate }
 District, ss. }

To Nathan J. Sprague, Daniel Farrington,
 & Milton Pine of Brandon in said district
 all sufficient freeholders,

GREETING.

Pursuant to the power and authority to me given, in and by the laws of the state aforesaid, I do hereby appoint and authorise you a committee to appraise all the ^{now remaining undivided} real estate whereof ~~Edward Chenez late of said Brandon~~ died seized and possessed in said estate, (except the widow's dower, and what may have been legally sold for the payment of the just debts of said deceased) each piece and parcel by itself, at the present true value thereof, in lawful money, all in words at length; and if said estate, or any part thereof, lie in common or undivided with the real estate of any other person, you are first to sever and divide the estate of said intestate, from the estate with which it lies in common as aforesaid, giving timely notice to all persons interested, to be present, if they see cause.

When you have perfected your inventory, you are faithfully and impartially to divide and make partition of the estate therein appraised, among the children or heirs of said deceased, in the manner and form following, that is to say— To Samuel Chenez, Olyiah Chenez and Olisha Chenez each one sixth part thereof, to Abigail wife of Daniel Galusha and Polly wife of Daniel Rowley each one twelfth part thereof, to the heirs of Edward Chenez Jr. one sixth part thereof, and to the heirs of Betsey wife of Joseph Button, and to the heirs of Dorcas wife of Ephraim Chenez one twelfth part thereof, you will take notice that Joseph Button is agent for Abigail Galusha and Polly Rowley, that Barzilla Davenport is agent for Olisha Chenez, said Abigail, Polly and Olisha being out of the state. You will notify Abiah Chenez and Ephraim Chenez his heirs of said Dorcas Chenez and Nail Chenez as heirs of sa Edward Chenez Jr. and Edward Button heir to said Betsey Button.

Moreover, if it shall appear that any messuage, tract of land, or other tenement, shall be of greater value than either party's part or share in said estate, and cannot be subdivided, or part thereof assigned to one and part to another, without great inconvenience, you will make report of that fact to this court.

When you go about your work, let all parties concerned have notice, and if any dispute arise about the quantity of any parcel of land, you may procure an artist for the survey thereof; and if all parties are satisfied with your proceedings, let them signify the same by countersigning.

You are to be under oath faithfully to perform the said service, and when it is completed, you are to make return of this warrant with your doings thereon, into the probate office for the district aforesaid, as soon as may be.

Given under my hand and seal of office, at Rutland in said district, this
 5th day of April A.D. 1841.

Henry Hall, Register

at Brandon on 19 day of April 1841
 The abovenamed N. J. Sprague, Daniel Farrington
 DISTRICT, ss. } personally appeared and made oath that they would faithfully perform
 the services assigned them by the foregoing warrant.

Before me,

David Sanderson Justice

Edward Cheney's Estate

Warrant of Disposal

According to the foregoing Warrant to us directed by the Hon. Probate Court for the District of Rutland the subscribers having been first sworn agreeable to the said

Assessors to the foregoing Warrant to us directed by the
Hon. Probate Court for the District of Maine. We the subscribers
having been first sworn agreeable to the directions in said Warrant
and having notified Joseph Dutton Barzile Deaumont Abietha
Cheney Ephraim Cheney ^{Sty} Paul Cheney Edward Dutton & Samuel
Cheney who were all present we on our oaths appraised all the
the real Estate remaining undivided estate of Edward Cheney
late of said Brandon and signed and posted each piece and parcel
by itself at its present value in money as follows to wit one piece
of Land lying North and adjoining Nathan Flint 2^d home farm
containing four acres and 15 rods at ————— \$196.00

one other piece of land lying East and adjoining the
old stage road and North of the Car bed road containing
Eleven acres and 15 1/2 rods at ————— 199.00

also one other piece of Land lying East of the road
leading from the old stage road to the Car bed
containing two acres and 10 rods of land at ————— 36.00

Also one other piece of land lying west of the old stage
road so called containing twenty four acres and
forty six rods of land at the sum of ————— 427.50

also one other piece of land including the house
containing 5 1/4 rods of ground also one Barn all at ————— 90.00
amounting in the whole to the sum of ————— 1248.50

and having procured a surveyor We proceeded to divide said Estate
among the following persons in the following manner
We set off to Samuel Cheney as one sixth part of said Estate
two pieces of land bounded as follows the first piece beginning
in the East line of the old stage road and in the north line of Nathan
Flint 2^d home farm thence North 3^d west on the East line
of said road 2 1/4 rods to a stake and stones thence East 2^d south
eighty rods to a stake and stones thence South 2^d west twenty
seven rods to a stake and stones thence in said Flint's North
line thence west on said Flint's line eighty rods to the bound
began at appraised at \$196.00 and contains four acres
the second piece of Land containing one hundred and
twenty rods of ground and bounded as follows beginning at a
stake and stones in the south East corner of a piece of land
this day set off to the heirs of Dorcas Cheney thence west 2^d
North nine rods to a stake and stones thence South 2^d west
1 1/2 rods to the Highway thence Easterly on the North
line of the Highway to Land formerly set off to Ephraim

Cherry thence North 2° East on said E. Cherry's North line two rods to the corners began at appraised at

	\$12.00
first piece	196.00
	<u>\$ 208.00</u>

We set off to the heirs of Dorcas Cherry as one twentieth part five acres and one hundred and twenty four square rods beginning at a large pine stump supposed to be the North East corner of the West lot of Edward Cherry's farm thence South 2° West on the West line of land formerly set off to Ephraim Cherry & Dorcas his wife twenty eight rods to a small piece set off by us to Samuel Cherry being a stake and stones thence West 2° South thirty six rods to a stake and stones in the East line of the old stage road thence North on the East line of said road twenty eight rods to the North line of the farm thence East 2° South thirty one rods and eight links to the corners began at appraised at \$104.04

Also set off two pieces of land to the heirs of Edward Cherry Jr. the first piece bounded as follows to wit beginning at a black stump with stones around it standing on the West bank of the river it being the North East corner of land now owned by Thos B. Strong thence South 3° West sixteen rods and 22 links to a stake and stones being the corner of a piece of land this day set to Elisha Cherry thence East 2° South sixty one rods to the West line of the old stage road thence North on said West line of said road seventeen rods to the North line of said farm being a stake and stones thence West on the South line of the farm now owned by William Thirkell 2° North sixty sixty two rods to the corners began at containing six acres and 7/8 rods of land appraised at

	\$180.00
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also set off the second piece as follows containing one acre and one hundred and fifty square rods of land beginning at the South West corner of a piece of land this day set off by us to the heirs of Dorcas Cherry being a stake and stones thence East 2° South twenty seven rods to a stake and stones being the North West corner of a piece of land this day set off to Samuel Cherry thence South 2° West eleven rods and 2/10 of a rod to a stake and stones thence West 2° North twenty eight rods to a stake and stones in the East line of the old stage road thence North on

Old stage road thence North on the East line of said

Old stage road thence North on the East line of said road
Eleven rods and $\frac{1}{10}$ of a rod to the corners began at ~~affairs~~
at _____ \$25.00

the foregoing set of as one sixth part of C. Cheney's ^{and the other piece} 150.00
share \$208.00

Also set of one piece of land to Elijah Cheney containing
seven and a half acres of land for one sixth part of the above
premises of bounded as follows to wit beginning at a stake
and stones being the south West corner of a piece of land ^{set} by
us to the heirs of Edward Cheney Jr. thence East 2° South
Sixty one rods to the West line of the old stage road being a stake and
stones thence South on said West line of said road thirty rods to
a stake and stones thence West 2° North fifty eight rods thence
North 3° East nineteen rods and nine links to the corners began
at ~~affairs~~ at _____ \$200.00

Also set off to Elijah Cheney as one sixth part of said premises
four certain pieces of land described as follows to wit the first
piece of land containing two acres and ten rods of land
bounded as follows to wit beginning at a stake and stones
being the South East corner of the party over piece of land
formerly set of as the heirs of Edward Cheney ^{with} 2° North
twenty six rods and fourteen links to the South line of the
road leading from the old stage road to the Oak bed thence
on the South line of said road to the East line of said Meadows
above a stake and stones thence South 2° West twenty five
rods and five links to the place began at ~~affairs~~ at _____ \$36.00
the second piece of Land described as follows containing three
acres and eighty square rods beginning at a stake and stones being
the South West corner of a piece of land set to the heirs
of Edward Cheney Jr. thence South on the East line of old
stage road twenty eight and one half rods to a stake and stones
thence East forty eight rods and twelve links to the North line
of the road leading from the old stage road to the Oak bed thence
East forty one rods and thirty two rods until it comes to a piece
of Land set off by us to Samuel Cheney thence North 2° East on
said Samuel Cheney's land six rods and four tenths of a rod to a
stake and stones thence on the South line of a piece of land set

by us to the heirs of Edward Cherry Jr. West 2^d North
 twenty seven rods to the corners began at appraised at \$63.00
 the third piece of land containing one hundred and eight
 square rods of land and bounded as follows to wit beginning
 at the south West corner of the land heretofore set off as the
 Widows Dower on the West Bank of the river thence East
 2^d South fifty four rods to a stake and stones thence North two
 rods thence West 2^d North fifty four rods to a stake and stones
 standing on the West side of the river thence South two rods to
 the corners began at appraised at \$19.00
 the fourth piece of land together with the house Barn and other
 privileges as named in the Widows Dower set off to said Elijah
 Cherry which land is described as follows beginning at a
 stake and stones standing in the road thence running
 West thence a half rod to a stake and stones thence
 North four rods to a stake and stones thence East thence
 a half rod thence South four rods to the place of
 beginning containing fifty four rods of ground all of which
 is appraised at the sum of - \$90.00

it is understood that the house lot is subject first piece 36.00
 to the minimum claim of the highway and the second piece 63.00
 and corner of the same the third piece 19.00
 \$208.00

Also set off to Abigail Galusha three acres and forty two
 rods of land as one twentieth part of said premises begin-
 ning at a stake and stones in the West line of the old stage
 road it being the North East corner of a piece of land set to Elijah
 Cherry (containing one hundred and eight square rods) thence
 West 2^d North fifty four rods to a stake and stones on the West
 side of the river thence North 3^d East nine rods and nine
 links to a stake and stones thence East 2^d South fifty six
 rods and six tenths of a rod to the West line of the old stage road
 thence on said road to the place of beginning appraised at \$104.50

Also set off to Polly Rowley three acres and fifty seven rods of
 land as one twentieth part of said premises beginning at a stake
 and stones being the North East corner of a piece of land
 we have set off to Abigail Galusha thence West 2^d North fifty six
 rods to a stake and stones standing on the West side of the river
 thence North 3^d East nine rods and nine links to a stake and
 stones thence East 2^d South fifty seven rods and nine links

to a stake and stones in the West line of the old stage road thence
 on the West line of said road nine rods and nine links
 to the corners began at appraised at

to a stake and stones in the West line of the old stage ^{road} ~~thence~~
 on the West line of said road nine rods and nine links
 to the bounds begun at appraised at \$104.04

11th Also set off to the heirs of Betsey Dutton nine
 acres and sixty rods of land as one half of part of said
 Estate bounded as follows beginning at the North East
 corner of a piece of land we have set off to Polly Rowley
 thence West 2nd North fifty eight rods to a stake and stones
 being said Polly's North West corner thence North 3rd East
 nine rods and nine links to a stake and stones being the
 South West corner of a piece of land set by to Elijah Cherry
 thence East 2nd South fifty eight rods to the West line of
 old stage road thence nine rods and nine links to the
 bounds begun at appraised at \$104.04 Betsey Dutton's heirs \$104.04

Polly Rowley	104.04
Abigail Gilester	104.04
Elijah Cherry	208.08
Elysha Cherry	208.08
Edward Cherry's heirs	208.08
Dorcas Cherry's heirs	104.04
Samuel Cherry	208.08
	<u>1248.4</u>

To have and to hold to the heirs of Betsey Dutton Polly Rowley Abigail
 Gilester Elijah Cherry Elysha Cherry the heirs of Edward Cherry
 & the heirs of Dorcas Cherry & to Samuel Cherry to each their
 respective shares of said Estate so divided and set to them
 as aforesaid to their sole use and behoof forever

Given under our hands at Nathan P. Sprague (Comm.
 Brandon this 2nd day of May Daniel Farrington
 1841 Milton June

We the undersigned heirs or agents to the said Estate certify that we have
 examined the same and are satisfied with the aforesaid division

Joseph Dutton

B. Lavenport Agent for Eliza C.
 Ephraim Cherry Jr
 Hail Cherry
 Samuel Cherry
 Hilda K. Cherry
 Elysha Cherry