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# VERMONT HISTORICAL SOCIETY.

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## GENERAL CIRCULAR,

ORDERED JULY 7, 1870.

THE Board of Managers of THE VERMONT HISTORICAL SOCIETY, anxious to extend its influence and promote its success, beg leave to request all those who are interested in its design, to co-operate with them in collecting, preserving and diffusing information relating to the natural and civil history of Vermont in particular, and of American history generally.

The Act of Incorporation of the Society, with the amendments thereto, together with the Constitution and By-Laws, will indicate fully the scope of the Society, and its means of present and prospective usefulness.

It may be proper to say that many rare and most valuable documents and papers belonging to the Society, were destroyed by the fire which burned the State House, in January, 1857. Unluckily, these materials were deposited in an upper room in the capitol, and were not so accessible as the State Library. This unfortunate circumstance is alluded to as a justification for urging all interested to commence with energy the work of collecting *without delay* for future preservation whatever may tend to elucidate the past civil and natural history of the State.

It should be a source of gratification to every Vermonter, that the General Assembly, at the October Session, 1859, passed an act by which a convenient and spacious room in the State House was appropriated to this Society, for the preservation of its Library and Cabinet, and for the business purposes of the Society, inasmuch as such a grant renders nearly impossible the future loss by fire of valuable materials which may be collected under its auspices.

Within the State of Vermont, we have no collection of public documents and natural productions, by which the civil, literary, ecclesiastical and natural history of the State of Vermont can be fully illustrated. It is the design of this Society, and the purpose of the Board of Managers, to supply this desideratum at an early day. Much can be secured *now* that could not be secured a quarter or a half century hence.

We are compelled to rely wholly upon voluntary contributions to the Society's Cabinet and Library. The State has furnished a suitable room for their preservation and exhibition, and we earnestly and confidently appeal to our fellow citizens of Vermont, and literary friends elsewhere, for their generous donations. Experience has fully proved that this

could not be done by individual effort. Nothing but a concert of action and a cultivation of a taste for historical research can accomplish the object.

That all may see the nature of the collection we desire to make, preserve and exhibit, we beg leave to say that we especially desire the following :

1. Journals of the General Assembly ; records of the proceedings of Constitutional and other Conventions and Committees of Safety ; early and recent session laws, and official reports on all subjects which have been published by authority, and especially all journals and early reports made by the Councils of Censors.

2. Reports in regard to crime and health ; statistics of births, deaths, marriages, the deaf, dumb and blind ; accounts of special epidemics ; copies of medical journals and reports ; catalogues of Medical and other Colleges from their start.

3. Histories of towns and counties ; for whom named, together with maps, surveys, charters, and whatever relates to the civil history, topography and geography of the State of Vermont, and especially the events in Indian or early history for which any part of the State is remarkable.

4. Meteorological observations ; reports of geological, mineralogical, botanical and topographical surveys, and everything for publication relating to the natural history of Vermont.

5. The earliest notices of Indian tribes within our boundaries ; their manners and customs, religion and language ; their battles and skirmishes ; the Indian name of rivers, hills, islands, bays and other places, with the traditions attached to the same, together with their monuments and relics, such as arms, implements, works of art, dress, ornament, &c.

6. Sketches of the lives of all eminent and remarkable persons who have lived in Vermont, or were connected with its history ; original journals, letters, documents and papers illustrating the same, or of our ancestors generally. We especially desire to have contributions of narratives and statements of old men and early settlers still living, but who must soon pass away, giving any facts within their knowledge shedding light on our early annals, and including biographical notices and anecdotes of men who were prominent actors in the early history of the State.

7. All works relating to the history of Vermont, its Colleges, Grammar Schools, Academies and Seminaries ; minutes and proceedings of Scientific and Literary Associations, orations, sermons, addresses, tracts, essays, pamphlets, and poems written or delivered on any public occasion, or commemorative of any remarkable event ; magazines, almanacs, registers, reviews, and newspapers from their first introduction into the State.

8. Tables of exports and imports, prices current, reports of maps and railroads, reports of canals, banks, and insurance offices, and Boards of Trade ; notices of the rise and progress of commerce, navigation, agriculture and manufactures of every kind.

9. Militia returns and regulations ; the number, location, and organization of volunteer corps ; the name of field, staff and general officers ; descriptions of all fortifications that have been or are now in existence in the State ; notices of battles and battle fields, and of invasions and depredations since the first discovery of Vermont by Champlain, and of all battles in which Vermonters were engaged.

10. Pamphlets, manuscripts, diaries, narratives, and other writings, illustrative of our early history, of the settlement of the New Hampshire Grants and the controversy in regard thereto ; of the period before the war of 1812, of the war itself, and of the subsequent period, including especially the late Rebellion.

11. Histories and facts bearing upon the history of all the religious denominations, churches and societies in the State, including reports and journals of conventions, synods, conferences, Bible and Colonization societies, associations, and other bodies, and notices of leading bishops, priests, ministers and members.

12. Essays, statements, and papers upon any subject or period in our history, including, also, scientific observations and discoveries.

13. Files, and bound volumes of old newspapers, and copies of every periodical, pamphlet, book, engraving and map, published in the State. We especially desire copies of everything hereafter published in the State, and we propose to preserve complete copies and files of every publication, so far as they are furnished by the publishers, editors or authors.

14. Books, pamphlets, magazines, papers, and maps, illustrative of Vermont and American history, and especially all works on American, Canadian, and Indian history, and books of travel and adventure.

15. Statues, portraits, pictures, engravings, lithographs, autographs, coins, arms, relics, and curiosities of every kind connected with the history of this State, or its distinguished men, and such as illustrate the progress of the fine arts in Vermont.

16. *Every variety of contribution* illustrative of the natural history of Vermont, its mineral wealth, its climate and productions, both vegetable and animal.

To the accomplishment of this purpose, the Board of Managers pledge their untiring effort ; and they beg leave to call public attention to the importance of rendering to the Vermont Historical Society a prompt and earnest support. The Society is not local. Its field of operation is the whole State. The cordial and active sympathy of every Vermonter interested in its objects, we hope, will be enlisted. A large accession to its membership is desirable and necessary to its permanent success ; and the efforts of all are earnestly requested to aid in adding to our list of members. The initiation fee of two dollars, and the annual payment of one dollar into the treasury of the Society, is important as material aid in defraying the pecuniary expenses indispensable to the active operations of the Society ; but of far less importance than to engage a large

number of persons in every County in the State in zealous efforts to advance the objects of the Society. The nature of the collections to be made, and the information to be gathered and preserved, is so varied in its character, that every one can render aid to the Society, if so disposed.

Donors and contributors may rely upon having their contributions and donations duly acknowledged, carefully catalogued, arranged and preserved.

To meet an obvious want, the Society has made provision for occasional special meetings, to enable persons in different sections of the State to attend upon the special meetings of the Society, and to facilitate the economical reception of such donations as may be made to its Library and Cabinet. At all meetings such donations and contributions will be announced, papers of interest will be read, and other measures taken to make the results of the Society's operations known, and to increase public interest therein.

A committee has already been appointed to prepare for publication a volume of the collections of the Society. We hope to be able to print this volume at no distant day, and to publish annual reports, in which shall be embodied papers of interest, and a full account of the Society's condition, collections and operations.<sup>1</sup>

It is impossible, of course, that personal solicitations for membership should be made. Those who desire to become members are requested to send their names to the Treasurer, with the initiation fee of two dollars. We hope that this will be done, that the Board of Managers may have the advantage of their means, and the aid of their sympathy, in the renewal of their labors on behalf of the Society.

Contributions to the Library or Cabinet may be left with any of the Officers of the Society, or be forwarded to the Librarian and Cabinet Keeper, or Recording and Corresponding Secretaries. Duplicates will be used in exchange with kindred associations.

The Board of Managers would respectfully add, that while in the foregoing specifications they have held their own State in special regard, yet they do not limit their collection to topics of local interest. They solicit contributions of everything which can elucidate the history of North America generally, as well as Vermont in particular. They sincerely hope that this call upon the liberality of those who honor Vermont, and desire to perpetuate the faithful records of her organization and existence, will be responded to with an alacrity that will insure the speedy and complete success of the VERMONT HISTORICAL SOCIETY.

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<sup>1</sup> Vol. II may be expected soon, if the funds of the Society warrant publication

## ACTS OF THE GENERAL ASSEMBLY.

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### AN ACT TO INCORPORATE THE VERMONT HISTORICAL AND ANTIQUARIAN SOCIETY.

*It is hereby enacted by the General Assembly of the State of Vermont, as follows :*

SEC. 1. Henry Stevens, of Barnet, in the County of Caledonia, and Oramel H. Smith, Daniel P. Thompson and George B. Manser, of Montpelier, in the County of Washington, and such other persons as have associated and may hereafter associate themselves with them, for the purpose of collecting and preserving materials for the civil and natural history of the State of Vermont, are hereby made a body corporate and politic, by the name of *The Vermont Historical and Antiquarian Society*; and by that name they, and their successors, may sue and be sued; and shall be capable in law to take and hold in fee simple, or otherwise, lands, and tenements, and rents, and hereditaments, not exceeding in the whole, the yearly value of two thousand dollars, exclusive of the building or buildings, which may be actually occupied for the purposes of the said corporation; and they shall also be capable in law, to take, receive and hold, personal estate, to an amount, the yearly value of which shall not exceed the sum of two thousand dollars, exclusive of the books, papers, memorials and other articles composing the library and cabinet of the said corporation; and shall also have power to sell, demise, exchange, or otherwise dispose of all, or part of their lands, tenements, hereditaments and other property, for the benefit of said corporation, and shall also have a common seal, which they may alter at their pleasure, and shall also have power to make by-laws, with suitable penalties, not repugnant to the laws of this State.

SEC. 2. The said corporation shall have power from time to time, as they may think fit, to elect a President and such other officers as they shall judge necessary; and at their first meeting, they may agree upon the manner of calling future meetings, and proceed to execute all, or any of the powers vested in them by this act.

SEC. 3. The library and cabinet of the said corporation shall be kept in the town of Barnet, in the county of Caledonia.

SEC. 4. The said Henry Stevens is authorized to notify the first meeting of the said corporation by an advertisement thereof, under his hand, for three weeks before such meeting, in any newspaper printed in this State.

Approved November 5, 1838.

*Vermont Historical Society.*

## AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE VERMONT HISTORICAL AND ANTIQUARIAN SOCIETY.

*It is hereby enacted, &c.,*

SEC. 1. Section three of "An Act to incorporate the Vermont Historical and Antiquarian Society," requiring that the cabinet and library of the said corporation shall be kept in the town of Barnet, in the county of Caledonia, is hereby repealed.

Approved, November 25, 1858.

## AN ACT ALTERING THE NAME OF THE VERMONT HISTORICAL AND ANTIQUARIAN SOCIETY.

*It is hereby enacted, &c.*

SEC. 1. The Vermont Historical and Antiquarian Society shall hereafter be known as, and called, "*The Vermont Historical Society*," and by that name shall be entitled to the rights and privileges, and subject to the duties granted and imposed by the act incorporating said society, approved Nov. 5, 1838.

SEC. 2. This act shall take effect from its passage.

Approved Nov. 16, 1859.

## AN ACT PROVIDING A ROOM IN THE CAPITOL FOR THE VERMONT HISTORICAL SOCIETY.

*It is hereby enacted, &c.*

SEC. 1. The use of room number nine, used as the general committee room, in the State House, is hereby granted to the Vermont Historical Society, for the preservation of the library, and for the business purposes of said Society; said occupancy, at all times, to be under the direction of the sergeant-at-arms, he being directed to prepare the same for the occupancy aforesaid.

SEC. 2. The occupancy of said room, by the said Vermont Historical Society, shall in no wise interfere with the use of said room by committees of the legislature.

SEC. 3. This act shall at all times be under the control of the legislature, to amend or repeal, at its discretion.

Approved, November 21, 1859.



AN ACT IN RELATION TO THE VERMONT HISTORICAL  
SOCIETY.

*It is hereby enacted, &c.*

SEC. 1. Whenever the Vermont Historical Society shall be dissolved, the books, collections, and all the property thereof shall become the exclusive property of the State of Vermont ; and said society shall have no right or power to sell or dispose of any part of its books or collections, except by way of exchange ; and all such sales or disposal shall be void.

SEC. 2. The Secretary of State, the Auditor of Accounts and the State Librarian shall be *ex officio* members of the Historical Society aforesaid, and of the board of curators thereof.

SEC. 3. The sum of two hundred and fifty dollars is hereby appropriated to aid the said Historical Society in the preservation of its valuable collections, and to put the same in suitable condition for examination and use.

SEC. 4. The aforesaid sum of money shall be paid to the curators of said society on the order of the Governor, and said curators shall settle with the Auditor of Accounts for the expenditure of said sum of money.

SEC. 5. This act shall not take effect until the said society shall by a vote thereof at a meeting regularly called and holden accept of and adopt this act.

Approved, November 9, 1869.

## CONSTITUTION.

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ARTICLE I. This association shall be called "*The Vermont Historical Society*," and shall consist of Resident, Corresponding and Honorary members.

ARTICLE II. The object of the Society shall be to discover, collect and preserve, whatever may relate to the natural, civil, literary and ecclesiastical history of the State of Vermont, and shall comprise three departments: (1.) *The Historical*, having for its object the preservation of whatever relates to the topography, antiquities, civil, literary and ecclesiastical history of the State; (2.) That of *Natural History*, for the formation of a cabinet of natural productions, and more especially those of VERMONT, and for a library of standard works on the natural sciences; and (3.) the *Horticultural*, for promoting a taste for the cultivation of choice fruits and flowers, and also for collecting works on horticulture and agriculture, in connection with the general library.

ARTICLE III. The officers of the Society, to be elected annually, and by ballot, shall be a President, three Vice Presidents, a Recording Secretary, two corresponding Secretaries of foreign and domestic correspondence, a Librarian and Cabinet Keeper, a Treasurer, and seven Curators from different Counties in the State.

ARTICLE IV. There shall be one annual and occasional meetings of the Society. The annual meeting, for the election of officers, shall be at MONTPELIER on the 2nd Tuesday of October; the special meetings shall be at such time and place as the Board of Managers shall determine.

ARTICLE V. All members (Honorary and Corresponding members excepted, with whom it shall be optional,) shall pay, on admission, the sum of two dollars, and an additional sum of one dollar annually.

ARTICLE VI. Members shall be elected upon the recommendation of any member of the Society.

ARTICLE VII. This Constitution may be altered or amended at the annual meeting by a vote of two-thirds of the members present,—provided notice of the proposed change shall have been given at the next preceding annual meeting.

## BY-LAWS.

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### CHAPTER I.

#### OF MEMBERS.

1. Members only shall be entitled to vote, or be eligible to any office.
  2. No persons residing in this State can be a corresponding member. A member on removing from the State may become a corresponding member on giving notice of his removal, and paying all arrears ; and a corresponding member cannot continue such after returning to the State for a permanent residence, but may become a resident member.
  3. No member, who shall be in arrear for two years, shall be entitled to vote, or to be eligible to any office, and any failure to pay annual dues for two consecutive years, after due notice from the Treasurer, shall be considered a forfeiture of membership ; and no person thus expunged from the roll of the Society can be eligible to re-admission without the payment of his arrears.
  4. No person shall be elected a resident member until he shall have previously signified his desire to become such in writing.
  5. The yearly assessment is payable at the annual meeting in October.
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### CHAPTER II.

#### OF OFFICERS AND COMMITTEES.

1. The President, or in his absence, the highest officer present, shall preside at all meetings of the Society, and regulate the order thereof, and be *ex-officio* chairman of the Board of Managers, and, when required, give the casting vote.
2. One of the Vice Presidents, with two Curators, shall be a Committee to manage and superintend the Historical Department. Another Vice President, with two Curators, shall be a Committee to manage and superintend the department of Natural History. The other Vice President, with two Curators, shall be a Committee to manage and superintend the department of Horticulture.
3. It shall be the duty of these Committees to make a written report at the annual meeting in October upon the condition of their respective departments,

4. The Recording Secretary shall keep the minutes of all meetings of the Society in a suitable book, and at the opening of each one shall read those of the preceding one. He shall have the custody of the Constitution, By-Laws, Records and all papers of the Society, and shall give notice of the time and place of all meetings of the Society, and shall notify all officers and members of their election, and communicate all special votes of the Society to parties interested therein. In the absence of the Recording Secretary his duty shall be performed by one of the Corresponding Secretaries.

5. The Corresponding Secretaries shall conduct all the correspondence of the Society. They shall preserve on file the originals of all communications addressed to the Society, and keep a fair copy of all their letters in books furnished for that purpose. They shall read at each meeting the correspondence, or such abstracts from it as the President may direct, which has been sustained since the previous meeting.

6. The Treasurer shall collect, receive and disburse, all moneys due and payable, and all donations and bequests of money or other property to the Society. He shall pay, under proper vouchers, all the ordinary expenses of the Society, and shall deposit all its funds in one of the Vermont Banks, to the credit of the Society, subject to his checks as Treasurer; and at the annual meeting shall make a true report of all moneys received and paid out by him, to be audited by the Committee on Finance provided for hereafter.

7. It shall be the duty of the Librarian and Cabinet Keeper, to preserve, arrange, and keep in good order, all specimens of natural history, books, manuscripts, documents, pamphlets, and papers of every kind, belonging to the Society. He shall keep a catalogue of the same, and take especial care that no book, manuscript, document, paper, or any property of the Society, confided to his keeping, be removed from the room. He shall also be furnished with a book, in which to record all donations and bequests, of whatsoever kind, relating to his department, with the name of the donor, and the time when bestowed.

8. The Curators, with the President, Vice Presidents, Corresponding and Recording Secretaries, Librarian and Treasurer, shall constitute a Board of Managers, whose duty it shall be to superintend the general concerns of the Society. The President shall, from this Board, appoint the following Standing Committees, viz:—On the Library and Cabinet, on Printing and Publishing, and on Finance.

9. The Committee on the Library and Cabinet shall have the supervisory care of all the printed publications, manuscripts, and curiosities. They shall, with the Librarian, provide suitable shelves, cases and fixtures, in which to arrange and display them. The printed volumes and manuscripts shall be regularly numbered and marked with the name of

the "Vermont Historical Society." They shall propose, at the regular meetings, such books or manuscripts pertaining to the object of the Society, as they shall deem expedient, which, when approved, shall be by them purchased, and disposed of as above directed. They shall be required to visit the Library at least once a year, officially—and shall provide a book or books, in which the Librarian and Cabinet Keeper shall keep a record of their proceedings—and be entrusted, in general, with the custody, care and increase, of whatever comes within the province of their appointed duty.

10. The Committee on Printing and Publishing shall prepare for publication whatever documents or collections shall be ordered by the Society; shall contract for, and supervise the printing of the same, and shall furnish the Recording Secretary and Librarian and Cabinet Keeper, with such blank notices, summonses, labels, &c., as may be deemed requisite.

11. The Committee on Finance shall consist of at least one member of each of the former Committees, and shall have the general oversight and direction of the funds of the Society. They shall examine the books of the Treasurer, vouch all accounts of moneys expended, and audit his annual report.

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### CHAPTER III.

#### OF THE CABINET, LIBRARY, &c.

1. All donations to the Cabinet, or Library, when practicable, shall have the donor's name, legibly written or printed, affixed thereto.

2. No article, the property of the Society, shall be removed from the Historical Room without the consent of the Librarian and Cabinet Keeper, or one of the Curators.

3. All donations shall be promptly acknowledged by the Librarian and Cabinet Keeper on behalf of the Society, and shall be specified by that officer in his report to the Society to be made at the annual meeting.

4. The Library and Cabinet Keeper shall make a written report of the condition of the Library and Cabinet at the annual meeting.

5. All reports of Committees must be in writing, and addressed to the President, and shall be recorded by the Recording Secretary, unless otherwise ordered by a vote of the Society.

6. It shall be deemed the duty of all members, if convenient, to contribute to the Library and Cabinet such papers, pamphlets, books (rare

or out of print), which possess historical interest, and such natural products as may illustrate the natural history of the State.

7. The Society shall appoint at the annual meeting one of the Resident, Corresponding or Honorary Members of the Society, to deliver an historical discourse at the succeeding annual meeting, and invite members of the Society to prepare papers relating to distinguished Vermonters, or the civil and natural history of Vermont, to be read at the annual or special meetings of the Society, which papers shall be preserved, by the Recording Secretary, for the use of or publication in the Transactions of the Society.

8. Notices of the death of such members of this Historical Society, and eminent Vermonters, as may de cease during the year preceding the annual meeting of the Society, shall be prepared under the direction of the Board of Managers and be read at the annual meeting, and be deposited in the archives of the Society for future use and reference.

R U L E S   O F   O R D E R  
OF THE MEETINGS OF THE  
VERMONT HISTORICAL SOCIETY.

- I. Every meeting shall be opened with prayer.
- II. At each meeting the Recording Secretary shall enter on the minutes the names of members who are present.
- III. At each annual meeting the order of business shall be as follows :
  1. The election of officers for the year ensuing.
  2. The reports of Standing Committees.
  3. The report of the Treasurer.
  4. The report of the Librarian and Cabinet Keeper.
  5. Recommendation and election of Honorary, Corresponding and Resident members.
  6. Notices of the death of members and prominent Vermonters who have died during the year.
  7. Motions, Resolutions and Miscellaneous business.
  8. The reading, correcting and approving the Minutes.

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The order of business of special and adjourned meetings shall be as follows :

1. The reading, correcting and approving the Minutes of the preceding meeting.
2. Reports from Committees.
3. Unfinished business.
4. Motions, Resolutions and Miscellaneous business.

OFFICERS  
OF THE  
VERMONT HISTORICAL SOCIETY,

ELECTED OCTOBER, 19, A. D. 1870.

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PRESIDENT,  
GEORGE F. HOUGHTON,\* St. Albans.

VICE PRESIDENTS,  
WILLIAM H. LORD, D. D., Montpelier,  
JOHN W. PHELPS, Brattleboro,  
GEORGE W. BENEDICT, Burlington.

RECORDING SECRETARY,  
HENRY CLARK, Rutland.

CORRESPONDING SECRETARY,  
ALBERT D. HAGER, Proctorsville.

TREASURER,  
HERMAN D. HOPKINS, Montpelier.

LIBRARIAN,  
CHARLES REED, Montpelier.

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**BOARD OF CURATORS,**  
HAMPDEN CUTTS, Brattleboro,  
CHARLES REED, Montpelier,  
GEORGE GRENVILLE BENEDICT, Burlington.  
PHILANDER D. BRADFORD, Northfield.  
CHARLES S. SMITH, Montpelier,  
JOHN R. CLEVELAND, Brookfield.  
ORVILLE S. BLISS, Georgia.

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**PRINTING AND PUBLISHING COMMITTEE,**  
HILAND HALL, No. Bennington,  
CHARLES REED, Montpelier.  
GEORGE F. HOUGHTON,\* St. Albans.

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All donations of Books, Pamphlets or Newspapers, should be addressed to Hon. CHARLES REED, Librarian, Montpelier.

\* Deceased, September 22, 1870.



## RESIDENT MEMBERS OF THE SOCIETY.\*

- Allen, Joseph D., Burlington.  
 Atkins, Hiram, Montpelier.  
 Baldwin, Hon. Daniel, Montpelier.  
 Barrett, Hon. James, Woodstock.  
 Barrett, Rockwood, Woodstock.  
 Benedict, Hon. George W., Burlington.  
 Benedict, Hon. Geo. Grenville, Burlington.  
 Bigelow, George II., Burlington.  
 Bisbee, L. H., Newport.  
 Bliss, Charles M., Bennington.  
 Bowen, Charles, Tarrytown, N. Y.  
 Bradford, Hon. P. D., Northfield.  
 Brigham, G. N., Montpelier.  
 Canfield, Thomas H., Burlington.  
 Catlin, M. B., Burlington.  
 Clarke, Col. Albert, St. Albans.  
 Clark, Henry, Rutland.  
 Cleaveland, Hon. J. R., Brookfield.  
 Cutting, H. A., Lunenburg.  
 Daniels, Luther, Rutland.  
 Davey, Chalou F., New York city.  
 Dewey, Hon. Charles, Montpelier.  
 Dillingham, Hon. Paul, Waterbury.  
 Dougherty, Rev. J. H., Johnson.  
 Dutcher, Luther L., St. Albans.  
 Edmunds, Hon. George F., Burlington.  
 Emery, J. C., Montpelier.  
 Fairbanks, Hon. Horace, St. Johnsbury.  
 Fairbanks, Col. Franklin, St. Johnsbury.  
 Fiske, Rev. Pliny B., Lyndonville.  
 Flagg, J. H., Bennington.  
 Fletcher, Hon. Ryland, Proctorsville.  
 Fox, Dr. G. H., Wallingford.  
 Gage, Rector, Addison.  
 Gay, C. M., Boston, Mass.  
 Graves, Rev. George, Cambridge, N. Y.  
 Hagar, Hon. A. D., Proctorsville.  
 Hall, Hon. Hiland, North Bennington.  
 Hall, George C., Brattleboro.  
 Harlow, Hon. Hiram, Windsor.  
 Harrington, Hon. Giles, East Alburgh.  
 Heath, Hon. Charles H., Plainfield.  
 Heaton, Hon. H. W., Montpelier.  
 Higgins, J. E., Brandon.  
 Hinkley, Lyman G., Chelsea.  
 Hopkins, Col. H. D., Montpelier.
- Houghton, Hon. George F., St. Albans.†  
 Howard, Rev. Dr. R. S., Northfield.  
 Hutchinson, Hon. James, Jr., W. Randolph.  
 Hunt, Roswell, Northampton, Mass.  
 Kellogg, Hon. Loyal C., Benson.  
 Kellogg, Newton, Rutland.  
 Lord, Rev. Dr. William H., Montpelier.  
 Lyman, Job, Burlington.‡  
 Merrill, Col. George A., Rutland.  
 Morrill, Hon. Justin S., Strafford.  
 Needham, Hon. Daniel, Groton Junc., Mass.  
 Oreutt, J. H., Northfield.  
 Page, Hon. John B., Rutland.  
 Park, Hon. T. W., North Bennington.  
 Parker, Rev. C. C., Gorham, Maine.  
 Perry, Rev. J. B., Cambridge, Mass.  
 Phelps, Hon. J. H., Townshend.  
 Pingree, Hon. William M., Perkinsville.  
 Poland, Hon. Joseph, Montpelier.  
 Poland, J. M., Montpelier.  
 Pomeroy, Hon. John N., Burlington.  
 Pond, E. A., Rutland.  
 Post, A. H., Hinesburgh.  
 Read, David, Burlington.  
 Reed, Hon. Charles, Montpelier.  
 Rich, Davis, Richville.  
 Robbins, F. C., Ludlow.  
 Rounds, Maj. William, Chester.  
 Scott, G. H., Vergennes.  
 Smalley, Hon. D. A., Burlington.  
 Smith, Rev. Charles S., Montpelier.  
 Smith, W. H., Rutland.  
 Stansbury, Hon. Edward A., New York city.  
 Starr, Hon. Parley, Whitingham.  
 Strong, Mrs. Moses, Rutland.  
 Taft, Hon. R. S., Burlington.  
 Thrall, R. R., Rutland.  
 Tyler, Rev. Dr. G. P., Brattleboro.  
 Underwood, Hon. Levi, Burlington.  
 Walton, Hon. E. P., Montpelier.  
 Wells, Samuel, Montpelier.  
 Wilder, Hon. John, Weston.  
 Williams, Samuel, St. Albans.  
 Wilson, Hon. W. C., St. Albans.  
 Woodward, A. T., Brandon.  
 Wyman, Charles, St. Albans.

\*This list embraces such persons as have been admitted as Resident Members (some of whom have subsequently changed their residence) and have paid all dues to October, 1870.

† Deceased, September 22, 1870.

‡ Deceased, September 10, 1870.



C O N V E N T I O N S

OF THE INHABITANTS OF THE

NEW HAMPSHIRE GRANTS

IN OPPOSITION TO THE


CLAIMS OF NEW YORK

WITH NOTES AND EXPLANATIONS.



# CONVENTIONS.

1765-1777.



PRIOR to the year 1765 it was understood, in both England and America, that the territory now comprising the State of Vermont constituted a part of the province of New Hampshire. That such was the case is fully shown by the acts and correspondence of the officers of the crown, and by the English and American maps of the period.<sup>1</sup>

In accordance with the above understanding, Benning Wentworth, governor of New Hampshire, commenced granting lands, in the name of the crown, to the westward of the river Connecticut, in 1749, and continued making such grants till 1764, when over one hundred and thirty townships, each of about six miles square, had been granted. The grantees were New England men, who, by the beginning of the year 1765, had made settlements in many of the townships, and had spread themselves over a considerable extent of country. By a proclamation of Cadwallader Colden, lieutenant governor of New York, bearing date April 10, 1765, the settlers were notified that the western bank of Connecticut river, by order of the king in council of the 20th of July preceding, was to be the boundary between his two provinces of New York and New Hampshire.<sup>2</sup>

Lieutenant Governor Colden immediately commenced making grants of land in the newly acquired territory, and by the first of November following his patents covered a large portion of the lands occupied by the settlers on the west side of the Green Mountains, the patentees being New York city speculators.<sup>3</sup>

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<sup>1</sup> For the evidence of this, see *Hiland Hall's Early History of Vermont*, chap. I to VI inclusive.

<sup>2</sup> *H. Hall's Vt.*, chap. VIII, p. 77-84.

<sup>3</sup> *H. Hall's Vt.*, chap. VIII, p. 77-80.

1765. In the fall of this year a convention of the settlers of the towns of Pownal, Bennington, Shaftsbury, Arlington, Sunderland, Manchester and Danby appointed Samuel Robinson, Esq., of Bennington, and Jeremiah French, of Manchester, their agents to repair to New York, to solicit from the newly appointed Governor, Sir Henry Moore, his protection against the New York patents; but their efforts were without success.<sup>1</sup>

1766. In the autumn "the settlers called a convention of representatives of the several towns on the west side of the Green Mountains, who, on mature deliberation, agreed to send an agent to the court of Great Britain, to state to the king and council, the illegal and unjust proceedings of the governor of New York, and to obtain redress of their grievances, and they appointed Samuel Robinson, Esq., as their agent."<sup>2</sup>

On the application of Mr. Robinson, and upon a report of the board of trade concerning the territory to the westward of Connecticut river, which had been claimed by New Hampshire, an order of the king in council was made on the 24th of July, 1767, by which the governor of New York was required and commanded that he should not, "upon pain of his majesty's highest displeasure, presume to make any grant whatsoever of any part of the lands described in said report, until his majesty's further pleasure should be known concerning the same."<sup>3</sup>

The foregoing order was obeyed during the administration of governor Moore, but after his death, in the fall of 1769, it was wholly disregarded, and grants of the prohibited land were freely made by the succeeding governors until the revolutionary period. The whole quantity of land granted, in direct violation of this order, exceeded two million of acres.<sup>4</sup>

Numerous suits in ejectment were brought by the New York patentees against the settlers, which were tried before the supreme court at Albany in June, 1770. The court refused to allow the

<sup>1</sup> *H. Hall's Vt.*, p. 86. *Doc. His. New York*, Vol. IV, p. 584, 1027.

<sup>2</sup> *Ira Allen's History of Vermont*, p. 21.

<sup>3</sup> *Slade's State Papers*, p. 20. *H. Hall's Vt.*, chap. IX.

<sup>4</sup> *H. Hall's Vt.*, chap. X.

New Hampshire charters to be read in evidence to the jury, and rendered judgment for the plaintiffs in all the cases.<sup>1</sup>

1770. On the return of the defendants from the Albany trials, "A convention of the people met and passed a resolution to support their rights and property under the New Hampshire Grants, against the usurpation and unjust claims of the governor and council of New York, *by force*, as law and justice were denied them."<sup>2</sup>

#### COMMITTEES OF SAFETY.

In accordance with this determination, committees of safety, before the close of the year 1770, had been generally appointed by the several towns west of the Green Mountains, whose business it was to attend to their defense and security against the New York claimants. These committees afterwards met, from time to time as occasion seemed to demand, in general convention to consult upon and adopt measures for their common protection. Few records of these conventions have been preserved, and there were doubtless some, perhaps many such conventions, of which not even the times and places of their assembling can now be known.

1771. At one of these conventions, in 1771, "A resolution was passed that no officer from New York be allowed to carry out of the district of the New Hampshire Grants any person, without permission of the committee of safety, or of the military commanders. Surveyors of land, under New York, were forbid to run any lines within the Grants; transgressors in this point were to be punished according to the judgment of a court formed among the elders of the people or military commanders."<sup>3</sup>

"The convention met again and passed a decree forbidding all persons taking grants, or confirmation of grants, under the governor of New York."<sup>4</sup>

<sup>1</sup> *H. Hall's Vt.*, chap. x and xi.

<sup>2</sup> *I. Allen's Vt.*, p. 25.

<sup>3</sup> *I. Allen's Vt.*, p. 26, 27. *H. Hall's Vt.*, 127, 130, and *Surveyor Cockburn's letter of Sept. 10, 1771*, p. 130. *Doc. His. of New York*, Vol. iv, p. 712, 762.

<sup>4</sup> *I. Allen's Vt.*, p. 28.

On a report that governor Tryon was on his way to Bennington with a body of regular troops to subdue the settlers, a convention of the committees and military leaders was called, at which it was resolved to defend their possessions by force of arms.<sup>1</sup>

1772.  
April. A convention at Bennington, on taking into consideration a letter from governor Tryon to reverend Mr. Dewey, inviting the settlers to send persons to New York, to state the grounds of their opposition to the government, and encouraging them to hope for a redress of their grievances, appointed Stephen Fay and Jonas Fay agents for that purpose.<sup>2</sup>

1772.  
July 15. A convention of the committees of several townships assembled at Bennington to hear the report of their agents to New York, when their doings were approved with great rejoicing, as appears by the following account, published in the *Connecticut Courant*, bearing date August 22, 1772 :

After our agents received copies of the minutes of Council and also a letter from his Excellency, purporting his approbation and compliance therewith, they returned to Bennington with great joy, warned a meeting of that town and the adjacent country, which was held on the 15th of July ultimo, and before a large auditory of people, the copy of the minutes of Council was read and also his Excellency's letter of compliance with the same, which diffused universal joy through the country of the New Hampshire Grants ; and the people were at a strife in doing the most exalted honor to Governor Tryon. And having at Bennington a cannon, it was discharged sundry times in honor of his Excellency and his Majesty's Honorable Council, and after the report of the cannon each several times, the whole audience gave a huzza in acclamation, good will, gratitude and vocal honor to Governor Tryon. And Captain Warner's company of Green Mountain Boys under arms, fired three volleys of small arms in concert and aid of the glory. His Majesty's health, also a health to his Excellency and his Majesty's Honorable Council was drunk, with full flowing

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<sup>1</sup> *I. Allen's Vt.*, p. 32. *H. Hall's Vt.*, p. 138. *Doc. His. N. Y.*, Vol. IV, p. 778.

<sup>2</sup> *I. Allen's Vt.*, 37, 38. *Slade's State Papers*, p. 23.



bowls, and confusion to Duane and Kempe and their associates, hoping peace and plenty may abound.

<sup>1772.</sup>  
Aug. 27. A convention of the committees of the towns of Bennington, Sunderland, Manchester, Dorset, Rupert, Wells, Pawlet, Poultney, Castleton, Pittsford and Rutland, was held at Manchester, to take into consideration a letter of censure from governor Tryon, of the 11th of that month, by which convention an answer to the letter was returned, justifying the conduct of the settlers of which Tryon's letter complained.<sup>1</sup>

<sup>1772.</sup>  
Oct. 21. A convention was held at Manchester, at which it was resolved to send again to England, and represent the grievances of the New Hampshire settlers and claimants to the King; and Jehiel Hawley, of Arlington, and James Breakenridge, of Bennington, were appointed agents for that purpose.<sup>2</sup>

<sup>1774.</sup>  
March 1. A general meeting of the committees of the several townships on the west side of the Green Mountains was held at the house of Eliakim Wellers, in Manchester, on Tuesday, the 1st day of March, 1774, and afterwards by adjournment at the house of Captain Jehiel Hawley, in Arlington, on the third Wednesday (16th) of the same month, to take into consideration the hostile resolves of the New York Assembly, of the 5th of the preceding February, at which an address to the public was prepared and adopted, giving a clear statement of the grounds of their opposition to the New York government, and declaring their fixed determination to maintain their possessions, and protect those among them who were proscribed by the New York resolutions, at all hazards; and to punish with death whoever should attempt to capture them.<sup>3</sup>

<sup>1</sup> The letter of Tryon and the answer of the convention are found in full in *Slade's State Papers*, p. 28-33.

<sup>2</sup> *Doc. His. of N. Y.*, Vol. IV, p. 800, 802. *H. Hall's Vt.*, 104, 147.

<sup>3</sup> *I. Allen's Vt.*, p. 49-51. For the address in full, see *Slade's State Papers*, p. 37-42.

A convention was also held at Manchester, on the 12th and 13th of April, 1774, soon after the publication of the New York act of outlawry, of the 9th of the preceding month, at which further defensive measures against New York were resolved upon; but of which no regular account has been preserved.<sup>1</sup>

Among their proceedings was a resolve forbidding any person to act as an officer under a commission from the New York government, as appears from a copy of a paper delivered to Benjamin Hough, a New York justice of the peace, and which is found in an affidavit made by him in New York city, August 24, 1774.

The paper delivered him was as follows:

*Gentlemen:* The following is proposed, whether it be your minds that any person or persons in the New Hampshire Grants, under the present situation of affairs, that have or shall presume to take commission or commissions of the peace, shall, by the grantees in general, be deemed an enemy to their country and common cause, until his majesty's pleasure in the premises be further known. Passed in the affirmative—all yeas, no nays; at a general meeting holden at Manchester, the 12th day of April, A. D. 1774, and by adjournment to the 13th.

Per JONAS FAY, Clerk of the said meeting.<sup>2</sup>

On January 31, 1775, a convention was holden at Manchester, in which the following towns were represented, viz.:

Bennington, Shaftsbury, Arlington, Sunderland, Manchester, Dorset, Rupert, Pawlet, Wells, Poultney, Castleton, Danby, Tinmouth, Clarendon, Rutland, Pittsford, Neshobe, Shoreham, Bridport, Addison, Panton, Ferrisburgh, Colchester, Wallingford and Georgia—twenty-five in number.

The only information in regard to this convention, that has been found, is derived from a petition of Peleg Sunderland to the General Assembly at Manchester, and the report of a committee thereon made March 7, 1787. From the petition and report, it appears that the convention took into consideration the claims of

<sup>1</sup> *I. Allen's Vt.*, p. 35, 49-51.

<sup>2</sup> *Doc. His. N. Y.*, Vol. IV, p. 881.

Seth Warner, Gideon Warren, Robert Cochran, Elnathan Hubbell, and the said Peleg Sunderland, for their services and expenditures in the common cause against the New York claimants; and, on the report of a committee, found due to Sunderland seventy pounds and one-half penny, which the convention assessed in different sums upon seven of the towns, but which had not been paid.<sup>1</sup>

A convention of committees of the inhabitants on the east side of the Green Mountains was held at Westminster, on the 11th of April, 1775, at which the conduct of the New York government was condemned, and it was resolved to petition the king to be either annexed to some other government, or formed into a new one.<sup>2</sup>

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## REGIMENT OF GREEN MOUNTAIN BOYS.

The Continental Congress having by resolution, on the 23d of June, 1775, recommended the employment in the army of "those called Green Mountain Boys under such officers as they should choose," and Gen. Schuyler being directed by the New York Congress to procure from them a list of officers for a battalion of troops, a convention of committees of the towns was called, whose proceedings were as follows :

At a meeting of the committees of the several townships on the New Hampshire Grants, west of the range of the Green Mountains, convened at the house of Mr. Cephas Kent, innholder, in the township of Dorset, July 26, 1775, voted as follows, viz.:

1<sup>st</sup>. Chose Mr. Nathan Clark Chairman.

2<sup>d</sup>. Chose John Fassett Clerk.

3<sup>d</sup>. The motion being made and seconded whether the conven-

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<sup>1</sup> See *Petition and Assembly Journal*.

<sup>2</sup> See proceedings in *Slade's State Papers*, p. 60. *H. Hall's Vt.*, p. 184-196.

tion shall prosecute in choosing Field and other Officers, according to the Provincial Congress and Gen. Schuyler's directions, passed in the affirmative.

Then proceeded as follows :

4<sup>th</sup>. Chose Mr. Seth Warner Lieutenant Colonel for the regiment of Green Mountain Boys by a majority of forty-one to five.

5<sup>th</sup>. Chose Mr. Samuel Safford Major for said regiment by a majority of twenty-eight to seventeen.

Then proceeded and chose seven Captains and fourteen Lieutenants, by a great majority, viz.:

<i>Captains.</i>	<i>First Lieutenants.</i>	<i>Second Lieutenants.</i>
Weight Hopkins,	John Fassett,	John Noble,
Oliver Potter,	Ebenezer Allen,	James Claghorn,
John Grant,	Barnabas Barnum,	John Chipman,
William Fitch,	David Galusha,	Nathan Smith,
Gideon Brownson,	Jellis Blakeley,	Philo Hard,
Micah Vail,	Ira Allen,	Jesse Sawyer,
Heman Allen.	Gideon Warren.	Joshua Stanton.

NATHAN CLARK, *Chairman.*

A copy of the above was sent to Gen. Schuyler with a letter as follows :

MAY IT PLEASE YOUR HONOR:—In compliance with the orders of Congress, as well as your recommendation, I enclose the proceedings of our committee meeting on the New Hampshire Grants, upon due notice to the towns in general—all which is humbly submitted to your wisdom, not doubting but the warrants will issue agreeable to our wishes.

We are your most obedient,

In behalf of the committee,

NATHAN CLARK, *Chairman.*<sup>1</sup>

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<sup>1</sup> *Journal of New York Congress*, July 1, 4, and August 15, 1775.

## THE DORSET CONVENTION

OF JANUARY 16, 1776.

The following call of the Convention and Journal of its proceedings is from a manuscript copy in the possession of Hon. JAMES H. PHELPS, of West Townshend, made by him from an official copy certified by Jonas Fay, clerk. It is not known to have ever been in print :

### WARRANT.

ARLINGTON, 10th Dec'r., 1775.

Whereas, there has been several warrants or notifications sent up the country for a general meeting on the N. Hampshire Grants to be held at Mr. Cephas Kent's, in Dorset, on the first Wednesday of January next, and as it was thought very necessary that Col. Seth Warner with others should attend the said meeting, and their business being such that they could not attend at that time :

This is therefore to warn the inhabitants on the said N. Hampshire Grants west of the range of Green Mountains, to meet together by their Delegates from each town at the House of Mr. Cephas Kent's in said Dorset on the sixteenth day of January next, at nine o'clock in the morning, then and there to act on the following articles, (viz :) .

1<sup>st</sup>. To choose a Moderator or Chairman for said meeting.

2<sup>d</sup>. To choose Clerks for said meeting.

3<sup>l</sup>. To see if the Law of New York shall have free circulation where it doth infringe on our properties, or Title of Lands, or Riots (so called) in defense of the same.

4<sup>th</sup>. To see if the said Convention will come into some proper regulations, or take some method to suppress all schismatic Mobbs that have, or may arise on said Grants.

5<sup>th</sup>. To see if they will choose an Agent, or Agents to send to the Continental Congress.

6<sup>th</sup>. To see whether the Convention will consent to associate with N. York, or by themselves in the cause of America.

By order of

MOSES ROBINSON,	} <i>Committee.</i>
SAMUEL ROBINSON,	
SETH WARNER,	
JEREMIAH CLARK,	
MARTIN POWELL,	
DANIEL SMITH,	
JONATHAN WILLARD,	

N. HAMPSHIRE }  
GRANTS. }

DORSET, January 16, 1776.

At a Meeting of the Representatives of the several towns in N. Hampshire Grants, the West side the Range of Green Mountains, held this day at the House of Mr. Cephas Kent's, Innholder in said Dorset: Proceeded as follows, viz:

1<sup>st</sup>. Made choice of Capt. Joseph Woodward, Chairman.

2<sup>d</sup>. Made choice of Doct. Jonas Fay, Clerk.

3<sup>d</sup>. Made choice of Col. Moses Robinson, Messrs. Samuel McCoon and Oliver Everts, Assistant Clerks.

4<sup>th</sup>. Made choice of Messrs. Thomas Ashley, William Marsh, Heman Allen, Abel Moulton, Moses Robinson, John McLane, Gamaliel Painter, James Hurd and Joseph Bowker, a Committee to examine and report their opinion to the Convention, relative to the third article in the warrant.

Adjourned to 3 o'clock, P. M.

Met at time and place.

*Voted*, To make an addition of four persons to the above Committee.

*Voted*, To reconsider the two last votes, and to discourse the matter for which they were appointed in publick Meeting.

*Voted*, That the paper with a number of signers exhibited to this Convention relative to Capt. Bowker's character, be ordered to lay on the table, till further order.

*Voted*, That two persons from each Town in the Grants (who are present) be allowed to vote in this Meeting, and no more.

Adjourned to 8 o'clock to-morrow morning.

January 17, 1776.—Met at time and place.

Made choice of Capt Heman Allen, Capt. Joseph Bowker, Col. Moses Robinson, John McLane, and Col. Timothy Brownson as a Committee to report their opinion relative to the number of Committee men each Town in the Grants shall be allowed.

#### REPORT OF THE FOREGOING SUB-COMMITTEE.

Your Committee beg leave to report as their opinion, that the several Towns in the Grants hereafter named, be allowed the number of Members set against the name of each town, and that each other inhabited town in the said Grants be allowed one, or more or less votes in proportion to the number such deputed Member or Members shall represent.

<i>Towns' Names.</i>	<i>No. votes allowed.</i>	<i>Towns' Names.</i>	<i>No. votes allowed.</i>
Pownall,	4	Clarendon,	4
Bennington,	7	Rutland,	3
Shaftsbury,	4	Pittsford,	2
Arlington,	3	Rupert,	2
Sunderland,	2	Pawlet,	1
Manchester,	4	Wells,	1
Dorset,	2	Poultney,	2
Danbee,	3	Castleton,	2
Timmouth,	2	Neshobee,	1

JOSEPH BOWKER, *Chairman Sub-Committee.*

A true Copy, Examined,  
By JONAS FAY, *Clerk.*

The above report being read was voted and accepted *Nem. Con.*

*Voted,* To represent the particular case of the Inhabitants of the N. Hampshire Grants to the honorable the Continental Congress by Remonstrance and petition.

*Voted,* That Lt. James Breckenridge, Capt Heman Allen and Doct. Jonas Fay be, and they are hereby appointed to prefer said petition.

*Voted,* That Doct. Jonas Fay, Col. Wm. Marsh and Mr. Thomas Rowley be a Committee with the above delegates to prepare the said Remonstrances and Petition.

*Voted, Nem. Con ,* to pay the above agents their Reasonable costs for their services on their return and exhibiting their accounts.

*Voted,* Messrs. Simeon Hathaway, Elijah Dewey, and James Breckenridge, or either two of them be, and are hereby appointed a Committee with power to warn a General Meeting of the Committees on the Grants when they shall judge necessary from Southern intelligence.

And that Col. John Strong, Zadock Everest and Asahel Ward be a like Committee with like power of warning such General Meeting of Committees in the Grants when they shall judge necessary from northern intelligence.

*Voted,* That the several Committees of Correspondence continue their duty as usual.

Lastly voted to Dissolve the Meeting.

pr JOSEPH WOODWARD, *Chairman.*

Errors Excepted.

True Copy examined.

pr JONAS FAY, *Clerk.*

Cash received for the purpose of Defraying the charges of the Delegates appointed to attend Congress.

	L. M.
Poultney.....	0- 6-4
Pittsford.....	0- 6-0
Rupert.....	0-10-1
	<hr style="width: 100%; border: 0.5px solid black;"/>
	£1- 2-5

Received pr.  
JONAS FAY, *Clerk.*

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## THE DORSET CONVENTION

OF JULY 24, 1776,

The following call of the Convention and Journal <sup>1776.</sup> of its proceedings is from the manuscript copy of the <sub>July 24.</sub> Hon. JAMES H. PHELPS. The petition to Congress is in *Slade's State Papers*, page 61-64. That portion of the journal which relates to, and includes the association for defense against "the British fleets and armies," was published in the *Connecticut Courant* of February 17, 1777, and is also found in Force's *American Archives*, Vol. I of the 5th series, at page 565. Neither the call of the Convention nor the residue of the Journal is believed to have ever been printed :

### WARRANT.

24th June, 1776.

These are to warn the several Inhabitants of the N. Hampshire Grants on the West side, and to desire those on the east side the Range of Green Mountains, That they meet by their several delegates in General Convention, to be held at the dwelling House of Mr. Cephas Kent, innholder in Dorset, on Wednesday, the twenty-fourth day of July next at 8 o'clock in the forenoon, to act on the following articles (viz :)—

1<sup>st</sup>. To choose a Moderator, and secondly a Clerk for said Convention.

3<sup>d</sup>. To receive the report of Capt. Heman Allen from the



Continental Congress, he having been previously appointed to transact business in behalf of the inhabitants of said Grants.

4<sup>th</sup>. To know the minds of the Convention, relative to their associating with the province of N. Hampshire.

5<sup>th</sup>. In case the last article be objected to: Whether said Convention will agree to an association (not repugnant to that of the Continental Congress) and subscribe thereto, to do duty in conjunction with the Continental Troops (only) as Members of the District of Land which they inhabit.

6<sup>th</sup>. To see if said Convention will earnestly recommend it to the several Field Officers heretofore nominated on said Grants, to see that their men be forthwith furnished with suitable arms, ammunition and accoutrements, &c., agreeable to a resolve of the hon<sup>ble</sup> the Continental Congress.

7<sup>th</sup>. To see if said Convention will make preparation, and settle with Capt. Heman Allen for his expenses and services for the publick.

And<sup>st</sup>, to transact any other business that shall be thought necessary and in the power of s<sup>d</sup> Convention for the safety of the liberties of the Colonies in General and the N. Hampshire Grants in particular.

JAMES BREAKENRIDGE, }  
 SIMEON HATHAWAY, } *Committee Appointed.*  
 ELIJAH DEWEY, }

Copy examined,  
 pr JONAS FAY, *Clerk.*

DORSET, July 24th, 1776.

In consequence of the foregoing Warrant, the following persons, being Delegated, met at this place to transact the business of s<sup>d</sup> warning, (viz:)

<i>Towns' Names.</i>	<i>Delegates' Names.</i>	<i>Towns' Names.</i>	<i>Delegates' Names.</i>
<i>Pownall,</i>	Capt. Sam'l Wright.	<i>Pawlet,</i>	{ Capt. Wm. Fitch, Maj. Roger Rose.
<i>Benning-</i>	{ Simeon Hathaway, Jonas Fay, Jno. Burnam, Jr.	<i>Wells,</i>	{ Daniel Culver, Ogden Mallory.
<i>Shafts-</i>	{ Maj. Jeremiah Clark, Mr. John Burnam.	<i>Poult-</i>	{ Nehemiah Howe, William Ward,
<i>Sunder-</i>	{ Joseph Bradley.	<i>Castle-</i>	{ Ephraim Buell, Jesse Belknap.
<i>Man-</i>	{ Col. Wm. Marsh, Lt. Martin Powell, Gideon Ormsby.	<i>Hubber-</i>	{ Benja. Hitchcock.
<i>Dorset,</i>	{ John Manley, Abr'm Underhill.	<i>Williston,</i>	Col. Thos. Chittenden.
<i>Rupert,</i>	{ Reuben Harmon, Amos Curtis.	<i>Jerico,</i>	Brown Chamberlain.
		<i>Colchester,</i>	Ira Allen.

<i>Towns' Names.</i>	<i>Delegates' Names.</i>	<i>Towns' Names.</i>	<i>Delegates' Names.</i>
<i>Hines-</i>	{ Isaac Lawrence.	<i>Danbee,</i>	{ Capt. Micah Veal,
<i>burgh</i>		{ William Gage.	
<i>and</i>	{ John Mott.	<i>Towns-</i>	{ Capt. Samuel Fletcher,
<i>Monkton</i>		{ Josiah Fish.	
<i>Neshobee,</i>	{ Aaron Parsons,	<i>Middle-</i>	{ Capt. Heman Allen.
	{ Jona. Rowley,	<i>borough,</i>	{ John Gage.
	{ Jonathan Fassett.	<i>Sudbury,</i>	Samuel Benton.
<i>Rutland,</i>	{ Asa Johnson,	<i>Bridport,</i>	Col. John Strong.
	{ Joseph Bowker.	<i>Addison,</i>	James Bentley.
<i>Clarendon,</i>	Thomas Braten.	<i>Cornwall,</i>	{ Lemuel Bradley.
<i>No. Wal-</i>	{ Matthew Lyon,	<i>Burling-</i>	{ Thomas Morgan.
<i>lingford,</i>	{ Abr'm Jackson.	<i>ton,</i>	
<i>Tin-</i>	{ Eben'r Allen,	<i>Stamford,</i>	
<i>mouth,</i>	{ Stephen Royce.		

*Voted*, Unanimously, that the above persons be admitted as legal members of this Convention.

Copy examined.

pr JONAS FAY, *Clerk*.

#### PROCEEDED—(VIZ.)

Chose Capt. Joseph Bowker, Chairman.

Chose Doct. Jonas Fay, Clerk.

After which on a motion being made and agreed to by the House the Clerk proceeded to read the following address, Remonstrance and Petition of the Inhabitants of the N. Hampshire Grants to the honorable the Continental Congress, which was exhibited to that board by Capt. Heman Allen in the latter part of the month of April, or in the beginning of the month of May, A.D. 1776, (viz.)

*To the Honorable John Hancock, Esq'r., President of the honorable the Continental Congress, &c., &c., now assembled at Philadelphia:—*

The Humble Address, Remonstrance and Petition of that part of America being situated south of Canada line, West of Connecticut River, North of the Massachusetts Bay, and East of a twenty mile line from Hudson's River, commonly called and known by the name of the N. Hampshire Grants,—Humbly Sheweth,

That your honor's Petitioners being fully sensible and duly affected with the very alarming situation in which the united colonies are involved, by means of a designing Ministry, who have flagrantly used, and are still using their utmost efforts to bring the

inhabitants of this very extensive continent of America, into a base and servile subjection to Arbitrary Power; Contrary to all the most sacred ties of Obligation by Covenant, and the well known Constitution by which the British Empire ought to be governed; your Petitioners, not to be prolix or waste Time, when the whole Continent are in so disagreeable situation, would however beg leave to Remonstrate in as short terms as possible the very peculiar situation in which your petitioners have for a series of years been exercised, and are still struggling under.

Perhaps your honors, or at least some of you, are not unacquainted, that at the conclusion of the last War, the above described premises, which your petitioners now inhabit, was deemed and reputed to be in the province of New-Hampshire, and consequently within the jurisdiction of the same. Whereupon applications were freely made to Benning Wentworth, Esq., the then Governor of the province of N. Hampshire, who, with the advice of his council, did grant under the Great Seal of said province to your honors' Petitioners a large number of Townships of the contents of six miles square each, in consequence of which a great number of your petitioners, who were men of considerable substance, disposed of their interests in their native places, and with their numerous families proceeded many of them two hundred miles, encountering many Dangers, Fatigues and great Hardships to inhabit a desolate Wilderness, which has now become a well-settled frontier to three Governments. This was not all our Trouble, for soon after the commencement of those Settlements, the Monopolizing Land Traders of New-York, being apprised that the province of New-Hampshire had granted the said Lands, and that settlements were actually making, did present a petition (as we have often heard and verily believe) in your Petitioners' names, praying that his Majesty would annex the said lands granted by the authority of N. Hampshire to N. York on account of its local and other circumstances for the benefit of the inhabitants.

Your petitioners not being apprised of the intrigue (in this case) were mute, therefore as no objection was made why the prayer of the petition should not be granted, his Majesty was pleased with the advice of his Council on the 20th day of July, A. D. 1764, to grant the same, immediately after which the Land Traders of N. York Petitioned the then Governor of that Province for grants of Land, some part of which had been previously granted to your petitioners by the Governor and Council of N. Hampshire. The dispute then became serious, and your Petitioners then petitioned his Majesty for Relief in the Premises. His Majesty was pleased to appoint a Committee, who reported to his

Majesty in the premises, and his Majesty was pleased to pass an order in the following words ( viz. ):—

At a Court at Saint James's the 24th day of July, 1767.

PRESENT :

The King's Most Excellent Majesty.	
The Archbishop of Canterbury.	Earl of Shelburn.
Lord Chancellor.	Viscount Falmouth.
Duke of Queensborough.	Viscount Barrington.
Duke of Ancarter.	Viscount Clark.
Lord Chamberlain.	Bishop of London.
Earl of Litchfield.	Mr. Sec'y Conway.
Earl of Bristol.	Thom's Stanley, Esq.

His Majesty taking the said Report into consideration was pleased with the advice of his Privy Council to approve thereof and doth hereby strictly charge, require and command, that the Governor or Commander-in-Chief of his Majesty's Province of New York for the time being, do not upon pain of his Majesty's highest displeasure presume to make any grant whatsoever of any part of the Land described in the said Report until his Majesty's further pleasure shall be known concerning the same.

WILLIAM SHARPE.

A true Copy, Attest, G'w. BANYAR, *Dept'y Sec'y.*

The many intervening and unhappy disputes which since have happened between those Land Traders of New York and your Petitioners would take up too much time under the present situation of Public Affairs to recite, as Capt. Heman Allen and Doct'r Jonas Fay who we have appointed to present this to your honors will be furnished therewith should they find your honors' admittance, and such particulars be thought necessary. Let it suffice here only to mention that the oppressions from those overgrown land Traders were so grievous that your Petitioners were again induced, at a great expense, to petition his Majesty; in consequence of which a Committee was appointed and made a report in favor of your Petitioners, which is too prolix to be inserted here.

We are called on this moment by the Committee of Safety for the County of Albany to suppress a dangerous insurrection in Tryon County. Upwards of ninety soldiers were on their march within twelve hours after receiving the news, all inhabitants of one town inhabited by your petitioners, and all furnished with arms, ammunition, accoutrements, provisions, &c. Again we are alarmed by express from General Wooster commanding at Montreal, with the disagreeable news of the unfortunate attack on Quebec, (unfortunate indeed to lose so brave a Commander,) requiring our immediate assistance by Troops; in consequence of which a considerable number immediately marched for Quebec, and more are daily following their example. Yet while we your Petitioners are

thus earnestly engaged, we beg leave to say that we are entirely willing to do all in our Power in the General Cause, under the Continental Congress, and have been ever since the taking Ticonderoga, &c., in which your petitioners were principally active, under the command of Col. Ethan Allen, but are not willing to put ourselves under the honorable the provincial Congress of New York in such manner as might in future be detrimental to our private property; as the oath to be administered to those, who are, or shall be entrusted with commissions from said Congress, and the Association, agreed upon by the same authority, together with some particular restrictions, and orders for regulating the Militia of said province, if conformed to by the inhabitants of the said N. Hampshire Grants, will (as we apprehend) be detrimental to your petitioners, in the determination of the dispute now subsisting between your said Petitioners and certain claimants under said province of New York. And that your Petitioners' ardent desires of exerting themselves, in the present struggle for freedom, may not be restrained, and that we might engage in the Glorious Cause, without fear of giving our opponents any advantage in the said Land dispute, which we would wish to have lie Dormant, until a general restoration of Tranquility shall allow us the opportunity for an equitable decision of the same.

Another reason that much hinders us from joining New York hand in hand in the General Cause, is, they will not own us in our property, but on the contrary the Judges of their Supreme Court have expressly declared the Charters, Conveyances, &c., of your Petitioners' Lands to be null and void.

Therefore we your honors' humble Petitioners most earnestly pray your Honors to take our cause into your wise consideration, and order that for the future your petitioners shall do Duty in the Continental service (if required) as inhabitants of said New Hampshire Grants, and not as inhabitants of the province of New York, or subject to the Limitations, restrictions or regulations of the Militia of said province, and that commissions, as your honors shall judge meet, be granted accordingly, and as in Duty bound,

Your honors' Petitioners shall ever pray.

At a meeting of the representatives of the different Towns on the N. Hampshire Grants legally warned and convened at the house of Mr. Cephas Kent's, innholder in Dorset, on the 16th day of January, A.D. 1776 :

Captain JOSEPH WOODWARD, *Chairman.*

Doct'r JONAS FAY, *Clerk.*

This meeting after due consideration agreed to prefer to the honorable the Continental Congress a humble Petition setting forth the peculiar circumstances of this part of the Country. Accordingly a Committee was appointed to draw up the same, who drew up the foregoing and reported it to the house in the evening, and the Clerk read the same in his place, and afterwards delivered it in at the Table ; the House then adjourned till to-morrow 9 o'clock.

January 17th. Met according to adjournment.

The said Petition being a second time read was agreed to by the whole house, then Lieutenant James Breakenridge and Capt. Heman Allen was nominated to prefer the said petition, a vote was called and passed in the affirmative, *Nem. Con.*—then Doctor Jonas Fay was nominated and a vote called passed in the affirmative, *Nem. Con.*

JOSEPH WOODWARD, *Chairman.*

Attest, JONAS FAY, *Clerk.*

A true copy from the original.

Errors excepted.

per JONAS FAY, }  
IRA ALLEN, } *Committee Appointed.*

Captain Heman Allen, appointed to prefer the foregoing to the honorable the Continental Congress, being present, and a motion being made and seconded, Reported to the Convention as follows (viz.:

That in consequence of his appointment, for that purpose, he had delivered the said foregoing Remonstrance, Address and Petition to the honorable John Hancock, Esqr., the President of Congress then sitting at Philadelphia, and that by the directions of the honorable House it was read in his place at the Board by the Secretary.

That the delegates from the province of New York endeavored to oppose the said petition, but that it was entered on file and ordered to lie on the table for further consideration.

That on the advice of several gentlemen, he made a motion to withdraw the said petition, that the Delegates from New York should not have it in their power to bring the matter to a final decision, at a time when the Convention in the Grants had no proper Delegate in the House, that in consequence thereof the Motion was entered on the Minutes, [some papers and vouchers necessary to support the allegations in] the Petition not being ready at hand at that time.<sup>1</sup>

<sup>1</sup> For the proceedings of Congress on the Petition, see *Slade's State Papers*, p. 64. *H. Hall's Vl.*, p. 228.

That he had many private conferences with sundry members of Congress and other Gentlemen of distinction relating to the particular circumstances and situation of the New Hampshire Grants, who did severally earnestly recommend that the inhabitants of said Grants exert themselves to their utmost abilities to repel, by force, the Hostile invasions of the British fleets and armies against the colonies of America, and that said Inhabitants do not by any way or means whatsoever connect, or associate with the honorable Provincial Congress of New-York, or any authority derived from, by or under them, directly or indirectly, but that the said inhabitants do forthwith consult suitable measures to associate and unite the whole of the Inhabitants of said Grants together.

## PROCEEDED—VIZ.

This Convention being fully sensible that the importance of the business which occasions their meeting at this time requires the most serious deliberation, are therefore disposed to make the following votes—(viz.:

1<sup>st</sup>. That not more than one person be allowed to speak at the same time, and only by leave of the Chairman.

2<sup>d</sup>. That the business of the meeting be closely attended to, and that the several articles contained in the Warrant for this Meeting be severally followed in course, (except otherwise overruled.)

3<sup>d</sup>. Voted to pass over the fourth, fifth and sixth articles of the Warrant till to-morrow at ten o'clock at this place.

*Voted*, Col. William Marsh, Col. Thomas Chittenden, John Burnam, Junr., Capt. Micah Veal, and Lieut. Joseph Bradley, be a Committee to examine the account of Capt. Heman Allen for his service for the Publick, and report their opinion thereon to this Convention 9 o'clock to-morrow morning.

Adjourned to 7 o'clock to-morrow morning at this place.

Meeting opened at time and place.

Proceeded to the consideration of the fourth article of the Warrant, and after due consideration it was dismissed.

Proceeded to the consideration of the fifth article of the Warrant, and

*Resolved*, That application be made to the inhabitants of said Grants to form the same into a separate District.

Dissentients only one.

Proceeded to the consideration of the sixth article of the Warrant, and

*Voted*, To recommend it accordingly.

*Voted*, To choose a Committee to treat with the Inhabitants of the New Hampshire Grants on the East side of the range of Green Mountains, relative to their associating with this Body.

*Voted*, That Capt. Heman Allen, Col. William Marsh, and Doct. Jonas Fay, in conjunction with Capt. Samuel Fletcher and Mr. Joshua Fish, be a Committee to exhibit the proceedings of this Convention, to said inhabitants, and to do the Business as above.

*Voted*, Doct. Jonas Fay, Col. Thomas Chittenden, and Lieut. Ira Allen a Committee to prepare instructions for the above said Committee.

*Voted*, That Col. Seth Warner and Col. Thomas Chittenden be a Committee to present a Petition to the General and Commander-in-Chief of the Northern Department, requesting his assistance in Guarding the Frontiers to the Northward on the said New Hampshire Grants.

*Voted*, That Doct. Jonas Fay and Col. William Marsh be a Committee to prepare the above petition.

Adjourned one hour.

The meeting opened at time and place.

Proceeded to the consideration of the following Association, (viz.:

This Convention being fully sensible that it is the Will and Pleasure of the honorable the Continental Congress, that every honest Friend to the Liberties of America, in the several United States thereof, should subscribe an Association, binding themselves as Members of some Body or Community to stand in the defence of those Liberties; and Whereas it has been the usual custom for individuals to associate with the Colony or State which they are reputed to be members of: Yet nevertheless the long and spirited Conflict, which has for many years subsisted between the Colony or State of New York, and the inhabitants of that District of Land, Commonly Called and known by the name of the New Hampshire Grants, relative to the title of the Land on said District, renders it inconvenient in many respects to associate with that Province or State, which has hitherto been the sole reason of our not subscribing an Association before this.

The better therefore to convince the Publick of our readiness to join in the common Defence of the aforesaid Liberties, We do Publish and Subscribe the following Association, (viz. :)

We the Subscribers inhabitants of that District of Land, commonly called and known by the name of the New Hampshire Grants, do voluntarily and Solemnly Engage under all the ties



held sacred amongst Mankind at the Risque of our Lives and fortunes to Defend, by arms, the United American States against the Hostile attempts of the British Fleets and Armies, until the present unhappy Controversy between the two Countries shall be settled.

## SIGNERS' NAMES—VIZ.

Joseph Bowker,	William Gage,	Daniel Culver,
Thomas Chittenden,	Reuben Harmon,	John Burnam,
Simeon Hathaway,	John Manley,	John Strong,
Jeremiah Clark,	Seth Warner,	Lemuel Bradley,
Joseph Bradley,	William Marsh,	John Gage,
Abraham Jackson,	Gideon Ormsby,	John Mott,
Samuel Wright,	Stephen Royce,	Jonathan Rowlee,
Samuel Benton,	Amos Curtis,	Jona. Fassett,
Jesse Belknap,	Ira Allen,	Aaron Parsons,
Abraham Underhill,	Nehemiah How,	Matthew Lyon,
William Ward,	Asa Johnson,	William Fitch,
James Bentle,	Brown Chamberlain,	Ogden Mallery,
Thomas Morgan,	Ephraim Buell,	Jonas Fay,
Heman Allen,	Ebenezer Allen,	Martin Powell,
John Burnam, Jr.,	Benjamin Hicock,	Roger Rose,
Micah Veal,	Isaac Lawrence,	Samuel Fletcher,
		Josiah Fish.

The above are the names of the Delegates. Thomas Braten, of Clarendon, the only Dissident.

*Resolved*, That it be, and it is hereby recommended to the several inhabitants on the New Hampshire Grants (who are friends to the liberties of the United States of America) that they subscribe the Association agreed on, and signed by the several Members of this Convention, and return the same to the Clerk thereof as soon as may be.

*Resolved*, Unanimously, That any person or persons inhabitants of the New Hampshire Grants that shall in future subscribe and return an Association to any the Committee or Committees of Safety for either of the Counties in the province of N. York, or to the provincial Congress thereof, otherwise than the Association contained in these Records and subscribed by the several Delegates of this Convention, shall be deemed enemies to the Common Cause of the N. Hampshire Grants.

*Resolved*, That nine persons be chosen as a Committee of Appeals, who are to hear and determine such matters as may be properly exhibited to them (in writing) by any of the inhabitants of the New Hampshire Grants relative to the cause of American Liberty, by way of proper appeal from the judgment of either of the Committees of Safety on said Grants, any five of which Committee to be a Quorum.

*Resolved*, That Doctor Jonas Fay, Col. Timothy Brownson, Col. William Marsh, Capt. Joseph Bowker, Capt. Joseph Woodward, Capt. Micah Veal, Col. Thomas Chittenden, Major Stephen Royce, and Capt. Abraham Underhill, be and are hereby unanimously appointed a Committee for the above purpose.

*Lastly Resolved*, To adjourn this Convention, and to meet at this place on Wednesday, the 25th day of September next at 8 o'clock in the Morning.

JOSEPH BOWKER, *Chairman*.

Attest, JONAS FAY, *Clerk*.

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## THE DORSET CONVENTION

OF SEPTEMBER 25, 1776.

This convention was held by adjournment from that of the 24th of July, and the members are largely the same, though by comparing the lists it will be seen that changes were made in some of the towns; and that eight towns on the east side of the Green Mountains were represented in the latter convention, from which no delegates appeared in July.

The following complete journal of the proceedings is from the manuscript copy of the HON. JAMES H. PHELPS. Only extracts from it will be found in *Slade's State Papers*, p. 66, and in Force's *Am. Archives*, vol. 2, fifth series, page 526. It is believed to have never before been printed in full.

It will be perceived that this convention assumed to exercise legislative powers in all matters, both civil and military, and also took active preparatory measures for proclaiming their independence of the government of New York.

NEW HAMPSHIRE GRANTS, } At a General Con-  
 CEPHAS KENT'S, *Dorset, 25th Sept. 1776.* } vention of the Several  
 Delegates from the Towns on the West side the range of Green  
 Mountains the 24th day of July last, consisting of fifty-one Mem-  
 bers, representing thirty-five towns, and held this day by adjourn-  
 ment by the representatives on the West and East side the said

range of Green Mountains; the following members being present at the opening of the Meeting, viz.:

Captain JOSEPH BOWKER in the Chair.  
Doct. JONAS FAY, *Clerk.*

[ WEST SIDE.]

<i>Pownal,</i>	{ Capt. Sam'l Wright, Doct. Obadiah Dunham.	<i>Colchester,</i>	{ Lieut. Ira Allen.
	{ Mr. Simeon Hathaway, Doct. Jonas Fay, Capt. John Burnham, Nathan Clark, Esq., Maj'r Sam'l Safford, Col <sup>o</sup> Moses Robinson.	<i>Middle- bury,</i>	{ Mr. Gamaliel Painter.
<i>Benning- ton,</i>	{ Lieut. Joseph Bradley, Col. Timothy Brownson.	<i>Burling- ton,</i>	{ Mr. Lemuel Bradley.
<i>Shafts- bury,</i>	{ Major Jeremiah Clark, Mr. John Burnham.	<i>Nesho- bee,</i>	{ Capt. Timothy Barker, Mr. Thomas Tuttle.
<i>Sunder- land,</i>	{ Lieut. Martin Powell, Lieut. Gideon Ormsby, Col <sup>o</sup> Wm. Marsh.	<i>Rutland,</i>	{ Capt. Joseph Bowker, Col <sup>o</sup> James Mead.
<i>Man- chester,</i>	{ Mr. John Manley, Mr. Ab'r Underhill.	<i>Walling- ford,</i>	{ Mr. Abraham Ives.
<i>Dorset,</i>	{ Mr. Reuben Harmon, Mr. Amos Curtis.	<i>Tin- mouth,</i>	{ Capt. Ebenezer Allen, Major Thomas Rice.
<i>Rupert,</i>	{ Capt. Wm. Fitch, Major Roger Rose.	<i>Danby,</i>	{ Capt. Micah Veal, Mr. William Gage.
<i>Pollet,</i>	{ Mr. Samuel Benton.	<i>Panton,</i>	{ John Gale.
<i>Bridport,</i>	{ David Vallance.	<i>Bromley,</i>	{ Capt. Wm. Utley. Col <sup>o</sup> Seth Warner, Present. Capt. Heman Allen, do.
<i>Addison,</i>	{ Thomas Morgan.	<i>Wells,</i>	{ Ogden Mallery, Zacheus Mallery.
<i>Stamford,</i>	{ Col <sup>o</sup> Thomas Chittenden.	<i>Poult- ney,</i>	{ Mr. Nehemiah How, Mr. Wm. Ward.
<i>Williston,</i>		<i>Castleton,</i>	{ Capt. Joseph Woodward.

MEMBERS FROM EAST SIDE OF GREEN MOUNTAINS.

<i>Marl- borough,</i>	{ Capt. Francis Whitmore.	<i>West- minster,</i>	{ Mr. Joshua Webb, Nath <sup>l</sup> Robinson, Esq.
<i>Guil- ford,</i>	{ Col. Benjamin Carpenter, Major John Shepardson.	<i>Halifax,</i>	{ Col. Benjamin Carpenter.
<i>Windsor,</i>	{ Mr. Ebenezer Hoisington.	<i>Wil- mington,</i>	{ By a letter from s'd town.
<i>Kent,</i>	{ Edward Aiken, Col <sup>o</sup> James Rogers.	<i>Draper,</i>	{ By a Letter.
<i>Rock- ingham,</i>	{ Doct. Reuben Jones.	<i>Cumber- land,</i>	{ By a Letter.
<i>Dum- merston,</i>	{ Mr. Joseph Hildreth, Lieut. Leonard Spaulding		

The foregoing members being organized proceeded to business.

1<sup>st</sup>. *Voted,* That the records and proceedings of this Convention held at this place, from the 16<sup>th</sup> of January 1776 to this time, be read to give light to those Gentlemen Delegates from the East side of the Green Mountains in particular and the whole in general.

2<sup>a</sup>. *Voted*, That the words "That has been heretofore subscribed and returned or that" included in a vote at the last sitting of this Convention be erased, which is accordingly done.

3<sup>d</sup>. *Voted*, To adjourn till 8 o'clock to morrow morning at this place.

THURSDAY, 8 o'clock in the Morning.

Meeting opened at time and place.

4<sup>th</sup>. *Voted*, To make a general list of the names of those of the inhabitants of the several Towns on the N. Hampshire Grants who have signed the General Association, voted by the last Convention to be signed.

5<sup>th</sup>. *Voted*, That no member of this Convention be permitted to speak more than three times to one case (at one sitting) without leave of the Board.

6<sup>th</sup>. *Voted*, That the Association originally signed be returned to the Clerk of this Convention at their next sitting.

7<sup>th</sup>. *Voted*, To take the following vote passed in July 24<sup>th</sup>, 1776, into consideration (viz.) "Proceeded to the consideration of the fifth article of the Warrant, and voted that suitable application be made to form that District of Land, commonly called and known by the name of the New-Hampshire Grants, into a separate District;" passed in the affirmative—not one dissenting vote.

8<sup>th</sup>. *Voted*, That Col<sup>o</sup> Wm. Marsh, Doct. Jonas Fay, Doct. Reuben Jones, Capt. Ira Allen, Col<sup>o</sup> Thomas Chittenden, Col<sup>o</sup> Benjamin Carpenter and Col<sup>o</sup> James Rogers be a Committee to form a plan for future proceedings and report to this Convention as soon as may be.

9<sup>th</sup>. *Voted*, To adjourn this meeting till half past 1 o'clock in the afternoon, at this place.

Meeting opened at time and place.

#### REPORT (AS OPINION) OF A SUB-COMMITTEE.

A Covenant or Compact ought to be entered into by the Members of this Convention for themselves and their Constituents, to be governed and regulated by such rules as may be agreed on by the majority (viz.):

To regulate the Militia; To furnish troops according to our ability, for the defence of the Liberties of the United States of America.

To return the numbers of the inhabitants on this District to the Continental Congress, and at all times to be governed by their Councils.

A number of men to be elected to wait on the Hon<sup>ble</sup> Continental Congress with such Petitions as shall be agreed on by this Convention.

To make suitable provisions that the whole of the inhabitants on s<sup>d</sup> N. Hampshire Grants on each side of the Green Mountains be notified and have proper opportunity to join and coincide with the measures taken and to be hereafter taken for the benefit of forming s<sup>d</sup> district into a separate State.

As the troublesome and aged conflict existing between the State of New York and that District of Land commonly called and known by the name of the New-Hampshire Grants relative to the title of lands on s<sup>d</sup> district has not yet subsided,

We do therefore vote that any Law, or Laws, Direction or Directions we may ( for the time being ) receive from s<sup>d</sup> State of N. York will not in future be accepted neither shall we hold ourselves bound by them.

Some measures to be entered into for the better securing the Tories in s<sup>d</sup> District.

That the Militia officers on each side the Mountains continue in their stations and after executing the orders to them heretofore received from the State of New York, to be under the direction of this Convention.

The foregoing propositions are humbly submitted to the Members of the General Convention now assembled at Dorset.

PR. BENJ'A CARPENTER, *Chairman Committee.*

10<sup>th</sup>. *Voted*, To accept the above report of the Sub Committee.

11<sup>th</sup>. *Voted*, To adjourn this meeting until half past 1 o'clock in the afternoon at this place.

THURSDAY, Half after 1 o'clock in the afternoon.

Meeting opened.

12<sup>th</sup>. *Voted*, That a Covenant or Compact be made and subscribed by the Members of this Convention for themselves and Constituents for the security of their Common Liberties and Properties in conjunction with the Free and Independent States of America.

13<sup>th</sup>. *Voted*, That Doct. Jonas Fay, Col<sup>o</sup> Moses Robinson, Col<sup>o</sup> Wm. Marsh, Mr. Ebenezer Hoisington, Doct. Reuben Jones, Col<sup>o</sup> Thomas Chittenden, and Doct. Obadiah Dunham be and are a Committee to form the said Covenant or Compact and report to the Convention as soon as may be.

14<sup>th</sup>. *Voted*, To adjourn this meeting until 8 o'clock to morrow morning.

FRIDAY, 27th September, 1776.

Opened the meeting at time and place.

15<sup>th</sup>.—THE COVENANT OR COMPACT.

At a General Convention consisting of fifty-six Delegates on the New-Hampshire Grants, on the east and west side of the range of Green Mountains, representing thirty-six towns on said Grants, held at Dorset the 25th day of September, 1776, by adjournment.

Whereas, this Convention have for a series of years had under their particular considerations the disingenuous conduct of the former Colony (now the State of) New-York toward the inhabitants of that District of Land commonly called and known by the name of the New-Hampshire Grants, and the several illegal, unjustifiable and unreasonable measures they have taken to deprive, by fraud, violence and oppression, those inhabitants of their property, and in particular their Landed interest; and as this Convention has reason to expect a continuance of the same kind of disingenuity, unless some measures effectually be taken to form the s<sup>d</sup> District into a separate and distinct one from New York; and whereas it at present appears to this Convention that, for the foregoing reasons, together with the distance of road which lies between this District and New York, that it will be very inconvenient for those inhabitants to associate or connect with them, for the time being, directly or indirectly:

Therefore, this Convention being fully convinced that it is necessary that every individual in the United States of America should exert themselves to their utmost abilities in the defence of the liberties thereof, and that this Convention may the better satisfy the Public of their punctual attachment to the s<sup>d</sup> common cause, at present as well as heretofore, we do make and subscribe the following Covenant, viz:

We the subscribers inhabitants of that district of Lands commonly called and known by the name of the New-Hampshire Grants, being legally delegated and authorized to transact the public and political affairs of the aforesaid District of Lands, for ourselves and Constituents, do solemnly covenant and engage that, for the time being, we will strictly and religiously adhere to the several resolves of this or a future Convention Constituted on s<sup>d</sup> district by the free voice of the Friends to American Liberties, that shall not be repugnant to the resolves of the hon<sup>ble</sup> Continental Congress relative to the General Cause of America.

16<sup>th</sup>. *Voted*, That Col<sup>o</sup> Jacob Bailey, Capt. Abner Seeley, and Col<sup>o</sup> Jacob Kent, be a Joint Committee to exhibit the pre-

ceedings of this meeting to the inhabitants of the County of Gloucester, and request them to sign the Association left with them, at their County Convention held at Thetford the 13th day of August ultimo, and return the same by their delegate or Delegates chosen, or to be chosen hereafter, to meet and join this Convention at their next sitting.

17<sup>th</sup>. *Voted*, That it be and is hereby recommended to the several Chairmen of the several Committees of the several Towns on the west side of the Green Mountains on the N. Hampshire Grants, faithfully to see to it that the Association made at the last sitting of this Convention be forthwith signed by every individual male inhabitant of each Town, from 16 years old and upwards, and that for the future each person subscribe his own name or mark; and that the Association thus signed be returned to Doct<sup>r</sup> Jonas Fay, Clerk of this Convention, before the next sitting of this Convention; and if any refuse to sign the Association, to take their names and reasons why they will not subscribe to it.

18<sup>th</sup>. *Voted*, To adjourn this meeting one hour at this place.

FRIDAY, 2 o'clock.

The Meeting opened at time and place.

19<sup>th</sup>. *Voted*, That Col<sup>o</sup> Wm. Marsh and Capt. Ira Allen be a Committee to go into Cumberland and Gloucester Counties, to carry the proceedings of this Convention, and to assist in getting the Association (form<sup>d</sup> by this Convention) signed and collected [returned] to the Clerk of this Convention.

20<sup>th</sup>. *Voted*, That Doct<sup>r</sup> Jonas Fay, Doct. Reuben Jones and Col<sup>o</sup> Wm. Marsh be a Committee to draw a Remonstrance or Petition to send to the Continental Congress, and Report to this Convention as soon as may be.

#### REPORT OF THE ABOVE SUB-COMMITTEE.

The grounds of this Petition and Remonstrance, to be exhibited to the Grand Council of America, by the Convention, to contain the following, viz :

The several measures taken by the Colony or State of New York heretofore to monopolize the Landed interest of the inhabitants on the Grants to themselves: Circumstances in particular of the conduct of N. York on each side the Mountains to be particularly considered.

Distance from the Metropolis of any State, &c.

Persons to be appointed for making the Draught; a Committee to be appointed for examining the Draught, with authority from

this Convention to pass the same in the name of the whole of this Convention.

Persons to be appointed to exhibit the same properly delegated to the Hon<sup>ble</sup> Board at the Continental Congress.

The above submitted to the consideration of the hon<sup>ble</sup> Convention.

Dr. WILLIAM MARSH, *Chairman Committee.*

21<sup>st</sup>. *Voted*, That the above report of the Sub-Committee be accepted.

22<sup>d</sup>. *Voted*, That Doct. Jonas Fay write an answer to Mr. John Wheelock.

23<sup>d</sup>. *Voted*, That the Committees of Safety for the several towns on the District of the N. Hampshire Grants, be and are invested with the same authority as other Committees of Safety for other Towns in any of the Free States of America.

24<sup>th</sup>. *Voted*, That a sufficient Goal be built on the west side of the range of Green Mountains, at some place, that shall be hereafter agreed on, for securing Tories.

25<sup>th</sup>. *Voted*, That Nathan Clark, Esqr., Capt. Micah Veal, Lieut. Samuel Benton, Major Jeremiah Clark and Col. James Mead be a Committee to assign a place to erect a Goal as above, and provide some way to effect the same as soon as may be and report to this Convention.

#### REPORT (AS THE OPINON) OF THE ABOVE SUB-COMMITTEE.

It is hereby recommended to this Convention that a Goal be erected in the Township of Manchester; twenty foot by thirty inside; s<sup>d</sup> Goal to be built with Logs and Earth; s<sup>d</sup> Goal to be erected a few rods east of the now dwelling house of Lieut. Martin Powell in s<sup>d</sup> Town for the confinement of Tories, and other offenders that may be adjudged to be confined: s<sup>d</sup> Goal to be built of a double wall of Logs, not less than twelve inches through, laid eighteen inches distance between s<sup>d</sup> walls, the vacancy to be filled up with earth about 7 feet high, and then floored with Logs double, a good roof, and a strong wooden door, &c., &c.

And that some suitable person or persons be appointed to see the performance of the above strong hold; and to be retaliated therefor by this Convention, or as they in their great wisdom shall order.

By order of Committee, NATHAN CLARK, *Chairman.*



26<sup>th</sup>. *Voted*, To accept of the above report.  
 27<sup>th</sup>. *Voted*, That Lieut. Martin Powell, Mr. Gideon Ormsby, and Mr. Thomas Bull be a Committee to build a Goal as above proposed.

28<sup>th</sup>. *Voted*, That Lieut. Martin Powell be Goal Keeper.

29<sup>th</sup>. *Voted*, That Mr. Simeon Hathaway, Doct. Jonas Fay, Nathan Clark, Esq., Lieut. Joseph Bradley, Lieut. Martin Powell, Mr. Cephas Kent, Capt. Joseph Bowker, Capt. Joseph Woodward and Nehemiah How be a committee of War.

30<sup>th</sup>. *Voted*, That the several Colonels on the west side of the range of Green Mountains issue their orders immediately to their several Captains under them to muster their companies, and to take the number of men gone in the service, and what service, and how many at home, and their arms, accoutrements and ammunition, and the Colonels to make their return to the Committee of War, and the Committee of War to this Convention.

31<sup>st</sup>. *Voted*, That the several Colonels give special orders to the Captains under them to raise their quotas of men to fill up the six companies of Rangers.

32<sup>d</sup>. *Voted*, That Nathan Clark, Esq., Doct. Obadiah Dunham and Mr. John Burnam be a Committee to affix fines on all delinquents in the Militia and make return to this Convention as soon as may be.

REPORT (AS THE OPINION) OF THE ABOVE COMMITTEE.

A Colonel refusing or neglecting to comply with any orders from this Convention to pay a fine of 33 dollars.

A Lieutenant Colonel refusing or neglecting to obey his commanding officer,	25	do.
Major,	20	do.
Captain,	10	do.
Lieutenant, Adjutant, Quarter Master & Ensign	7	do each.
Sergeant and Clark,	2	do each.
Corporal,	1½	do.
Drum and Fife,	1¼	do.
Private,	1	do.

If a soldier drafted in any particular service and absconding, shall be subject to pay a fine of twenty-five dollars, and an officer in proportion as above.

That the Committee of War have full power to hear any complaint against any Field officer for neglect of their duty and to proceed against them or either of them, to collect by warrant or execution from under their hands such fine or fines as is appointed

by this Convention ; in like manner the Field officers to try all the commissioned officers in their respective regiments for the time being, directed to some suitable person to collect the same ; and in like manner two commissioned officers of each company to try all non-commissioned officers and privates ; to award in the manner aforesaid ; said fines to be used or applied to furnish those men in said companies that are not able to furnish themselves with arms and ammunition and accoutrements as required ; and that each non-commissioned officer and private provide himself with a suitable gun and one pound powder, four pounds of bullets fit for his gun, six flints, powder horn, cartouch box or bullet pouch, a sword, bayonet or tomahawk ; and for want of a gun to pay a fine of two dollars on each time so required to appear under arms, and for want of each other accoutrement, the sum of half a dollar when required as aforesaid.

## FINES FOR EACH DAY'S NEGLECT.

A Colonel,	£1-16-0		s d
Lieut. Colonel,	1-10-0	Quartermaster,	£0-10-0
Major,	0-18-0	Sergeant,	0-8-0
Captain,	0-16-0	Corporal,	0-6-0
Lieutenant,	0-14-0	Drum and Fife	0-4-0
Adjutant & Ensign, each,	0-12-0	Private,	0-3-6

By order of Committee,

NATHAN CLARK, *Chairman.*

33<sup>d</sup>. *Voted*, To accept of the above report.

34<sup>th</sup>. *Voted*, That the Committee of War be and are empowered to issue their warrants in the name and by the authority of this Convention, to the several Field officers of the Militia on the district of N. Hampshire Grants that on any sufficient notice received from the General or Commander in Chief of any of the armies of the United States of America, the Honorable Continental Congress, or on any sudden emergency that shall be judged by s<sup>d</sup> Committee of War to be for the immediate safety of the Grants, requesting the assistance of the Militia, and march immediately to the relief of such part of the Continent as they may be required to. And in case any person legally notified justly belonging to any or either the Companies of the Militia on s<sup>d</sup> District shall refuse on such notifications to attend and perform the duty enjoined on him or them by the officers of the Regiment to which he or they do or may belong, that they be fined unless sufficient excuse be rendered to the Committee of War.

35<sup>th</sup>. *Voted*, That Doct. Reuben Jones and Lieut. Leonard Spaulding wait and take the proceedings of this Convention and deliver to their Constituents.

36<sup>th</sup>. *Voted*, That Doct. Jonas Fay, Capt. Samuel Wright, Major Jeremiah Clark, Col<sup>o</sup> Timothy Brownson, Col<sup>o</sup> William Marsh, Capt. Joseph Bowker, Col<sup>o</sup> Thomas Chittenden, Capt. Heman Allen, Capt. William Fitch, Capt. Micah Veal, Lieut. Samuel Benton, and Capt. Ira Allen, be a Committee to attend this Convention at the next sitting. And it is recommended for each Town to send one more Delegate.

37<sup>th</sup>. *Voted*, That Doct. Jonas Fay, Col<sup>o</sup> William Marsh and Doct. Reuben Jones be a Committee to draw a Petition to send to the Hon<sup>ble</sup> Continental Congress; and report to a Committee to be appointed to examine the same.

38<sup>th</sup>. *Voted*, That Nathan Clark, Esq., Col. Seth Warner, Captain Heman Allen be a Committee to examine the aforesaid Petition.

39<sup>th</sup>. *Voted*, To adjourn to 8 o'clock to morrow morning at this place.

SATURDAY MORNING 8 o'clock, Sept. 28th, 1776.

The Meeting opened at time and place.

40<sup>th</sup>. *Voted*, To refer the examination of the Petition to the Continental Congress till our next meeting; then to fill up the Committee for that purpose.

41<sup>st</sup>. *Voted*, That four men be appointed as delegates to go to the Continental Congress with a Petition or such directions as this Convention shall give them.

42<sup>d</sup>. *Voted*, That Doct. Jonas Fay, Col<sup>o</sup> Thomas Chittenden, in conjunction with two more to be appointed, be a Committee for that purpose.

43<sup>d</sup>. *Voted*, That Col<sup>o</sup> Seth Warner, Capt. Heman Allen, Capt. Gideon Brownson, Mr. Ebenezer Hoisington, Capt Abner Seeley, and Doct. Jonas Fay be a Committee to prepare a Citation to send to the State of New-York to know if they have any objection against our being a Separate State from them: and make report as soon as may be.

44<sup>th</sup>. *Voted*, That as it appears that the Town of Arlington are principally Tories, yet the Friends of Liberty are ordered to warn a Meeting and choose a Committee of Safety and conduct as other Towns; if they meet with opposition to make application to the Committees of Safety of the neighboring Towns for assistance.

45<sup>th</sup>. *Voted*, That no person be admitted to act in choosing Committees of Safety but those that sign the Association from this Convention and acknowledge the authority of the Committees of Safety.

46<sup>th</sup>. *Voted*, Col<sup>o</sup> Benj<sup>a</sup> Carpenter of Guilford do notify Guilford, Hinsdale and Halifax. Capt. Francis Whitmore of Marlborough

notify Draper, Cumberland, Marlborough and Brattleborough. Lieut. Leonard Spaulding of Dummerston and Capt. Samuel Fletcher notify Townshend, Putney, New-Fane and Dummerston. Mr. Ebenezer Hoisington of Windsor notify Windsor, Hertford, Woodstock, Hartford and Pomfret. Nath<sup>l</sup> Robinson, Esq., of Westminster, notify Westminster and Weathersfield. Doct. Reuben Jones of Rockingham notify Rockingham and Springfield. Mr. Edward Aiken of Kent notify Kent and Chester.

47<sup>th</sup>. *Voted* to adjourn this Convention to Wednesday, the 30<sup>th</sup> Oct<sup>r</sup> next, to be held at the Court house in Westminster, at 10 o'clock in the forenoon.

JOSEPH BOWKER, *Chairman*.

Attest JONAS FAY, *Clerk*.

A true Copy from the Original.

## THE WESTMINSTER CONVENTION

OF OCTOBER 30, 1776.

This convention was holden by adjournment from <sup>1776</sup> the Dorset convention of September 25th. It appears <sub>Oct. 30.</sub> to have been contemplated that the separation from New York would be fully declared at this convention. But when the day of meeting came, the inhabitants of the territory were in great alarm and confusion in consequence of the destruction of the American naval force on Lake Champlain, and an expected attack by Carleton on Ticonderoga, a large portion of the people being in actual service for the defense of that post, and the protection of the frontier. The Convention was, for that reason, thinly attended, and its session brief.

The following Journal is from the manuscript copy of the Hon. JAMES H. PHELPS.

NEW HAMPSHIRE GRANTS, } Convention  
WESTMINSTER COURT HOUSE, *October 30th*, 1776. } opened accord-  
ing to adjournment.

PRESENT THE FOLLOWING MEMBERS.

<i>Bennington,</i> { Nathan Clark, Esq.	<i>Rockingham,</i> { Doctr. Reuben Jones.
<i>Manchester,</i> { Colo. Wm. Marsh.	<i>Dummerston.</i> { Lieut. Leonard Spalding, Mr. Joseph Hildreth.
<i>Pollet,</i> Capt. Wm. Fitch.	<i>Westminster,</i> { Mr. Joshua Webb, Nath'l Robinson, Esq.
<i>Rutland,</i> Capt. Joseph Bowker.	<i>Bromley,</i> Capt. William Utley.
<i>Colchester,</i> Capt. Ira Allen.	<i>Townshend,</i> { Capt. Sam'l Fletcher.
<i>Marlborough,</i> { Capt. Francis Whitmore.	<i>Putney,</i> Dennis Lockland.
<i>Windsor,</i> Mr. Ebenezer Hoisington	<i>Chester,</i> Col <sup>o</sup> Thomas Chandler.
<i>Kent,</i> Mr. Edward Aiken.	

1<sup>st</sup>. *Voted,* Capt. Ira Allen, Clerk.

2<sup>d</sup>. *Voted,* That Nathaniel Robinson, Esq., Mr. Solomon Phelps and Col<sup>o</sup> William Marsh be a Committee to go to the Clerk of the County Committee of Safety for this county and get the records of s<sup>d</sup> Committee concerning sending Delegates to the Convention of the State of New York.

3<sup>d</sup>. *Voted,* That Mr. Ebenezer Hoisington, Mr. Joshua Webb, Capt. Ira Allen, Capt. William Fitch and Doctr. Reuben Jones be a Committee to draw a plan for further proceedings of this Convention ; and make a report as soon as may be.

4<sup>th</sup>. *Voted,* To adjourn this Convention till 8 o'clock to morrow morning, to be held at this place.

THURSDAY MORNING, 8 o'clock.

Meeting opened according to adjournment.

5<sup>th</sup>. *Voted,* To adjourn this meeting one hour at this place.

Meeting opened according to adjournment.

6<sup>th</sup>. *Voted,* That Doctr<sup>r</sup> Reuben Jones and Col<sup>o</sup> William Marsh be a Committee to invite Capt. Clay and Doctr<sup>r</sup> Day to sit with this Convention as spectators.

7<sup>th</sup>. *Voted,* To adjourn this Convention till 8 o'clock to morrow morning, at this place.

FRIDAY MORNING, 8 o'clock.

Meeting opened according to adjournment.

REPORT OF THE COMMITTEE OF PROCEEDINGS.

It is the opinion of this Committee that, by the reasons of the incursions of the Enemy, and that the Militia of this State have lately been called, and are now going to the relief of their dis-

tressed Brethren at Ticonderoga, and the Northern frontiers of this State, and that several of the Members of this Convention are more immediately called on to the relief of their families, &c., which has so far taken up our attention, and the attention of the People at large, that we have not collected the full sentiments of the People.

It is not proper, therefore, to proceed to complete the Petition to the Hon<sup>ble</sup> the Grand Council of the United States of America, or to fill up the Committee for the purpose of delivering s<sup>d</sup> Petition.

That an answer be made to a Pamphlet dated the 2<sup>d</sup> October, 1776, and sent from the Hon<sup>ble</sup> the Provincial Congress of the State of New-York to the County of Cumberland, and with s<sup>d</sup> answer a Pamphlet setting forth the advantages that would arise to the people at large on the district of the New-Hampshire Grants, by forming into a separate State, be wrote, printed and communicated to the inhabitants as soon as may be.<sup>1</sup>

That a Manifesto be put in the public newspapers setting forth the reasons, in easy terms, why we choose not to connect with New-York.<sup>2</sup>

The aforesaid report is humbly presented to the House by  
Order of the Committee.

WM. FITCH, *Chairman.*

8<sup>th</sup>. *Voted*, To accept the above report.

9<sup>th</sup>. *Voted*, That a petition be drawn to send to the Hon<sup>ble</sup> Provincial Congress of the State of New-York, requesting their approbation for the district of the New-Hampshire Grants to form themselves into a State separate from N. York.

10<sup>th</sup>. *Voted*, That Col<sup>o</sup> William Marsh, Capt. Ira Allen and Mr. Solomon Phelps be a Committee to make the above writings.

11<sup>th</sup>. *Voted*, That Major Abijah Lovejoy, Col<sup>o</sup> Wm. Marsh, Capt. Ira Allen, Col<sup>o</sup> Jacob Bailey, Mr. Solomon Phelps, Major Joseph Tyler, Col<sup>o</sup> Benjamin Carpenter, Mr. Benjamin Emmons, Mr. Elijah Olcott, Doct. Reuben Jones, and Mr. Daniel Jewett be a Committee to go through Cumberland and Gloucester Counties to carry the proceedings of this Convention and to complete get-

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<sup>1</sup> This pamphlet, entitled "Miscellaneous Remarks," etc., was prepared by Ira ALLEN, and circulated the ensuing spring, with the printed letter of Dr. THOMAS YOUNG. See *H. Hall's Vt.*, p. 236, 237, 243, 244. It is copied into this volume—*post*.

(<sup>2</sup> For this manifesto see *Am. Archives*, 5th Series, Vol. II, p. 1300. See also *H. Hall's Vt.*, p. 236.)

ting the Associations formed by this Convention signed and collected to the Clerk of this Convention at their next sitting.

12<sup>th</sup>. *Voted*, That it be and it is hereby recommended to each Member of this Convention to assist the above Committee as much as in them lies.

13<sup>th</sup>. *Voted*, That Doct. Jonas Fay be added to the Committee to make the above Petition.

14<sup>th</sup>. *Voted*, That Solomon Phelps write a letter to Col<sup>o</sup> Jacob Bailey, desiring him to assist the above Committee.

15<sup>th</sup>. *Voted*, To adjourn this Convention to the third Wednesday of January next at 10 o'clock in the Morning, to be held at this place.

JOSEPH BOWKER, *Chairman*.

Attest, IRA ALLEN, *Clerk*.

A true copy from the original.

## THE WESTMINSTER CONVENTION

OF JANUARY 15, 1777.

Of the proceedings of this convention, which declared the New Hampshire Grants an independent state, that part of the following journal which ends with the words “11<sup>th</sup>. *Voted*, *N. C. D.*, to accept the above report,” is found in *Slade’s State Papers*, page 68 to 70. The residue of the journal is from the manuscript of the Hon. JAMES H. PHELPS.

N. HAMPSHIRE GRANTS, } Convention  
WESTMINSTER COURT HOUSE, *January 15th*, 1777. } opened according to adjournment. Present the following Members :

Capt. JOSEPH BOWKER in the Chair.

1<sup>st</sup>. *Voted*, Doct. REUBEN JONES, *Clerk*, *P. Tempore*.

<p><i>Benning-</i> { Nathan Clark, Esq., <i>ton</i>, { Capt. John Burnham.           { Mr. Nathan Clark, Jun.</p> <p><i>Manchester</i>, { Lieut. Martin Powell.</p> <p><i>Castleton</i>, Capt. John Hall.</p> <p><i>Williston</i>, Col. Thomas Chittenden.</p>	<p><i>Colchester</i>, Capt. Ira Allen.</p> <p><i>Rutland</i>, { Capt. Joseph Bowker,           { Capt. Heman Allen.</p> <p><i>Dum-</i> { Lt. Leonard Spaulding, <i>merston</i>, { Lt. Dennis Lockland.</p> <p><i>West-</i> { Nathan’l Robinson, Esq., <i>minster</i>, { Mr. Joshua Webb.</p>	
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<i>Townshend,</i>	} Capt. Saml. Fletcher.	} <i>Woodstock,</i>	} Mr. Benjamin Emmons.
<i>Chester,</i>			
<i>Rockingham,</i>	} { Dr. Reuben Jones, Lieut. Moses Wright.	} <i>Pomfret,</i>	} { By a letter from said town voting for a new state.
<i>Hartford,</i>	Mr. Stephen Tilden.	<i>Royalton,</i>	By ditto and ditto.

2<sup>d</sup>. *Voted*, To adjourn this convention to eight o'clock to morrow morning at this place.

THURSDAY, eight o'clock.

Convention opened according to adjournment.

Major Josiah Williams and lieutenant Nathaniel Seeley from Pownal took their seats.

3<sup>d</sup>. *Voted*, That Dr. Reuben Jones be an assistant clerk to Capt. Ira Allen, he at this time being present.

4<sup>th</sup>. *Voted*, That Lieut. Leonard Spaulding, Mr. Ebenezer Hosington and Major Thomas Moredock be a committee to examine into the numbers that have voted for the district of the New Hampshire Grants to be a separate state from New York, and how many are known to be against it, and make report to this convention as soon as may be.

#### REPORT OF SAID COMMITTEE.

“ We find by examination that more than three-fourths of the people in Cumberland and Gloucester counties, that have acted, are for a new state; the rest we view as neutrals.

By order of the convention,

EBENEZER HOSINGTON, *Chairman.*”

5<sup>th</sup>. *Voted*, to adjourn this convention one hour, at this place.

Convention opened at time and place.

6<sup>th</sup>. *Voted*, *N. C. D.*, That the district of land commonly called and known by the name of New-Hampshire Grants, be a new and separate state; and for the future conduct themselves as such.

7<sup>th</sup>. *Voted*, That Nathan Clark, Esq., Mr. Ebenezer Hosington, Capt. John Burnham, Mr. Jacob Burton, and Col. Thomas Chittenden, be a committee to prepare a draught for a declaration, for a new and separate state; and report to this convention as soon as may be.

8<sup>th</sup>. *Voted*, That Capt. Ira Allen, Col. Thomas Chandler, Doc-



tor Reuben Jones, Mr. Stephen Tilden, and Mr. Nathan Clark, jun., be a committee to draw a plan for further proceedings; and report to this convention as soon as may be.

9<sup>th</sup>. *Voted* to adjourn this meeting to eight o'clock to-morrow morning at this place.

Friday morning, convention opened according to adjournment. The committee appointed to bring in a draught of a declaration, setting forth the right the inhabitants of that district of land, commonly called and known by the name of the New-Hampshire Grants, have, to form themselves into a state or independent government, do make the following report to the honorable convention convened at Westminster, January 15<sup>th</sup>. A. D. 1777, viz.

*To the hon<sup>ble</sup> convention of representatives from the several towns on the west and east side of the range of Green Mountains, within the New-Hampshire Grants, in convention assembled:*

Your committee, to whom was referred the form of a declaration setting forth the right the inhabitants of said New Hampshire Grants have, to form themselves into a separate and independent state, or government, beg leave to report viz.:

RIGHT 1. That whenever protection is withheld, no allegiance is due, or can of right be demanded.

2<sup>d</sup>. That whenever the lives and properties of a part of a community have been manifestly aimed at by either the legislative or executive authority of such community, necessity requires a separation. Your committee are of opinion that the foregoing has, for many years past, been the conduct of the monopolizing land traders of the colony of New-York; and that they have been not only countenanced, but encouraged, by both the legislative and executive authorities of the said state or colony. Many overt acts, in evidence of this truth, are so fresh in the minds of the members, that it would be needless to name them.

And whereas the Congress of the several states did, in said Congress, on the fifteenth day of May, A. D. 1776, in a similar case, pass the following resolution, viz. "*Resolved*, That it be recommended to the respective assemblies and conventions of the United Colonies where no government, sufficient to the exigencies of their affairs, has been heretofore established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and of America in general,"—Your committee, having duly deliberated on the continued conduct of the authority of New-York, before recited, and on the equitableness on which the aforesaid resolution of Congress was founded, and con-

sidering that a just right exists in this people to adopt measures for their own security, not only to enable them to secure their rights against the usurpations of Great-Britain, but also against that of New-York, and the several other governments claiming jurisdiction of this territory, do offer the following declaration, viz.:

This Convention, whose members are duly chosen by the free voice of their constituents in the several towns, on the New-Hampshire Grants, in public meeting assembled, in our own names, and in behalf of our constituents, do hereby proclaim and publicly declare that the district of territory comprehending and usually known by the name and description of the New Hampshire Grants, of right ought to be, and is hereby declared forever hereafter to be considered as a separate, free and independent jurisdiction or state ; by the name, and forever hereafter to be called, known and distinguished by the name of NEW CONNECTICUT ; [ <sup>1</sup> ] and that the inhabitants that at present are, or that hereafter may become resident, either by procreation or emigration, within said territory, shall be entitled to the same privileges, immunities and enfranchisements as are allowed ; and on such condition, and in the same manner, as the present inhabitants in future shall or may enjoy ; which are, and forever shall be considered, to be such privileges and immunities to the free citizens and denizens as are, or, at any time hereafter, may be allowed to any such inhabitants of any of the free and independent states of America ; And that such privileges and immunities shall be regulated in a bill of rights, and by a form of government, to be established at the next adjourned session of this convention.

10<sup>th</sup>. *Voted, N. C. D.*, to accept the above declaration.

*To the honorable the chairman and gentlemen of the convention, your committee appointed to take into consideration what is further necessary to be transacted at the present convention, beg leave to report, viz.*

That proper information be given to the honorable Continental Congress of the United States of America, of the reasons why the New-Hampshire grants have been declared a free state, and

<sup>1</sup> Here, in the copy in *Stade's State Papers*, the words *alias Vermont* are inserted ; but that they could not have been in the original declaration appears from the subsequent use of the name New Connecticut alone, and from the proceedings in the convention of the 4th of June following, when the name was changed to Vermont. *I. Allen's Vt.*, p. 79, and *H. Hall's Vt.*, p. 239, 297.

pray the said Congress to grant said state a representation in Congress; and that agents be appointed to transfer the same to the said Congress, or the committee be filled up that are already appointed, and that a committee be appointed to draw the draught: That a committee of war be appointed on the east side of the mountains, to be in conjunction with the committee of war on the west side of the mountains, to act on all proper occasions: That some suitable measures be taken to govern our internal policy for the time being, until more suitable measures can be taken; that some suitable way be taken to raise a sum of money to defray the expenses of the agents that are to go to Congress; and for printing the proceedings of the convention, which, we are of opinion, ought to be printed. All which is humbly submitted to the convention, by your committee.

By order of the Committee,  
 THOMAS CHANDLER, *Chairman.*”

11<sup>th</sup>. *Voted, N. C. D.*, to accept the above report.

12<sup>th</sup>. *Voted*, That the Declaration of New Connecticut be inserted in the News Papers.

13<sup>th</sup>. *Voted*, That Captain Heman Allen, Col<sup>o</sup> Thomas Chandler, and Nathan Clark, Esq., be a Committee to prepare the Declaration for the Press as soon as may be.

14<sup>th</sup>. *Voted*, That Doct. Jonas Fay, Col<sup>o</sup> Thomas Chittenden, Doct. Reuben Jones, Col<sup>o</sup> Jacob Bailey, and Capt. Heman Allen be the Delegates to carry the remonstrance and Petition to the Hon<sup>ble</sup> Continental Congress and further to negotiate Business in behalf of New Connecticut.

[15<sup>th</sup>. There is no fifteenth vote in the record. Mr. PHELPS suggests that, probably through inattention, Dr. Fay did not designate any vote of this convention by the number 15.]

16<sup>th</sup>. *Voted*, That Major Thomas Chandler, Mr. Stephen Tilden, Mr. Ebenezer Hoisington, Mr. Joshua Webb, Lieut. Dennis Lockland, Mr. Jotham Biglow, Col<sup>o</sup> Thomas Johnson, Mr. Elijah Gates and Nicholas White, be a Committee of War to act in conjunction with the Committee of War already chosen.

17<sup>th</sup>. *Voted*, That it is recommended to each town in Cumberland and Gloucester Counties to choose new Committees of Safety where the Towns are disaffected with the Committees; and in other Towns to let the Committees stand for the time Being.

18<sup>th</sup>. *Voted*, That Capt. Heman Allen, Doct. Jonas Fay, Mr. Joshua Webb, and Major Thomas Moredock be a Committee to procure each one hundred dollars for to defray the expenses of the delegates that are appointed to go to the Continental Congress, according to the report of the Committee of Proceedings.

19<sup>th</sup>. *Voted*, That Mr. Ebenezer Hoisington, Mr. Benj<sup>a</sup> Emmonds, Lieut. Leonard Spaulding, and Mr. Stephen Tilden be a Committee to draw a letter forbidding the Delegates from Cumberland County sitting in the Hon<sup>ble</sup> Provincial Congress of the State of New York.

20<sup>th</sup>. *Voted*, That the Committee that are to make the above Draught are empowered to annex the Chairman's name by order of the Convention.

21<sup>st</sup>. *Voted*, That it is the ardent wish of this Convention that each Town in this State would send Delegate or Delegates to the Convention at their next sitting. Those Towns that have not chose any to choose and send.

### LETTER AS PER NINETEENTH VOTE.

WESTMINSTER, 17<sup>th</sup> Jan<sup>y</sup>, 1777.

*Gentlemen* :—The General Convention consisting of Delegates from the several Counties and Towns through the tract of Land known by the name of the New Hampshire Grants have met according to adjournment at Westminster the 16<sup>th</sup> inst., and have resolved and declared the above District of Land shall hereafter be a distinct State or Government, and the Inhabitants thereof have full authority to make such laws as they shall from time to time think fit.

The said Convention therefore desire and request that you will on sight hereof withdraw yourselves from the Convention of the State of New York, and appear there no more in the character of Representatives for the County of Cumberland; as you were not chosen by a Majority of the people at large.

Gentlemen I am your most obedient  
Hum<sup>ble</sup> Servant,

EBENEZER HOISINGTON, *Chairman Sub-Committee.*

Messrs. John Sessions and Simon Stephens.

By order of Convention,

JOSEPH BOWKER, *Chairman.*

22<sup>d</sup>. *Voted*, To adjourn this Convention to the first Wednesday of June next to be held at the Meeting-House in Windsor at nine o'clock in the forenoon.

By order of Convention,

JOSEPH BOWKER, *Chairman.*

Attest, IRA ALLEN, *Clerk.*

A true copy from the original.

## THE DECLARATION AND PETITION TO CONGRESS.

The following declaration and petition, in accordance with the resolutions of the convention of the 15th of January, announcing the territory of the New Hampshire Grants to be a free and independent State, was presented to the Continental Congress, by the Committee appointed for that purpose, on the 8th of April, 1777 :

*To the Honorable the Continental Congress :—*

The declaration and petition of that part of North America, situate south of Canada line, west of Connecticut river, north of the Massachusetts Bay, and east of a twenty mile line from Hudson's river, containing about one hundred and forty-four townships, of the contents of six miles square, each, granted your petitioners by the authority of New-Hampshire, besides several grants made by the authority of New-York, and a quantity of vacant land, humbly sheweth,

That your petitioners, by virtue of several grants made them by the authority aforesaid, have, many years since, with their families, become actual settlers and inhabitants of said described premises ; by which it is now become a respectable frontier to three neighboring states, and is of great importance to our common barrier Tyconderoga ; as it has furnished the army there with much provisions, and can muster more than five thousand hardy soldiers capable of bearing arms in defence of American liberty :

That shortly after your petitioners began their settlements, a party of land-jobbers, in the city and state of New-York, began to claim the lands, and took measures to have them declared to be within that jurisdiction :

That on the 20<sup>th</sup> day of July, 1764, the king of Great-Britain did pass an order in council, extending the jurisdiction of New-York government to Connecticut river, in consequence of a representation made by the late lieutenant governor Colden, that for the convenience of trade, and administration of justice, the inhabitants were desirous of being annexed to that state :

That on this alteration of jurisdiction, the said lieutenant governor Colden did grant several tracts of land in the above described limits, to certain persons living in the state of New York, which were, at that time, in the actual possession of your petitioners ; and under color of the lawful authority of said state, did proceed against your petitioners, as lawless intruders upon the crown lands in their province. This produced an application to the king of Great Britain from your petitioners, setting forth their

claims under the government of New-Hampshire, and the disturbance and interruption they had suffered from said post claimants, under New-York. And on the 24<sup>th</sup> day of July, 1767, an order was passed at St. James's, prohibiting the governors of New-York, for the time being, from granting any part of the described premises, on pain of incurring his Majesty's highest displeasure. Nevertheless the same lieutenant governor Colden, governors Dunmore and Tryon, have, each and every of them, in their respective turns of administration, presumed to violate the said royal order, by making several grants of the prohibited premises, and countenancing an actual invasion of your petitioners, by force of arms, to drive them off from their possessions.

The violent proceedings, (with the solemn declaration of the supreme court of New-York, that the charters, conveyances, &c. of your petitioners' lands, were utterly null and void,) on which they were founded, reduced your petitioners to the disagreeable necessity of taking up arms, as the only means left for the security of their possessions. The consequence of this step was the passing twelve acts of outlawry, by the legislature of New-York, on the ninth day of March, 1774; which were not intended for the state in general, but only for the part of the counties of Albany and Charlotte, viz. such parts thereof as are covered by the New-Hampshire charters.

Your petitioners having had no representative in that assembly, when these acts were passed, they first came to the knowledge of them by public papers, in which they were inserted. By these, they were informed, that if three or more of them assembled together to oppose what said assembly called legal authority, that such as should be found assembled, to the number of three or more, should be adjudged felons: And that, in case they, or any of them, should not surrender himself or themselves to certain officers appointed for the purpose of securing them, after a warning of seventy days, that then it should be lawful for the respective judges of the supreme court of the province of New-York, to award execution of *Death*, the same as though he or they had been attainted before a proper court of judicatory. These laws were evidently calculated to intimidate your petitioners into a tame surrender of their rights, and such a state of vassalage, as would entail misery on their latest posterity.

It appears to your petitioners, that an infringement on their rights is still meditated by the state of New-York; as we find that in their general convention at Harlem, the second day of August last, it was unanimously voted, "That all quit-rents, formerly due and owing to the crown of Great-Britain within this state, are now

due and owing to this convention, or such future government as may hereafter be established in this state."

By a submission to the claims of New-York your petitioners would be subjected to the payment of two shillings and six pence sterling on every hundred acres annually; which, compared with the quit-rents of Livingston's, Phillips's, and Ranslear's manors, and many other enormous tracts in the best situations in the state, would lay the most disproportionate share of the public expense on your petitioners, in all respects the least able to bear it.

The convention of New-York have now nearly completed a code of laws, for the future government of that state; which, should they be attempted to be put in execution, will subject your petitioners to the fatal necessity of opposing them by every means in their power.

When the declaration of the honorable the Continental Congress, of the fourth of July last past, reached your petitioners, they communicated it throughout the whole of their district; and being properly apprized of the proposed meeting, delegates from the several counties and towns in the district, described in the preamble to this petition, did meet at Westminster in said district, and after several adjournments for the purpose of forming themselves, into a distinct and separate state, did make and publish a declaration, "that they would, at all times thereafter, consider themselves as a free and independent state, capable of regulating their own internal police, in all and every respect whatsoever; and that the people, in the said described district, have the sole, exclusive right of governing themselves in such a manner and form as they, in their wisdom, should choose; not repugnant to any resolves of the honorable the Continental Congress." And for the mutual support of each other in the maintenance of the freedom and independence of said district or separate state, the said delegates did jointly and severally pledge themselves to each other, by all the ties that are held sacred among men, and resolve and declare that they were at all times ready, in conjunction with their brethren of the United States, to contribute their full proportion towards maintaining the present just war against the fleets and armies of Great-Britain.

To convey this declaration and resolution to your honorable body, the grand representatives of the United States, were we (your more immediate petitioners) delegated by the united and unanimous voices of the representatives of the whole body of the settlers on the described premises, in whose name and behalf, we humbly pray, that the said declaration may be received, and the district described therein be ranked by your honors, among the free and American states, and delegates therefrom admitted to

seats in the grand Continental Congress; and your petitioners as in duty bound shall ever pray.

New-Hampshire Grants, Westminster, Jan. 15th, 1777.

Signed by order, and in behalf of said inhabitants, { JONAS FAY,  
THOMAS CHITTENDEN,  
HEMAN ALLEN,  
REUBEN JONES.

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### THE REVISED DECLARATION OF INDEPENDENCE.

The following is the declaration of independence as "prepared for the press," by the committee appointed for that purpose in obedience to the 12th and 13th votes of the January Convention. It was published in the *Connecticut Courant* of March 17, 1777, and was not satisfactory to the subsequent convention of the 4th of June, for the reason that it omitted to state the causes for the separation from New York, as will be seen by the proceedings of that body.

### VERMONT'S DECLARATION OF INDEPENDENCE.

In Convention of the representatives from the several counties and towns of the New Hampshire Grants, holden at Westminster, January 15, 1777, by adjournment.

*Whereas* the Honorable the Continental Congress did, on the 4<sup>th</sup> day of July last, declare the United Colonies in America to be free and independent of the crown of Great Britain; which declaration we most cordially acquiesce in: And whereas by the said declaration the arbitrary acts of the crown are null and void, in America, consequently the jurisdiction by said crown granted to New York government over the people of the New Hampshire Grants is totally dissolved:

*We therefore*, the inhabitants, on said tract of land, are at present without law or government, and may be truly said to be in a state of nature; consequently a right remains to the people of said Grants to form a government best suited to secure their property, well being and happiness. We the delegates from the several counties and towns on said tract of land, bounded as follows: South on the North line of Massachusetts Bay; East on Connecticut river; North on Canada line; West as far as the New Hampshire Grants extends:

After several adjournments for the purpose of forming ourselves



into a distinct separate state, being assembled at Westminster, do make and publish the following Declaration, viz.:

“That we will, at all times hereafter, consider ourselves as a free and independent state, capable of regulating our internal police, in all and every respect whatsoever—and that the people on said Grants have the sole and exclusive and inherent right of ruling and governing themselves in such manner and form as in their own wisdom they shall think proper, not inconsistent or repugnant to any resolve of the Honorable Continental Congress.

“*Furthermore*, we declare by all the ties which are held sacred among men, that we will firmly stand by and support one another in this our declaration of a state, and in endeavoring as much as in us lies, to suppress all unlawful routs and disturbances whatever. Also we will endeavor to secure to every individual his life, peace and property against all unlawful invaders of the same.

“*Lastly* we hereby declare, that we are at all times ready, in conjunction with our brethren in the United States of America, to do our full proportion in maintaining and supporting the just war against the tyrannical invasions of the ministerial fleets and armies, as well as any other foreign enemies, sent with express purpose to murder our fellow brethren, and with fire and sword to ravage our defenceless country.

“The said state hereafter to be called by the name of NEW CONNECTICUT.”

Extract from the minutes.

IRA ALLEN, *Clerk*.

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## THE WINDSOR CONVENTION

OF JUNE 4, 1777.

Of this convention no full journal has been found, though the record of a portion of its proceedings has been preserved. It was held by adjournment from the convention of the preceding 15th of January. Only the following accounts of its proceedings (numbered one to five) have been obtained.

1777  
June 4.

## I. NEWSPAPER NOTICE FOR ITS ASSEMBLING.

In the *Connecticut Courant* of the 14th of April, 1777, the following notice appears :

In convention of the representatives from the several counties and towns in the New Hampshire Grants holden at Westminster 15<sup>th</sup> January 1777, by adjournment, voted unanimously—

“That it is the ardent wish of this convention that each town in the district would send a delegate or delegates to the next sitting of this convention, those towns that have not chosen any delegates to choose and send. This convention is adjourned to the first Wednesday of June next, to be held at the meeting-house Windsor, at nine o’clock in the morning.”

Extract from the minutes.

IRA ALLEN, *Clerk*.

\* \* Nonresidents, that have a desire to attend the above convention, are hereby notified of the same. Said convention was formed to govern the internal police of said district, and if thought proper to form said district into a state.

## II. ORGANIZATION AND LIST OF MEMBERS.

From the manuscript of the Hon. JAMES H. PHELPS.

NEW HAMPSHIRE GRANTS (*alias*) }  
 NEW CONNECTICUT ; } WINDSOR, June 4<sup>th</sup>, 1777.  
 Convention opened according to Adjournment.

PRESENT THE FOLLOWING MEMBERS :

Capt. JOSEPH BOKWER in the Chair.

1<sup>st</sup>. *Voted*, Lieutenant Martin Powell, Assistant Clerk.

<i>Benning-</i>	{ Nathan Clark, Esq.,	<i>Pawlet,</i>	{ Capt. William Fitch,
<i>ton,</i>	{ Mr. Simeon Hathaway,	<i>Wells,</i>	{ Capt. Jonathan Willard.
	{ Capt. John Burnham,		Mr. Caleb Smith.
	{ Doct. Jonas Fay.	<i>Poultney,</i>	Capt. Zebediah Dewey.
<i>Shafts-</i>	{ Major Jeremiah Clark,	<i>Castle-</i>	{ By a letter from s <sup>d</sup> Town
<i>bury,</i>	{ Mr. Gideon Olin.	<i>ton,</i>	{ acquiescing in forming a
<i>Arling-</i>	{ Capt. Ebenezer Willough-	<i>Hub-</i>	{ New State.
<i>ton,</i>	{ Mr. Abel Benedict. [by,	<i>bardton,</i>	{ Mr. Jesse Churchill.
<i>Sunder-</i>	{ Lieut. Joseph Bradley,	<i>Danby,</i>	Capt. William Gage.
<i>land,</i>	{ Mr. Eli Bronson.	<i>Tin-</i>	{ Capt. Ebenezer Allen.
<i>Man-</i>	{ Mr. Thomas Bull,	<i>mouth,</i>	{
<i>chester,</i>	{ Lieut. Martin Powell.		{ Benj Spencer, } Major
<i>Dorset,</i>	Mr. Cephas Kent.	<i>Claren-</i>	{ Whitefield Foot, } Part.
<i>Rupert,</i>	{ Doct. Gaius Smith,	<i>don,</i>	{ Joseph Smith, } Minor
	{ Mr. Moses Robinson.		{ Stephen Place, } Part.

<i>Rutland</i> , { Lt. John Southerland, Capt. Joseph Bowker.	<i>Hertford</i> { Maj <sup>r</sup> Joel Matthews, Mr. W <sup>m</sup> . Gallup.
<i>Pittsford</i> , Capt. Jon <sup>th</sup> Fassett.	<i>Woodstock</i> , { Mr. Benj <sup>a</sup> Emmonds.
<i>Neshobee</i> , Capt. Josiah Powers. <sup>1</sup>	<i>Hartford</i> { Col <sup>o</sup> Joseph Marsh, Mr. Stephen Tilden.
<i>Whiting</i> , Capt. Josiah Powers. <sup>1</sup>	<i>Pomfret</i> , { John Throop, [Esq. John Winchester Dana,
<i>Cornwall</i> , Mr. Gamaliel Painter.	<i>Barnard</i> { Mr. Asa Whitcomb, Mr. Asa Chandler,
<i>Colechester</i> , { Capt. Ira Allen, Capt. Heman Allen.	<i>Norwich</i> { Col <sup>o</sup> Peter Olcott, Maj <sup>r</sup> Thomas Moredock, Mr. Jacob Burton.
<i>Williston</i> , Col <sup>o</sup> Thomas Chittenden.	<i>Sharon</i> , { Joel Marsh, Esq. Mr. Daniel Gilbert.
<i>Wilmington</i> , { Mr. W <sup>m</sup> . Mellen.	<i>Kent</i> , Mr. Edward Aiken.
<i>Halifax</i> , Doct <sup>r</sup> W <sup>m</sup> . Hill.	<i>Cavendish</i> , { Capt. John Coffrin.
<i>Guilford</i> { Col <sup>o</sup> Benj <sup>a</sup> Carpenter, Capt. John Barney.	<i>Bromley</i> , Capt. William Utley.
<i>Brattleborough</i> , { Lt. Israel Smith.	<i>Thetford</i> , Lt. Abner Chamberlain.
<i>Townshend</i> , { Mr. John Dyer.	<i>Stratford</i> , Mr. Frederick Smith.
<i>Dumrleston</i> . { Lt. Leonard Spaulding.	<i>Fairlee</i> , Mr. Amos Woodworth.
<i>Putney</i> , Mr. Dennis Lockland.	<i>Moor-town</i> , { Doct. Bildad Andross, Mr. Benj <sup>a</sup> Baldwin.
<i>Westminster</i> , { Nath <sup>l</sup> Robinson, Esq.	<i>Corinth</i> , { By a letter acquiescing in a State.
<i>Rockingham</i> , { Doct. Reuben Jones.	<i>Newbury</i> , { Mr. John G. D. Bailey, Capt. Robert Johnson.
<i>Chester</i> , Lt. Jabez Sargent.	<i>Reading</i> , Mr. Andrew Spear. <sup>2</sup>
<i>Windsor</i> , Mr. Ebenezer Hoisington	

### III. FURTHER PROCEEDINGS—NAME "VERMONT."

The following account of the further proceedings of this convention of June 4, 1777, is found in the *Connecticut Courant* of June 30, 1777 :

<sup>1</sup> One of these is Capt. *Jeremiah Powers*. See page 51.

<sup>2</sup> Here ends the manuscript of Mr. PHELPS, to which he appends the words :

"Copied from the original record November 18th, 19th and 20th, 1862, by JAMES H. PHELPS."

The record from which Mr. Phelps' copy was taken was certified by Jonas Fay, the standing clerk of the conventions. It was only temporarily in the possession of Mr. Phelps, and is not known to be now in existence.

## STATE OF VERMONT,

In General Convention, Windsor, June 4, 1777. }

*Whereas*, This convention did at their session in Westminster, the 15<sup>th</sup> day of January last, among other things, declare the district of land commonly called and known by the name of the New Hampshire Grants, to be “a free and independent state capable of regulating their own internal police in all and every respect whatsoever, and that it should thereafter be known by the name of NEW CONNECTICUT:”

*And whereas*, By mere accident, or through mistake, the said declaration alone was published in the *Connecticut Courant*, No. 634, dated March 17<sup>th</sup>, 1777, without assigning the reasons which impelled the inhabitants to such separation :

*And whereas*, This convention have been informed that a district of land lying on the Susquehanna river, has been heretofore and is now known by the name of New Connecticut, which was unknown to them until sometime since the declaration at Westminster aforesaid ; and as it would be inconvenient in many respects for two separate districts on this continent to bear the same name :

*Resolved*, Therefore, unanimously, that the said district described in the preamble to the declaration at Westminster, aforesaid, shall now hereafter be called and known by the name of VERMONT.

*And whereas*, The whole body of members which compose this convention, consisting of the following persons, viz.:

Capt. Joseph Bowker, *President*.  
 Mr. Simeon Hathaway,  
 Dr. Jonas Fay, *Secretary*,  
 Mr. Gideon Olin,  
 Mr. Abel Benedict,  
 Mr. Eli Brownson,  
 Mr. Thomas Bull,  
 Mr. Moses Robinson, 2<sup>d</sup>.  
 Captain William Fitch,  
 Mr. Caleb Smith,  
 Mr. Jesse Churchill,  
 Capt. Ebenezer Allen,  
 Mr. Whitefield Foot,  
 Mr. Stephen Place,  
 Capt. Jonathan Fassett,  
 Mr. Gamaliel Painter,  
 Capt. Ira Allen,  
 Mr. William Mellen,  
 Col. Benjamin Carpenter,

Mr. Israel Smith,  
 Mr. Dennis Lockland,  
 Mr. Joshua Webb,  
 Mr. Jabez Sargeant,  
 Capt. William Utley,  
 Capt. William Curtis,  
 Capt. William Gallop,  
 Mr. Stephen Tilden,  
 Mr. John Throop,  
 Mr. Asa Whitcomb,  
 Col. Peter Olcott,  
 Mr. Jacob Burton,  
 Mr. Daniel Gilbert,  
 Mr. Frederick Smith,  
 Dr. Bildad Andrus,  
 Mr. John G. D. Bailey,  
 Mr. Amaziah Woodworth,<sup>1</sup>  
 Nathan Clark, Esq.,  
 Mr. John Burnham, Jun.,

<sup>1</sup> In the preceding list of delegates, the only Woodworth named is *Amos*, whose name is also in this list with that of *Amaziah*.

Major Jeremiah Clark,  
 Capt. Ebenezer Willoughby,  
 Mr. Joseph Bradley,  
 Mr. Martin Powell,  
 Mr. Cephas Kent,  
 Dr. Gaius Smith,  
 Capt. Jonathan Willard,  
 Captain Zebediah Dewey,  
 Captain William Gage,  
 Benjamin Spencer, Esq.,  
 Mr. Joseph Smith,  
 Mr. John Sutherland,  
 Capt. Josiah Powers,  
 Capt. Heman Allen,  
 Col. Thomas Chittenden,  
 Dr. William Hill,  
 Capt. John Barney,

Mr. John Dyer,  
 Nathaniel Robinson, Esq.,  
 Dr. Reuben Jones,  
 Capt. John Coffin,  
 Mr. Ebenezer Hosington,  
 Majr Joel Matthews,  
 Mr. Benjamin Emmons,  
 Col. Joseph Marsh,  
 John W. Dana, Esq.,  
 Mr. Asa Chandler,  
 Major Thomas Moredock,  
 Joel Marsh, Esq.,  
 Mr. Abner Chamberlin,  
 Mr. Amos Woodworth,  
 Mr. Benjamin Baldwin,  
 Capt. Robert Johnson,  
 Capt. Jeremiah Powers,

amounting to seventy-two in number, being all convened at the town house in Windsor, aforesaid, and the motion being made and seconded, whether the house would proceed to business on the former declaration made at Westminster, in January aforesaid, with this alteration only, "that instead of NEW CONNECTICUT, the said district should ever be known by the name of VERMONT;" That then the names of the representatives being distinctly and severally called by the Secretary, seventy-one of them did answer in the words following, viz.: "PROCEED TO FORM;" at which time and place the said seventy-one members did renew their pledges to each other by all the ties held sacred among men, and resolve and declare that they were at all times ready, in conjunction with their brethren in the United States, to contribute their full proportion towards maintaining the present just war against the fleets and armies of Great Britian.

That the public may be capable of forming a just idea of the reasons which so necessarily obliged the inhabitants of the district before described to declare themselves to be separate and distinct from the state of New York, the following complaints are hereto subjoined.

### COMPLAINTS.

In the year 1764 the legislative authority of New York did obtain jurisdiction over the before described territory of land, by virtue of a false representation made by the late Lieut. governor Colden, that for the convenience of trade and administration of justice the inhabitants were desirous of being annexed to that government.

They have refused to make re-grants of the same lands to the

original proprietors and occupants, unless at the exorbitant rate of \$2300 fees for each township, and did enhance the quitrent three fold, and demanded an immediate delivery of the title derived before from New Hampshire.

The judges of their supreme court have made a solemn declaration, that the charters, conveyances, &c., of the lands included in the before described premises, were utterly null and void, on which said title was founded.

In consequence of which declaration, writs of possession have by them been issued, and the Sheriff of the County of Albany sent at the head of six or seven hundred armed men to enforce the execution thereof.

They have passed an act annexing a penalty thereto, of thirty pounds, and fine and six months imprisonment, on any person who should refuse attending the sheriff after being requested for the purpose of executing writs of possession.

The governors, Dunmore, Tryon, and Colden, have made re-grants of several tracts of land included in the premises, to certain favorite land-jobbers in the government of New York, in direct violation of his Brittanic Majesty's special orders in the year 1767.

They have endeavored and many times threatened to excite the king's troops to destroy us.

They have issued proclamations wherein they have offered large sums of money for the purpose of apprehending those persons who have dared boldly and publicly to appear in defence of their just rights.

They did pass twelve acts of outlawry on the 9<sup>th</sup> of March, A. D. 1774, empowering the respective judges of their supreme court to award execution of death against those inhabitants in said district, that they should judge to be offenders, without trial.

They have and still continue an unjust claim to those lands, which greatly retards emigration into, and the settlement of this state.

They have hired foreign troops, emigrants from Scotland, at different times, and armed them to drive us out of possession.

They have sent the savages on our frontiers to destroy us.

They have proceeded to erect the counties of Cumberland and Gloucester, and established courts of justice there, after they were discountenanced by the authority of Great Britain.

The free convention of the state of New York, at Harlem, in the year 1776, unanimously voted "that all quitrents formerly due to the king of Great Britain, are now due and owing to this convention, or such future government as shall be established in this state."

In truth, they, the late government of New York, have spared neither cost or pains, nor been wanting in using every artful insinuation in their power, (however unwarrantable by the laws of God or man,) to defraud those inhabitants out of the whole of their landed property; and nothing but consciences void of offense towards God and man, to whose impartial judgment we appeal, could have induced those inhabitants to have run the risk, and to have undergone the hardships and fatigues they have borne, for the salvation of their lives, liberties and properties.

In the several stages of the aforesaid oppression, we have petitioned his Britanic Majesty in the most humble manner for redress, and have, at very great expense, received several reports in our favor; and in other instances wherein we have petitioned the late legislative authority of New York, these petitions have been treated with neglect. We shall therefore only remind the public that our local situation alone is a sufficient reason for our declaration of an independency, and must therefore announce a separation from the state of New York, and refer the public to our declaration made the 15<sup>th</sup> day of January last, and published in the *Connecticut Courant*, and sincerely wish that in future a lasting peace may continue between the state of New York and this with the other United States of America.

By order of Convention.

JONAS FAY, *Secretary*.<sup>1</sup>

#### IV. CONCERNING ELECTION OF DELEGATES.

A copy of the proceedings of this June convention, relating to the election of delegates to a *Constitutional* Convention, appears to have been forwarded to the several towns, which copy was as follows:

In convention of the representatives of the several counties and towns in the state of Vermont, holden at Windsor on the 4<sup>th</sup> day of June, A. D. 1777—

*Whereas*, this convention did at its sitting at Westminster on the 15<sup>th</sup> day of January last make and publish a declaration that they would at all times hereafter consider themselves as a free and independent state, capable of regulating their own internal police in all and every respect whatever:

And whereas no government sufficient to the exigencies of our affairs has been hitherto established; Therefore it becomes abso-

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<sup>1</sup> The foregoing from the *Connecticut Courant* is found, though with numerous typographical errors, in the Appendix to J. D. BUTLER'S Address of 1846, p. 31, 32, 33. See also *H. Hall's Vt.*, 244, 245, 246.

lutely necessary for the safety, well being and happiness of the inhabitants of this state to form such a government as shall, in the opinion of the representatives of the people of this state, best conduce to the happiness and safety of their constituents in particular and America in general; and whereas the Honorable Continental Congress did, on the 15<sup>th</sup> day of May, A. D. 1776, make and publish the within recommendation for the express purpose of taking up government,

*Resolved*, Therefore, that copies of the said recommendation be distributed to the inhabitants of each town within this state; and that it be and is hereby recommended to the freeholders and inhabitants of each town in this state to meet at some convenient place in each town on the 23<sup>d</sup> day of this instant June and choose delegates to attend a general convention at the meeting-house in Windsor, within the said state, on the second day of July next, to choose delegates to attend the general Congress, a Committee of Safety, and to form a Constitution for said state. By order of Convention.

pr copy,

JOSEPH BOWKER, *President*.<sup>1</sup>

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#### COMMITTEE TO REPAIR TO TICONDEROGA.

This convention at Windsor of June 4, 1777, also appointed a committee consisting of "Col. William Marsh, James Mead, Ira Allen and Captain Salisbury to wait on the commander of Ticonderoga fort and consult with him respecting the regulations and defense of the frontiers, and then adjourned to the 2d of July, 1777, at the same place. While the committee was at Ticonderoga, Gen. Burgoyne with his army appeared on the lake, and resting at Crown Point he sent a scout of about 300, mostly Indians, to land at the mouth of Otter Creek, to annoy the frontiers of the state. Gen. Poor refused to allow any troops to the committee for the defense of the frontiers, but allowed Col. Warner

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<sup>1</sup> The resolution of the Continental Congress of May 15, 1776, referred to above, is as follows :

"*Resolved*, That it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient for the exigencies of their affairs hath been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general."—See *Journal of Congress* for May 10 and 15, 1776.



to go with the committee, who soon raised men sufficient to repel the assailants. All who were members of the convention left the militia and repaired to Windsor on the 2d of July, 1777."<sup>1</sup>



## V. PROCLAMATION FOR A FAST.

### A PROCLAMATION.

Since God has been pleased in his wisdom to visit the inhabitants of this land with his just judgments by suffering our unnatural enemies to wage war against us, the pestilence to prevail and the many other calamities with which we are now threatened as a just reward for the many prevailing sins committed against the Divine Law, we have sufficient reason to believe calls aloud on his people for solemn Fasting and Prayer. We have, therefore, thought fit to appoint and do hereby appoint Wednesday the 18<sup>th</sup> day of June instant to be observed as a day of public fasting and prayer throughout this state and do earnestly recommend to the good people thereof to observe the same as such, that we may humble our hearts before God and implore Him to avert the impending judgments, remove the sword of our unnatural enemies from us, sanctify the awful frowns of Divine Providence, grant His blessings on our councils and arms and direct our generals, guard this state from the invasion of the savages, direct in our election of members for establishing government, bless the labors of our hands, grant suitable seasons for the year for seed time and harvest and crown the year with His goodness, revive religion and virtue, Bless the ministers of the gospel and water his churches with heavenly grace. And it is hereby recommended to all the good people of this state to abstain from secular labor and recreation on that day.

Given at Windsor in the state of Vermont in General Convention, the 7<sup>th</sup> day of June Anno 1777.

By order,

JOSEPH BOWKER, *President.*

JONAS FAY, *Secretary.*<sup>2</sup>

<sup>1</sup> *I. Allen's Vt.*, p. 92.

<sup>2</sup> A manuscript copy of the above proclamation, certified by Martin Powell, assistant clerk, is found in the office of the Secretary of State at Albany, in volume 35, *Miscellaneous*, p. 54.

From the date of the above proclamation it would appear that the convention was in session not less than four days.

## THE WINDSOR CONVENTION

OF JULY 2, 1777.

The convention which met at Windsor on the 4th of  
<sup>1777</sup> June, 1777, had, as has already been seen, given notice  
<sup>July 2.</sup> to the several towns on the New Hampshire Grants to  
 choose delegates to attend a convention at that place on the 2d  
 day of the ensuing month of July, for the purpose of forming a  
 state constitution, and providing for the government of the state  
 until it should go into operation, and had then adjourned to the  
 same time and place. No journal of this convention has been  
 found. The following address of the Rev. PLINY H. WHITE, late  
 President of the *Vermont Historical Society*, contains as full an  
 account of its proceedings as can now be obtained :

### ADDRESS

*Before the Vermont Historical Society at Windsor, July 2, 1863, being  
 the eighty-sixth Anniversary of the Meeting of the Convention  
 that formed the first Constitution of Vermont,*

BY REV. PLINY H. WHITE.

THE year 1777 was a critical year in the affairs of the settlers on the New Hampshire Grants. If not actually the turning period in their destiny, it was at least the turning period in their determination. They had endured till they could endure no longer the arbitrary proceedings of New York, the temporizing and vacillating policy of the United States, and the manifold inconveniences and perils of their anomalous condition ; and they manfully resolved either to find a way or to make one by which to secure redress for past grievances, safety from present danger and security for future enjoyment of their inalienable rights. It was a year both of deliberation and of action, of conventions, and of battles.

On the 15th of January a convention, which originally met at Dorset the 24th of July, 1776, assembled at Westminster and with all due solemnity declared the New Hampshire Grants a free and independent state. It remained in session nearly a week devising measures to secure a congressional recognition of its action and then adjourned to meet at Windsor on the first Wednesday of

June then next. At that time it appointed a committee to draft a constitution for the new state, and adopted a resolution recommending the towns to elect delegates to meet in convention at Windsor on the 2d day of July. With a becoming recognition of the need of propitiating the Divine favor for their undertaking, the convention appointed Wednesday the 18th day of June to be observed as a day of fasting and prayer, that the blessing of heaven might rest upon their important and perilous enterprise.

In compliance with the resolution, delegates met in convention at Windsor, on the 2d day of July, 1777. The journal of that convention was never printed, and the original document has long since fallen a prey to the mice, the paper makers, or some other animals whose special function it is to destroy the sources of history. Not even a full list of the members is extant. Deming, who used "much exertion and expense" to procure a list for his "*Catalogue of Vermont Officers*," was able to obtain the names of only sixteen. My researches have added only eight to the number, making twenty-four in all. The list, as it now stands, is as follows :

<i>Barnet</i> ,	Alexander Harvey.	<i>New-</i>	{ Jacob Bayley,
<i>Ben-</i>	{ Jonas Fay,	<i>bury</i> ,	{ Reuben Foster.
<i>nington</i> ,	{ Joseph Safford.	<i>Pomfret</i> ,	John Throop.
<i>Brad-</i>	{ Benj <sup>a</sup> . Baldwin,	<i>Poultney</i>	{ W <sup>m</sup> . Ward,
<i>ford</i> ,	{ Bildad Andrus.		{ Nehemiah House.
<i>Chester</i> ,	{ Tho <sup>a</sup> . Chandler,	<i>Rock-</i>	{ Joshua Webb,
	{ Jabez Sargent.	<i>ingham</i> ,	{ Reuben Jones.
<i>Danby</i> ,	{ Tho <sup>a</sup> . Chittenden,	<i>Rutland</i> ,	Joseph Bowker.
	{ William Gage.	<i>Sunder-</i>	{ Timothy Brownson.
<i>Guilford</i> ,	Benjamin Carpenter.	<i>land</i> ,	
<i>Hartford</i> ,	Joseph Marsh.	<i>Tin-</i>	{ Eb <sup>a</sup> Allen,
<i>Marlboro</i> ,	Francis Whitmore.	<i>mouth</i> ,	{ Charles Brewster.
		<i>Pownal</i> ,	Joseph Williams.

Full half of these had been members of the convention which adopted the declaration of independence, and there is good reason to believe that a majority of the members of the two conventions were the same persons.

The convention was organized by choosing Joseph Bowker, President; Joseph Marsh, Vice President; and Jonas Fay, Secretary. It was almost a matter of course that these would be the officers. They appear to have had a special, and frequently recognized, fitness for their several places; and "Capt. Joseph Bowker in the Chair, Dr. Jonas Fay, Clerk," is the stereotyped formula at the commencement of most of the records of conventions in those troublous times.

Before proceeding to business, the convention listened to a ser-

mon by the Rev. Aaron Hutchinson of Pomfret. The preacher was by no means the least noteworthy of the men who were assembled on that important occasion. His sermon, though afterwards committed to writing and to the press, was originally delivered extemporaneously, after riding in the heat and dust of a July day; notwithstanding which unfavorable circumstance, it exhibits a logical unity and coherence, and a frequency of classical and historical allusions, which testify to the highly disciplined and well furnished mind of its author. A copy of this sermon, supposed to be the only copy extant, was presented to this society at its last annual meeting, by the Rev. DANIEL T. TAYLOR of Castleton, and a somewhat extended notice of its author will not be out of place in this connection.

The Rev. AARON HUTCHINSON was born in Hebron, Ct., in March, 1724. He was graduated at Yale College in 1747, and received the degree of Master of Arts, in course, at that institution, and as an honorary degree at Harvard in 1750, at Dartmouth in 1780, and at Princeton in 1794. It is not known with whom he studied theology, but the Rev. Mr. Pomeroy, of Hebron, was probably his teacher. He was ordained pastor of the Congregational Church, in Grafton, Mass., 6 June, 1750, and continued to sustain that relation till 18 November, 1772, when, at his own request, he was dismissed by the church, though the society refused to concur in the dismissal. He continued to live in Grafton till 4 July, 1776, when he removed to Pomfret, Vt., where he had purchased a farm the year preceding. Here he became "Pastor of the Church in that and the two adjacent towns, Hartford and Woodstock," and continued to officiate as such for five years, after which he gave up the pastoral office and lived on his farm, but preached in the vicinity, often gratuitously, till his death, which took place 1 September, 1800. During his ministerial life of more than half a century, he was disabled from preaching, by ill health, only two Sabbaths, one of which was the Sabbath immediately preceding his death.

Mr. Hutchinson was a man of strong natural powers, and was noted for his extraordinary memory. He would repeat the entire New Testament. He often went through the whole pulpit service without opening a book of any kind, appointing and reciting the hymns, as well as quoting the scriptures, with entire reliance upon his memory, and without mistake. His contemporaries regarded him as a good classical scholar, and he received many young men into his family for instruction. Tradition says that "his method was to teach Latin and Greek while he worked in the field, his pupils being required to follow him as he followed the plow. His classical attainments and strong memory enabled him thus to cultivate mind

and mold at the same time. Both soils, we doubt not, were well tilled, though we may innocently conjecture that the master of the plow-handle would, now and then, be guilty of an ungrammatical apocope, as the share was caught with frequent jerks among the roots and rocks of the rough new country. None but an accomplished linguist could, under such circumstances, have administered Greek to the student and English to the cattle, in due proportion, in proper order, and without confusion."

In theology he was a high-toned Calvinist, and somewhat disposed to contend earnestly for the faith. He had a controversy with Rev. Dr. Tucker of Newbury, Mass., on some of the points at issue between Calvinism and Arminianism, in which he proved himself a vigorous writer and a skilful polemic. In his personal habits he had many eccentricities. Besides the sermon mentioned above, several discourses of his were printed, among which were "Valour for the truth," at Newburyport, Mass., 27 April, 1767; sermon at Grafton on the Sabbath after the execution of Arthur, 23 October, 1768; two farewell sermons, Grafton, 15 November, 1772, and a sermon at Pelham 8 December, 1773. He married Margery Carter of Hebron, Ct., who survived him nearly twenty years, and died 8 August, 1819, aged nearly ninety. By her he had five sons and five daughters. The youngest child, Titus Hutchinson, attained to considerable distinction in Vermont as a lawyer, judge and politician.

After sermon the convention proceeded to the specific business for which it was elected, digressing however from that to consider any other matter relating to the interests of the new state which seemed to require attention. In fact this convention, as well as several others which met during the dark days of our forefathers, appeared to have acted as a general council of safety, advising, if not directing, in regard to all movements, military as well as political, which affected the general welfare. In this the people acquiesced, having impliedly charged their representatives, as the Roman people charged their dictators in times of great danger, to "take care that the republic should receive no detriments." Nor was the convention composed of men who were unworthy to exercise such dictatorial powers. They were, in truth, the men "most noted for wisdom and virtue" in all the state, devotedly attached to its interests, with wisdom adequate to any emergency that was likely to arise, and with courage to execute any plan which they might decide to be judicious.

Almost every known member of the convention was the very foremost man in his town and received repeated evidences of the high consideration of his fellow citizens. ALEXANDER HARVEY, the delegate from Barnet, was a member of all the conven-

tions of 1777, a member of the first legislature, and the only representative of his town for eleven years. BENJAMIN CARPENTER, of Guilford, was the first representative of that town, a councillor two years, a member of the first council of censors, and lieutenant governor two years. JOSEPH MARSH, of Hartford, was also a member of the first council of censors, the first lieutenant governor of the state, and held the last named office five years. TIMOTHY BROWNSON, of Sunderland, and JOHN THROOP, of Pomfret, were each members of the council several years. JACOB BAYLEY, of Newbury, was a member of the first and second councils. WILLIAM WARD, of Poultney, a relative of Gen. Artemas Ward, the distinguished revolutionary officer, was judge of probate twenty-two years and a member of the legislature eighteen years.

Such men as these were the leaders of the convention: Dr. JONAS FAY, of Bennington, and THOMAS CHITTENDEN, usually of Williston but at this time, by stress of circumstances, living in Danby, and delegate from that town. FAY played a conspicuous part in every enterprise of the Green Mountain Boys. He was much better educated than most of the early statesmen of Vermont, was very decided in his opinions and bold in maintaining them. He held moreover the pen of a ready writer, and could quickly put on paper his own thoughts or those of others, in clear, concise and energetic language. He was therefore a frequent writer of public documents; among others, of the Vermont declaration of independence, as is supposed. The sterling common sense and far seeing sagacity of CHITTENDEN had already secured for him the unlimited confidence of the people, and now made him the master spirit of the convention.

An assembly of such men, in whom determination was guided by prudence and energy tempered with discretion, might well be trusted, not only with the establishment of a constitution for the infant state, but with any and all other of its concerns. Very early in the session their attention was called away from their more immediate business by a dispatch from Col. Seth Warner, announcing the advance of Burgoyne upon Ticonderoga, and calling for assistance. The dispatch was as follows:

“RUTLAND, July 1, 1777.

“*To the Hon. the Convention now sitting at Windsor in the State of Vermont.*

“GENTLEMEN:—Last evening I received an express from the general commanding at Ticonderoga, advising me that the enemy have come up the lake, with 17 or 18 gunboats, two large ships, and other craft, and lie at Three Mile Point. The general expects an attack every hour. He orders me to call out the militia

of this state, of Massachusetts, and New Hampshire, to join him as soon as possible. I have sent an express to Col. Simonds. Col. Robinson and Col. Williams are at Hubbardton, waiting to be joined by Col. Bellows, who is with me. When the whole are joined they will amount to 700 or 800 men. I know not to whom to apply except to your honorable body, to call out the militia on the east side of the mountain. I shall expect that you will send on all the men that can possibly be raised, and that you will do all in your power to supply the troops at Ticonderoga with beef. Should the siege be long, they will be absolutely destitute, unless the country exert themselves. If 40 or 50 head of beef cattle can be brought on by the militia, they will be paid for by the commissary on their arrival. The safety of the post depends on the exertions of the country. Their lines are extensive and but partially manned, for want of men. I should be glad if a few hills of corn unhoed should not be a motive sufficient to detain men at home, considering the loss of such an important post might be irretrievable. I am, gentlemen, with the greatest respect, your obedient and very humble servant.

SETH WARNER.

“P. S. I am this moment a going to mount my horse in company with Col. Bellows for Ticonderoga. I left Col. Robinson at Hubbardton this morning. That you may have wisdom to conduct in the business for which you are called together is the prayer of S. W.”

A copy of this dispatch was immediately forwarded by express to the General Assembly of New Hampshire, then in session at Exeter, with a letter from the convention as follows :

“STATE OF VERMONT, }  
 “In General Convention, Windsor, 3<sup>d</sup> July, 1777. }

“*Gentlemen* :—This House enclose to you a Copy of a Letter just received from Col<sup>o</sup> Warner by which your honors will learn the situation of the army in the northern department at that time. You will observe by that, that we have no knowledge that any Express has been sent you. Therefore as the matter nearly concerns the Liberties of the United States in General, this House flatter themselves that their forwarding this intelligence may not prove unacceptable.

“The Militia from this State are principally with the officer Commanding the Continental Army at Ticonderoga, the remainder on their march for the relief of that distressed Post. It appears to this House from the various informations from thence, and the personal acquaintance of many of the members thereof, of the particular circumstances which attend our friends there at this present

time, that every prudent Step ought to be immediately taken for their relief.

“Your honors’ Wisdom will doubtless be sufficient for your Conduct. Wishing a lasting peace and friendship, We have the honor to be Gentlemen with sincere Sentiments of Respect your most

“Obed<sup>t</sup> Hum<sup>ble</sup> Servants.

“By order of Convention.

“JOSEPH BOWKER, *President.*”

SUPERSCRIBED :

“*To the Honorable the General Assembly or Council of War at Exeter, State of New Hampshire.*

“*From General Convention in the State of Vermont.*”

Having adopted such measures as seemed advisable to reinforce the beleagured fortress with men and provisions, the convention proceeded to consider the proposed constitution. It remained in session till the 8th of July, when its deliberations were interrupted by the arrival of a dispatch from General St. Clair, returning his earnest thanks for their exertions in behalf of Ticonderoga, but announcing the evacuation of that place on the morning of the 6th of July, the pursuit of the retreating Americans by the British and the attack upon Warner at Hubbardton on the morning of the 7th of July ; the disastrous result of which was not known at the time of writing. This occasioned great alarm and anxiety. The families of many of the members, that of the President included, were within the very line of march of the triumphant enemy, and the first impulse was to leave the business unfinished, and fly to the defense of their homes.

A furious thunder storm however compelled them to remain for a while, and gave them time to conclude their business, though in a somewhat hurried way. The constitution was read for the last time and unanimously adopted. It was also ordered that an election, under the constitution, should be held in December, 1777, when representatives should be elected to a general assembly, to meet at Bennington in January, 1778. Joseph Marsh, Joseph Williams and Timothy Brownson were appointed a committee to procure a supply of arms for the state, with instructions to draw them, if possible, from governmental arsenals, but with authority to pledge the credit of the state to the amount of four thousand pounds, if it were found necessary to purchase. A Council of Safety was appointed to administer the affairs of the state until some other provision in that regard should be made. No list of the members of this Council is extant, but it is known that Thos. Chittenden, Ira Allen, Moses Robinson, Jonas Fay, Joseph Fay,



Paul Spooner, Nathan Clark and Jacob Bayley were of the number, and there is good reason to believe that Samuel Robinson, Matthew Lyon, Thos. Rowley, Gideon Olin and Benjamin Carpenter were also members. Its powers were undefined, and practically were unlimited, but they were exercised with great discretion, and with a single eye to the welfare of Vermont. Having dispatched this business, the convention adjourned.

The constitution, in the main, was a copy of the constitution of Pennsylvania. THOS. YOUNG, a distinguished citizen of Philadelphia, had taken a lively interest in the welfare of Vermont; and, in more than one instance, had addressed the people in the language of sympathy and encouragement. Writing to them in regard to the adoption of a constitution, he said, "I have recommended to your committee the constitution of Pennsylvania as a model, which, with a very little alteration, will, in my opinion, come as near perfection as any thing yet concocted by mankind. This constitution has been sifted with all the criticism that a band of despots was master of, and has bid defiance to their wicked powers." The constitution of Pennsylvania had the additional recommendation of being the work of FRANKLIN. A comparison of the two instruments shows that the Vermont statesmen followed their model quite closely. They constructed, indeed, a new preamble, setting forth special reasons for the establishment of Vermont as an independent state, but the declaration of rights and the plan of government were substantially a copy of that which had been recommended to them.

In some important particulars, however, they improved upon the original. This was especially the case in the first section of the declaration of rights, which announced in formal terms the natural rights of man to life, liberty, and the pursuit of happiness. The convention amended this "glittering generality," by adding the clause: "Therefore no male person, born in this country, or brought from over sea, ought to be holden by law to serve any person as a servant, slave or apprentice after he arrives at the age of twenty-one years, nor female in like manner after she arrives at the age of eighteen years, unless they are bound by their own consent after they arrive to said age, or bound by law for the payment of damages, fines, costs or the like." Vermont was thus the first of the states to abolish slavery by the constitution, a fact of which Vermonters may well be proud. There has been a prevalent notion that no slaves were ever held in Vermont. This is a mistake. As late as 1790 there were at least seventeen slaves in the state, as appears by the census of that year, and other authoritative documents. It may seem singular that slaves should be found here thirteen years after slavery was abolished, but it

will be noticed that the constitution did not emancipate any until they arrived at the age of twenty-one. These seventeen were probably minors, and having come to majority before the census of 1800, they disappear.

The constitution went into operation without being submitted to the people for approval, a circumstance which has occasioned no little comment, and some that was quite uncalled for. IRA ALLEN, in his *History of Vermont*, says that "owing to the unsettled state of public opinion, it was thought hazardous to submit it directly to the decision of the people. It was, however, silently submitted to, not only because a government organized under even a defective constitution was esteemed preferable to the unsettled state of things which had so long existed, but because such an organization seemed necessary to lay the foundation for a recognition of the sovereignty of Vermont, and her admission into the union." In 1779 the legislature passed a law, enacting that the constitution, as established by general convention at Windsor, should be forever "considered, held and maintained as part of the laws of this state," commenting upon which Mr. SLADE says, in his *State Papers* :

"The constitution, if it was any thing, was already the fundamental law of the state, possessing authority necessarily paramount to any act of the legislature,—the very charter, indeed, of its existence, and by which alone it was invested with power to legislate at all, and yet here we find the legislature gravely attempting to give to the instrument the force of law! A recurrence to the history of the constitution will explain this singular proceeding. We have before suggested that it was never submitted to the people, but went into operation as it came from the hands of the convention, and was submitted to rather from necessity than choice. The truth of that suggestion is fully confirmed by the attempt to legalize the constitution; and we are inevitably led to the conclusion that it was considered a mere nullity by the statesmen of that period."

This conclusion, however, (I say it with all due deference to Mr. SLADE'S learning as a lawyer and ability as a reasoner,) does not seem to be well warranted. So far from considering the constitution as a nullity because it was not submitted to the people and approved by them, it does not appear to have occurred to its framers that any such submission was necessary or even expedient. Their language in the closing passage of the preamble is of men who honestly regarded themselves as invested with final authority and jurisdiction. "We do, by virtue of authority vested in us by our constituents, ordain, declare and establish the following declaration of rights and frame of government to be the constitu-

tion of this commonwealth, and to remain in force therein, forever, unaltered, except in such articles, as shall, hereafter, on experience, be found to require improvement, and which shall, by the same authority of the people, fairly delegated, as this frame of government directs, be amended or improved." They evidently thought the people had given them sufficient power to do the entire work of establishing a constitution. If in this they were mistaken, they were not without companions in mistake, numerous enough and respectable enough to keep them in countenance. All the constitutions established prior to our own, and for some years after, were formed by conventions, and went into operation without ratification by the people.

The circumstance that a law was enacted to legalize the constitution only seems to show how crude were the ideas then entertained in regard to the comparative force of constitutions and statutes. Written constitutions were then new things, and principles of constitutional law, which now are familiar to every intelligent man, were then quite unknown. Our forefathers were accustomed to English habits of thought, and in England Parliament was regarded as supreme and uncontrollable. Legislation, says BLACKSTONE: "Is the greatest act of superiority that can be exercised by one being over another. Sovereignty and legislation are indeed convertible terms." In the estimation of our forefathers the legislature had the omniscience of parliament. Constitutional restrictions upon its power were regarded as merely directory. The judiciary was considered as a subordinate department of the government, and an attempt by courts to set aside an act of the legislature would have been deemed a gross usurpation of power. The idea that the constitution was paramount both to legislatures and to courts had not been "dreamed of in their philosophy." Nor was it till after the constitution of the United States was adopted, in 1787, and declared to be "the supreme law of the land," that the modern science of constitutional law began to have existence, and its leading principles to be generally recognized. The legislature of 1779 unquestionably supposed that itself, and not the constitution, represented the original and absolute sovereignty of the people, and that a ratification by itself was all that could be needed.

"The troubles of the war and the encroachments of the enemy" prevented the taking of needful preliminary measures to have an election of representatives on the time fixed by the convention. In compliance with the request of the Council of Safety, the convention was reassembled at Windsor on the 24th of December, 1777. They postponed the time of election to the first Tuesday of March, 1778, and the time of the session of the legislature to the second

Thursday of March. The place of meeting was also changed from Bennington to Windsor. Before the reassembling of the convention the constitution had been printed at Hartford, Connecticut, under the supervision of Ira Allen. It was now speedily distributed. The election took place at the appointed time, and the government went into operation. The constitution has been altered in a number of important particulars, as respects the plan of government, but the declaration of rights remains to this day almost untouched, and the document as a whole still retains so largely its original form and substance, that no true-hearted son of Vermont can read it without feelings of admiration for the wisdom and patriotism which framed so noble an instrument.



Mr. *Hutchinson's*

S E R M O N

At *Windsor*, July 2d, 1777,

A T T H E

C O N V E N T I O N

F O R F O R M I N G T H E

S T A T E O F

V E R M O N T.



*State of VERMONT.*

*In General Convention, WINDSOR, 2d July, 1777.*

*Resolved,*

**T**HAT Col. *Joseph Marsh*, Vice-President, Mr. *John Throop*, and Capt. *Joseph Safford*, be, and are hereby directed to return the Thanks of this House to the Rev. Mr. *Aaron Hutchinson*, for his Sermon delivered this Day at the opening of this Convention, and request a copy thereof for the Press.

*Extract from the Minutes,*

JONAS FAY, Secr'y.

*A well tempered Self-Love a Rule of Conduct  
towards others :*

---

A  
S E R M O N

PREACHED AT *WINDSOR*, JULY 2, 1777, BEFORE THE  
REPRESENTATIVES OF THE TOWNS IN THE COUNTIES OF *CHAR-*  
*LOTTE, CUMBERLAND* AND *GLOUCESTER*, FOR THE  
FORMING THE STATE OF

**V E R M O N T.**

---

By *AARON HUTCHINSON*, of *Pomfret*, A. M.  
Pastor of the Church in that and the two adjacent Towns, *Hart-*  
*ford* and *Woodstock*.

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Also, thou shalt not oppress a stranger : ye know the heart of a stranger,  
seeing ye were strangers in the land of *Egypt*, *Exod.* 23. 9.  
To loose the bands of wickedness, to undo the heavy burdens, and to let  
the oppressed go free, and that ye break every yoke :—and that thou  
hide not thyself from thine own flesh, *Isa.* 58. 6, 8.  
But he that doth wrong, shall receive for the wrong which he hath done :  
and there is no respect of persons, *Col.* 3. 25.  
So speak ye, and so do, as they that shall be judged by the law of liberty.  
For he shall have judgment without mercy, that hath shewed no mercy,  
*Jam.* 2. 12, 13.

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*D R E S D E N :*

PRINTED BY *JUDAH-PADOCK & ALDEN SPOONER*.

To the Honorable the COUNCIL of SAFETY for the State of  
VERMONT, now sitting at BENNINGTON.

GENTLEMEN,

**Y**OU may remember with what reluctance I yielded with a kind of silent submission to the motion of our late Convention, whereof you were a part, for giving a copy of my sermon for the press. I urged the critical and difficult times, my want of leisure, and the like. Under awe of the honorable Convention, in their presence after prayer the next morning, I said but little, fearing it might be taken as a want of zeal for our injured country, or these oppressed plantations. But I had other reasons against the motion, whether I then hinted them or not, viz. I had expected the Convention would not sit at that time, by reason of the dark cloud then coming over us, and which overwhelmed us the week after. Hence the discourse, delivered extempore after my riding in the heat that day, had not been so well digested, nor was so well delivered, as it should have been, before such an honorable audience on such an important occasion.

I came home resolved, however, to prosecute the business; but Ticonderoga was disgracefully evacuated the next Sabbath: our Israel turned their back upon their enemies. I yielded to the shock; and before I had begun, laid all care or thoughts aside about the affair, 'till this present month. And I know not but it would have lain by forever (forgive me this wrong) if I had not been roused by some members of the late Convention.

After so long waiting, it must be hurried into the world, undigested as it is. I have endeavored (I hope without offence) to patch it up a little, and supply it where it was most deficient by omissions in the delivery: but am sorry after all, that it is likely to fall so much short of your reasonable expectations. I flatter myself, however, that the same candid temper you shewed in hearing, will kindly plead some allowance for it's deficiencies, and take all in good part, accepting the will for the deed. I ask the tenderness and candour of any others that may condescend to read these sheets. If by the blessing of God, one mite may hereby be contributed to the weal of our oppressed country, or our new State, to God be all the glory; and may the State of Vermont long enjoy the fruits thereof; which is the prayer of,

Honored Sirs,

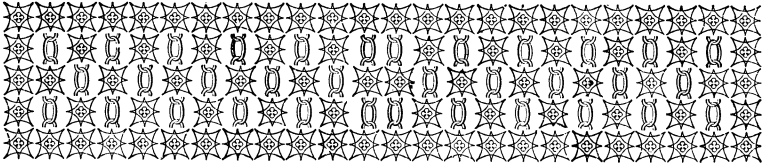
Your most unworthy,

most obedient and humble Servant for JESUS sake,

The AUTHOR.

Pomfret, Sept. 6, 1777.





*A well tempered Self-Love a Rule of Conduct  
towards others.*



M A T T H E W VII. 12.

THEREFORE, ALL THINGS WHATSOEVER YE WOULD THAT MEN SHOULD DO TO YOU DO YE EVEN SO TO THEM: FOR THIS IS THE LAW AND THE PROPHETS.

**T**H E illative particle *therefore* leads us back to verse 1 and 2, *Judge not, that ye be not judged. For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.* q. d. Do not judge and censure others, further than you would think it reasonable and just for you in a like case to be judged and censured. Give no worse measure to a neighbour, than you would think it fit and just to receive from him, could you exchange sides, and you be in his case and he in your's. Or the reference may be to verse 7, *Ask, and it shall be given you: seek, and ye shall find, &c.* Then it intimates, that, if in answer to our prayers, we would receive good things from God, we must do things fair, just, and of good report one towards another. Zech. 7, 9, 10, & 13. *Thus speaketh the LORD of hosts, saying, Execute true judgment, and shew mercy and compassion every man to his brother. And oppress not the widow, nor the fatherless, the stranger, nor the poor: and let none of you imagine evil against his brother in your heart. Therefore it is come to pass, that as he cried and they would not hear, so they cried and I would not hear, saith the LORD of hosts.* Isa. 1. 15. *And when ye spread forth your hands, I will hide mine eyes from you: yea, when ye make many prayers, I will not hear: your hands are full of blood.* God heareth not sinners acting in contempt

contempt of his moral law, and especially the law of the second table, respecting our duty one to another.

BUT this golden rule, uttered by our Judge and Lawgiver, Prince and Saviour, in the sermon on the mount, is suited to all the circumstances and conditions of human life : very proper on the present important occasion ; for it is fit for all occasions, and suitable for ever relation ; good for all communities and orders of men, in this evil world. The very work of righteousness, by this rule, is peace ; and the effect of righteousness, quietness and assurance forever.

THE whole of our duty, to God and man, is briefly summed up, Mat. 22. 37 on. *Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets.* They are the substance of all that Moses and the Prophets have written, as rules of duty to God and men. Rom. 13. 8, on. *He that loveth another, hath fulfilled the law. For this, Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet ; and if there be any other commandment, it is briefly comprehended in this saying, namely, Thou shalt love thy neighbour as thyself.* Love worketh no ill to his neighbour : therefore love is the fulfilling of the law.

THE rule in the text is the same in effect as loving our neighbour as ourselves, or a branch from that sacred root : or it is that excellent law reduced to practice, and comprehends the whole law of *Moses*, and writings of the prophets, so far as they have taught us our duty, in our several relations one to another.

THIS divine law, for regulating our moral conduct, is very plain and easy to be understood ; it is concise, and easy to be remembered. Any man that has the faculty of reason and a will to do his duty to his fellow creatures, by the aid of self-love, may soon discern it in the glass of this rule. Self-love is first, or it could not be a rule of loving our neighbour. By a natural and innocent self-love, we first look within, and consider what we would in reason have done to us, in the like case, and proceed to conduct in like manner towards others.

AWAY then with all the metaphysical jargon of the schools, or of our mystical divines, that pretend in that way to teach us our duty ; and attend to the wise instructor, who used great plainness of speech, and taught the way of God in truth. *Whatsoever ye would that men should do unto you, &c.*

I. EXPLAIN and illustrate this excellent rule.

II. THE

II. THE reason to enforce it.

III. POINT out duty in some special cases by this unerring rule.

IV. THE application.

I. EXPLAIN and illustrate this excellent rule.

A VICIOUS self-love and hatred of others, will render us incapable of entering into the spirit of the text. It doth not mean that we should do to others, as an heart leavened with malice and wickedness, and hatred of God's law, would in that temper wish to have done to us. The wicked join hand in hand; aid a sinful companion to perpetrate, and cover sin, hoping for the like deceitful favours from him again. But this is a conspiracy against the whole moral law, and making it void: yea it is an impious, and daring attempt to jostle the Almighty Ruler from his throne, and repeal the sacred decalogue, and cancel all our bonds of duty to the supreme king. An unjust judge that neither fears God nor regards man, may thus think with himself, If I was in the case of this poor criminal at the bar, I should wish to be discharged, however unjust it might be; I will therefore acquit him, and do as I would be done by. But the judge ought to ask himself thus, if I was in the case of this prisoner, what could I in reason ask of a judge, consistent with his office, the honor of law and rights of justice? The answer would be, so much mercy as is consistent with justice, the honor of government, and faithfulness of his office, and no more. Whatsoever in a consistency with truth, with reason and justice, we would that men should do to us, so should we do to them. We must not counteract our sense of justice, the honor of law, or majesty of conscience, under a mistaken notion of this rule. *Him that would borrow of thee turn not thou away*, sounds as obliging us in all cases whatsoever. But let common sense bring the words to this infallible test, thus. My neighbour asks such a favor: if I grant it I shall disoblige myself, five times as much as I shall oblige him. Could I in honor and reason, ask him to injure himself so much to oblige me so little? Surely no.

I WILL therefore deny him. *Rutilius*, the noble *Roman*, being requested to do an unworthy thing for his friend, refused. Whereupon his friend reproached him as violating the sacred laws of friendship. He then replied in a manner becoming his sense of honor: "I can well bear the loss of such a friend, whose friendship cannot be preserved, but upon the hard terms of breaking thro' all the laws of justice and honor." This master-piece of

human nature, merely by natural light, did as he would be done by.

ALL orders of men may soon find out their duty, if they are willing to know and do it. Thus. The husbandman may say, if I followed any trade or other business for my support, should I think it just to set such an exorbitant price for the necessaries of life; to use extortion, and make a neighbour's necessity my opportunity to exact more than is meet? The lawyer may say, was I in the place of my poor client, at the head of a needy family, could I think it just to exact such a fee, and have my case put off from court to court? The merchant may say, was I the buyer, should I think it reasonable to give such a price? The magistrate may say, was I the subject, could I think it just, to be ruled with such rigour, and have my life made bitter by cruel bondage? A master may say, if I was the poor servant, should I not think such severity hard and unjust, and quite unbecoming one that has a master in heaven, with whom there is no respect of persons?

WE find *Joseph*, Gen. 42. 17, using a judicious, necessary, and well timed severity towards his brethren; but on the third day after their imprisonment, says, *this do and live: for I fear GOD.* He must forsake the fear of the almighty, or pity his afflicted brethren, tho' under a necessary discipline. He will be as tender and benevolent towards them, as his judicious soul could wish them to be, were they in his case, and he in theirs. He had himself been in prison. The irons had entered into his soul, and his feet hurt with fetters. He had learned to pity the distressed, and strangers, by the things he had suffered, and as the law in the text, then unwritten, was resplendent in his conscience. The like fear of God, and benevolence to men we find in Job 31. 13, on. *If I did despise the cause of my man-servant, or of my maid-servant, when they contended with me: what then shall I do when God riseth up? and when he visiteth, what shall I answer him? Did not he that made me in the womb make him? and did not one fashion us in the womb? Ver. 21. If I have lift up my hand against the fatherless, when I saw my help in the gate: for destruction from God was a terror to me, and by reason of his highness I could not endure.* In a word, that judicious tenderness, and generous benevolence, which never fail to accompany the fear of the Almighty, will guide us in the path of duty according to this rule. None of us will live to himself, but as members one of another. And as many as thus walk by this rule, peace be on them, and mercy, and upon the *Israel* of God.

THIS path of our indispensable duty, is the sure way for the lengthening our own tranquility; and our peace and happiness are closely linked with our duty. This law is liberty, and this service

vice freedom: in keeping this commandment, there is great reward.\*

II. THE reason to enforce it: *For this is the law and the prophets.* If we mean to claim kindred with *Moses*, and the prophets, *Christ* and his apostles, we must attend to this golden rule. If we set it aside, we discard all the sacred writers, and refuse submission to that one Lawgiver, who is able to save and to destroy. If we have any reverence for the Jewish lawgiver, who was king in *Jesurun*: any regard to that spirit of truth that inspired all the prophets, or to our King on the holy hill of *Zion*, who is now in the midst of the throne in heaven, and sitteth King forever: or to the words of inspiration in the writings of the apostles of the Lamb, we must attend to this law. But if we cast this law behind our back, it will be interpreted, that we will not have *Christ* to reign over us. Let us not divide *Christ* from his own law, or separate *Moses* and the prophets from their own writings; as the infidel *Jews* built the sepulchres of the prophets, pretending a mighty reverence for their persons, while they rejected and crucified the Lord of Glory, to whom all the prophets gave witness. The doctrine and law of *Christ* is *Christ*. Eph. 4. 20. *But ye have not so learned Christ*, viz. as a lesson. So when *Moses* and the prophets are said to be read, we understand their writings. Let us then receive this law from the mouth of our gracious lawgiver, and lay up this his commandment in our hearts, or give up all the sacred laws of the holy bible. The shocking consequences of this latter, you may prove by arguing from the less to the greater, in the words of him that is ordained of God to be judge both of quick and dead. *Mat. 5. 19. Whosoever therefore*

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\* If anything further need be said to illustrate the genuine sense of this golden rule, and prevent mistakes about it; let us attend to the following story. *Contentus* had an estate of £.9000, *Avarus* of £.3000, *Penitus* of £.1000. *Avarus* being blind thro' covetousness to the sense of the rule, asks of *Contentus* £.3000 of his estate to make him equal, and pleads the text. Had you, says he, but £.3000, and I £.9000, you would have me give you the sum I ask of you, and must do as you would be done by. *Penitus*, who penetrated deep into the affair, after a judicious pause, charges *Avarus* with covetousness, and engages to prove it upon him; not by a train of laboured reasonings, which he knew, *Avarus* could not comprehend, but by a blow at the root. Thus, says he, *Contentus* has thrice as much as you, and you have thrice as much as I; now give me £.1000 of your estate, and make me equal with you, otherwise, I must conclude, that not from a sense of the rule, but from evil covetousness you asked £.3000 of *Contentus*. He was confounded; his own conscience reproached him, not for violating the law in withholding the money asked by *Penitus*, but for perverting the sense of it, and making it to subserve the interest of his avarice; while he is eagerly grasping at the estate of *Contentus*, which belongeth not to him.

*therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven.*

III. POINT out duty in some special cases by this unerring rule.

1. I PRAY you, my friends and brethren, to take a tour with me over to *Great-Britain*, and see this divine law introduced at the highest court of the nation, or at a *British* junto, laying a plot to enslave *America*. But first allow me to take one thing for granted, which I am sure you cannot in honor, or with truth and justice deny me, viz. that the king and parliament, and all the ministers of state in *Old-England*, are as fully bound and obliged by this law, as the meanest peasants. He that sitteth on the circle of the earth, beholds the inhabitants thereof as grasshoppers before him, and regardeth the rich no more than the poor, for they are all the work of his hands. Distempered minds may have respect to him that weareth the gay clothing, and despise the man in vile apparel; but God doth not so. He sees the difference to be trivial and momentary. They will soon lie down alike in the dust, and the worms shall cover them. The potentates of the earth, that in contempt of God make a prey of their fellow creatures, will find sooner or later, that God is more glorious than these mountains of prey. When they are brought down to the sides of the pit, you may see their infamy and weakness painted in lively colours. Isa. 14. 10. *All they (in the infernal regions) shall speak and say unto thee, Art thou also become weak as we? Art thou become like unto us? Thy pomp is brought down to the grave, and the noise of thy viols: the worm is spread under thee, and the worms cover thee.* ver. 16. *They that see thee, shall narrowly look upon thee, and consider thee, saying, Is this the man that made the earth to tremble? that did shake kingdoms? that made the world as a wilderness, and destroyed the cities thereof? that opened not the house of his prisoners?* ver. 18. *All the kings of the nations* (viz. that had not been tyrants but benefactors to their people, and like *Augustus*, fathers of their country) *even all of them lie in glory, every one in his own house. But thou art cast out of thy grave as an abominable branch; and as the raiment of those that are slain, thrust thro' with the sword, that go down to the stones of the pit, as a carcase trodden under feet. Thou shalt not be joined with them in burial, because thou hast destroyed thy land, and slain thy people: the seed of evil doers shall never be renowned.* *Doeg*, an armourbearer to king *Saul*, has hands full of blood, makes not the Lord his strength, but trusts in the abundance of his riches, and strengtheneth himself in his wickedness, by the favor of his bloody prince. But God soon plucks him away, and roots him out of his dwelling place. They that

that set God at defiance, and trust in oppression, and become vain in robbery, will presently feel their fatal mistake. If earthly rulers are as properly stiled gods at this day, as in old-testament times, when they represented that king that was to come, and is truly God; yet they shall die like men, and fall as other princes have done before them. God respecteth not any that are wise in heart; nor is moved with their deepest laid plots. He leadeth counsellors away spoiled, and maketh the judges fools.

BUT it is time to attend on the court.—Hark!—Who is it we hear speaking! Is it a *Bute*, a *Mansfield*; or by what name or title shall we distinguish him? “What shall we do with our *American colonies*? If we let them thus alone to govern themselves, and enjoy their own laws, their natural and charter rights and liberties, they will soon arrive to such numbers, wealth and greatness, that we shall not be able to control them. In less than a century, in the manner they have increased, they will be more numerous than *England*, *Scotland* and *Ireland*, with all their appendages in this part of the world. Besides, our people will leave our lands untenanted, and emigrate to that land of liberty, and have lands of their own: and alas! our great proprietors of lands, especially in *Scotland*, and even in *Ireland*, must become poor, or work for their living. My advice therefore is, to assume an absolute despotic power over them, and assert our right to bind them in all cases whatsoever. In consequence of which openly avowed claim, we may proceed to tax\* them by a stamp-act and duty on tea; obliging them to purchase it of us, or live without it. We may show our high authority also by changing times and laws, curtailing their privileges, altering their charters, blocking up their harbors, stopping their trade, and prohibiting by our decrees their fishing. And if, after all, they will not surrender their liberties, and submit to all the grievousness we may prescribe, we can outlaw them by the omnipotence of parliament; we may call them rebels, send armed forces among them, divide and conquer them, or wear them out: then seize their lands; and such as we are pleased to save alive, may be our tenants at will, and upon our own terms. Thus a greater revenue will arise from *America*, than from the conquered kingdom of *Ireland*. We can then make ample provision for all the friends of our government, which at present we cannot do.” Who is this that seconds the motion?  
“The

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\* Sir *R. Walpole*, (as I have heard) being urged in his day to tax *America*, replied, “I will leave that to some future minister of less sense and more courage.”

“The honorable gentleman that spoke last, has proposed something worthy of himself. Surely his heart is very deep. I apprehend the plan may be easily carried into execution. The *Americans* will not fight: or if they do, they will not be able to cope with the power of *Great-Britain*. And if the nation’s debt be encreased, it may soon be reimbursed by confiscating estates, and other revenues arising from *America*. The ready rhino will engage many in *America* to promote our designs. King *Charles* the first, tho’ a very good king and martyr, was impolitic in taxing the people as he did, without the votes of parliament, (for they would not abet his measures.) But we, you may observe, have a good parliament, that will vote things proposed to them by the minister, that must be supposed to know better than they, what is fit for them to vote.”——But are all united in this device? No.—Who is that tall, that grave, that venerable personage? Is it the noted, the victorious Earl, from whose tongue a more than *Ciceronian* eloquence has so often flowed in the cause of his country, and in defence of truth and justice?

“The power of *Great-Britain* I will not dispute: let it be so, that she can blow *America* into atoms. Allow *Great-Britain* to have the longest sword, and strongest arm; and by might can overcome right, and reap a large revenue of the wages of unrighteousness. Can this be true policy? Must not every one of us give account of himself to him that judgeth righteously, and respecteth not the *Britons* any more than the *Americans*? Is this to do as we would be done by? What if we had been driven by the cruel oppressions and bloody persecutions of a parent state, from our native land, to seek a refuge among savages, in a waste, howling wilderness, at the distance of three thousand miles; and at such immense expense of wealth, lives, and labour, had subdued the uncultivated wilds, got a comfortable settlement, and put ourselves under the parent state for protection; taking the public faith as a pledge of security of our lives, properties, and all the immunities and privileges belonging to liege subjects: should we think it consistent with truth, with justice, or mercy? with the loving our neighbour as ourselves, or doing as we would be done by, thus to encroach upon our rights? Should we not view it as contrary to the whole spirit of the moral law, and a daring contempt of the God of judgment? And should we not deem it an insupportable calamity, to have them that hate us to rule over us? And do not all the oppressed, in all ages and nations, look upon their oppressors to be their haters? And are we not obliged by all the laws of God, and rules of our dignified office, to give the  
best



‘ best and most hearty counsel to one so young and tender, and that, we know, cannot withstand us ?\*’

‘ THE good and pious people, in that western world, are very closely attached to the mother country. They rejoiced in the revolution. They offered many thanksgivings to God, when in a critical juncture, king *George* the first came to the throne. King *George* the second was their darling, I had almost said their idol. They look upon his royal successor as their father, ready to redress their grievances ; as their benefactor, ready to promote their welfare. How will they be shocked and surprised if the king should change his voice, and attack them in so tender a part as their liberties ? thinking to change times and laws, and make a prey of his most loving subjects ? Can we advise him to such measures ? Shall a people long accustomed to the sceptre of love, be now made to groan under the iron rod of oppression ? Will they not say, If it had been an enemy that reproached and oppressed us, we could have borne it : but it was thou, the successor of him who was dear to us as the apple of our eye : thou that didst promise fair at thy first coming to the throne, and under whose shadow we hoped to enjoy great quietness, peace and safety. Moreover, shall the throne of iniquity have fellowship with the God of justice and love, while it frameth mischief by law ? Don’t we certainly know by the unerring oracles that the throne of a king is upholden by mercy : and as *Isa.* 16. 5. *And in mercy shall the throne be established ; and he shall sit upon it in truth ; in the tabernacle of David, judging and seeking judgment, and hastening righteousness.* What can we mean by advising to such a change of conduct towards *America* ? Has he too many living subjects ? Do we mean to alienate the hearts of the three millions all at once from their beloved king ? Do we mean to undermine his throne, ruin his house, or together therewith the whole kingdom ? Is this to honor the king and love our neighbor as ourselves, and to do as we should think it honorable, just and reasonable to be done by, if they were *Britons* and we *Americans* ?”

The

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\* Thus in a decent, filial and mannerly temper towards his father *Rehoboam*, doth *Abijah* 2. Chro. 13. 7. pungently tax the rebellion of *Jeroboam* against him, with this remarkable circumstance, viz. that it was when he was young and tender hearted, and could not withstand him ; being at the time referred to but about forty years of age. *Solomon*, it seems, with an aching heart spoke of his successor : *who knoweth whether he shall be a wise man or a fool ? Wo to thee, O land, when thy king is a child.*

“ Better die a child at four,  
 “ Than live and die so at four score.”

The turn that things took in *Great-Britain* we all know very well. But whether they did right or wrong, I will not absolutely determine, but follow that of the apostle, to judge nothing before the time, until the Lord come, who both will bring to light the hidden things of darkness, and make manifest the counsels of the heart. I shall leave the representation on each side to your sober consciences, and refer the whole matter to him that judgeth righteously. And may I not on this occasion adopt the words of *Jephthah* in his pungent remonstrance against an invading *Ammonitish* king? Judg. 11. 27. *Wherefore I have not sinned against thee, but thou dost me wrong to war against me: the Lord the judge be judge this day, between the children of Israel and the children of Ammon.* And of this you may be assured, that if the *Britons* have dealt truly and sincerely with *Americans*, they will rejoice in all the advantages, they may at any time have gotten against us; but if not, then a fire will come out from some where, and burn in their consciences, or in their land; and a fire kindled in God's anger, if repentance and faith in the atoning blood of the great sacrifice prevent not, will burn to the lowest hell. The God of judgment and the God who is love, beholdeth mischief and spite, to requite them with his hand. The poor leaveth it to him. We will then leave the *Britons* to their own master to stand or fall, while we know for certain, that they must be judged as well as we, by this perfect law of love and liberty in the text. In this unerring balance must they and all their conduct towards *America* be weighed; and it lies upon them to consider whether they shall not be found wanting.

2. LET us then bid adieu to the land of our forefather's sepulchres. A dark cloud is thence arising upon *America*. What shall we do? Shall we tamely submit to all their encroachments, or shall we resist? This is the important point to be canvassed. But before we attend the council, let one thing be granted, viz. that we all ought, with great reverence and humiliation, to submit to God, and own his hand. Who gave *Jacob* to the spoil, and *Israel* to the robbers? Is it not the Lord, against whom we have so grievously sinned? God has drawn out a sword against us, to avenge the quarrel of his covenant. And his anger is not yet turned away, but his hand is stretched out still. For the people turn not to him that smiteth them, nor do they (duly) seek the Lord of hosts. The wicked chastising the people of God, are his hand and sword. We must have our uncircumcised hearts humbled, and accept of the punishment of our iniquity, receive correction, own that God is righteous, and that we are wicked.

AFTER the wicked counsel of *Balaam* to draw *Israel* to sin, that they

they might be forsaken of God, and become a prey to the *Moabites*, it was ever the cunning craft and policy of the enemies of *Israel*, to fall upon them, when they forsook God, and their defence departed from them. Would the *Britons* have dared thus to magnify themselves against this people of the Lord of hosts, had they not been apprised of our declensions, and abounding iniquities? The iniquities of *Israel* often brought them low, and withheld good things from them; as we are now brought low by our iniquities. But shall we submit to men, in what appears to us a matter of wrong and injustice? Some tool of *British* tyranny stands up in its defence, and presses submission. "We are obliged to fear and honor the king, to be subject to the higher powers, to obey magistrates, and submit to every ordinance of man, and not meddle with them that are given to change. The powers that be are ordained of God. Many of us are under an oath of allegiance: great would be the guilt of perjury if we resist. We ought to obey the king's commandment, and that in regard to the oath of God, which obliges us to non-resistance and passive obedience.

FURTHER, we cannot withstand the power of *Great-Britain*. She has long in a good measure held the balance of *Europe*. We have neither counsel, nor strength, nor preparations for the war. If we refuse the decrees from our mother country, however unrighteous, nothing but ruin is before us. It is the best prudence for us to bow our shoulders to bear all the burdens that may be laid upon us, rather than to make bad worse, by rising in rebellion against the government.

MOREOVER, if we were in the case of the king and his ministers, we should wish for a tame submission. Let us do as we would be done by, if we were in their case and they in our's. So that our duty to God, prudence for ourselves, and our duty one to another, as enjoined us in the golden rule, do all oblige us to non-resistance, and passive obedience." If you are shocked at such a gross perverting the scripture, you will do well to consider, that he who is first in his own cause seemeth just; but his neighbor cometh and searcheth him out. Let us attend to an *American* patriot, and hear what can be said in reply. "We owe our first and chief subjection to the supreme King: and the fear of God is first before the fear of an earthly king. Our obedience to earthly rulers is to be for the Lord's sake, and in obedience to him. They must then conduct as his vicegerents, be the ministers of God for good to the people; act in character as benefactors to mankind, shepherds of the people, to watch over, feed, protect, and rule them to their own happiness. An earthly ruler must indeed be obeyed while he guides and governs

‘ erns in the integrity of his heart, and by the skilfulness of his  
 ‘ hands. I readily agree in this, that a civil magistrate should be  
 ‘ obeyed, as long as he answers that character, Esth. 10. 3. *For*  
 ‘ *Mordecai the Jew was next unto king Ahasuerus, and great*  
 ‘ *among the Jews, and accepted of the multitude of his brethren,*  
 ‘ *seeking the wealth of his people, and speaking peace to all his*  
 ‘ *seed.*

‘ BUT when a king breaks over the compact, violates his coro-  
 ‘ nation oath, sets aside truth, justice, and mercy, those founda-  
 ‘ tions of all government human and divine; no more acts in  
 ‘ character by redressing the grievances of his people, is deaf to  
 ‘ their petitions, withholds his protection, yea commences hostili-  
 ‘ ties against them: and because they put not into his mouth  
 ‘ what he cannot constitutionally demand,\* he even prepares war  
 ‘ against them: such an one doth virtually unking himself, be-  
 ‘ come an usurper, and give out his mandates without authority.  
 ‘ If a king will keep within the line of his office, and exercise  
 ‘ only a lawful and constitutional authority, he must be obeyed:  
 ‘ but if he and his ministers arrogantly think to change times and  
 ‘ laws, and alter the constitution, we must not meddle with them  
 ‘ thus given to change. We are obliged by the allegiance we owe  
 ‘ to Christ, to discard all usurpation, and tyranny among men.  
 ‘ *My soul, come not thou into their secret; unto their assembly,*  
 ‘ *mine honor, be not thou united.* Shall he prosper, by despising  
 ‘ the oath, by breaking the covenant? Shall the statutes of *Omri*  
 ‘ be kept, and all the works of the house of *Ahab*, in contempt  
 ‘ of the great King? We have a divine warrant to resist a tyrant  
 ‘ and oppressor, not only in the oracles of truth, but by that  
 ‘ light and law of nature, by which we resist a thief or robber,  
 ‘ that cometh not but for to kill, to steal, and to destroy; de-  
 ‘ manding our purses, spoiling our goods, and threatening our  
 ‘ lives. This law of nature was put into us by our great Creator,  
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\* The taxing, at our Saviour's birth, was a mere enrolling; and a tax laid on land, or otherwise levying money by the representatives of a free people for necessary uses, has been hitherto approved and practiced among all civilized nations. But to tax a people, and extort money from them, otherwise than by the constitution of government they have agreed to, has been so detested in all ages, that we find but one instance of it among all the kings of *Judah*, viz. *Jehoiakim*, 2 Kings, 23. 35. and even that, by the despotic command of the tyrant his master. Nor have we more than one instance in all the holy bible of taxing, in this sense, among the pagans, viz. *Seleucus Philopater*, son of *Antiochus the great*, Dan. 11. 20. *Then shall stand up a raiser of taxes*, or a sender forth of the extortioner or extorter: but he was soon destroyed, neither in anger, nor in battle; being slain by *Heliodorus*, one of his own servants, as king *Charles I.* was for the like cause advanced to a scaffold.

‘ has been in force in all ages, and among all nations: not to resist in such a case, is the way to receive to ourselves damnation. ‘ The Holy Ghost stiles them roaring lions, ravening wolves, ‘ leopards, bears, dragons, crooked serpents, and such like venomous beasts; and whoever disputed the lawfulness of resisting ‘ such mischievous devourers?’ But are we able to defend ourselves against such a potent unnatural enemy? We will not boast of our own strength, nor vaunt ourselves against our foes. We own we have no might against this great company of savages, and foreigners, and *Britons*, that cometh against us, neither know we what to do, but our eyes are to the hope of our *Israel*; our help is only in the Lord that made heaven and earth. Our fathers trusted in him, and were delivered from the numerous natives. We cannot help ourselves, but God can help us; and it is well known that power belongeth to God, and he can save with many or few, as he pleases. And tho’ we are now under his frowns, yet we hope for a reformation, and that God will return and have compassion according to the multitude of his tender mercies. But if we surrender our liberties, we give up the divine protection, and virtually say as *Jehoram*, *This evil is of the Lord; what (or why) should I wait for the Lord any longer?* We know he is a God of judgment, and hateth wrong and injustice. Tho’ for wise and holy ends, he may, for a time, look on them that deal very treacherously, and hold his tongue, while the wicked devoureth the man that is more righteous than he; and make men like the fishes, the great devouring the less; yet he is the holy one of *Israel*: will sooner or later vindicate his name. And when he riseth to save all the meek of the earth, he will make the wrath of man to praise him. We hope he will, in his own time, judge our foes, and plead our cause against an ungodly nation, that delight in war, and against all that have been an arm of strength to the children of *Lot*. The justice of our cause gives us hope of help from a faithful Creator. If a parliament, at three thousand miles distance, can bind us in all cases whatsoever, our lands are at their dispose. Strange, if they be the proprietors of *America*, that they never put in their claim before. When the king of the children of *Ammon*, invaded *Israel*, to take spoil and a prey, he had no other pretext for his injustice but this, viz. *Israel* took away my land, when they came out of Egypt. Now therefore restore again those lands peaceably. The truth was, the *Moabites* had taken those lands before *Israel’s* coming, and *Israel* took them from the *Moabites*, by the special favor and gift of him whose is the earth and the fulness thereof: and the people of God had quietly possessed them for 300 years.

WE have a title to our lands by possession; for more than a century

century and a half. The great proprietor of the universe, and the God of the whole earth has given us our lands, by almost as great wonders as those wrought for *Israel*, in giving them the land of *Canaan*. It has been the practice, and is till this day, to purchase them of the natives; and our lands have been guaranteed to us by the king of *England*. Is not all this enough to make out our title? Must we now be turned out of the possession, which God hath given us to inherit? Must we be servants in the land which we have so good a title to? When king *Ahab* received the summons from *Benhadad* to surrender, 1 Kings, 20. 3. *Thy silver and thy gold is mine, thy wives also and thy children, even the goodliest are mine*: he submitted upon this tenor—*My lord O king, according to thy saying, I am thine, and all that I have*. i. e. I will pay homage to thee as my liege Lord. But the cruelty and covetousness of the tyrant, like the horseleach's two daughters, crying, *Give, give*, being emboldened by so ready and tame a submission, he proceeds to add insult to most extravagant demand; the substance of which was, that his servants should search his house, and take what they pleased, and especially what was most pleasant and goodly in the eyes of *Ahab*. The elders of the land were then consulted. They all agree not to hearken to such a cruel insulting demand. *This thing I may not do*, is the message back. There is a *may not*, or a *cannot*, in such cases. God then frowned upon the insulting foe. If we struggle for our liberties, and are conquered, we may be humbled and reformed, and God may at length pity his people. The wheels may turn, but if we give up our liberties, before they are by violence wrested from us, they are gone forever.

THE most popular plea for a tame surrender of our all, to be bound in all cases whatsoever, is that proposed by *Sennacherib*, Isa. 36. 16. A plea likely to prevail with people that are weak, unthinking and soon weary of the troubles of the war. *Thus saith the king of Assyria, make an agreement with me by a present, and come out to me: and eat ye every one of his vine, and every one of his figtree, and drink ye every one of the waters of his own cistern: until I come and take you away to a land like your own land, a land of corn and wine, a land of bread and vineyards*. *Hezekiah* had given him above two hundred thousand pounds sterling, to turn away from him, and yet in violation of the treaty, and without returning the money, he would persuade them to trust him with their all; and that they may thereby better their condition. But tyrants with all their fair promises, are political hypocrites; and they that believe them are ensnared. The whole truth is not told. The whole is thus. If you will rely upon the word of one that neither fears God nor regards man, and lately proved himself so false

false to *Hezekiah*, you may quietly possess your estates, so long, and no longer, than the tyrant pleases. Whom he will he slays, and whom he will he keeps alive. If he sees cause to give your lands to his soldiers, he will carry you to a land (and it may be) as good as your own: but it will not be your own. You will be poor and strangers in it, and far from the holy land. Is this to-better one's condition? But you may say, if I was the prime minister of state in *England*, I should wish for a surrender of *American* liberties, and we must do as we would be done by. If you was as blind and infatuated as all tyrannical ministers and in their place, you would, doubtless, do as they do. So, if you was a wolf, you would wish to have the sheep tamely submit to be devoured; and if you was a devil you would go about as a roaring lion seeking to devour. But this is not the sense of the rule. If you was a *Briton*, could you in reason, conscience and honor, desire such a tame, unmanlike, dastardly submission in *America*? If not, then by this rule you cannot find yourself obliged to surrender. I speak as to wise men; judge ye what I say. Weigh the premises, and stand up in self-defence, or yield yourselves as willing slaves, and entail bondage upon your children; who, perhaps, may rise up and call you cursed; but if you struggle and are conquered, your own consciences will not reproach you, and your children may rise up and call you blessed, on account of your faithful endeavours. And who can tell how soon the tables may be turned? The great God may appear for us, and make *Britons* to know that the heavens do rule: that he whose name alone is Jehovah is the most high over all the earth. Let us do our duty and leave the event with God, who will certainly show that he rules in *Jacob* and to the ends of the earth, being king of nations as well as king of saints, and will plead our cause. He styles himself a God that bringeth down high looks, and saveth the afflicted people; and hath said, by strength shall no man prevail.

3. Now, sirs, I request your patience, hoping you will take a turn with me to the metropolis of that State, to which we were annexed in 1764, enter their cabinet, and attend to the state politicians. "If the *New-Hampshire* Grants on our northern borders were annexed to us, we might lay claim to their lands, and fill our purses, by granting patents, and get a large share of those lands into our hands. This will greatly impoverish the new settlements, and bring them low. We may set up officers over them, that will promote our designs, and establish courts so numerous and expensive, as to be too heavy for them to bear: by all which many will become our tenants. We may enlarge the quit-rents, and hold them subject to special writs from this chief seat of government, and keep them low. Now is the time. Let us not  
consult

‘ consult them. They will oppose the motion here and in *Great-Britain*. But let us write to the king, and represent it as for their interest to be annexed to us, and request it as a favor. And considering the plan formed to subjugate these Colonies, and considering who is on the throne, and about it, we shall be easily believed. And if by an arbitrary act, they should be annexed to us, it will be a good step to teach the *Americans* submission to despotic government, and will bring us under special obligations to stand by them in all their future advances of arbitrary power. And as for the new settlers, poor people, they will not be able to withstand the royal authority, and so they may in the event be to us, what *Ireland* is to *Britain*.” Do all thus seek their own, not every man another’s wealth?

Nature hath left that tincture in our blood,  
That all men would be tyrants if they cou’d :  
If they forbear their neighbors to devour,  
’Tis not for want of *will*, but want of *power*.

JURE DIVINO.

THE wicked plotteth against the just, and gnasheth upon him with his teeth : the Lord shall laugh at him, for he seeth that his day is coming. A snare did not use to be laid in the sight of any bird. The new settlers are about their necessary business, and are little aware of the pit that is made, and the snare hid for them. But doth the cabinet afford no patron for injured innocence? Have the oppressed no comforter, while on the side of their oppressors there is power? Yes, beloved. For justice shall not be wholly run down, without a witness for it’s injured rights. There was a *Nicodemus* in the *Jewish* court, that could say as much for an injured, abused *Messiah*, as he ought to have said for the worst of criminals. Doth our law judge any man before it hear him, and know what he doth? And there was a *Lot*, you know, even in *Sodom*, that could plead the laws of friendship, and sacred rights of hospitality, on behalf of the two angels his guests. Hear one then, even in the cabinet, that fears God, and regards man ; is judicious, just, and hating covetousness ; that wisely knows that the exacting money for patents of those that came honestly by their lands, is but picking their pockets at the expence of justice ; and that treasures got by deceit, or a lying tongue, are a vanity tossed to and fro of them that seek death. “ Are you in earnest, gentlemen? Is it possible? Can such policy as this be harboured a moment in our cabinet? Don’t we all acknowledge a God that judgeth in the earth? And shall not the measure we mete to others, be measured to us again? Will not a faithful Creator take their part, and have respect to the work of his hands?



‘ hands ? Shall we not set the cries of the widow, the fatherless,  
 ‘ and afflicted against ourselves ? Shall we that now hate them in  
 ‘ practice, get to be rulers over them ? Hatred is often covered  
 ‘ by deceit, but love is without dissimulation. Let us follow the  
 ‘ dictates of humanity and charity, and do as we would be done  
 ‘ by. They have now already got as good a title to their lands, as  
 ‘ the *English* government can give ; if this must fail, other titles  
 ‘ may be called in question, and the public faith be no foundation  
 ‘ to build our interests upon. Shall titles of lands fail, and pri-  
 ‘ vate property be changed, by being annexed to a different gov-  
 ‘ ernment under the same king ? Who ever thought of such a  
 ‘ nonsensical destruction of private property, by all the additions  
 ‘ to *Connecticut*, or *Rhode-Island*, from the *Massachusetts-Bay* ?  
 ‘ I had rather be confined to our present limits, than to have them  
 ‘ enlarged by such gross deceit, iniquity, and injustice.”

I SHALL leave it to you, gentlemen, to decide upon the prem-  
 ises ; and only add, that the late governors and courtiers of *New-*  
*York* must, as well as we, be judged by this perfect law of liberty ;  
 and all their conduct towards these plantations, be weighed in  
 that balance ; and he that knoweth to do good, and doth it not,  
 to him it is sin.

4. Now, beloved, if you are not quite exhausted by hearing so  
 many hard and ungrateful things, I must entreat you to retire with  
 me, and let us hold a consultation among ourselves. Let us con-  
 sider, take advice one of another, and speak our minds freely. The  
 question now to be decided is, Are we obliged by the perfect law of  
 love and liberty, to continue under the yoke of that state, to which  
 with so much injustice we were annexed ? We must be free with,  
 and friendly to one another, as companions in tribulation ; with a  
 mutual fellow-feeling together, and a genuine tenderness for our  
 offspring ; keeping all along in view the common cause of these  
 injured and oppressed states. We all know the woe pronounced  
 in the word of God, against them that decree unrighteous decrees,  
 and write the grievousness they have prescribed ; and that all the  
 unrighteous acts in the world are in contempt of the God of judg-  
 ment ; so that all the world ought to discard them, if able to do  
 it. Such arbitrary, unjust acts, are never ratified in heaven. It  
 is supposed that the open sons of *Beliel*, that will endure no yoke,  
 perpetuating their wickedness in contempt of all law ; do not so  
 exceedingly provoke the Lord, as the ministers of justice, framing  
 mischief by law. These latter do in effect make the Supreme  
 Ruler to serve with their sins, and use his authority against him-  
 self. Let us call in self-love to our aid, and our justice and char-  
 ity begin at home. We are chiefly from *New-England* ; our genius  
 and temper, and the laws we have been accustomed to, are very  
 different

different from those of *New-York*. Hence it may be reasonably supposed, that these counties would have been three or four times as numerous, at this day, had they never been annexed to that state. And should we continue a few years more in that connection, and the quitrents be exacted according to the late resolve of their convention, for the time past, as well as now to come; we must sell our lands, if we can find buyers, at least in part, in order to pay them. The encrease of our inhabitants will be retarded. But let us for a minute set all these aside, and consider our distance from the chief seat of government, some three, and some four hundred miles from the chief place of trade and business. How is it practicable for us to be represented, in their assemblies, in any measure answerable to the exigencies of these remote plantations? A tender God enjoined his people *Israel*, Deut. 17. 14, on, to set no other as king or ruler over them but (as it is expressed) *one from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which is not thy brother.* ver. 10. *That his heart be not lifted up above his brethren.* It is elsewhere mentioned as a curse, to have them that hate us to rule over us. We know men by their fruits. Actions are more invincible proofs than words. We look upon all to be strangers that have no fellow-feeling with us; and all those as our brethren, that are afflicted in all wherein these plantations are afflicted. Now, if you find yourselves obliged to think that the rulers of that state hate us, are strangers to us, stand aloof from our sore, have forged chains for us, and lift up themselves above us, not owning us as their brethren:—How, in the name of reason, can you expect they will assist us in opening a trade to the lake, in erecting those mechanical works, that are needful in these remote parts? It is no pleasure to me to renew your ancient griefs. But I must drop a few words. You have the feelings of humanity; judge ye what I say. Is it reasonable? is it just? is it for the public weal? that an infant country after the expence of a court-house and joal, should have four county courts in a year, and to all these three or four times the number of jury-men be summoned, at the nod of a petty deputy-sheriff, that is necessary? And if any, at two days warning, tho' without an horse and cash, do not attend, at the distance of thirty, forty, or fifty miles, and stay the whole week, or till dismissed, upon their own cost, while they have nothing, or next to nothing to do; in a few days almost the only support of their poor families, except bread, must be seized by the officer. Is this justice? Is this to maintain the honor of government? Doth not righteousness, at this rate, spring up as poisonous hemlock in the furrows of the field? Doth it consist with justice, with mercy, with humanity,

or

or with any thing laudable and praise-worthy, even among Pagans, to govern such infant settlements (or any other) by a law, in virtue of which a poor neighbour, at a small distance, may have his cow taken from him for a note of hand for three shillings with cost? Who that has one spark of humanity, but would sooner lose a dozen such trifling debts, than to be the maker, or executor of such a law? But I could wish many past things might be buried in oblivion, provided we might, with the consent of our neighbouring state, enjoy liberty and wholesome laws for the time to come. Is it then? I appeal to reason, to conscience. Is it the mind of our gracious King, expressed in this perfect law of love and liberty, that we continue annexed to that state, against the whole grain of our nature and education, and against those principles of justice, resplendent in your consciences; and contrary to the most apparent interests of these territories? So speak ye, and so conduct in this weighty affair, as they that expect to be judged by this perfect law of liberty.

5. BE so good now, my brethren, as to take a tour with me to *Philadelphia*, and attend a few minutes to the grand council of these *American* States. We consider them as defenders of truth, justice and mercy; the patrons of liberty, and advocates for the rights of mankind. We long to hear what passes among them, relative to our affairs, and shall watch to catch any thing out of their mouth in favor of our tranquility and freedom. But let me stir up your pure minds by way of remembrance, that these our political fathers will speak and act in character: they have no creating power to relieve us, but can do nothing against our liberty: yea, they may countenance and encourage us that, if we be made free, to use it rather.

It is hoped discretion and prudence will guide us, according to the honesty of our designs in so nice a point as our union with these States.

We read of one of good understanding in the fear of the Lord; and that God's servant shall deal prudently; and of a good understanding, which all they have that do his commandments: and we find the fearer of God guiding his affairs with discretion. But we are as well assured, that a great oppressor is void of understanding; and that oppression, or a temper and resolution to oppress, maketh a wise man mad; so that the wisest counsellors of a *Pharaoh* became brutish in their knowledge. They that discard truth and justice, do, in point of prudence, lose their senses, as is evident by the holy bible, and history of all ages. Being hoodwinked by bribes, or blinded by pride, covetousness and a lust of power; they appear as much infatuated in their politics, as vic-

ated in their morals. Such may apply to the God of judgment to succeed their cruel plots, or to men in authority, to support, beyond their power, their unjust claims, but know not why they ask of God or men; and are as much lost to the dictates of good sense, as to the rights of justice; but I hope better things of this honorable convention, and that a prudent conduct will be added to the goodness of their cause, and honesty of their intentions. How otherwise can we, in a rational way, and by the observation of all ages, account for that wisdom, that has hitherto guided the chief council of these states; commanding such universal reverence, from them; and also from the wisest men in *Europe*: but that they have all along set the supreme Ruler before them, and keep truth, justice and mercy ever in view? You will then judiciously consider, they can do neither more nor less, for us than as they act for all these united States. They may defend and espouse the cause of any parts or members oppressed; but they cannot oppress, or hurt us. They may do good, but cannot do evil: as the apostle saith, *We can do nothing against the truth, but for the truth.*

LET us then attend to what passes in that august assembly, and wait awhile for the issue. Hearken! Who is this that speaks? Is it a member from that state that has caused so much grief and trouble to these counties? We will soon know by what he saith. How embarrassed! not by the dictates of his own reason, which might lead him to espouse the cause of an oppressed people, but instructions from his constituents, may have plunged him into this visible confusion. A bad cause indeed, that cannot be defended without such perplexity! “The three counties that desire the  
 ‘ countenance of this board, as a new *American* State, were taken  
 ‘ from *New-Hampshire*, and given, or sold to us by a royal edict:  
 ‘ our then so kind and good king was to have no small income from  
 ‘ those lands, by the largest quit-rents ever paid on the continent.  
 ‘ Our convention, upon this turn of times, have resolved themselves  
 ‘ to be all one a king, to receive those quit-rents, which will be all  
 ‘ lost to our state, if they should be encouraged to set up as a state  
 ‘ by themselves. Our convention, in June, 1776, was so kind to  
 ‘ them, as to grant several companies of rangers for their defence,  
 ‘ which calls for more grateful returns, than their revolting from  
 ‘ our jurisdiction. Protection calls for allegiance. It will be  
 ‘ much to the injury of our state to be so dismembered, and lose  
 ‘ our dominion and tribute money. If such a rebellion against  
 ‘ authority should be winked at by this board, we may perhaps  
 ‘ withdraw from it, at the call of our constituents, and so break  
 ‘ the happy union of these states.” With as many more arguments as came into his mind, and as little to the purpose.

How

How forcible are right words, but what doth such arguing reprove ?

BUT we long to hear what is said by some impartial disinterested member, that knows no man after the flesh, whose soul abhors tyranny in *America*, as well as in *Britain* : and being inspired with the feelings of humanity, cannot stand aloof from our sore.—

‘ Those *New-Hampshire* Grants were never annexed to the state of *New-York* by their own consent, but as horses and cattle are shifted from one to another by the will of their despotic masters. And their taking the advantage of the change, to put the poor people to the cost of another title to their lands, was carrying the matter of private property, in this case, further than many civilized Pagans have done, in case of conquered nations. I should have thought, that no man that knew any difference between right and wrong, (meum and tuum,) could have hit upon such a project to get money. And this convention appears to me an heavy burden, which they are no longer able to bear. And if the state of *New-York* have shewed kindness to those plantations, by granting money for about 200 rangers for their defence ; it may serve as some just compensation for the injuries they have received. I would not expose any men or body of men further than justice and truth oblige and necessity urges ; yet I must say, on this critical occasion, that (as I have learned) the convention of *New-York*, in this affair, acted in their simplicity, and knew not any thing of the circumstances of those remote settlements.

‘ THOSE rangers were granted without the knowledge or request of the people in those parts, at the motion of one single man who attained the chief command : and if any representatives from the counties joined in the motion, it was chiefly from his representation. And tho’ both officers and soldiers would freely turn out with the militia in those parts upon any alarm, yet when under orders as rangers they were esteemed rather a nuisance than a defence, and innocently the wasters of the public money. And must a people be obliged by a courtesy, they never requested, and which was no favour to them, to be perpetual slaves to their mere nominal benefactors ? I depend upon it, the people there know better than to purchase mistaken favors at so dear a rate. But suppose the favour of those rangers as great as was ever proposed, to barter their liberties for it, is to give a most extravagant price. We all think the being bound by *Great-Britain* to an absolute submission in all cases whatsoever, too great a recompence for her protection. This misapplied expense shows that the divine method is best, viz. that not strangers but our brethren rule over us ; that know our wants and

‘ circumstances.

‘ circumstances. Had *Vermont* then been a State independent of  
‘ *New-York*, all the expence of those rangers had been spared.  
‘ We find the *Britons* to be strangers to us, and making gross  
‘ mistakes about us, when they meddle with our internal policy.  
‘ Colonies, at such a distance from their rulers, are treated with  
‘ contempt. The rulers lift up themselves above their brethren.  
‘ And many things are done by the rulers which ought not to be  
‘ done ; and many things, which the public good requires, are ig-  
‘ norantly or carelessly omitted. I see not therefore, but those  
‘ counties have a natural right to freedom, and a fair opportunity  
‘ to assert it. For my part, I cannot but commiserate their case  
‘ and feel for their past sufferings. I know the heart of the op-  
‘ pressed, for I myself have been severely scourged by that iron  
‘ rod. My life has been threatened and endangered, for no other  
‘ cause, but the sacrificing my merits, and risking my honor and  
‘ life, in defence of my injured, oppressed country. Nothing gives  
‘ me greater pleasure, than to be happily instrumental to undo the  
‘ heavy burdens and let the oppressed go free, and to break every  
‘ yoke of injustice and oppression. I rejoice to find in those re-  
‘ mote parts wisdom and manhood in asserting their rights as men ;  
‘ and so great a unanimity in the general cause. Let us encour-  
‘ age them. Their advancement will be the glory of the *American*  
‘ union. We hope to be free, and that all *America* will be so, and  
‘ the cries of the oppressed heard no more, in these western climes.  
‘ Truth, justice, and mercy, can never do wrong to the state of  
‘ *New-York*. I wish the lengthening of their tranquility ; but  
‘ cannot do evil that a false and mistaken good may come to them.  
‘ If they withdraw from this board, because we cannot become  
‘ oppressors in their favor, it is hoped they will not boast them-  
‘ selves as suffering for righteousness sake. I must therefore, (I  
‘ speak for one,) cordially bid them welcome to a seat at our board,  
‘ as the addition of another state to our happy union ; not doubt-  
‘ ing but other the worthy members, touched with the same feeling  
‘ for their distresses, and inspired with the same patriotic zeal, for  
‘ the rights of mankind, will concur in the same.”

#### IV. APPLICATION, by way of inference and address.

1 *Infer*. THE God of heaven doth wonders for an oppressed people. The wheels of Providence are full of eyes ; and there is often as it were a wheel in the middle of a wheel. He first humbles and proves them, and then doth them good in their latter end. The God of grace knows his own thoughts of peace and mercy to a people, even while he suffers a spirit of unrighteousness to prevail against them,—Maketh the ravens to feed *Elijah*, and bringeth meat to his people out of the eater, and out of the strong sweet-  
ness.

ness. Had *Great-Britain* continued her protection and faith and justice to these states, we should never have thought of a change at this time. Never were colonies more closely attached to the mother-country, or royal family, than these now independent states. Not one in a thousand among us, but was cordially well affected to *George* the third. Who but a wonder-working God, could so soon have united so numerous a people of different interests, in such an entire and established alienation both from *Britain* and the royal house? The *Britons* have been the instruments. The way of man is not in himself. God left them to take such measures, and persist in them, against our petitions, and against the remonstrances of the wisest men in *Britain*. It was of God to rend these colonies from the parent state, and wean us from it. So had we continued under *New-Hampshire*, we should likely, never have thought, at this time, of forming into a state by ourselves, whatever our oppressors intended. God has made them the tools of his providence, Psal. 9. 15, 16. *The heathen are sunk down into the pit that they made: in the net which they hid is their own foot taken. The LÓRD is known by the judgment which he executeth: the wicked is snared in the work of his own hands. Higgaion; selah.* The two last words intimate that we must stop, make a solemn pause, and deeply consider such a wonderful work of God.

2 *Infer.* OUR past sufferings are adapted to make us tenderly affected to one another; and so lay a foundation for our future peace and union. If this law of love becomes the fundamental principle of our state, we may differ in sentiment, without the least disaffection one to another. Hence the exigences of any part, will be felt by the several members as their own. No man will live to or for himself alone, but as members one of another. So we may in the event count it all joy, that we have fallen into divers temptations, as serving to prepare us for future prosperity and peace.

3 *Infer.* THAT all treacherous dealing, for or against the country, is contrary to the light of nature, and the perfect law of liberty in the text. Treason in every shape is abhorrent to human nature, and detested among all nations, and all ages of the world. We must act openly, honestly and faithfully in all we do for the public; and never betray so much as one private friend: be true and faithful in what we undertake, and never act under a cloak. I scarce ever read a worse character than that of Lord *Lovel*, a *Scotch* rebel, executed at Tower-hill, 1745, “*True to no king, to no religion true.*” i. e. Dissimulation and deceit, treachery and hypocrisy, unfaithfulness and double dealing, were interwoven thro’ the whole web of his conduct in religion and politics. We must

must not turn traitors, tho' to save our country, or to do so great an evil that good may come. Dare to be true, to be honest and fair, and leave the event with God. This is the way to have the blessing of God, and the favor of all men of true honor.\*

4 *Infer.* It is our duty and prudence to treat with justice, tenderness, and a generous compassion, all that differ from us with respect to measures, while they profess friendship to the country, and act nothing against it. All that openly join with our oppressors, I leave to trust in oppression, to become vain in robbery, and take the event. We must wait to see how the ship, in which they have embarked their all, rides out the storm. We leave all that privily aided and influenced *Great-Britain* to these hard measures, to him that will shortly make inquisition for all the blood shed, in this unhappy and fatal war. Those that enjoy privileges and protection among us, while they secretly practice deceit and aid our enemies in oppressing us, I must leave to our enemies contempt, and their country's abhorrence; for a prey to their own consciences, and to the judgment of him that in all cases requires truth and sincerity in the inward parts.

BUT there are numbers in these states, that cannot see as we do; that are conscientiously engaged not to act against us. They fear we are hurting ourselves, and ruining the country. They cannot see that the kingdom was given to *George* the third only by compact with the people, but to *David* of old, under a theocracy, by a covenant of salt; and that nevertheless, it was a just and manly thing in the ten tribes to refuse an absolute submission to *Rehoboam*, to be bound in all cases whatsoever, after his haughty, imprudent menaces, and telling them of a yoke more grievous, and even of whips and scorpions. They cannot wisely consider that *Rehoboam's* infatuation was from the God of judgment, and the revolt of the ten tribes by his order and counsel: and shewed a manly soul. For is *Israel* a servant? is he a home-born slave? No, he is free-born. God forbade *Rehoboam* therefore to attempt by war to bring back the kingdom to the house of *David*; as it was of God, that they were dismembered from it. Their sin was the

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\* When *Augustus* had vanquished his rival *Mark Anthony*, and was established in the empire at *Rome*, he sent for *Herod* the great out of *Judea*, who had joined his rival against him. It was expected his life must go. But when he came before the emperor, and senate of *Rome*, in a manly and gallant speech, he owned he had ever been true and faithful to *Anthony*, and would have shed the last drop of his blood to save him. But now, since he is no more, if he might be taken into favor with his present majesty, he should be as true and faithful an ally to him, as he had been to the other. The emperor and senate were charmed with his manly soul; did not disgrace him; yea loaded him with new favors. Honesty is the best policy.



the rejecting not a stupid, imprudent, infatuated *Rehoboam*, but the whole house of *David*, in contempt of the covenant of salt, for the infamous son of *Nebat*, and without doubt too much rashness and fury attended. These our weak brethren cannot see that all that *Great-Britain* could in justice and manhood have done with us, supposing us to have erred in not making such an absolute submission to them as is due only to the Supreme King, was only to withhold her protection and trade; but to cut our throats, because we will not be at such enormous expence for them, is a punishment so inadequate to the fault, (if it be a fault,) as quite shocks our understanding. They cannot see that a compact grossly violated on one side, discharges the obligation on the other. What shall we do with these our weak brethren? To persecute and oppress them on account of their political weakness, will serve only to confirm them in their mistakes, and may harden them against their country. Weak people are least able to endure a severe discipline. Till such by a fair and impartial trial are convicted of some overt act, against the common cause, we that are strong ought to bear the infirmities of the weak, and not to please ourselves. *Ye*, says the apostle, *suffer fools gladly, seeing ye yourselves are wise*. q. d. Ye have the heart felt joy of being wise and judicious yourselves, this should influence you to a generous compassion towards the ignorant, and such as are out of the way. It seems to me both our duty, and for the common good, to endeavor by a friendly, courteous, and faithful spirit towards these mistaken friends, to win and attach them to us. They may be cordially won, and drawn by the cords of a man and bands of love; but all hard speeches and severe treatment, tend to alienate them forever; and may be the unhappy occasion of their own and families ruin. Pride in our own superior wisdom will blind our eyes, and betray us into a foolish and misplaced severity towards those, that do not, with what we in pride may call a due reverence, come into our sentiments. But an humble sense of the law of liberty, will lead us to treat them in the same humble and obliging manner, as we should think it fit to be treated by them, if they were in our case, and had all our wisdom, and we in their's, with all their weakness.

5 *Infer*. We must yield to this golden rule and law of liberty, before a merciful deliverance from our present troubles. Oh! when shall the hearts of the fathers be turned to their children, and the hearts of the children to their fathers, and the hearts of the disobedient to the wisdom of the just; that we may be a people ready and prepared for the Lord to command deliverances for our *Jacob*? We are now loudly called to reform, to amend our ways, and our doings which have not been good; to acquaint ourselves  
with

with God and be at peace, that thereby good may come unto us. Here we must begin, if we mean to comply with the text; and put away those crying sins that have exceedingly provoked the Lord to leave protestants to bite and devour one another. Our iniquities correct us, and our backslidings reprove us; let us know and consider that it is an evil thing and bitter, that we have forsaken the Lord, the only hope of *Israel*, and forgotten our resting place. The foolish people that blaspheme God, and his enemies that take his name in vain, must be reformed, and learn to fear that glorious and fearful name, the LORD our God. For because of swearing the land mourneth under the sad tokens of the divine displeasure. They that profane the day of sacred rest, and impiously neglect the solemnities of his worship and ordinances of religion, must return to their duty, and enter into his sanctuary which he hath sanctified forever, that the fierce wrath of the Lord may be turned away from us. For because we have not observed his statutes and despised his sabbaths, God has given us statutes from *Great-Britain* that are not good, and judgments whereby we cannot live. Wilful impenitents and unbelievers, that tremble not at the words of the living God; fear not his wrath, and will not submit to be ruled and saved by him; spurn at his divine bowels; affront the God of grace, and incense the Saviour of the world; vex and grieve the holy Spirit: these must come to a pause, consider and turn to the Lord, receive the atonement, and make their peace with God by the blood of the cross; and all will be well. In a word, the extortioner, the monopolizer of scarce and necessary commodities, the destroyers of our present medium of trade; those that oppress one another, and grind the faces of the poor, must turn back to justice, humanity, and charity, and a love to their country. Iniquity must be put far from our tabernacles, family religion set up, and the rising generation instructed. We must put away all violence from our hands, and malice from our hearts. Love the Lord, and love our neighbour as ourselves. Our pride, self-sufficiency, impenitency, unbelief, wilful contempt of God, and his holy laws, not seeing the hand of God, receiving not correction, trusting not in the Lord, and drawing not near to our God: These have kept us back from honor and victory, and brought us low, and withheld good things from us.

THE Addresses follow.

*First*, PERMIT me to drop a few hints to the honorable the House of Representatives now convened, to form a plan of government for this State.

*Honored sirs*, WHAT is purely political, I shall leave to your better skill and wisdom; and wish you the divine blessing, in all your deliberations. But I trust your candour will not take it as acting

acting out of character, if I suggest some things which may be worthy your future consideration.

THE unanimity of the late Convention in calling upon us to fast, and cry to heaven for direction and help in our present affair, as well as the more public interests of *America*, intimates to us a pleasing ground of hope, that this will be thy land, *O Immanuel!* That God will be openly acknowledged in all the important business of our State. Tho' the Kingdom of the Redeemer is not of this world, and civil rulers are not to invade the rights of *Jesus Christ*, yet they may be nursing fathers to the church and the earth may help the woman: they may upon occasion forbid servile labour, and call upon us to fast, or offer thanksgiving to God, without invading his throne. By no means would I urge civil rulers to bind conscience in the chains of their decrees. Christ alone is Lord of the conscience: and every man must act for himself in all matters wherein conscience may be obliged, for this plain reason, viz. Every man must give account of himself to God. But it is folly and stupidity for a man to plead conscience for breaking the moral law, which is a transcript of the moral perfections of God, and written upon the hearts of all by nature. Civil rulers are God's vicegerents and deputies on earth, to maintain the honor of his rectoral righteousness, and so prevent divine judgments coming upon the people. I hope the legislative and executive powers of this State will so stand in awe of the sovereign Ruler, as to put restraints upon an open contempt of God and all religion, blaspheming and taking his tremendous name in vain; adultery as a sin against God and the State, as well as against the party injured: the profanation of the sabbath day, (the morality of which may be easily proved,) and in a word, all gross violations of the sacred decalogue as far as certain proof can be taken in human courts; are iniquities to be restrained by the laws and punished by the judges in all christian States. Neh. 13. 17, 18. *Then I contended with the nobles of Judah, and said unto them, what evil thing is this that ye do, and profane the sabbath day? Did not your fathers thus, and did not God bring all this evil upon us, and upon this city? Yet ye bring more wrath upon Israel, by profaning the sabbath.*

In forming a plan of government for this State you will judiciously temper and balance the powers of the several branches of the legislature, that one cannot arrogate to himself what belongs to another. The legislative authority of *Great-Britain*, by king, lords and commons, has long been the pride and boast of the nation, and envy of other nations. But former and later experience invincibly proves by the most notorious facts, which are the hardest arguments, that when the powers of those three branches by

bribes or otherwise are engrossed by one, like the beams of the sun contracted by a glass in a focus, the intense heat may set the whole land in flames. The preventing so great an evil to this State, will demand your closest attention and care.

MONARCHY and oligarchy carry dignity, but may easily degenerate into oppression and tyranny. Democracy seemeth the most free and eligible at first view, but is found by the experience of all ages, both in church and state, soon to loose it's dignity, and so cannot answer the ends of government; and has often degenerated into the most bare-faced, intolerable tyranny. But by an happy union of the three, dignity and liberty are best secured.

THE powers of the ministers of justice, jurymen and all officers are to be prudently adjusted, as well as all the rights and privileges, belonging to every individual. All the people in general thro'out this state, will insist upon their right of being tried by their peers, i. e. by their equals; and shall not the judges and chief officers of the state have the same privilege secured to them? How would it shock the human understanding, to see a governor, e. g. subjected to a mere popular trial? All men of sense and honor would shun the dignities of the state, if that must be their unhappy fate. We hope for such an establishment of good rule and wholesome laws, that it will not be in the power of any man, or order of men, to trouble others but by common law.

PRESBYTERIAN ministers, by the very form of union between *England* and *Scotland*, and by the oath of the king of that realm, are exempted from all trials in matters that concern their office, except by those of their own order, as presbytery and synod. And you may be assured, they, and all others of every denomination, will take it very hard, if, in a state wherein all others have their rights secured, they may not be as safe in their office, as under the dominion of *Britain*.

HAVE we suffered by septennial parliaments, and septennial assemblies, and a nonsensical and needless expence in the administration of public justice; we now hope for this sowing in tears, to reap in joy the good fruits of our past sufferings. Adversity is the school of wisdom. You will look out with great caution, where others have made shipwreck.

I WISH you prudence, unanimity, and success, and a blessing to crown all your faithful endeavors for our good; and may your service for this state be accepted of the multitude of your brethren; and our children, and children's children rejoice in the happy consequences of this business, when, having served your generation according to the will of God, you shall rest in the dust.

AMEN. SO BE IT.

I CLOSE

I CLOSE all with a few words to the people here present before God.

It is a critical day with us. Perilous times are come. Let all unite for reformation and to promote the common cause of *America*, and good of this State. Whatever we might think heretofore, and however closely attached to the mother country; we must eye the hand of God in the change. God by a series of wondrous providences, has made us independent States. We are now to seek their good.

THE public faith of *Britain* now well known to us, and how far it is prudent to trust it; their persecuting us with a rage that reacheth unto heaven, the insults offered to our understandings, as proposals for reconciliation, the deeply rooted and so universal alienation of these States, from that kingdom; and our treaties abroad, which may (for ought we know) preclude all rational and moral possibility of a re-union: all these considered seem to oblige us to be so prudent for ourselves, as to think and speak no more of that matter; but to look upon the breach like the sea, past healing. We must, it seems, be their allies, or conquered vassals, or have no connection with them.

LET us put away those sins that have armed our enemies against us, and be cordially united in all our efforts for the public weal. The cruelty of our merciless foes, should make us tenderly affected one to another. You may have heard of a man, a lamb, and a lion by chance falling into the same pit, so touched with sympathy and mutual tenderness, under the common calamity, as not to hurt one another. May the law of love, and that spirit of christian morality, that runs thro' the sermon on the mount, be cultivated among us: and O that all the powers of *Europe*, for our sakes, as well as their own, might be under the influence of that same spirit.

WHEN shall that glorious day appear when wars shall cease to the ends of the earth, by the supreme command of the Lord of hosts? Then *Ephraim* shall no more envy *Judah*, nor *Judah* vex *Ephraim*. We shall then very cordially unite with *Britons*, not indeed in civil connections, but in christian fellowship, and amity. The wolf will then dwell pleasantly with the lamb, and the leopard lie down with the kid; and people both in *Europe* and *America* try to render each other happy, as much as ever the one has struggled to make the other miserable.

ALL the oppressors, and tyrants of the earth, will then be gone down to the sides of the pit, to lie with the uncircumcised, and their iniquities upon their bones; tho' they were the terror of the mighty in the land of the living.

THE greatness of the kingdom under the whole heaven, will then be given to the people of the saints of the Most High, and the voice

voice of the oppressor no more be heard. Civil Rulers will then be benefactors (not malefactors) and seek the welfare of their people: and the people will love and not oppress one another. And in the peace of the civil community, and city of God, will every one have peace. Thy kingdom come, O LORD.



*After prayer Doctor WATTS's Hymn upon the text was sung, and is here inserted by request.*

THE UNIVERSAL LAW OF EQUITY.

*Long Metre.*

1. BLESSED REDEEMER, how divine,  
   How righteous is this rule of thine,  
   Never to deal with others worse  
   Than we would have them deal with us!
2. This golden lesson, short and plain,  
   Gives not the mind nor mem'ry pain;  
   And ev'ry conscience must approve  
   This universal law of love.
3. 'Tis written in each mortal breast,  
   Where all our tenderest wishes rest;  
   We draw it from our inmost veins,  
   Where love to sense resides and reigns.
4. Is reason ever at a loss?  
   Call in self to judge the cause;  
   Let our own fondest passion shew  
   How we should treat our neighbors too.
5. How blest would every nation prove,  
   Thus rul'd by equity and love!  
   All would be friends without a foe,  
   And form a paradise below!—
6. JESUS, forgive us that we keep  
   Thy sacred law of love asleep,  
   And take our envy, wrath and pride,  
   Those savage passions for our guide.

*Then*

*Then the whole assembly arose in reverence to that glorious and  
fearful name, the LORD our GOD, and sung the  
Christian Doxology.*

*To God the Father, God the Son,  
And God the Spirit, three in one,  
Be honor, praise, and glory given,  
By all on earth and all in heaven.*



## HISTORICAL.

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THIS rare old work was obtained from JOSEPH HALL, Esq., of East Dover, Windham County, Vermont, and presented to the Vermont Historical Society by Rev. DANIEL T. TAYLOR, originally from Champlain, New York, and now of Castleton, Vermont. The Hon. BENJAMIN CARPENTER, whose name appears on the title page, was a native of Guilford, Vermont. His complete history and biography may be found in Z. Thompson's *Gazetteer of Vermont*, on pp. 79-85, particularly page 83. For the history of the convention of July 2, 1777, of which Carpenter was a member, see Slade's *Vermont State Papers*, page 79. A daughter of Mr. Carpenter married Deacon Samuel Nichols, of Halifax, and was grandmother to Mrs. Joseph Hall, of Dover. This old sermon came down from mother to daughter, in the family line of Mrs. Samuel Nichols, Mrs. Joseph Hall's mother receiving it from her mother, and so transmitting it to her daughter, the present Mrs. Hall. Rev. Mark Carpenter is said to be a grandson of the Hon. Benjamin Carpenter, who appears to have been the original owner of this sermon. Whether the handwriting is that of Jonas Fay or Rev. A. Hutchinson, I am unable to state. Although penned eighty-two years ago it is very legible, and the style is bold. The sermon is in a fair state of preservation; no other copy is known to exist in the state of Vermont.

I this day present it to the Vermont Historical Society for permanent preservation.

DANIEL T. TAYLOR.

Castleton, Vt., Sept. 12, 1861.



THE VISION OF JUNUS  
THE  
BENNINGTONITE.  
1772.



## INTRODUCTORY.

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THE following "vision," in scripture style, which appeared in the (Hartford) *Connecticut Courant*, in September, 1772, had been preceded during the previous spring and summer by several articles in the same paper in defence of the settlers on the New Hampshire Grants and in condemnation of the government of New York towards them.

The principal events alluded to in the "vision," are :

1. The granting of the lands in possession of the settlers by Colden and Dunmore, as Governors of New York, to others, among whom the most active and powerful were Duane and Kemp, two prominent lawyers and land speculators of New York City.

2. The unsuccessful attempt of the New York claimants, by calling out the militia of Albany County, several hundreds in number, as a *posse comitatus*, under the sheriff of the county, to take possession of the farm of JAMES BREAKENRIDGE, at Bennington, July, 1771.

3. The seizure of REMEMBER BAKER, at his house in Arlington, by John Munro and others, after a bloody fight, and his recapture and rescue by a party of the settlers, before his reaching Albany, in March, 1772.

4. A supposed agreement between Gov. Tryon of New York, and the settlers, by which it was expected their rights would be preserved and protected, but which soon proved to be entirely fallacious.<sup>1</sup>

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<sup>1</sup> See *Slade's State Papers*, p. 22 to 33.

## THE VISION OF JUNUS, THE BENNINGTONITE.

The word of the L—d, which came unto Junus, the servant of the L—d, when Dunmore, Duane, Colden and Kemp, with all their confederates, fought against Bennington, and the adjacent country. Thus saith the L—d: “Son of man, set thy face towards the bloody city, and I will show thee what thou must reveal on the house tops, even the great abomination of the Yorkites, and their outrages committed on my chosen people in the North.”

So I turned my face towards the abominable city, and the spirit of the L—d rested upon me, and I saw, and behold an evil spirit from the devil seated on the heads of Duane and Kemp, and they conspired together against the L—d’s inheritance, striving to set the Lord’s anointed against his people, falsely accusing them before the Court of Great Britain, purposing, by fallacy, craft and hostility, to lay waste the holy hill of Bennington, and drive the people from the goodly land of which the L—d said unto them: “Go in and possess it, thou and thy seed, forever, and drive out the heathen before thee.”

And he said unto me: “Son of man, hast thou seen all of this? Turn thee towards Albany, and I will show thee greater abominations than these.”

So the spirit lifted me up, and turned my face thither, and, behold, the Albanians, Schanachidyans, Kocksochkeens, with the Kinderhookites, Claverichites and the Saintcoichites, and sundry other tribes of the Yorkites, who knew not the L—d, had assembled themselves together in great numbers against the chosen people of the L—d. For a lying spirit had gone forth from New York, and had commanded and inveigled the Yorkites, saying, “Go up to Bennington and smite it, and ravage the Holy Mount.”

They likewise compelled many of the servants of the L—d, who wished well to the Mount Bennington, to go with them. But the L—d disconcerted the Yorkites at that time, putting his hook in their nose, and turning them back by the way that they came, not suffering them to afflict his Elect.

And he said unto me: “Son of man, turn thee yet again towards New York, and I will show you greater abominations.”

So the spirit lifted me up, and brought me to the door of the Court House at New York, which looketh towards the east, and said, “Go in.” So I went in, and, behold, suborned men stood before the elders, with censers in their hands, and a thick cloud of perjury went up, while they falsely accused the People of the

L—d, the inhabitants of Bennington and the adjacent country, before George, the L—d's anointed.

But their device shall not prosper, neither shall it take effect, for the heart of my anointed is right before me, saith the L—d, and he shall administer justice to my people, and defend my holy hill of Bennington from the ravages of the Yorkites.

And the hand of the L—d was upon me, and brought me to the house of his servant Baker, the Arlingtonite, and, behold, the house was polluted with blood, Baker severely wounded and taken prisoner by the enemies of the L—d, and his wife and eldest son lamenting in their gore, not so much on account of their own wounds as the loss of a tender husband and father.

And I was amazed and sore troubled, and said, L—d how is it that thou sufferest thy chosen ones to be trodden down by the heathen, who do not regard thy great name? And he said unto me, "Son of man, fear not, for in the fullness of time I will appear for my people, and confound the Yorkites."

And the L—d stirred up the spirit of the valiant Green Mountain Boys, and they pursued, and retook Baker.

He also enraged the spirit of his servants Sagacious and Foresight, and wrought powerfully upon his old servant Substantial, and moved the hearts of the distressed people, as the hearts of the trees are moved with the winds, and they discomfited the perfidious Yorkites that dwelt among them, and they fled to New York with great wrath, hoping to excite the power of government to destroy the inhabitants of the L—d, and make Bennington a heap of stones.

But the L—d raised up his servant Tryon to the head of government, and he spake comfortably to the People of Bennington and the adjacent country. He also raised up men for his council that were wise and judicious, and turned their hearts towards His people for good, for my servant Tryon enjoys exalted and generous reflections, and shall continue to be a blessing to my Northern afflicted ones.

Howbeit, in chartering the ancient town of Hinsdale, and also by making some other charters on the New Hampshire Grants, he hath given great occasion to his enemies to blaspheme; the charters also that he hath given shall surely die.

And the word of the L—d came yet again unto me, saying, Son of man, prophecy against the oppressive city, and say unto it, behold, I have given you a goodly sea-port situation, near *Hell-gate*, and also a navigable river; and thou hast greatly extended thy trade, and art grown very rich: wherefore, then, covetest thou the lands and labors of my servants in the North? Why will ye grind the face of new settlers, and distress the needy?

Let your own portion suffice you ; for if you again raise your posse, and go forth to fight against Bennington, the Green Mountain Boys will not be frightened, and they shall ambush you, saith the L—d, for they well understand the narrow passes of the mountains, and are lusty and strong, and are well skilled in the use of the bow ; and in very deed, for this purpose have I raised them up, that they should defend my holy hill of Bennington, and the adjacent country, from the oppression of the Yorkites.

And the word of the L—d came again unto me, saying, Speak unto the Yorkites, and say unto them : Why are ye so greedy after dominion as to annex that part of the Bay province west of the Connecticut River to the Province of New York and County of Albany ? Know ye not that unbounded desires are unfailing sources of unbounded troubles ? For the Massachusetts inhabitants will not be imposed upon by your tricks, but they will make you tremble at their vengeance.

And the word of the L—d came yet again unto me, saying, Son of man, speak unto Duane and Kemp, and their associates, and say unto them : You have been the principal cause of troubling my people, and except ye do now speedily repent and turn from your hateful abominations, and cease troubling my people, and leave them to the quiet and peaceable possession of their inheritance, it shall happen unto you as it did unto Pharaoh, King of Egypt. I will send my plagues upon you, and on each of your houses and families, and ye shall be afflicted day and night, and languish out your lives by severe pangs of conscious guilt and repeated disappointments, and die in excruciating pain and horror. For I will never withdraw my hand until I have fully avenged the cause of my people.

And lastly, the word of the L—d came unto me, saying, Son of man, prophecy against Munro and Willoughby, and cry against them, saying : Wo ! Wo ! Wo ! unto them, for thus saith the L—d, because ye have laid waste the house of my servant Baker, and polluted yourselves in blood, as also in that of his innocent family, of which their maimed limbs are a witness, even to this day, and because ye mocked him, crying aha ! at his groans, when in thy hands, and because ye have clapped your hands against my people in despite of them, I will, for these things, stretch out my hands upon each of you, and your malicious accomplices, and ye shall become a spoil to your enemies, and I will cut you off from among my people, and cause you to perish from off that good land that I gave the New Hampshire settlers for an inheritance, so I will surely destroy thee, that others may hear and fear, and do no more so wickedly.

JUNUS.

MISCELLANEOUS REMARKS  
ON THE  
PROCEEDINGS  
OF THE  
STATE OF NEW YORK  
AGAINST THE  
STATE OF VERMONT, &c.  
BY IRA ALLEN.  
MAY, 1777.





## PREFATORY NOTE.

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THE following, entitled "Miscellaneous Remarks, etc.," was published in pamphlet form about the month of May, 1777, but is now out of print. It appears from the preface that it "was undertaken at the request of the General Convention of the district of the New Hampshire Grants." This Convention, assembled at Westminster, had on the 15th of January preceding declared the territory separated from the government of New York, and to be an independent state,—had appointed agents to attend upon the Continental Congress, and inform that body of their declaration, and to ask to be admitted to seats therein as delegates from the new state.<sup>1</sup> This pamphlet was probably the first considerable publication which was made in behalf of the people of the territory after the commencement of the Revolution.

BENJAMIN H. HALL, in his "*Bibliography of the State of Vermont*," says that this pamphlet was a reply to a "report submitted to the Convention of New York on the 4th of October, 1776, by a committee consisting of William Duer, James Duane, Zephaniah Platt, John Sessions, Simon Stevens and John Jay, copious extracts from which may be found in *B. H. Hall's History of Eastern Vermont*, at pages 271, 275." The first sentence of the pamphlet has a quotation from this report.

In *Thompson's Civil History of Vermont*, page 107, the following items from Colonel Ira Allen's account against the State are given: "1777, April 20th, To writing a pamphlet, Vindicating the Rights of the people to form a state, and in answer to a pamphlet published by the Convention of N. Y., dated Oct. 2d, 1776, and sent to the county of Cumberland, £6, 0, 0. To 3 days going to Hartford to get s'd pamphlet printed, £1, 10, 0."

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<sup>1</sup> *Slade's State Papers*, p. 68-73.



MISCELLANEOUS REMARKS  
ON THE  
PROCEEDINGS  
OF THE  
STATE OF NEW YORK  
AGAINST THE  
STATE OF VERMONT, &c.  
BY IRA ALLEN.  
[MAY, 1777.]

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HARTFORD :  
PRINTED BY HANNAH WATSON, NEAR THE GREAT BRIDGE.  
1777.

## P R E F A C E.

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THE following impartial work was undertaken by, and at the request of the General Convention of the district of the New Hampshire Grants, and many matters of fact are herein inserted as a short State of the disingenuous cunning of the former government (now State) of New York, towards the inhabitants of said district ; which are humbly dedicated to the candid reader, by the author, for the good of mankind.

## SOME MISCELLANEOUS REMARKS, ETC.

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OUR Author informs us in page 7th and 8th, viz.: “It is unquestionable that the jurisdiction of this state over the territory which now comprehends the County of Cumberland is coeval with its first formation as a Colony under the Crown of Great Britain.”

It is a fact notoriously known, by those that are acquainted with the history of the former government of New York, that that government did not extend so far north as the City of Albany, until the accession of King William and Queen Mary to the throne; then we find a commission from their Majesties to Henry Slaughter, to be materially different from those of the respective Governors of New York, before King William and Queen Mary, by their commission, dated the fourth day of January, in the first year of their reign, appointed Henry Slaughter to be Governor of the Province of New York, and the territories depending thereon, in America. Before the accession of King William and Queen Mary to the throne, plantations were extended northwardly, either on patents procured immediately from the Crown, or government, or mere settlement on extra provincial lands, in which the City of Albany was included.

The enlargement in the commission to Henry Slaughter, was in these words, viz: “and the Territories depending thereon in America.” These territories are that extension of jurisdiction beyond their circumscribed limits, terminating south of Albany, called the province of New York. This territorial extension of jurisdiction was altogether in the arbitration of the Crown, to curtail or extend; this being the case, the respective Governors can no other way be judges of the extent of jurisdiction, but by directions given them, in their commission, together with his Majesty’s express proclamations and public determinations relative thereto, as in the instance of the royal adjudication in 1764, a publication of which, by his Majesty’s orders, gave his subjects to understand that it was his pleasure that the territorial jurisdiction of New York should extend to the west bank of the Connecticut River; which includes the Counties of Cumberland and Gloucester within that government. Before this, it was impossible for the subjects to know it; if they could have known it without his Majesty’s proclamation certifying the same, such proclamation would have been needless and impertinent. The truth of the matter is, his

Majesty in 1739, determined that the New Hampshire government should cover the present County of Cumberland. He altered his determination in 1764, whereby New York extended its territories over the County of Cumberland, and for any gentlemen to assure people of common sense, that "it is unquestionable that the jurisdiction of this State, over the territories which now comprehend the County of Cumberland, is coeval with its first formation as a colony, under the Crown of Great Britain," is the light of folly. It was, in the nature of things absolutely impossible, his Majesty himself should have known that to have been the case the moment before he determined it, and equally inconsistent that the subjects should know it till his Majesty proclaimed it.

Our Author further infers, in page 8th, these words, viz: "And implying a latent design by a further separation from the State, to leave the whole burthen of the present cruel and expensive war to be sustained by the rest of the community."

This is, indeed, a very extraordinary way of arguing, and in particular for the Honorable, the Provincial Congress to assert. It is well known to that State that it was ever disagreeable to the inhabitants of the New Hampshire Grants to be within the State of New York, and there has been much talk of separating from said State; and should the County of Cumberland absent from said State and connect with the State of Massachusetts-Bay, or should they connect with the rest of the New Hampshire Grants and form a new State, it is not to be even supposed but that we should pay our proportion, according to our abilities, of the expense of the present war.

It is not reasonable that one of the United States should be more pressed with powerful armies, than any other; that they ought or will pay any more for that, or if one State should raise more men, according to their numbers to join the main army, or to scout in their own frontiers, if need be, than the rest, that they ought, in justice, to bear any more of the burthen than any other States, (but, in consequence of their being harrassed by the enemy, they ought not to pay so much). But in the sequel of the war, the whole expense will be made in one bill by the Honorable the Continental Congress; then each State will share equally the blessings of the glorious victory, by which all the liberties granted to our ancestors by the Supreme Governor of the Universe, may be kept inviolate, and handed down to the latest posterity; and if one State has done more than their proportion it will be remitted to them again, to their everlasting honor for exerting themselves to maintain the liberties God has given us. If each State have done their equal proportion, then consequently each State

will pay their proportion according to their abilities, until said bill is discharged.

Our Author asserts the following lines in page 10, "And the success of the great cause, in which the whole continent is engaged, cannot but be weakened by dissension, and by countenancing the factious and self-interested." This objection, at first view, seems to be important, but upon examination will vanish. I readily agree that it would be matter of lamentation, that when we are jointly engaged in a bloody contest, merely to oppose arbitrary power without us, that we should have occasion to contend against the same within ourselves, especially those who profess to be friends to liberty. I imagine this objection arises for want of due consideration. We are much mistaken in our views if we are not proposing that, and that only which will prevent contentions and divisions taking place amongst us, and that which will have the most happy effect to unite us in indissoluble bonds of union and friendship, by forming the whole district of the New Hampshire Grants into a new and permanent State, in which all the free and natural rights of men will be protected to the latest posterity. Certainly, if the observations I have made are just, the objection must cease in the mind of every reasonable person; for, if we consider that oppression was the cause of this unnatural war, and the oppressions this district has received from the government of New York are similar, (which, I think, may plainly appear,) are we not pursuing the same general cause? The only difference is that we are contending against the same enemy within that is also without, and certainly, if arbitrary power without us ought to be punished with vengeance, that within ought to have seven-fold; therefore, we are persuaded that every one who is a true friend to the liberties of mankind, and has any sense of his own or posterity's good, will think the case well deserves a serious consideration, and ought to be referred to the Honorable, the Grand Council of the United States of America, for their wise deliberation and determination, which is our ardent wish. God gave mankind freedom by nature, and made every man equal to his neighbor, and has virtually enjoined them to govern themselves by their own laws. Doubtless you remember in ancient times, every man sat under his own vine and fig-tree, and there was none to make them afraid; and when it became necessary for them to have some rules and laws to govern themselves by, every man appeared personally under their own fig-trees in council, and harmoniously agreed on rules to be governed by. They also worshipped the Deity in the open air; but in process of time, to shelter themselves from the inclemency of the weather, they built houses for that sacred use; then, by the increase of men, it became necessary for some divis-

ions, and they divided themselves into tribes, each one governing his own internal policy, etc.

Since the propagation of settlements through the world it is become necessary, for the sake of good order and government, that the inhabited part of America should be divided into governments, or States, counties, towns, etc., for the convenience of its inhabitants, though not for the aggrandizement of any particular place, or number of men, but for the mutual advantage of the whole.

It was not the free voice of the people of the New Hampshire Grants, ever to be in the government of New York, but was an express order from the Crown in the year 1764, and was unknown to most of said inhabitants of said Grants, until his Majesty's proclamation appeared certifying the same.

By the declaration of independence, all laws and connection with the British Court were dissolved, which left all kingly government destitute of any law, or established mode of government, to establish us a free and independent State of America; and as the design of forming governments was meant for the mutual benefit, peace and happiness of the present and future ages, I see no reason why any county or counties, community or communities of people, may not assert their free and natural rights and liberties which were given them by the God of nature; and if the royal tyrant of Great Britain did pass an order extending the territorial jurisdiction of New York to the West Bank of the Connecticut River, for some sinister views to the Crown, (or by the influence of some designing gentlemen in New York,) and contrary to the free voice of the inhabitants of the whole district of the New Hampshire Grants, as it rendered the situation of the inhabitants very disagreeable in many respects, and one on this hypothesis unavoidable, viz.: their local situation, as some of them are upward of fourteen hundred miles from the Seat of government at New York: this order may be well accounted one of the cruel acts of the Crown; and as the Honorable, the Continental Congress did, on the fourth day of July last, declare the United Colonies of America to be free and independent of the Crown, which declaration the people of the New Hampshire Grants have most cordially acquiesced in, by forming an association, binding themselves by all the ties held sacred amongst men, to exert themselves to defend by arms the liberties of America, as also by many votes of the General Convention of later dates; and, whereas, by said declaration, the arbitrary acts of the Crown are null and void in America, consequently the jurisdiction by said Crown granted to the government of New York over the people in the New Hampshire Grants, is totally dissolved, so that the



evil of New York is not left over any part of the New Hampshire Grants.

It has been before observed, that the design of forming government was meant for the mutual benefit, peace and happiness of the present and future ages; therefore, since the dissolution of the British power in America, all power as it was, in the beginning, naturally resolves back on the people; it, therefore, now stands every individual in hand to see what way and mode of government they adopt, as also the boundaries of each State; together with the natural genius, habit and temper of the people which are to make and constitute one body politic.

And now, as I view it, we are probationers, to act not only for ourselves, but for posterity, even in some degree as it was with Adam in his original purity. He transgressed the Divine law, thereby brought sin and misery on himself and posterity, which deprived his successors of those liberties and mansions God had given him. Each man is accountable to his Creator for the part he now takes, for on the conduct of the present age depends the liberties of millions yet unborn.

Since this vast continent has made this noble stand, have and still continue to wield the sword of liberty, to preserve inviolate the freedom of the present and future ages, and are about to establish new and free States, under the authority of the people, it behooves us, as inhabitants of the New Hampshire Grants, to view with candor our own situation.

We principally emigrated from the New England States, the former laws, rules and regulations of which were nearly alike, in consequence of which the inhabitants of said Grants have been taught in one way. Their genius and customs have been so near correspondent that there is the highest probability that they would unanimously agree on a mode to govern the internal policy of a State, with the greatest unanimity, which is one of the greatest blessings ever bestowed on a free people.

On the other hand, the former laws, rules and regulations of the government, now State of New York, have been so materially different from those we have been accustomed to, and considering the conflict that has subsisted, these many years, between this district and the said government, there is the greatest reason to believe that, should this district connect with that State, to make one body politic, there would be as little hopes of a reconciliation ever taking place between them as there would be between Great Britain and the United States of America, which must render the situation of both very unhappy. Witness a resolve, viz :

“In convention of the representatives of the State of New York, at Harlem, August 2, 1776, *Resolved*, unanimously, that all quit-rents for-

merly due and payable to the King of Great Britain, within this State, are now due and owing unto this Convention, or such future government as may be hereafter established in this State.

“Extract from the minutes.

“ROBERT BENSON, *Secretary.*”

It is to be here noted that these grants that derived from New Hampshire pay one shilling proclamation money, and those from New York half a crown, sterling, on each hundred acres, when, in the ancient part of the province of New York, Livingston's Manor, a tract of land about twenty miles square, pays but one beaver skin annually, as quit-rent, and Bateman's patent, a valuable tract of about ninety thousand acres, pays only a quit-rent of three pounds, ten shillings; in fine, all the old settled part of the province pays no more than a trifling acknowledgment.

Thus it appears, by the above resolve, and by a small pamphlet, dated in convention the second of October, 1776, and sent from the Honorable, the Provincial Congress of the State of New York, to the County of Cumberland, that the present Honorable Congress have passed some unreasonable and oppressive resolves; a very extraordinary way indeed to collect a sum of money to defray public expense, after the former government of New York had, by cunning and fraud, threats and deceit, terrified and seduced the inhabitants of some townships, to take re-grants of them, at the extortionate price of even twenty-three hundred dollars for a township, and on said subsequent patent was added a three-fold quit-rent.

This act of the former government carries the color of tyranny in its very visage, and is plain to be seen by the weakest capacity.

I cannot see why there is not as much tyranny in taking this three-fold quit-rent, since the dissolution of the British power in America, as there was in giving the subsequent patent, for it is still holding up in existence one of those cruel acts which induced us to take up arms and join our brethren, in the several United States, to defend the whole. By this the candid reader will easily see the almost infinite disproportion of collecting money for public expense.

To understand political power aright, and derive it from its original, we must consider what state all men are naturally in, and this is a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they shall think fit, within the bounds of the law of nature, without asking leave or depending upon the will of any other man. (*Locke.*) A state, also, of equality wherein all power of legislation is reciprocal, no one having more than another, there being nothing more evident than that creatures of the same species and rank, promiscuously

born to all the same advantages of nature, and the use of the same faculties, should be equal, one amongst another, without subordination or subjection, only what is absolutely necessary to keep up good laws, rules and regulations amongst mankind. The natural and just rights of a free people are, first the making, and secondly executing, their own laws. On these two branches depend the liberties of a free people, and are guarded by having the control of those branches in their own hands. And now the inhabitants of the district of the New Hampshire Grants, being invested with such powers as the God of Nature has blessed them with, although delegates from the Counties of Cumberland and Gloucester have been admitted to sit in the Honorable Provincial Congress of New York, yet the following will plainly demonstrate that they were not legally chosen by the Inhabitants of said Counties at large; for it would be unreasonable even to suppose that the inhabitants of said district of the New Hampshire Grants should ever consent to delegate their right of representation, and thereby consent to unite with a power with whom they had been, for a number of years, earnestly contending, without any hopes of redress:

That in consequence of circular letters from said Congress of New York, dated May 31, 1776, requesting the Counties of Cumberland and Gloucester to send delegates to sit in convention, and assist them in making and establishing a code of laws for said State, the following method was made use of in choosing delegates for the County of Cumberland, viz: The three first in nomination, for whom the greatest number of votes appeared, were declared accepted, without allowing a negative voice, when, at the same time, it was generally conceded to by the said County Convention that it was contrary to the free voice of three-fourths of the inhabitants of said County to elect delegates to represent them in Convention aforesaid, or to be otherwise connected with them; so that by this method of choosing, if one man has ten votes, another five, and another three, they would be severally chosen, by the people at large, to assist in the establishment of a code of laws by which the whole are to be governed.

True, this mode of choosing is a sure and quick method of getting a choice at the first attempt, and, where a community are agreed in the mode, is justifiable; but this mode would be very wrongly applied to these counties, considering the aged conflict which has subsisted so long and with such impetuosity as to spill the blood of several of its inhabitants. It ever was, and still is, disagreeable for the inhabitants of those counties to be and remain in the jurisdiction of New York, therefore, according to natural liberty, a vote should have been first obtained for choosing dele-

gates, and secondly, (if that were completed,) the mode of choosing; that is, the inhabitants of each town, in their public town meeting, appointed for that purpose, to deliver to the moderator or clerk their votes severally in writing, which votes to be carefully sealed up in the presence of such meeting, and properly conveyed to some meet person, duly appointed to receive, and deliver the same to the Chairman of the County Committee, who, with a quorum, is to complete what is further necessary thereon; but not in the clandestine way of designing men going to the habitations of private individuals to collect votes. In the County of Cumberland there are upwards of two thousand voters, out of which there were but three hundred and sixty-eight in favor of electing delegates to sit in the Hon. Convention of New York, viz: For Col. Joseph Marsh, 368; For Captain John Sessions, 172, and for Simon Stevens, Esq., 166. Six or seven towns in said County did at the same time enter their protest against election, and even the County Committee, who gave the Delegates their credentials, did restrict them to particular instructions, reserving to themselves, in behalf of the county, a right of absenting from the State of New York whenever a suitable opportunity would admit thereof; yet Messrs. Sessions and Stevens, two of the Delegates of Cumberland County, (if I may so call them,) declared in Congress that they were chosen by the people at large; that the Committee who gave them their instructions and sent the said letter to the Convention, were elected long before their own elections, as deputies for said County; that their credentials from the County gave them full and unrestrained power in forming a government; that they conceive themselves no farther bound by their instructions than they shall appear to be right and beneficial, but that whenever, on debate, it should appear that those instructions might work an injury to the State, or, if on any question they should be out-voted, they should not consider themselves bound by instructions; and further that as Representatives of said County, they fully acknowledge the jurisdiction of this State over the said County and its inhabitants. This representation seems to be big with great mischief; for surely, if there was any validity in their credentials, there was equally the same in their instructions, for they both were derived from one committee, and were both joined on one paper and all done in one day; and if their credentials gave them a seat in that Honorable House, they must, consequently, follow their instructions or cease to be the Representatives of the People, by the same rule that George the third ceased to be our King by breaking his coronation oath.

Thus it appears, that out of about two thousand voters in the County of Cumberland but three hundred and fifty-eight [sixty-

eight] could be persuaded to vote for delegates, and by no means a majority in the County of Gloucester, and not one on the West side of the range of Green Mountains; in the latter of which is full half of the inhabitants of said district.

By this, the candid reader will see that there has but a very inconsiderable part of the inhabitants in said district ever attempted to delegate power of legislation to any body politic, and those under particular restrictions.

Therefore, the inhabitants of said district have the sole, exclusive and inherent right to govern their internal politics; in consequence of which it now behooves every one to be critical in establishing a plan of government, for it will be like a seed sown which will spring up with boughs, either extending to secure the liberties of millions yet unborn, or serve to screen the wicked designs of crafty usurpers.

But let us take a retrospect view of the former government of New York and their conduct towards us, and then candidly consider whether the said State would not be as well off without the District of the New Hampshire Grants as with, and then see if it would not be to the benefit, peace and happiness of both, for the District of the New Hampshire Grants to be included in a new State.

Lieut. Governor Colden represented to his Majesty and privy council, that it would be greatly to the advantage of the inhabitants of the district of lands to the westward of the Connecticut River, which had been before granted by the government of New Hampshire, to be under the jurisdiction of the province of New York, and that Connecticut River was a good and certain boundary line to divide the two respective provinces; and furthermore, that Hudson River was navigable a great way into the country, and the situation of the New Hampshire Grants was such as would naturally constitute that river the centre of trade and commerce for the inhabitants of those grants, by the navigation of which, they could easily send exports to the city of New York, and receive and return such articles as they would; and that it would, therefore, be much more convenient and happy for them to be under the jurisdiction of New York, &c.

This representation of Lieut. Gov. Colden was fallacy, and would appear so to be to any gentleman that knew the situation of the New Hampshire Grants. As to a few towns in the South-West corner of the district of lands, aforesaid, I grant, that Hudson's River will naturally constitute that the center of trade thereof, and a small part of the South-East corner of the said district, from their remote situation from Hudson's River, Lake Champlain, &c., and their contiguousness to Connecticut River, will

naturally constitute that the centre of trade for its inhabitants; but for the greater part of the district of lands aforesaid, their remote situation from Hudson's River, from navigation in Connecticut River, and from the Eastern Seaports, will, from the contiguousness thereof to Lake Champlain, Chamblee and Montreal, on the River St. Lawrence, &c., naturally constitute them the centre of trade for the inhabitants thereof.

This being the situation of the district of the New Hampshire Grants, as to trade, the order would not have been made had it not been for self-interest, that is by the handle of jurisdiction, to over-reach and seduce the people by cunning, fraud, violence and oppression, so as to make the landed interest of the New Hampshire Grants their own, will plainly appear by their conduct toward us.

No sooner than they had obtained jurisdiction, Lieut. Gov. Colden gave subsequent patents to the very identical land on which the New Hampshire settlers dwelt, to certain monopolizing attornies and favorite gentlemen of New York. At this the peaceable inhabitants were greatly alarmed. They sent repeatedly to New York for settlement of such unheard of dispute, but none could be had, except they would resign up their New Hampshire charters and deeds, and take new ones under the great seal of the Province of New York. At this, the inhabitants sent an agent to the Court of Great Britain to solicit redress, and obtained the following prohibition:

*At a court at St. James, the 24th day of July, 1767.*

PRESENT.

The King's Most Excellent Majesty.

Archbishop of Canterbury,	Earl of Shelburne,
Lord Chancellor,	Viscount of Falmouth,
Duke of Queensborough,	Viscount Barrington,
Duke of Ancester,	Viscount Clark,
Lord Chamberlain,	Bishop of London,
Earl of Litchfield,	Mr. Secretary Conway,
Earl of Bristol,	Hans Stanley, Esq.

His Majesty, taking the said report (that is report of the Board of Trade) into consideration, was pleased, with advice of his Privy Council, to approve thereof, and doth hereby strictly charge, require and command that the Governor, or Commander-in-Chief, of his Majesty's Province of New York, for the time being, do not, upon pain of his Majesty's highest displeasure, presume to make any grants whatsoever of any of the lands described in the said report, until his Majesty's further pleasure shall be known concerning the same.

WILLIAM SHARPE.

A true copy,

Attest,

G. W. BANYAR, *Secy.*

Notwithstanding the above prohibition, the respective Governors of New York presumed to re-grant our lands, from under our feet, in open defiance of the regal authority of Great Britain.

They also sent showers of writs of ejection to the inhabitants, which, on trial, produced writs of possession; then the *posse comitatus*, consisting of about 700 men, were raised to enforce possession; then the spirited inhabitants of said district may date the beginning of the war for our rights and liberties, which we have now joined the United States of America in. I have been a personal actor in both scenes, but can see no odds in the nature of the dispute, however much they may differ in their degree.

For thus defending our possessions, which the legislative and executive powers of New York attempted to take from us, by virtue of subsequent patents, that were laid on ours, after the arrival of the above prohibition, we were indicted for rioters; large sums of money offered for us; also twelve acts of outlawry were made by said legislative body, dated the 9th of March, 1774, by which acts the judges were empowered to award sentence of death without the criminal ever being arrested, or arraigned before the bar of a court.

Before this act of outlawry was made, the following report arrived, viz.:

*Extract from a report of the Lords of Trade to the Committee of his Majesty's Most honorable Privy Council for plantation affairs, dated December 3, 1772.*

“Upon the fullest examination into all the circumstances which at present constitute the state of that district, between the River Hudson and Connecticut, out of which the greatest discords and confusion have arisen, it seemeth to us that the principal objects of attention in the consideration of any means that can be suggested for restoring public tranquility and quieting possessions are,

“*First*, Those townships which, having been originally settled and established under grants from the government of the Massachusetts Bay, fell within this district by the determination of the Northern boundary of that province in the year 1740.

“*Secondly*, Those grants of land made within this district, by the Governor of New York previous to the establishment of the townships laid out by the Governor of New Hampshire, after the conclusion of the peace, and which land now lies within the limits of some one or the other of those townships.

“*Thirdly*, Those townships which, having been originally laid out by the Governor of New Hampshire, either continue in the same state or have been confirmed by grants from New York, and also

those which have since originated under grants from the latter of those colonies.

“ With regard to those townships which fall under the first of the above-mentioned descriptions, when we consider the nature and origin, and the numberless difficulties to which the original proprietors of them must have been subjected in the settlement of lands; exposed to the incursions of the savages and to every distress which the neighborhood of the French in time of war could bring upon them, and when we add to these considerations the great reason there is to believe that the grants were made on the ground of military service against the enemy, we do not hesitate to submit to your Lordships our opinion that the present proprietors of those townships ought, both in justice and equity, to be quieted in their possessions, and that all grants whatsoever, made by the government of New York of any lands within the limits of those townships, whether the degree of improvement under the original grant had been more or less, are in every light oppressive and unjust; but as we are sensible that such subsequent grants by the government of New York, however unwarrantable, cannot be set aside by any authority from his Majesty in case the grantees should insist on their title, we submit to your Lordships whether it might not be expedient, in order to quiet the original proprietors in their possessions, to propose that all such persons who may claim possession of lands within the limits of such townships, under New York grants, should, upon conditions of their quitting such claim, receive a grant under the Seal of New York, upon the like towns, and free of all expenses, of an equal number of acres in some other part of the district lying between the rivers Hudson and Connecticut, and in case where any actual settlement or improvement has been made by such claimants, that they should in such case receive fifty acres of waste land for every three acres they may have so improved.

“ With regard to those grants made by the government of New York, which fell under the second description, and upon which actual improvement has been made, they do appear to us to deserve the same consideration, and that the proprietors ought not to be disturbed in their possessions, whether their improvements be to a greater or lesser extent; but beg leave to observe to your Lordships that in both cases no consideration ought to be had to any claim where it shall appear that no regular possession had ever been taken, and no actual settlement ever been made.

“ With regard to the townships which fall within the last mentioned description, we submit to your Lordships our opinions, that provided such townships do not include lands within the limits of some antecedent grant, upon which actual improvement has at



any time been made, it would be advisable they should be confirmed as townships according to the limits expressed in the grants thereof, and that all persons having possession of any share in said townships, either as original grantees or by purchase or conveyance, and upon which shares any actual improvement or settlement has been made, ought not in justice to have been, or to be in future, disturbed in the possession of such shares; nor ought they to be bound to any other conditions, whether of quit-rent or otherwise, than what is contained in the grant."

I shall here make some miscellaneous remarks on the conduct of the former government of New York, to the inhabitants on the East side of the mountain in said district.

Soon after they had obtained jurisdiction, the legislative body made a law to erect that territory, which now comprehends the County of Cumberland, into a County, and sent the same to the Court of Great Britain to be there ratified and confirmed. In the meantime they arrogated power to commissionate favorite foreigners to the place of court officers; they also commissioned a great number of both civil and military officers, such as would be most likely to be subservient to bring about their vile and mercenary purposes. But alas! to their great surprise this law was sent back negatived; yet in open violation to the laws of the Crown, the legislative and executive powers assumed to themselves authority to hold courts. Their conduct was so notorious that it was the cause of that odious and never to be forgotten massacre at the Court-House in said Cumberland County on the evening of the 13th of March, 1775, in which several persons were greatly injured, and one actually murdered. Oh! horrid scene.

Some of those officers thus appointed were very officious in advising the inhabitants to take re-grants of their lands. They were also terrified by threats from said province, that if the people did not comply with their terms, they should lose all their possessions, by which means they seduced the inhabitants of some towns so as to take subsequent patents.

The Governor and Council of New York have been aiding, assisting and consenting to a mandamus being laid on the ancient town of Hinsdale, which was first appropriated by a purchase from the Indians; secondly, by a grant from the Massachusetts Bay; thirdly, by the government of New Hampshire, and fourthly, by an uninterrupted possession and occupancy, about seventy years.

The Assembly of New York, in their State of the rights of the colony of New York, &c., in order to rid their government of the blame justly due, say, that said mandamus proceeded from the Crown, and was an act decisive in itself. A very extraordin

ary representation. The right of election is restricted entirely to Crown lands, whereon no Christian subject to the Crown is settled by possession or otherwise.

Common sense may teach that, a mandamus or any other Crown grant, cannot subject the property which the subject holds under the crown by virtue of prior grants; that would overturn all grants and make the king absolute.

Thus, it plainly appears, that self-interest was the moving cause of the government aforesaid making such a representation to the Court of Great Britain. Had it not been for the sake of profit to themselves, it is not likely they would have ever troubled his Majesty on this subject; and if they had done it in the simplicity of their hearts to accommodate the inhabitants in general, as to trade, &c., they would have solicited his Majesty to annex said district to the province of Quebec; as said grants are bounded about 100 miles on the Eastern Shores of Lake Champlain; and from the North End of said lake to Chamblee is twelve miles land carriage, and to Montreal, eighteen. Near the latter, in the River St. Lawrence, seventy gun-ships have sailed.

I cannot see that it would be any way incompatible provided the inhabitants of said district should trade to New York, Connecticut River, Lake Champlain, &c., and be in a new State. It never was supposed that jurisdictional lines were so drawn that each government would have seaports in them, so as best to accommodate every part; but in free states every part of the country trades to the highest and best seaports without any regard to jurisdictional lines. Witness the Western part of the Massachusetts Bay, and Connecticut: they have made their main trade to the City of New York ever since the origin of their settlements.

I have heard some people raise this objection, to wit: that it was inconvenient for the district of the New Hampshire Grants to be a State, for the sole reason of their not having a seaport in said district. I freely grant we have none, and if we were annexed to any other State, that would not bring a seaport any nearer to us; those things are immovable, yet I think we are as well off as any inland State ever was, in consequence of our bordering so far on Lake Champlain, &c., by which means the State may be supplied with all kinds of goods at a reasonable rate, and make a good market for all such species, as are to be spared, in exchange. In some parts of the world there are inland kingdoms, and why not inland states? We have our advantages and disadvantages in this as in all other things.

At this time many of the most valuable ports in America are blockaded up by our cruel enemies—the River St. Lawrence for one. All the Province of Quebec is in their possession; yet, as I was

with our army at Quebec, I am conscious to myself that there are many friends of America now in that Province. We have the greatest reason to believe that, in the sequel of this war, all the American ports will be cleared of those cormorants that now infest them, and that the Province of Quebec will become one of the United States of America; and as wars have ever been frequent in all Kingdoms and Continents, no doubt but that the United States of America will, sooner or later, be involved in war. Wherever war centers, in any country, it brings the greatest calamities, and most dreary scenes. Witness Boston, Charlestown, New Jersey, &c. In such days, the invaders of America must first begin on some sea-coast, or on some frontier States. Then we must send forth the hardy soldiers to assist our friends and brethren, wherever occasion shall require; then will women and children, house and property be safe with us, while, in the neighboring State, women are ravished and murdered, children killed, houses and property destroyed. Oh, horrid scene!

One special reason why the district of New Hampshire Grants cannot connect with the State of New Hampshire is, the Supreme Court in Albany, at July term, in the year 1770, expressly declared the New Hampshire charters null and void, by said Court giving writs of possession against the New Hampshire settlers, by virtue of subsequent patents from New York, by reason of which several of the New Hampshire settlers were dispossessed of valuable farms and tenements: therefore, the inhabitants of said Grants cannot be freeholders in said State, to act in any public business, till they take re-grants of their lands, which we cannot do by any other means than by purchasing subsequent patents from our greatest antagonists, and at their own price, which most certainly would have been most unhealthy for our purses.

Perhaps some queries may arise in the minds of some gentlemen whether the district of the New Hampshire Grants, in their infant state, have men that are capable to govern the internal policy of a State, and are able to support government. I would ask such gentlemen which of the United States of America was so well peopled and so able, when they began government, as we are. Surely, I think not one; but many weaker, as to men of learning and sagacity to rule a State. I see no great difficulty in it, though it is not common that men of so great learning, as some in the world, would go to subdue the desolate wilderness; yet I think we have men of as much virtue, and as good talents by nature, as any in the world. Tent-makers, cobblers and common tradesmen composed the legislature of Athens. "Is not the body (said Socrates) of the Athenian People composed of men like these?" For any man to arrogate, and say that we have not men that can

govern the internal policy of a State, might, with the same parity of reason, say that the United States of America should always be subject to Great Britain, because there were men of more universal knowledge, as to ruling the scepter, and more experienced generals, and better equipped with shipping and warlike stores, &c.

Necessity is the mother of invention. We find, by experience, that we have as good men to rule our Senate as Britain her scepter; and as noble generals in the field as English annals have any account of. Powder, cannon and all kinds of warlike stores are manufactured amongst us. Ships of war are built, and the preparations of war go on with such rapidity that it is not to be paralleled in history. Foreign powers are now assisting the rising States of America in many respects. This the United States could not have done had they not asserted their free and natural rights and liberties that were given them by the God of Nature, thereby to throw off the heavy yoke of bondage that George the 3d has prepared for us and our successors.

Neither will the people of the District of the New Hampshire Grants ever be a free and happy people, except they steadfastly maintain the free and natural rights and liberties that were given them by the God of Nature, thereby to throw off the bondage that the former litigious government of New York has attempted to ensnare us with. Those things have greatly deterred our settlements, and should this obstacle be moved out of the way, no doubt but many worthy gentlemen, fit for any situation in life, would move into our territories, which would be to the mutual benefit of the whole.

It is true our settlements are not, many of them, of an ancient date, yet are very flourishing, and, like young beginners, we are willing to work for our living. We have plenty of fertile lands; our territory is considerably larger than either of the States of New Hampshire, Connecticut, Rhode Island and Providence Plantations, or New Jersey. No doubt but in a short time it will be as well peopled. As we are but small as to numbers, our public concerns will also be small in proportion; and as to a mode of government, there can be no greater expense in that, for the thirteen United States will all form their modes of government before we shall, and we can have the privilege of perusing them; and if any of them should be agreeable, the people can adopt them, or take such parts as shall best suit them.

Our assemblies or courts will have quite short sessions, and have but little way to go, and all such money will be spent in the State, and as the power of legislation is now in the people, they will not have occasion to commission many salaried officers in the State. They will also set all officers' fees at a reasonable rate. As to

Court Houses, some are already built, and I cannot see why we should be at any more expense on that account, if we are in a new State, than if we were annexed to any other; for, take it which way you will, Court Houses and Jails will be wanted: therefore I cannot see where any very great expense should arise from.

If we were to be in the State of New York, then we must send delegates to sit in the Provincial Congress of said State. It would be a long and expensive road to travel, and an expensive place when there, and in order to have the people properly represented, there should a considerable number go, and when they are all met in Congress, the State would be so large that gentlemen from the extreme parts would not personally know but very little better the situation of the other extreme parts than a gentleman would from London. Yet most of them must stay and see what was done, and give their consent for or against; and as there has been an unhappy dispute between this district and the former government of New York, and some members of that Hon. House have been our greatest antagonists, it is possible the best of men might be some biased, though unperceivable to them. Thus, these gentlemen will spend near, or all, the year, in doing what little business concerns this district, and assist others to do theirs, which they know nothing of, and in getting other gentlemen to give their consent to all resolves that concern this district, who will be equally ignorant of our situation, by reason of their local situation from ours. This being the case, it necessarily follows that there ought to be delegates enough from this district to know all business that should be necessary to be done for said district. If so, surely the same gentlemen might, much easier and cheaper, do their business by meeting in some convenient place in this district, where no other business would interfere with theirs.

When civil laws should again take place, doubtless there would be many actions appealed up to the Supreme Court of New York, and, as the State would be so large, doubtless they would be full of business. For that, and many other reasons, it is likely actions would be continued from one session to another; no doubt some very disputable cases that need numbers of evidences personally to speak. What amazing expense it would be for a man to go 450 miles to attend court, in this situation; yet his action may be put along through several courts. In this way of expense would go many thousand pounds out of this district.

The great distance of road betwixt this district and New York is alone a convincing argument that the God of Nature never designed said district should be under the jurisdiction of said State.

I now appeal to the impartial reader which of these two ways would be best, wisest and cheapest, both for the district of the New Hampshire Grants, and the State of New York.

“ Brave Countrymen,  
 We’re here assembled for the toughest fight  
 That e’er strained the force of American arms.  
 See yon wide field, with glittering numbers gay ;  
 Vain of their strength, they challenge us for slaves,  
 And bid us yield—their prisoners at discretion.  
 If there’s an American among you all  
 Whose soul can basely truckle to such bondage,  
 Let him depart ! For me, I swear, by Heaven,  
 By my great father’s soul, and by my fame,  
 My country ne’er shall pay ransom for me,  
 Nor will I stoop to drag out life in bondage,  
 And take my pittance from Britain’s hands :  
 This I resolve, and hope, brave countrymen,  
 Ye all resolve the same.”

MISCELLANEOUS REMARKS  
ON THE  
P R O C E E D I N G S  
OF THE  
STATE OF NEW YORK  
AGAINST THE  
STATE OF VERMONT, &c.  
BY IRA ALLEN.  
OCTOBER 30, 1777.





## PREFATORY NOTE.

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The following pamphlet, having a similar title to that of the preceding, bears date October 30, 1777.

Between its publication and that of the preceding, (in May, 1777,) the Continental Congress, in deference to the claims of New York, had dismissed the petition of the agents of Vermont to be admitted to seats in that body as delegates from an independent state; and the New York Convention had adopted a constitution which ignored the titles of the grantees under New Hampshire, and had adopted other measures hostile to the rights asserted by the people of the new state. In the meantime the unsuccessful invasion of Burgoyne had taken place, during which the people of Vermont, acting in an independent character under the direction of a Council of Safety, had much distinguished themselves, by their patriotic and successful exertions in the common cause of the country.<sup>1</sup>

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<sup>1</sup> *Slade's State Papers*, pages 73 to 79, and 197 to 220.



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[OCTOBER, 1777.]

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HARTFORD:

PRINTED BY HANNAH WATSON, NEAR THE GREAT BRIDGE.

1777.



## MISCELLANEOUS REMARKS, &c.

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“In Convention of the Representatives of the State of New York, Kingston, May 10th, 1777 :

Whereas, it hath been represented to this Convention, that divers of the inhabitants of the county of Cumberland, who are desirous of continuing the subjects of this State, are from divers reasons incapable of exerting themselves in the general defence, particularly from the want of proper officers,

Therefore, *Resolved*, That it be recommended to such inhabitants, to associate as follows, viz.:

We, the subscribers, subjects of the State of New York, do associate together for the defence of the United States against the King of Great Britain, as follows :

*First*, we will choose our officers by vote of the majority, in each respective Company or Regiment.

*Secondly*, will obey such officers as other militia of the said State.

*Thirdly*, the names of said officers shall be transmitted to the Government of the said State, and to the General in the Northern department.

*Lastly*, that this association shall continue in force until revoked by proper authority.

Whereas, it hath been suggested to this Convention, that the County Committee of the County of Cumberland cannot be collected together, but with great difficulty,

*Resolved*, That such of the members of the said county committee, as on due and regular notice for the convening of the said Committee shall meet, be authorized to proceed to business.

Extract from the minutes.

ROBERT BENSON, *Secretary.*”

The candid reader will observe that the former Convention of the New Hampshire Grants, (alias the State of Vermont,) did ratify and confirm all and every officer of the militia, in their several stations, in the Counties of Cumberland and Gloucester, that the State of New York had been previously pleased to permit the people to choose, and they to commissionate, which was three respectable regiments. If there was no validity nor author-

ity in the Convention of the said Grants, (and the said counties were within the jurisdiction of New York,) then those officers were in legal authority by virtue of their commissions from New York; and if there was any authority in the Convention of the Grants, the same officers and regiments were established as such. So that the above resolve was entirely needless, had a tendency to break up some well regulated regiments, and under the specious pretence of supporting the glorious cause of American liberty, meant to reduce the people to acknowledge themselves subject to the State of New York.

The latter resolve appears to me to be very extraordinary, that the honorable Convention of the State of New York, should attempt to authorize three or four persons to transact the whole business of the county, contrary to the free voice of the people (in this critical juncture,) in case there should not more attend by any means whatsoever.

I shall here make some miscellaneous remarks on the present Constitution of New York.

The candid reader will observe that in the course of this Constitution, there is reference often made to the former laws, rules, and regulations, of the former government (now state) of New York, so that for any person to know how they are to be governed, they must first be acquainted with all their former laws, together with all the rules and proceedings of their General Assembly, etc., which would be no small stent, considering the long series of years the land-jobbers have been, and continue to be in that Court, laying all the private intrigues and snares in their power, so as by fraud and violence to make the lands and labors of the New Hampshire settlers their own.

The thirty-fifth section is worthy of inspection, as in it the laws of England, together with the laws of that colony, on the 19th day of April, 1775, are ratified and confirmed to be the laws of that State. It is to be remembered that by those very laws, no longer ago than July term, 1770, by the claimants under New York, (who had their lands granted to them after his Majesty's express prohibition, dated July 24th, 1767,) being non-residents, brought actions of ejectment in the Supreme Court at Albany, against several of the claimants under New Hampshire, who were in actual possession by prior grants; and the same court did then and there judge and determine that the charters were null and void, and gave writs of possession to the claimants under New York.

All nations have reason to shudder at such laws taking place again, as have once taken all their property from them.

It is to be observed in the latter part of this action, all the resolves that have been made by the former Congress and Conven-

tion of New York, since the present contest with Great Britain, that are not repugnant to said Constitution, do make and constitute one part of the laws of that State, among which is included the unjustifiable quit-rent resolve, so much complained of, and for what we know many other more grievous resolves that have not as yet come to our knowledge, as we have not had the perusal of all their proceedings.

In the thirty-sixth section, all grants of land made by the King of Great Britain, or persons acting under his authority, after the 14th day of October, 1775, within that state, are made null and void, and all other grants made by that government, previous to that date, are ratified and confirmed. When previous to that date (as I am informed by good authority) the infamous Governor Tryon had fled on board one of the King's ships to screen himself from the just resentment of Colonels M'Dougall and Sears, who at that time commanded the liberty party in New York, in that ignominious situation Governor Tryon made several grants of land, some of which were on those very identical grants made by New Hampshire; which are now ratified and confirmed by the constitution. Those grants that are thus established in and by the constitution, are established in earnest, as they are forever out of all dispute; for no law can make decision of, or try the title of land that was established in the constitution on which that law was founded; for allowing it could, the law would condemn the constitution, from which it received existence; which would be as contrary to law and nature as for a creature to condemn his creator.

By this the candid reader will see that the moment the good people of the State of Vermont should consent to and acknowledge the jurisdiction of the State of New York, together with this constitution, they would all (except a few who have taken patents from New York) give up their landed interest to the avaricious monopolizers of New York; so that after all the spirited exertions the noble sons of freedom have made, and still continue to make against the tyranny of New York and Great Britain, (for I consider tyranny to be the same in essence, whether it originates from lesser or greater authority,) they would, together with their numerous families, be reduced to pinching poverty only to gratify the avaricious land-jobbers of New York in their unwarrantable claims to the lands and labors of the good people of the State of Vermont.

It is an ancient and just maxim that the alteration of jurisdictional lines should not alter private property; therefore, wherever two grants of land interfere, and the contending parties cannot

compromise and settle the controversy, there ought to be a fair and equitable decision by law or equity.

I shall here make some remarks on the several letters and resolves sent from the Provincial Congress of New York to the honorable Continental Congress, that were published in the *Connecticut Courant*, number 656. The candid reader will remember that in the ancient dispute between the former government of New York and the inhabitants of the New Hampshire Grants, Col. Allen, Col. Warner, Maj. Cochran, and Capt. Baker were proclaimed outlaws, (for no other cause than boldly asserting the rights of their injured countrymen,) by Governor Tryon, his council, etc., who have now joined the tyrant of Great Britain in arms against the United States of America. Those four gentlemen have in every stage of their conduct appeared to be patriots to their country. Capt. Baker has fallen in battle, Col. Allen has been taken prisoner and demonstrated to the world his patriotism, Col. Warner and Maj. Cochran have distinguished themselves in several battles. But I observe the convention of the State of New York find great fault with the honorable Continental Congress for appointing and commissionating Col. Warner, because he had been made an outlaw, though previous to this the said Convention did appoint and commissionate Maj. Cochran, and he has been a long time in their service; yet as much opposed to that government as Col. Warner.

They further inform in these words, viz: "And whereas the inveterate foes to the liberties of America, from the earliest commencement of the present glorious contest, have endeavored to alienate the minds of the good people of this State from the common cause," (meaning the inhabitants of the State of Vermont.) However bold this assertion is, it is entirely groundless. The inhabitants of the State of Vermont have ever merited and established a different character. Witness their exertions in the commencement of this glorious contest. Under the command of Col. Allen they surprised and took with small arms the fortress of Ticonderoga, Crown Point, etc., in which were about three hundred pieces of cannon and mortars, and a quantity of other warlike stores, which were of almost infinite service to the United States in the first of this war. And under the command of Col. Warner on the 30th day of October, 1775, at Longueil, three hundred of them defeated Gen. Carlton, at the head of nine hundred men, as he was going to raise the siege of St. Johns. Upon the receipt of this news, Maj. Preston surrendered said fortress to the intrepid Gen. Montgomery. As also their exertions in the ever memorable battle fought by the intrepid Gen. Stark, near



Bennington, August 16, 1777, and many other noble deeds too tedious to mention.

They further inform in their letter of the 1st of March, viz: "The Congress may be assured the spirit of disaffection, notwithstanding all the arts and violence of the seducers, is by no means general. The County of Gloucester, and a very great part both of Cumberland and Charlotte Counties, continue steadfast in their allegiance to this government. Charlotte and Cumberland continue to be represented in a Convention." I am very much mistaken if the spirit of the good people of Cumberland and Gloucester continues, and was not, at that time, somewhat different from this representation. As for Charlotte County, I personally know, and freely grant, it has been, and still continues to be represented in Convention at New York. But the impartial reader ought to be informed that the limits of that County extended to Hudson river, by which means it takes part of the ancient government of New York; and that part west of the west line of the State of Vermont has, and still continues to be represented at New York; but no representation hath been made, at any time, to the Convention or Congress of New York, by the good people of the State of Vermont, west of the range of Green Mountains. I observe in those letters there is no mention made of the County of Albany, when, according to their lines, it takes a considerable number of our most valuable towns; and it appears the more strange as Bennington is included, in which seven hundred of their posse were defeated, when sent to take possession by order of their Supreme Court, in the year 1777.

One reason, this moment occurs to my mind, doubtless induced the Convention of New York to write as they did, which is this: they meant to insinuate into the minds of the Honorable Continental Congress that there was but a minor part of the County of Charlotte that attempted to revolt, and they alone were endeavoring to sow the seeds of sedition in the Counties of Cumberland and Gloucester, and that there was by no means a majority of either for separating from New York, &c., which is far from being the case. I shall only refer the reader to the consideration of the late proceedings of the State of Vermont for proof of the temper of the people.

It is unquestionable that all civil power is in the hands of the people. Upon this indissoluble foundation the United and Independent States of America, in defiance of British tyranny, have declared it to be their inalienable right to appoint their own rulers, and be governed by their laws; in which the inhabitants of the State of Vermont have most heartily acquiesced; and, on the same

principle, with a firm reliance on the Supreme Arbiter of Right for the rectitude of their intentions, in defiance to the usurpation of New York, have declared themselves to be a free State.

This is absolutely essential to freedom ; and so soon as any people, directly or indirectly, put their power out of their hands, just so soon, tyranny, in some degree, is established. With these principles there is not a man who is tenacious of his liberty but will look with a feeling of anxiety upon the ensuing elections, and use his influence that there be none elected to posts of public trust but men of virtue, business and known patriotism. Upon such a basis may be expected all the blessings that are common to our species.

*Oct. 30th, 1777.*

NEW YORK  
LAND GRANTS  
IN  
VERMONT.  
1765--1776.



## NEW YORK LAND GRANTS IN VERMONT.

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PREVIOUS to the year 1765, it was generally understood, in both England and America, that the province of New Hampshire extended westerly to a twenty mile line from the Hudson and to Lake Champlain, and thus included the present State of Vermont. It was so treated in the correspondence and documents of the English ministry and other government officials, and was so represented in all of the English and American maps.<sup>1</sup> In accordance with this understanding, BENNING WENTWORTH, governor of New Hampshire, from the year 1749 to 1764, granted in the king's name to New England people 130 townships of land of about six miles square each, situated to the westward of Connecticut River, and eastward of Lake Champlain and such twenty mile line.<sup>2</sup>

On the 20th of July, 1764, king George the 3d, by an order in Council, declared the western boundary of Connecticut River to be the boundary between that province and New York, which order was received and promulgated in America, the 10th of April, 1765; prior to which time extensive settlements had been made in the territory under the grants of New Hampshire.<sup>3</sup>

Lieut. Gov. Cadwallader Colden, then acting as chief magistrate of New York, treating the grants which had been made by New Hampshire as nullities, and the settlers under them as trespassers on the king's domain, proceeded at once to grant the lands anew to others, mostly to New York city speculators. He was stimulated to this by the very great gains derived from the patent fees, he receiving for every thousand acres he patented the sum of \$31.25, while six other influential government officials

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<sup>1</sup> *H. Hall's Early History of Vermont*, chap. I to VI.

<sup>2</sup> For a list of these Grants see *Slade's Vermont State Papers*, p. 13-16.

<sup>3</sup> *H. Hall's Vt.*, p. 60, 63, 478.

had a similar temptation by having divided among them fifty-nine dollars more, viz.: the secretary of the province receiving \$10, the clerk of the council \$10, the auditor \$4.62½, the receiver general \$14.37½, the attorney general \$7.50, and the surveyor general \$12.50. Thus the total amount of fees for one thousand acres was \$90.25, and this amount was exacted for every thousand acres, even when many thousands of acres were included in the same patent.<sup>1</sup>

The like motive operated upon succeeding governors, not only inducing them to disregard the just and equitable claims of the New Hampshire grantees and settlers, but also to disobey and set at naught the positive injunctions of the king, forbidding them in the most peremptory terms from making any such grants.

By the regulations of the Crown no greater quantity than one thousand acres could be granted to any one person, but any favored applicant could easily obtain a grant for any larger quantity he wished, by having the name of some friend or dependent inserted in the patent for every additional thousand acres he desired. This was done with the ready connivance and assent of the several governors, most of whom in this manner also made princely grants to themselves.<sup>2</sup>

Besides the grants just described, the governors of the several colonies were authorized by the king's proclamation of October 7, 1763, to grant, "without fee or reward," to the reduced officers and discharged soldiers of the regular army who had served in the then recent war in America, certain specified quantities of land, which were termed military grants. Under this proclamation a field officer was entitled to five thousand acres, a captain to three thousand, a subaltern to two thousand, a non-commissioned officer to two hundred, and a private to fifty acres. Most of the officers and soldiers having been sent from Europe, and desiring to return there, disposed of their claims for trifling sums to New York city speculators, many of whom chose to locate their warrants on the New Hampshire Grants, as the terri-

<sup>1</sup> *Col. His. N. Y.*, Vol. VII, p. 921-927. *N. Y. Council Minutes*, Vol. XXVI, p. 275-277. *Colden to the Lords of Trade*, Oct. 13, 1764. *H. Hall's Vt.*, p. 71.

<sup>2</sup> *H. Hall's Vt.*, p. 68-70.

tory, now Vermont, was then called. So rapidly were these military patents issued by Lieut. Gov. Colden, that, within less than seven months ending the first of November, 1765, they numbered more than one hundred and fifty, and the quantity of Vermont lands covered by them exceeded one hundred and thirty thousand acres. They were located in numerous detached parcels in many different townships, ranging in quantities from one hundred to five thousand acres each. The object of the owners being to obtain the most desirable lands, little regard was paid to regularity of form in the surveys, so that the smoothest and best was obtained, and the rocky and sterile avoided. Other like patents were similarly issued, and located under the administrations of succeeding governors, making over three hundred thousand acres of military grants in the whole, all of which, with a trifling fractional exception, were located on the west side of the Green Mountains, and were the property of speculators.<sup>1</sup>

The following list of patents embraces those that were issued under the general regulations of the Crown to such persons and in such quantities as the Governors chose. It is made from the original records of the patents preserved in the office of the Secretary of State, at Albany, in the 14th, 15th, 16th and 17th Volumes of Land Patents. The list does not include the military grants, which were made only to a specified class of persons and in prescribed quantities. The quantity of lands included in these military patents of the several Governors will however be hereto appended.

During the entire period of ten years from 1765, in which patents were issued of lands in the territory, now Vermont, Cadwallader Colden was Lieut. Governor of New York, and whenever there was no regular Governor in the province he exercised the full powers of Chief Magistrate, which he did on three different occasions. In order to a just understanding of the following list, it is deemed proper to state the periods in which the several persons were in the exercise of the office of Governor, the quantity of lands covered by the patents of each, and the amount of fees they would respectively receive for them.

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<sup>1</sup> *Albany Records Military Patents*. Vol. I, II and III. *H. Hall's Vt.* p. 79, 80, 131, 132.

LIEUT. GOV. COLDEN was the acting Governor on the 10th of April, 1765, when the order of the King extending the Province of New York eastward to Connecticut river was received, and he continued in power until the 12th of November following, when he was superseded by the arrival of Sir Henry Moore. During this period of seven months Colden issued patents for 36,000 acres, the patent fees for which were \$3,449, of which the Governor's share was \$1,125. Besides which, as before stated, he made military grants of over 130,000 acres.

SIR HENRY MOORE continued Governor of the Province for nearly four years, until his decease, which took place September 11, 1769. On his reaching New York, on the 12th of November, 1765, he found the Province, and the whole country, in great agitation about the British stamp act, which was to have taken effect on the first day of that month, but of which the people of the Colonies had prevented the operation by the seizure of the stamps that had been forwarded from England. By the terms of that act, no patents or orders of surveys of lands would be valid without the use of stamps, and as none could be obtained, the business of making grants was necessarily suspended. After the repeal of that act, in the spring of 1766, Gov. Moore issued patents for the confirmation of the charters of several townships which had been granted by New Hampshire, to the original grantees, or their representatives. But in consequence of the loud complaints of the New Hampshire grantees against the conduct of Colden in granting their lands to others, and of the preparations of the settlers for sending an agent to England to represent their grievances to the Crown, the Governor appears, for a considerable time, to have made few other than confirmatory grants. On the 24th of July, 1767, he was forbidden, by an order of the King, in council, to make any grants whatsoever of lands within the territory claimed by New Hampshire, "on pain of his Majesty's highest displeasure," which order was obeyed during Gov. Moore's life time, and was continued in force until the authority of the Crown was overthrown by the Revolution.<sup>1</sup>

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<sup>1</sup> *Doc. Hist. N. Y.*, Vol. IV, p. 609 : *H. Hall's Vt.*, 83, 85, 94-97, 486 : *Slade's State Papers*, p. 20.



It will be noticed, by the following list of patents, that the quantity of land granted by Gov. Moore, during his administration, was 144,620 acres, the patent fees for which amounted to \$13,051.95, of which the Governor's share was \$4,519.37. It will also be perceived that all this land, except 5000 acres, was patented in confirmation of six townships which had previously been granted by New Hampshire, and that all of these townships were on the east side of the Green Mountains. There were afterwards, as will be seen by the list, confirmatory grants of several other townships, by succeeding Governors, on the east side of the mountain, but none on the west side. For this distinction a sufficient reason is found in the fact that the grants of Colden, before mentioned, embraced a large portion of the most valuable lands in the townships on that side of the mountain, rendering any confirmation of the New Hampshire charters to their original proprietors altogether impracticable. For these confirmatory grants there was no government necessity, and no motive, on the part of the Governors, to make them, other than their craving appetite for the patent fees. The grantees were driven to accept them and pay the fees, rather than to be deprived of their lands by having them granted to others.

LIEUT. GOV. COLDEN, by the death of Gov. Moore, came again to the head of affairs, and continued to administer the government for about thirteen months, until the 18th of October, 1770. He proceeded at once to violate the King's order of July, 1765, by the free issue of patents of lands within the prohibited territory, professing, however, not to make grants of any lands that had been previously chartered by New Hampshire. That this was a mere evasion of the order is very plain.<sup>1</sup> It will be seen, by the list of grants, that, during this period of a little over a year, Mr. Colden was enabled to issue grants for 559,500 acres of the prohibited lands, for which his share of the patent fees amounted to the snug sum of \$17,484.37, whilst the six other government officials would divide among them \$34,269.38 more.

JOHN MURRAY, EARL OF DUNMORE, arrived in New York, from England, the 18th of October, 1770, and became Governor, in

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<sup>1</sup> *H. Hall's Vt.*, p. 98, 99.

the place of Mr. Colden, in which office he continued till the 8th of July following. During this period of less than nine months, his grants, as will be seen by the annexed list, covered 455,950 acres of the prohibited lands, the regular patent fees for which amounted to \$41,149.48, and the Governor's share to \$14,248.44. It should be noted, however, that 51,000 acres of the above quantity was a grant, in one tract, by Dunmore, to himself, in the name of fifty-one others.<sup>1</sup>

SIR WILLIAM TRYON succeeded Lord Dunmore as Governor the 9th of July, 1771, and continued in the exercise of the office until April 7th, 1774,—a period of two years and nine months. He brought with him from England the King's solemn re-affirmation of his prohibitory order of July 24th, 1767, incorporated into the instructions for his government of the colony, comprising the 49th article of such instructions, in which, referring to that order as continuing in force, it was declared that "no part of the lands lying on the western side of Connecticut River within that district heretofore claimed by the province of New Hampshire should be granted until his [Majesty's] further pleasure should be known concerning the same" upon pain of incurring "his Majesty's highest displeasure."<sup>2</sup> This positive and peremptory instruction, after the manner of his predecessors, in regard to the order of July 1767, Governor Tryon proceeded to violate, and during this period of his administration he issued patents for 486,500 acres, for which his regular fees amounted to \$15,203 12. Of this land thus patented it will be noticed that 32,000 acres, called Norbury, were really granted to himself, and that about one-half of the whole quantity patented by him was in confirmation of previous New Hampshire charters. For these confirmation grants he would be entitled to full fees, though it has been alleged that an abatement from the regular charges was sometimes made.

LIEUT. GOV. COLDEN came again into power on the 8th of April, 1774, in consequence of the temporary recall of Gov. Tryon to England, and he continued in the exercise of the office of Chief

<sup>1</sup> *H. Hall's Vt.*, p. 101, 102.

<sup>2</sup> *N. Y. Council Minutes*, July 24, 1771; *Col. Hist. N. Y.*, Vol. VIII, p. 331; *H. Hall's Vt.*, p. 99, 100.

Magistrate for over a year, until June 25, 1775, when Tryon returned. During this period Mr. Colden issued patents for 370,000 acres of the prohibited lands, his patent fees for the same being \$11,562 50.

The parting letter of the British Minister to Gov. Tryon of May 4, 1775, on his departure from England for New York, charged him in the King's name to avoid, in conformity to his previous instructions, "making any grants or allowing any survey or location of lands" in the territory of the New Hampshire Grants.<sup>1</sup> Notwithstanding which it will be perceived by the list of patents that he afterwards granted 63,040 acres, and doubtless pocketed his fees amounting to \$1,970.

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## LIST OF NEW YORK PATENTS IN VERMONT.

In this list the name of the first patentee is usually given.

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BY LIEUT. GOVERNOR COLDEN, FROM APRIL 10 TO NOV. 1, 1765.		No. of Acres.
May 21.	Patent of Princetown for James Duane, John Tabor Kempe and Walter Rutherford—being about 12 miles in length along the valley of the Battenkill by $3\frac{1}{2}$ in width, in Arlington, Sunderland and Manchester, which towns had been granted by New Hampshire in 1761 and settled prior to the New York's patent, <sup>2</sup>	26,000
Oct. 30.	To James Napier, a tract described as "lying partly within the townships of Shaftsbury, Glastenbury, Sunderland and Arlington, formerly granted under the Province of New Hampshire," which townships had been thus granted in 1761.	10,000
		<hr/>
Also, 154 military patents, covering 131,800 acres.		36,000

<sup>1</sup> *Col. Hist. N. Y.*, Vol. VIII, 573.

<sup>2</sup> *H. Hall's Vt.*, 78-80, 118, 120, 167.

## BY GOV. MOORE TO SEPT. 11, 1769.

1766.	
July 14.	Township of Chester, confirmation of N. H. charter of Feb. 22, 1754, 31,700
22.	Township of Brattleboro, confirmation of N. H. charter of Dec. 26, 1753, 19,500
23.	Township of Hertford, (Hartland,) confirmation of N. H. charter of July 10, 1761, 23,040
Nov. 14.	Township of Putney, confirmation of N. H. charter of Dec. 26, 1753, 19,300
1767.	
April 2.	Township of Townshend, confirmation of N. H. charter of June 20, 1753, 23,040
2.	Township of Tomilson, (Grafton,) confirmation of N. H. charter of April 6, 1754, 23,040
May 16.	John Adair, a tract in Athens, 5,000
<hr/>	
144,620	

Also 18 military patents, containing 13,350 acres.

## BY LIEUT. GOV. COLDEN, TO OCT. 18, 1770.

1769.	
Nov. 8.	To Garrett Slover, a tract by the name of Warrenton, in Athens and Acton, 14,000
13.	Wm. Livingston, Royalton and vicinity, 30,000
13.	Robert R. Livingston, (Ch. Justice of N. Y.,) called Camden, in Jamaica, Wardsborough and Dover, 35,000
24.	Pierre G. DePeyster, called Kempton, land in Orange County, 16,000
1770.	
Jan. 22.	Augustus Vn. Cortlandt, called Middlesex, Orange County, 35,000
Feb. 13.	James Rogers, called Kent, now Londonderry, 26,000
Mar. 12.	Nathan Whiting, in Cumberland, now Whitingham, 10,000
29.	Lawrence Kortright, a tract called Bessborough, now St. Johnsbury and vicinity, 36,000
Mar. 31.	Nathaniel Marston, called Charlotte, in Chelsea and vicinity, 25,000
April 24.	John Reade, called Readsborough now Readsborough and Searsburg, 29,000
May 3.	William Smith, called Mooretown, now Bradford, <sup>1</sup> 25,000
10.	William Kelly, called Gageborough, now Vershire and vicinity, 24,000
20.	Wm. Cockburn, called Kelso, Tinmouth and vicinity, 21,500
June 13.	Jacobus Van Zant, called Newbrook, Waterbury and vicinity, 23,000

<sup>1</sup> *H. Hall's Vt.*, p. 92-94.

1770.		
June 25.	John Morin Scott, called Kingsborough, Montpelier and vicinity,	35,000
July 31.	Alexander Wallace, in Orwell,	3,000
Aug. 1.	James Abeel, called Hulton, Shrewsbury,	12,000
	7. Abraham Lott, called Leyden, Northfield and vicinity,	24,000
	8. John Woods, called Dunmore, in and near Waterford,	39,000
	9. Benjamin Stout, called Virginhall, Andover and Weston,	26,000
	10. Elias Bland, called Hillsborough, Danville and vicinity,	36,000
Sept. 4.	James Abeel, in or near Wardsborough,	10,000
	8. Wm. Farquahar, in Benson,	5,000
Oct. 13.	Archibald Hamilton, called Kersborough, in Orange Co.,	20,000
		559,500
Also 26 military patents comprising 43,700 acres.		

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GOV. DUNMORE'S GRANTS TO JULY 8, 1771.

1771.		
Feb. 28.	Adam Gilchrist, in Poultney chartered by N. H., Sept. 21, 1761,	12,000
Mar. 13.	Ebenezer Cole, in Shaftsbury, chartered by N. H., Aug. 20, 1761,	1,800
	13, 25. Adolphus Benzel, in Addison and Middlebury (2 parcels) chartered by N. H., 1761,	3,210
	19. John Munro, chiefly in Arlington, chartered by N. H., 1761,	4,000
April 3.	James Duane, Socialburgh, includes Rutland and Pittsford, chartered by N. H., 1761, <sup>1</sup>	48,000
	30. Abraham Lott, called Monckton, Whiting, chartered by N. H., 1763,	23,000
May 30.	Sir John St. Clair, in Addison, chartered by N. H., 1761,	10,000
June 7.	Col. John Reid, in Panton and New Haven, chartered by N. H., 1761,	7,000
	11. Jacob Brewerton, Fincastle, in Stockbridge, chartered by N. H., 1761,	18,000
	12. Wm. Sheriff, Halesborough, Brandon, chartered by N. H., 1761,	23,000
	14. James Montessor, in Panton, chartered by N. H., 1761,	10,000
	20. Samuel Wells, Deerfield, now Burlington and vicinity, chartered by N. H., 1761,	35,000
	21. G. H. Ludlow, Morrisfield, Cornwall and Middlebury, chartered by N. H., 1761,	21,940
	24. Charles McEvens, Newry, Sherburne and vicinity, chartered by N. H., 1761,	37,000
	26. Geraldus W. Beekman, Mecklenburgh, Ferrisburg and vicinity, chartered by N. H., 1762,	30,000

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<sup>1</sup> *H. Hall's Vt.*, 129, 167.

1771.			
June 28.	John Davan, Richmond, Wells and vicinity, chartered by N. H., 1761,		24,000
July 1.	Samuel Metcalf and wife, in Highgate, chartered by N. H., 1763,		2,000
	3. Wm. McAdams, Kilby, Middlesex and vicinity, chartered by N. H., 1763,		30,000
	4. Geo. Brewerton, Jr., Leinster, Somerset and Woodford, chartered by N. H., 1761,		35,000
	6. Jeston Homfray, Prattsburgh, Highgate and Swanton, chartered by N. H., 1763,		30,000
	8. A. McLure and fifty others, being a grant of Gov. Dunmore to himself, in Leicester, Salisbury and Middlebury, including Lake Dunmore, all chartered by N. H., 1761, <sup>1</sup>		51,000
			<hr/>
			455,950

Also military patents covering 55,950 acres.

GOV. TRYON'S PATENTS TO APRIL 8, 1774.

1771.			
Nov. 23.	Col. Thos. Howard, in Vernon and Guilford, chartered by N. H., 1753, <sup>2</sup>		10,000
1772.			
Jan'y 7.	Benja. Spencer, Durham, in Clarendon and Wallingford, chartered by N. H., 1761,		32,000
Feb'y 20.	John Tudor, in Danby, chartered by N. H., 1761.		1,000
March 2.	Corinth, confirmation of N. H. charter,		23,100
	25. Joseph Beck, Windham, in Duxbury and vicinity, chartered by N. H., 1763,		35,000
	26. Westminster, confirmation of N. H. charter.		23,500
	28. Windsor, confirmation of N. H. charter,		24,500
	3. Wm. Nichols, in Shoreham, chartered by N. H., 1761.		4,000
	9. Hugh Gaine, Truro, in Orange and vicinity,		22,000
	10. Thos. Barnett, Penryn, in Calais and vicinity,		22,000
	19. Newbury, confirmation of N. H. charter,		25,000
April 14.	Gov. Tryon to himself in the names of Edmund Fanning and others, Norbury, in Worcester and vicinity, <sup>3</sup>		32,000
	30. Weathersfield, confirmation of N. H. charter,		22,000
May 11.	Newfane, " " " "		20,000
	20. Reading, " " " "		22,000
	25. Springfield, " " " "		28,200
	26. Charles Nichol, in Hubbardton,		4,000
June 3.	Woodstock, confirmation of N. H. charter.		23,200

<sup>1</sup> *H. Hall's Vt.*, 101.

<sup>2</sup> *H. Hall's Vt.*, 157.

<sup>3</sup> *H. Hall's Vt.*, 103, 104.

1771.			
June	5.	Ld. Geo. Townshend, Townshend, in St. Albans and vicinity, chartered by N. H., 1763,	30,000
	6.	Cavendish, confirmation of N. H. charter,	22,000
Nov.	6.	Henry V'n Vleck, in Ira,	5,000
	8.	Saltash, now Plymouth, possibly a confirmation charter,	25,000
	17.	John Lawrence, in Whiting, chartered by N. H., 1763,	1,000
Oct.	9.	Andrew Elliott, Minto, in Richmond and vicinity, chartered by N. H., 1763,	30,000
			<hr/>
Also military patents for 55,950 acres.			486,500

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LT. GOV. COLDEN'S PATENTS TO JUNE 25, 1775.

1774.			
July	20.	Luke Knowlton, Kellybrook, in Fletcher and vicinity,	30,000
Aug.	16.	King's College, in Johnson and vicinity,	20,000
	16.	Samuel Avery, in Lincoln and Ripton,	24,000
Sept.	6.	Humphrey Avery, Lincoln, Ripton and Granville,	28,000
	1.	Henry Gordon, in Fairfield, ch. by N. H. 1763,	5,000
	8.	Nathan Stone, New Rutland, Sheldon, ch. by N.H., 1763,	23,000
	27.	John Felthausen, Sidney, in Cabot and vicinity,	23,000
Oct.	27.	Phineas Lyman, Wickham, in Randolph and vicinity,	36,000
Nov.	10.	John Woods, St. George, in Coventry and vicinity,	30,000
Dec.	1.	Henry Gordon, for Peter Gordon, in Fairfield,	5,000
	24.	Thomas Clark, Bamf, in Burke and vicinity,	30,000
1775.			
Feb.	16.	Edmund Fanning, Thirring, now Canaan,	20,000
	11.	Josiah Willard, Meath, in Fairfield and vicinity, ch. by N. H., 1763,	25,000
June	19.	John Thompson, in Pawlet, ch. by N. H., 1761,	2,000
	20.	John Church, Ryegate, gr. by N. H., Sept. 8, 1763,	20,000
	21.	Samuel Ashley, Smithfield, in Waterville and vicinity,	25,000
	22.	Edmund Fanning, Stratton, ch. by N. H., July 30, 1761,	24,000
			<hr/>
Also military patents for 9,100 acres.			370,000

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GOV. TRYON'S PATENTS AFTER JUNE 25, 1775.

1775.			
Oct.	28.	Samuel Avery, Whippleborough, Starksborough and vicinity,	40,000
1776.			
June	12.	Samuel Holland, Topsham, ch. by N. H., Aug. 17, 1763,	23,040
			<hr/>
			63,040

RECAPITULATION.

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It appears, from the foregoing list of grants, that the several Governors patented lands, and were allowed fees, as follows :

Lt. Gov. Colden in 1765,	36,000 acres, his fees being	\$ 1,125 00
do 1769-1770,	559,500	" 17,484 37
do 1774-5,	370,000	" 11,562 50
Total by Colden,		\$30,171 81
Gov. Moore, 1765-1769,	144,620	" 4,519 37
Gov. Dunmore, 1770-71,	455,950	" 14,248 44
Gov. Tryon, 1771-1774,	486,500	" 15,203 12
do 1775-6,	63,040	" 1,970 00
Total by all the Gov'rs,		2,115,610 \$66,112 74

Besides the above amount of fees to the Governors, the sums allowed to other government officials would be as follows :

Sec'y of the Province, (George Clark,) \$10 per 1000 acres,	\$21,156 10
Clerk of the Council, (G. Banyar,) 10 "	21,156 10
Auditor General, (R. Cholmondeley,) 4.62 $\frac{1}{2}$ "	9,784 71
Receiver General, (Andrew Elliott,) 14.37 $\frac{1}{2}$ "	30,411 87
Attorney General, (John Taber Kempe,) 7.50 "	15,867 08
Surveyor General (Alex. Colden, son of Lt. Gov. Colden,) 12.50 "	26,445 13
	\$124,820 99
Add amount of fees of the Governors,	66,112 74
Making the enormous levy on Vermont lands for Patent fees of	\$190,933 73

Of the above quantity of 2,115,610 acres, all, except 180,620 acres patented prior to the death of Gov. Moore, was granted in direct disobedience to the positive order of the King, and in his name, and for which there could be no possible motive but the avarice and cupidity of the greedy government officials.



MILITARY PATENTS.

The military patents before mentioned were issued by the several Governors, as follows :

By Lt. Gov. Colden, from Apr. 10 to Nov. 1, 1765—154 patents, for	131,800 acres.
By Gov. Moore, to Sept. 11, 1769—18 patents, for	13,350 “
By Lt. Gov. Colden, to Oct. 18, 1770—26 patents for	43,700 “
By Gov. Dunmore, to July 8, 1771—19, patents for	55,950 “
By Gov. Tryon, to Apr. 7, 1774—25 patents for	49,200 “
Lt. Gov. Colden, to June 25, 1775—8 patents for	9,100 “
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Total,	303,100 “
To which add the grants in the foregoing list.	2,115,610 “
	<hr/>
Gives the whole quantity of Vt. lands patented by N. Y.,	2,418,710 acres.

The military grants, as before stated, were made, almost exclusively, for the benefit of New York city speculators. Thus, 25,350 acres of the land granted by Gov. Dunmore were the property of James Duane, being the claims of six officers, fifty-seven non-commissioned officers and thirty-nine privates. They were included in two patents, called Chatham and Eugene, issued in 1771, and were located in such irregular parcels as to include the choicest lands in the several townships of Rupert, Dorset and Pawlet, which townships had been chartered by New Hampshire ten years previously, and settled under those charters. Golds-brow Banyar, Clerk of the New York Council, Col. John Reid, and many others, speculated largely in these military claims.<sup>1</sup>

<sup>1</sup> *Albany Records, Military Patents*, VOL. 1, 2, 3 ; *Report of N. Y. Commissioners, 1799, on the N. Y. Claims to Vt. Lands* ; *H. Hall's Vt.*, 79, 80, 131, 132.



DOCUMENTS  
IN RELATION TO THE  
PART TAKEN BY VERMONT  
IN RESISTING THE  
INVASION OF BURGoyNE  
In 1777.



## BURGOYNE'S INVASION OF 1777.

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ON the 1st of July, 1777, Genl. Burgoyne, with an  
July 1. army of about 8000 strong, encamped before Ticonderoga, and began its investment, with that of the adjoining post of Mount Independence, in which posts were about 3000 men, under the immediate command of General Arthur St. Clair, but subordinate to Gen. Philip Schuyler, whose head-quarters were at Fort Edward. June 29,<sup>1</sup> General Burgoyne had issued the following :

### A PROCLAMATION.

*By John Burgoyne, Esq., Lieutenant General of his Majesty's armies in America, Colonel of the Queen's regiment of light dragoons, Governor of fort William in North Britain, one of the Representatives of the Commons of Great Britain in Parliament, and commanding an army and fleet employed on an expedition from Canada, &c., &c., &c.*

July 4. The forces entrusted to my command are designed to act in concert and upon a common principle, with the numerous armies and fleets which already display in every quarter of America, the power, the justice, and, when properly sought, the mercy of the king.

The cause, in which the British arms are thus exerted, applies to the most affecting interests of the human heart ; and the military servants of the crown, at first called forth for the sole purpose of restoring the rights of the constitution, now combine with love of their country, and duty to their sovereign, the other extensive incitements which spring from a due sense of the general privileges of mankind. To the eyes and ears of the temperate part of the public, and to the breasts of suffering thousands in the provinces, be the melancholy appeal, whether the present un-

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<sup>1</sup> Williams gives July 4 as the date ; other authors give the date as of July 2, and others still as of June 29, 1777 ; the latter doubtless following the copy of the Proclamation in the *Gentleman's Magazine*, London, vol. 47, p. 359, in which the date is—" *Camp at Putnam Creek, June 29, 1777,*" This is probably the true date.

natural rebellion has not been made a foundation for the completest system of tyranny that ever God, in his displeasure, suffered for a time to be exercised over a froward and stubborn generation.

Arbitrary imprisonment, confiscation of property, persecution and torture, unprecedented in the inquisitions of the Romish church, are among the palpable enormities that verify the affirmative. These are inflicted by assemblies and committees, who dare to profess themselves friends to liberty, upon the most quiet subjects, without distinction of age or sex, for the sole crime, often for the sole suspicion, of having adhered in principle to the government under which they were born, and to which, by every tie, divine and human, they owe allegiance. To consummate these shocking proceedings, the profanation of religion is added to the most profligate prostitution of common reason; the consciences of men are set at naught; and multitudes are compelled not only to bear arms, but also to swear subjection to an usurpation they abhor.

Animated by these considerations, at the head of troops in the full powers of health, discipline, and valor; determined to strike where necessary, and anxious to spare where possible, I by these presents invite and exhort all persons, in all places where the progress of this army may point, and by the blessing of God I will extend it far, to maintain such a conduct as may justify me in protecting their lands, habitations and families. The intention of this address is to hold forth security, not depredation to the country. To those whom spirit and principle may induce to partake of the glorious task of redeeming their countrymen from dungeons, and re-establishing the blessings of legal government, I offer encouragement and employment; and upon the first intelligence of their associations, I will find means to assist their undertakings. The domestic, the industrious, the infirm, and even the timid inhabitants, I am desirous to protect, provided they remain quietly at their houses; that they do not suffer their cattle to be removed, nor their corn or forage to be secreted or destroyed; that they do not break up their bridges or roads; nor by any other act, directly or indirectly, endeavor to obstruct the operations of the king's troops, or supply or assist those of the enemy. Every species of provision brought to my camp, will be paid for at an equitable rate, and in solid coin.

In consciousness of christianity, my royal master's clemency, and the honor of soldiership, I have dwelt upon this invitation, and wished for more persuasive terms to give it impression: And let not people be led to disregard it, by considering their distance from the immediate situation of my camp. I have but to give stretch to the Indian forces under my direction, and they amount

to thousands, to overtake the hardened enemies of G. Britain and America: I consider them the same wherever they may lurk.

If, notwithstanding these endeavors, and sincere inclinations to effect them, the phrenzy of hostility should remain, I trust I shall stand acquitted in the eyes of God and men, in denouncing and executing the vengeance of the state against the wilful outcasts. The messengers of justice and of wrath await them in the field; and devastation, famine, and every concomitant horror that a reluctant but indispensable prosecution of military duty must occasion, will bar the way to their return.

J. BURGOYNE.

By order of his excellency the Lieut. General,

ROBT. KINGSTON, *Secretary.*

Camp near Ticonderoga, 4th July, 1777.<sup>1</sup>

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The people of Vermont on the 15th of the preceding July 2. January, had declared the State independent. Their Convention, which had again met at Windsor on the 4th of June, had, among other things, appointed a committee "to wait on the commander of Ticonderoga Fort, and consult with him respecting the regulations and defense of the frontiers, and then adjourned to the 2d of July, 1777, to meet at the same place. While the committee was at Ticonderoga, Gen. Burgoyne with his army appeared on the lake, and resting at Crown Point, he sent a scout of about 300, mostly Indians, to land at the mouth of Otter Creek to annoy the frontiers of the State. General Poor refused to allow any troops to the committee for the defense of the frontiers, but allowed Colonel Warner to go with the committee, who soon raised men sufficient to repel the assailants. All who were members of the Convention left the militia, and repaired to Windsor on the 2d of July, 1777." The business of the Convention was to form a State Constitution.<sup>2</sup>

<sup>1</sup> *Williams's Vt.*, vol. 2, p. 439, 440.

<sup>2</sup> *Ira Allen's Vt.*, p. 92.

*Col. Seth Warner to the Windsor Convention.*

RUTLAND, the 2d of July, 1777.

*To the Honorable Convention now sitting at Windsor, in the State of Vermont :*

GENTLEMEN,—I have last Evening received an Express from the General commanding at Ticonderoga, who informs me the Enemy have come on with Seventeen or Eighteen Gun-Boats, two large Ships, several Sloops and other Craft, and lie at the Three Mile Point, and the General expects an attack every Hour. The Enemy have put to land on said Point, and they have had a skirmish, but the General informs me to no great purpose. Orders me to send for the Militia to join him as soon as possibly they can get there from this State, and the Massachusetts and New Hampshire I have sent an express to. Col. Simons went off last night. Col. Robinson and Col. Williams is now at Hubbardton, waiting to be joined by Col. Bellows, who is now with me. When the whole join, they will make in No. about seven or eight hundred Men. I know not where to apply but to you to raise the Militia on the east side of the Mountain. Shall expect that you send on all the men that can possibly be raised, and that you will do what lies in your Power to supply the Troops at Ticonderoga with Beef, as, if the siege should be long, they will absolutely be in want of meat kind, except the country exert themselves. If forty or fifty head of Cattle could be brought on with the Militia, they will be paid for by the Commissary on their arrival. The safety of that Post Consists much on the exertions of the country. Their lines are so much in want of Men, I should be glad that a few hills of Corn unhoed should not be a Motive sufficient to detain Men at home, considering the Loss of such an important Post can hardly be recovered.

I am, Gentlemen, in the greatest Respect,  
Your most Obedient and very humble Serv't,

SETH WARNER.

P. S. I am this moment a going to mount my Horse, in Company with Col. Bellows, for Ticonderoga. I left Col. Robinson at Hubbardton this morning. That you may have wisdom to Conduct in the Business for which you are called together is the Prayer of  
S. W.



*Joseph Bowker, President of the Convention, to the General Convention of New Hampshire.*

STATE OF VERMONT,  
In General Convention, Windsor, 3<sup>d</sup> July, 1777. }

*Gentlemen* :—This House enclose to you a Copy of a Letter just received from Col<sup>o</sup> Warner by which your honors will learn the situation of the army in the northern department at that time. You will observe by that, that we have no knowledge that any Express has been sent you. Therefore as the matter nearly concerns the Liberties of the United States in General, this House flatter themselves that their forwarding this intelligence may not prove unacceptable.

The Militia from this State are principally with the officer Commanding the Continental Army at Ticonderoga, the remainder on their March for the relief of that distressed Post. It appears to this House from the various informations from thence, and the personal acquaintance of many of the members thereof, of the particular circumstances which attend our friends there at this present time, that every prudent Step ought to be immediately taken for their relief.

Your honors' Wisdom will doubtless be sufficient for your Conduct. Wishing a lasting peace and friendship, We have the honor to be Gentlemen with sincere Sentiments of Respect your most

Obed<sup>t</sup> Hum<sup>ble</sup> Servants.

By order of Convention.

JOSEPH BOWKER, *President.*

SUPERSCRIBED :

*To the Honorable the General Assembly or Council of War at Exeter, State of New Hampshire.*

*From General Convention in the State of Vermont.*

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*Brockholst Livingston, aide-de-camp to General St. Clair, to William Livingston, Governor of New Jersey.—EXTRACT.*

TICONDEROGA, 3<sup>d</sup> July, 1777.

DEAR SIR,—I wrote you on the 30th ultimo, advising you of the approach of the enemy. \* \* \* \* \*

We are daily receiving additions to our strength. Colonel Warner is expected to-day with six hundred Green Mountain Boys. We also hourly look for General Schuyler with a large body of militia from below. The spirits of our men were much

raised yesterday with an account of a signal victory gained by Washington over the enemy. We fired thirteen guns as a *feu de joie* on the occasion, just as we perceived a re-enforcement of the enemy coming up.

BROCKHOLST LIVINGSTON.

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On the afternoon of the 5th of July, Burgoyne having  
 July 5. gained the height of Mount Defiance, which commanded both Ticonderoga and Mount Independence, General St. Clair called a council of war, by which it was unanimously decided that the posts were no longer tenable, and that the works should be evacuated at two o'clock the next morning, which was accordingly done.<sup>1</sup>

Of the evacuation, and the battle of Hubbardton, Gen. ST. CLAIR, in a letter from Fort Edward, dated July 14th, to the President of Congress, gives the following accounts: (Extract.)

I saw no alternative but to evacuate the posts, and  
 July 14. bring off the army: whereupon I called the general officers together, to take their sentiments. They were unanimously of opinion that the places should be evacuated without the least loss of time; and it was accordingly set about that night, the fifth instant. After embarking in the boats as much of

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<sup>1</sup> In May, 1776, Colonel John Trumbull, son of Governor Trumbull, of Connecticut, and Adjutant General of the Northern Department, under Major General Gates, selected Mount Independence as a spot admirably adapted for a military post. In July he examined this spot with Colonel Wayne, who agreed in opinion with Colonel Trumbull. Works were erected and a part of the army posted there, when, in August, Colonel Trumbull suggested that a battery could be erected upon Mount Defiance, which would command the works at both Ticonderoga and Mount Independence. This suggestion was ridiculed by the principal officers at the table of General Gates, whereupon Colonel Trumbull obtained leave to test the fact by experiment. The first shot, from a twelve pounder on Mount Independence, struck more than half way up Mount Defiance; and the second, from a six pounder on the glacis of Ticonderoga, struck near the summit. General Arnold, Colonel Wayne, and other officers ascended Mount Defiance and agreed that it was practicable to reach its summit with a loaded carriage. Unfortunately it was left for the British army to occupy this spot.—See *Reminiscences of his own times*, by Colonel John Trumbull, p. 26-27, 29-30, 32-33, and 306-7.

our cannon, provisions, and stores as was possible, the boats were ordered to Skenesborough, and I sent Col. Lang, an active, diligent, good officer, to take the command there, with his regiment and the invalids, until I should join him with the army, which was to march to that place by the way of Castleton. The body of the army reached Castleton the next evening, thirty miles from Ticonderoga, and twelve from Skenesborough; but the rear guard, under Col. Warner, which with the stragglers and infirm amounted to near twelve hundred, stopped short of that place six miles, and were next morning attacked by a strong detachment the enemy had sent to hang on our rear and retard our march. Two regiments of militia, who had left us the evening before, and halted about two miles from Col. Warner, were immediately ordered to his assistance, but, to my great surprise, they marched directly down to me: at the same time I received information that the enemy were in possession of Skenesborough, and had cut off all our boats and armed vessels. This obliged me to change my route, that I might not be put between two fires, and at the same time be able to bring off Col. Warner, to whom I sent orders, if he found the enemy too strong, to retreat to Rutland, where he would find me to cover him, that place lying at nearly equal distances from both. Before my orders reached him, his party was dispersed, after having, for a considerable time, sustained a very severe engagement, in which the enemy suffered so much, that they pursued him but a small distance.<sup>1</sup>

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Gordon, in his cotemporary history, gives an account July 6, 7. of the evacuation and the battle of Hubbardton, as follows:<sup>2</sup>

At two o'clock in the morning St. Clair left Tyconderoga. About three, the troops were put in motion for the evacuation of the Mount, but Fermoy having set fire to his house (contrary to positive orders) the whole Mount was enlightened by it, so that the enemy had an opportunity of seeing every movement, which damped the spirits of the Americans, and induced them to push off in a disorderly manner. Col. Francis brought off the rear guard in good order about four o'clock. Many regiments after a while recovered from their confusion through the exertions of St. Clair. Upon the army's arriv-

<sup>1</sup> *Dawson's Battles of the U. S.*, Vol. I, p. 229.

<sup>2</sup> *Gordon's America*, Vol. II, London edition, 1783, p. 482, 484.

ing at Hubbardton, they were halted for near two hours. The rear guard was increased by many who at first did not belong to it, were picked up, through an inability of keeping up with their regiments. Most of the stragglers and rear guard having joined, the army was again put in motion. The rear guard was here given to Col. Warner, with orders to follow as soon as the whole came up, and to halt about a mile a half short of the main body (which was to continue that night at Castleton, about six miles from Hubbardton,) and to march in the morning by four, and join it. Castleton is thirty miles from Ty, and twelve from Skeensborough. Col. Warner, with the rear guard and stragglers, amounting to near twelve hundred, determined to remain at Hubbardton that night, because the men were much fatigued. In the morning the general paraded the army, and waited two hours for the rear guard.

When gen. Frazer perceived, in the morning of the evacuation, that the Americans were retiring, he commenced a pursuit with his brigade, consisting of the light troops, grenadiers and some other corps. Gen. Reidesel with most of the Brunswickers, was ordered by the British commander to join in the pursuit, either to support Frazer or to act separately. The latter continued the pursuit through the day; and receiving intelligence that St. Clair's rear was at no great distance, ordered his troops to lie that night on their arms. In the morning he came up with the Americans, commanded by col. Warner, who had, besides his own, the regiments of cols. Francis and Hale. The British advanced boldly, and the two bodies formed within about sixty yards of each other. Frazer began the attack about seven o'clock, expecting every moment to be joined by Reidesel, and apprehending that if he delayed, the enemy would escape. Hale being apprized of the danger, never brought his regiment to the charge, but fled; so that Warner could bring into action no more than about seven hundred men. The conflict was bloody. Francis fell fighting with great bravery. Warner, officers and soldiers, behaved with much resolution and gallantry, so that the British broke and gave way; but soon formed again, and running on the Americans with their bayonets,<sup>1</sup> the latter were put into no small confusion, which was increased by the critical arrival of gen. Reidesel with the foremost of his column, consisting of the chasseur company and eighty grenadier and light infantry, who were immediately led into action. They now fled on all sides. Gen. St. Clair heard when the firing began, and would have supported Warner;

<sup>1</sup> Burgoyne's *State of the Expedition*; earl of Balcarras', and the earl of Harrington's declarations.

but the troops that were nearest, two militia regiments, would not obey orders, and the two others were at too great a distance. Hale, who had attempted to get off by flight, fell in with an inconsiderable party of British, and surrendered himself with a number of his men prisoners. The Americans lost three hundred and twenty-four in killed, wounded and prisoners, among the last were twelve officers. The royal troops, including British and Germans, had not less than one hundred and eighty-three killed and wounded. They had three officers killed and twelve wounded.<sup>1</sup> While St. Clair was at Castleton, an officer of one of the galleys arrived with information that the British were pursuing in force toward Skeensborough, and would reach it before he could get there. This determined him to change his route, and to strike into the woods on his left, lest he should be intercepted at Fort Anne.

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Lieut. Anbury, a British officer, who was in the battle of Hubbardton, describes it as follows :<sup>2</sup>

*Camp at Skeensborough, July 12th, 1777.*

After we had remained some little time in the fort, orders came for the advanced corps to march in pursuit of the enemy, who we are informed, had gone to Huberton, in order to harass their rear. We marched till one o'clock, in a very hot and sultry day, over a continued succession of steep and woody hills; the distance I cannot ascertain, but we were marching very expeditiously from four in the morning to that time.

On our march we picked up several stragglers, from whom General Fraser learnt that the rear-guard of the enemy was composed of chosen men, commanded by a Colonel Francis, who was reckoned one of their best officers.

During the time the advanced corps halted to refresh, General Reidesel came up, and after consulting with General Fraser, and making arrangements for continuing the pursuit, we marched for-

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<sup>1</sup> This account of the killed, wounded and prisoners, on both sides, is extracted from the journal of a British officer, who was afterward taken, and who mentioned the names of the officers killed and wounded on his own side.

<sup>2</sup> *Anbury's Travels*, Vol. I, p. 288-291.

ward again three miles nearer the enemy, to an advantageous situation, where we lay that night on our arms.

At three in the morning our march was renewed, and about five we came up with the enemy, who were busily employed in cooking their provisions.

Major Grant, of the 24th regiment, who had the advanced guard, attacked their picquets, which were soon driven in to the main body. From this attack we lament the death of this very gallant and brave officer, who in all probability fell a victim to the great disadvantages we experience peculiar to this unfortunate contest, those of the rifle-men. Upon his coming up with the enemy, he got upon the stump of a tree to reconnoitre, and had hardly given the men orders to fire, when he was struck by a rifle ball, fell off the tree, and never uttered another syllable.

The light infantry then formed, as well as the 24th regiment, the former of which suffered very much from the enemy's fire, particularly the companies of the 29th and 34th regiments. The grenadiers were ordered to form to prevent the enemy's getting to the road that leads to Castle-Town, which they were endeavoring to do, and were repulsed, upon which they attempted their retreat by a very steep mountain to Pittsford. The grenadiers scrambled up an ascent which appeared almost inaccessible, and gained the summit of the mountain before them; this threw them into great confusion, and that you may form some idea how steep the ascent must have been, the men were obliged to sling their firelocks and climb up the side, sometimes resting their feet upon the branch of a tree, and sometimes on a piece of the rock; had any been so unfortunate as to have missed his hold, he must inevitably been dashed to pieces.

Although the grenadiers had gained the summit of this mountain, and the Americans had lost great numbers of their men, with their brave commander Col. Francis, still they were far superior in numbers to the British, and the contest remained doubtful till the arrival of the Germans, when the Americans fled on all sides, whose numbers amounted to 2000; they were opposed only by 850 British, as it was near two hours before the Germans made their appearance.

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The following is an extract from a notice or sketch of Colonel EBENEZER FRANCIS, in Rev. Mr. Stone's *History of Beverly, Massachusetts*, (Boston, 1843, 8 vo.,) p. 75-76 :

\* \* Moses Greenleaf, collector of Newburyport under the federal government, and father of Prof. Greenleaf, now of the Law

College at Cambridge, was a captain in it, [*i. e.* in the regiment of Col. Francis.] A private journal of Capt. Greenleaf, which is now in the library of the Massachusetts Historical Society, narrates the principal events which occurred while the regiment was stationed at Ticonderoga, and afterward on its retreat, with the rest of the garrison, before the overpowering forces of Burgoyne. From that is gathered the following graphic, though melancholy sketch of the closing scenes in the life of Col. Francis. "14th  
' June, heard enemy's morning gun,—Indians and others near,—  
' skirmishes. 2d July, enemy advance with two frigates of  
' twenty-eight guns and fifty gun-boats,—land troops about two  
' miles from us. Saturday, 5th July, at 12 o'clock, spied British  
' troops on the mountain overlooking Ticonderoga; at 9 received  
' the disagreeable news of leaving the ground; at 2 next morning  
' left Ticonderoga; at 4 Mount Independence; after a most  
' fatiguing march, arrived same day at Hubbardton, twenty-two  
' miles from Mount Independence,—supped with Col. Francis,—  
' encamped in the woods, the main body going on about four miles.  
' Monday, 7th July, 1777, breakfasted with Col. F. At 7 he  
' came to me and desired me to parade the regiment, which I did;  
' at 7½ he came in haste to me, told me an express had arrived  
' from Gen. St. Clair, informing that we must march with the  
' greatest expedition, or the enemy would be upon us,—also  
' that they had taken Skeensborough with all our baggage,—or-  
' dered me to march the regiment,—immediately marched a part  
' of it. At twenty minutes past 7 the enemy appeared within gun-  
' shot of us; we faced to the right, when the firing began, which  
' lasted till 8¾ a. m., without cessation. Numbers fell on both  
' sides; among ours the brave and ever to be lamented Col. Fran-  
' cis, who fought bravely to the last. He first received a ball  
' through his right arm, but still continued at the head of our  
' troops till he received the fatal wound through his body, enter-  
' ing his right breast; he dropped on his face. Our people being  
' overpowered by numbers, were obliged to retreat over the moun-  
' tains, enduring on their march great privations and sufferings."

Thus fell, in the prime of manhood, one of the most promising officers of the Revolution,—one whose bravery and valor friends and foes alike were forward to acknowledge,—whose worth the aged, that knew him, still delight to recount, and whose untimely loss they yet with flowing tears lament.

*General St. Clair to the President of the Vermont Convention at Windsor.*

COL<sup>O</sup>. MEAD'S, AT OTTER CREEK, }  
 July 7th, 1777. }

*Sir*,—I was honored with your favor of the 2d Instant this Day. The Exertions of the Convention to reinforce us at Ticonderoga merit my warmest thanks tho' they have been too late to answer the good purpose they intended. Finding that the Enemy were ready for the attack, and that it was morally impossible we could maintain the Post with an handful of Troops, & at the same time considering how necessary to the States it was to preserve our army, small as it is, it was determined in a Council of the General Officers that the Posts on Ticonderoga and Mount Independence should be evacuated, and a retreat attempted to Skeensborough by the way of Castleton, and that everything we could remove, with the sick, should be sent by water to the same place, covered by the armed Vessels. This was accordingly attempted the night of the sixth, and in part executed, tho' not as perfectly as I could have wished with respect to the stores, owing to the Confusion that naturally attends operations in the night, and to the want of that regularity that nothing but discipline and experience can give Troops, and just at break of day the army got on their march unperceived by the Enemy, altho' they were all round us, and should have effected it perfectly had it not been for the burning of a House, whether from accident or want of thought I cannot say, but it served to inform the Enemy of our Retreat, and a party of them were on the Mount before the whole of our people had got off of it. They did not attempt however to pursue us, but only fired a few shot from the Heights which did us no damage. We pursued our Route to Castleton, which we reached last night with the main Body, having met on our way a party of the Enemy who had been collecting Cattle in the Country. These were immediately dispersed, and a few Prisoners taken. Colonel Warner with about a thousand men stopped six miles short of Castleton where he was attacked this morning. The event of the action I cannot as yet ascertain—the accounts are so various from the persons who have come in; but I believe it was pretty severe on both sides. I am now on my march to Bennington, which place I am obliged to make, on account of Provisions, the Enemy having last night possessed themselves of Skeensborough, of which I got intelligence this morning, which determined me to take the road for that place, and there I beg that the reinforcements coming on by No. 4 [Charlestown, N. H.] may be sent, as I shall immediately march from thence for the



North River, and endeavor to throw myself betwixt the Enemy and the Inhabitants, and prevent Mr. Burgoyne from penetrating into the Country.

I am, Sir, your very Humble Servant,

A<sup>r</sup> ST. CLAIR.

I must beg that all the Flour that can be got may be sent forward.

I have wrote to the first commanding Officer of the militia to take the shortest road to Bennington with directions to send the same orders to such others as may be already on this side No. 4.

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*Col. Moses Robinson, of Vt. Militia, to Gov. Trumbull of Connecticut.*

*To his Excellency Jonathan Trumbull, Governor of the State of Connecticut:*

We have to inform you of the disagreeable news of July 8. the Evacuation of the whole of the Northern Department. The particulars you will have more fully in a line sent the Militia Officers and Committee of Safety for the States of Massachusetts Bay & Connecticut, which you will have by the Bearer, Mr. Field, by which your Excellency will See the Necessity of Some relief from your state. I hope your Excellency will take this most important affair into your wise Consideration and grant us such relief as you in your wisdom will think most expedient.

I am, Sir, with the greatest esteem, your Excellency's most obedient and very humble Servant.

MOSES ROBINSON, *Col<sup>o</sup>.*

Bennington, July 8th, 1777.

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*Col. Moses Robinson and others of Bennington—Circular for Aid.*

BENNINGTON, July 8th, 1777.

This day arrived from Ticonderoga with the disagreeable news of the Evacuation of that place, Mount Independence & Skeensborough, which happened on Sunday last, with the loss of all provisions, military and war like stores. On Monday about 8 o'clock in the morning a large Body of the Enemy came up with the rear of our Army when ensued a smart engagement. A very heavy fire was kept up for about half an hour when our rear was obliged

to retreat. The particulars we have not yet obtained. The Army is advancing into the Country, killing and robbing the Inhabitants and driving off their Cattle to their own use. Our whole Army is in a very broken situation, being divided; some is gone to Fort Anne, and the other part is now on or near Hampshire Grants; it is proposed to make a stand at Pollett about forty miles north of this place; unless the enemy be soon stopped and repelled the whole Country will fall into their hands, which will prove the ruin of the whole Country as we have large stores deposited in this place which we shall of necessity be obliged to leave to the enemy and retreat down into the New England states, which will soon reduce the Country to cleanness of Teeth. We therefore earnestly request of all Friends to their Country, immediately to march to the Assistance of the Inhabitants of the Northern Department without the least delay.

Just received by Express from Head Quarters at Pollett requesting the Militia to march to their Assistance with all possible speed, which I shall forward with this. You will recommend to the Militia to furnish themselves with ten or twelve days provisions and as many kettles for cooking as possible; also think proper to bring a number of axes, spades and other intrenching tools as you shall think proper.

We are, Gentlemen, your Friends & Servants,

N. B.—All Committees of Safety are desired to furnish the bearer with fresh Horses.	}	MOSES ROBINSON, <i>Col.</i> , NATH. BRUSH, <i>Lt. Col.</i> , JOSEPH FARNSWORTH, <i>Dpy Commissary</i> , ELIJAH DEWEY, <i>Captain</i> .
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JOHN FAY, *Chairman*.

*To the Commanding officers of Militia and Committees of Safety in the States of Massachusetts Bay & Connecticut.*

*General Schuyler to General St. Clair.*

FORT EDWARD, July 8, 1777.

*Dear General,*

I wrote you last night from Saratoga wishing you to direct your march with the utmost expedition to Fort Ann or this place. I now most earnestly renew the request. I had forgot to give directions about the security of the people on the Grants. I think it will be right to leave Colonel Warner with his regiment and the militia belonging to the Grants. If you are of

the same opinion you will give the orders accordingly. I wish Colonel Warner to drive the cattle in that part of the Country into his rear and to send off every carriage that may be serviceable to the enemy, and such as cannot be sent off to be destroyed. Whatever cattle are sufficiently in flesh to be killed for the Troops he must send on here by a safe route.

Some of the enemy are harrassing us above Fort Ann: I wish you may fall in with them.

The reinforcement from below is marching up, and so are the militia, and I think when you join us, we shall not have occasion to fear that the enemy will make any further progress.

P. SCHUYLER.

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*General St. Clair to General Schuyler.*

DORSET, 8 July, 1777, nine o'clock.

DEAR SIR,

About an hour ago, I received your favor of yesterday. I wrote you from Ticonderoga the night before we left it, to inform you that I intended to march to Skenesborough by the way of Castleton, and from thence to Fort Edward; but when I got to Castleton I found the enemy were in possession of Skenesborough, which obliged me to change my route.

On the march to Castleton, we fell in with a party commanded by Captain Frazer, who had been collecting cattle in the country. These were immediately dispersed, and a few prisoners taken; but being reenforced by a strong detachment from Ticonderoga, they attacked, in the morning, the rear-guard of our army, who had imprudently stopped six miles short of the main body, and were, I believe, rather surprised; notwithstanding which they made a very obstinate defence, and, I have good reason to think, killed and wounded a great number of the enemy. As they were at too great a distance for me to support them, I sent orders to Colonel Warner, who commanded the party, in case he found himself too hard pressed, to retreat to Rutland, and join me. He is not yet come in, though I have heard that he is coming in with about a hundred men; and a great part of the other regiments, except Hall's [Hale's] have already joined us.

I am in great distress for provisions. If I can be supplied at Manchester, I shall proceed directly for Fort Edward, or Saratoga, as circumstances may direct; if not, I shall be obliged to go to Bennington. I account myself very happy in effecting this re-

treat, as the loss of the army, small as it is, would have been a blow that this part of the country would have felt severely, and that must inevitably have happened in a very few days. Adieu, my dear General; I hope to see you soon, or things in a better train.

I am, Sir, your very humble servant,  
ARTHUR ST. CLAIR.

*Gen. St. Clair to Jonas Fay, "Secretary to State Vermont."*

COLONEL MARSH'S, July 9th, 1777.

July 9. *Sir*,—I have just now received a Letter from General Schuyler directing that Col<sup>o</sup>. Warner's Regiment, with the Militia of your State, should be left for the Protection of the People, and I have, by this Conveyance, wrote the Colonel to acquaint him thereof. The General also desires that all the Cattle may be drove further down than where it may be thought proper that Col<sup>o</sup>. Warner take Post, and that all the Carriages that may be of use to the Enemy be brought off or destroyed. He also desires that all the Cattle in the Condition for Killing may be sent on by a safe route to Fort Edward, where he now is with some Continental Troops and Militia. A large reinforcement from Peckskill is on their March from Albany to Join him, and if I can be supplied with provisions at Manchester, I shall also join him with the utmost expedition, where we shall have force sufficient to check the progress of the Enemy. Your Convention have given such proofs of their readiness to concur in any measure for the public safety, that it would be impertinent to press them now: I will only repeat the request that I made before that the Militia from the Eastward Marching [to] No. 4 may be directed to take the shortest rout to Join the Army.

I am, Sir, Your humble Servant.

A. ST. CLAIR.

*To JONAS FAY, Sec'y to State Vermont.*

P. S.—Previous to the receipt of your Letter of the 6th inst. I had directed the Militia of your State that were with me to remain at Rutland for the protection of the People until your Convention should direct otherwise, and am pleased to find myself in Sentiment with them, and with General Schuyler. The Militia that can be raised in your Country will I think keep the people in security, for in my opinion they have little to fear except the Depredation

of a few Indians. Fort Ann was attacked the day before yesterday and the Enemy repulsed with considerable loss.

True Copy, Examined by

ISRAEL ALLEN, *Sec'y.*

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*Vote of the Windsor Convention for Procuring Arms.*

STATE OF VERMONT, {

In Convention, Windsor, July 8th, 1777. }

*Resolved,* that Col. Joseph Marsh, Col. Wm. Williams

July 8. and Col. Timothy Brownson be appointed Contractors to procure a sufficient Quantity of Arms for this State as the exigency of the same shall require, drawing them if possible out of some Continental stores, giving such security for the same in behalf of this State as their wisdom may direct, and that they be impowered for the same purpose (if they cannot be so drawn) to hire not exceeding four thousand pounds, for which they are to give their obligation in behalf of this State, and that they make an exact return of their doings herein to this Convention, or in their recess to the Council of Safety for this State.

By order of the President,

JONAS FAY, *Secretary.*

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*Gov. Trumbull to the Board of War, Boston.*

LEBANON, 15th July, 1777.

July 15. *Gentlemen,*—Capt. Abel Marsh, agent to the Contractors appointed by the people living on Hampshire Grants, (so called,) for procuring Arms for their own defence against the depredations of the Enemy, to which their [they are] imminently exposed by the Enemies becoming possessed of the Fortresses of Ticonderoga and Independence, hath made application to me to Furnish them with a number of arms for the purpose aforesaid, but the present exposed situation of this State at this Juncture renders it impracticable to supply them, though I heartily wish it were, for I really feel for those brave people exposed to the ravages of our Inveterate and evil foes, whose tender mercies are cruelties. Have therefore advised him to wait on you for the purpose of obtaining arms.

And recommend him to your notice in this respect, he will be able to give your board a more full account of the distressed Circumstances of the People in that part of the Country, and hope you will be able to furnish him with a suitable number of arms so necessary for their defence, for which he will give security.

I have the Honor to be, Gentlemen, with great truth and regard,

Your Most humble Servant,

JNO. TRUMBULL.

*Board of War at Boston.*

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The convention, which met at Windsor on the 2d of July 8. July, having completed the business of forming a State Constitution, appointed a Council of Safety, consisting of twelve members, to manage the affairs of the State until the government under the constitution should go into operation, and then adjourned.<sup>1</sup> On the adjournment of the convention, the Council of Safety proceeded to Manchester, where they found Col. Warner in command of part of his Continental regiment, which had been raised in Vermont, and which had reached that place from the engagement at Hubbardton. After a session of a week or two at Manchester, and a few days at Sunderland, the Council adjourned to Bennington, where it continued in permanent session until after the close of the campaign by the surrender of Burgoyne.<sup>2</sup>

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*Vermont Council of Safety to the Council of New Hampshire.*

IN COUNCIL OF SAFETY, STATE OF VERMONT, }  
Manchester, 11th July, 1777. }

Gentlemen,—The inclosed is a Copy of General St. Clair's Letter to the Convention of this State, by which you will learn his request to the Militia of your State. No further accounts have arrived since the date of the enclosed.

<sup>1</sup> See *Pliny II. White's Address—ante.*

<sup>2</sup> *Ira Allen's Vt.*, 93, 94; *Stade's State Papers*, 197–223.

except that there are Small Scouting Parties foraging in the Woods. You will Learn the Provision General Schuyler has made for the protection of this State, and you will naturally understand that when we cease to be a frontier your State must take it. Would beg your advice and assistance for the good of the whole, and have the honor to be,

Gentlemen, with respect,

Your Most Obedt and Very Humble Servant.

By order of the Council,

IRA ALLEN, *Sec'y.*

N. B.—News has this moment come to hand that General How, with his army, have got up North River as far as Tappan near the Highlands, and that the inhabitants are moving out of Albany. We hear General Washington is with his army in high spirits watching the motion of the Enemy.

I. ALLEN.

*The Hon<sup>ble</sup> the Council of Safety N. Hampshire State.*

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*Proclamation of General Burgoyne.*

By Lieutenant General JOHN BURGOYNE, commanding an army and fleet of Great Britain, against the revolted Provinces of America.

To the inhabitants of Castleton, of Hubberton, Rutland, Timmouth, Pawlet, Wells, Granville, with the neighbouring districts; also the districts bordering on White creek, Cambden, Cambridge, &c., &c., &c.

You are hereby directed to send from your several townships deputations, consisting of ten persons or more from each township, to meet Colonel Steene at Castleton, on Wednesday, July 15th, at ten in the morning, who will have instructions not only to give further encouragement to those who complied with the terms of my late manifesto, but also to communicate conditions upon which the persons and properties of the disobedient may yet be spared.

This fail not to obey, under pain of military execution.

*Head Quarters, at Skeensborough House, July 10th, 1777.*

J. BURGOYNE.

By order of His Excellency the Lieutenant General.

ROBT. KINGSTON, *Secretary.*

*General Schuyler's Proclamation in Answer to Burgoyne's.*

By PHILIP SCHUYLER, Esquire, Major General in the  
 July 13. army of the United States of America, and Commander-  
 in-Chief of the Northern Department.

To the inhabitants of Castle Town, of Hubberton, Rutland, Timmouth, Pawlet, Wells, Granville, with the neighboring districts; also the districts bordering on White creek, Cambden, Cambridge, &c., &c.

Whereas Lieutenant-General John Burgoyne, commanding an army of the British Troops, did, by a written paper, by him subscribed, bearing date at Skeensborough House, on the 10th of July, instant, require you to send from your several townships, deputations, consisting of ten persons or more from each township, to meet Colonel Skeene at Castleton, on Wednesday, July 15th, at ten in the morning, for sundry purposes in said paper mentioned, and that you are not to fail in paying obedience thereto, under pain of military execution :

Whatever, my countrymen, may be the ostensible reasons for such meeting, it is evidently intended by the enemy then to prevail on you, by threats and promises, to forsake the cause of your country, to assist them in foreing Slavery on the United States of America, and under the specious pretext of affording you protection, to bring on you that misery which their promises of protection drew on such of the deluded inhabitants of New-Jersey, who were weak enough to confide in them, but who soon experienced their fallacy by being treated, indiscriminately with those virtuous citizens who came forth in defence of their Country, with the most wanton barbarity, and such as hitherto hath not ever disgraced barbarians.

They cruelly butchered, without distinction to age or sex, ravished children from ten, to women of eighty years of age; they burnt, pillaged and destroyed whatever came into their power; nor did their edifices, dedicated to the worship of Almighty God, escape their sacrilegious fury. Such were the deeds, such they were incontestibly proved to be, which have marked the British arms with the most indelible stains.

But they having, by the blessing of Divine Providence on our arms, been obliged totally to abandon that State: they left those that were weak or wicked enough to take protection under them, to bemoan their credulity, and to cast themselves on the mercy of their injured countrymen. Such will be your fate, if you lend a willing ear to their promises, which, I trust, none of you will do.

But lest any of you should so far forget the duty you owe to your country, as to join with, or in any manner or way assist or



give comfort or hold correspondence with, or take protection from the enemy, be it known to each and every of you, the inhabitants of said townships, or any other the inhabitants of the United States, that you will be considered and dealt with as traitors to said States, and that the laws thereof will be put in execution against every person so offending with the utmost rigour; and I do hereby strictly enjoin and command all officers, civil and military, to apprehend all such offenders. And I do further strictly enjoin and command such of the militia of said townships as have not yet marched, to do so without delay, to join the army under my command, or some detachment thereof.

Given under my hand, at Head Quarters, Fort Edward, July 13th, 1777.

PH. SCHUYLER.

By the General's command,

HENRY B. LIVINGSTON, A. D. C.

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*Gen. Schuyler to Col. Moses Robinson, Lt. Col. Brush and John Fay, Esq.*

FORT EDWARD, July 13, 1777.

*Gentlemen,*—Your letter of the 11<sup>th</sup> instant I received last night. I should be extremely happy if I had it in my power to afford you the assistance you request, but in fact I have not that number of militia in this quarter. From every intelligence I can procure, the enemy mean to send their force this way, and it would therefore be highly imprudent to weaken the army in this quarter.

I would by all means advise that the cattle of every kind, and carriages, should be moved from every township exposed to the incursions of the enemy's parties, and which cannot be covered by the troops or militia, to some more interior places of safety.

I have already ordered a considerable quantity of powder and ball to be sent to Col. Warner. If more of the former should be wanted, it will be sent on application. As to fire-arms, I have not one, and many of the Troops are without, consequently cannot give any.

Inclose you an order for one thousand weight of powder, which you must send for. Lead or balls, there are none arrived as yet.

P. SCHUYLER.

*General Schuyler to General Washington—[Extract.]*

FT. EDWARD, July 14, 1777.

Colonel Warner, with the remains of his Regiment, I July 14. have ordered to remain on what are commonly called the New Hampshire Grants, together with the militia from that part of the State. He has directions to drive off all the cattle and carriages; but whether he will be able to effect it is a doubt, as I am informed a very great proportion of the inhabitants are taking protections from General Burgoyne, as most of those in this quarter are willing to do.

Desertion prevails, and deccas [disease ?] gains ground, nor is it to be wondered, for we have neither tents, houses, barns, boards, or any shelter, except a little brush. Every rain that falls, and we have it in great abundance almost every day, wets the men to the skin. We are besides in great want of every kind of necessary, provision excepted. Camp kettles we have so few that we cannot afford one to twenty men. \* \* \* \* \*

P. SCHUYLER.

*Vermont Council of Safety—Circular to Military Officers.*

IN COUNCIL OF SAFETY, STATE OF VERMONT, }  
Manchester, 15th July, 1777. }

*To all Militia Officers whom it may Concern:*

This is the second and perhaps the last express we July 15. may be able to send you from this Post. Your immediate assistance is absolutely necessary. A few hundred Military Troops to be joined to our present strength would greatly add to our present encouragement, as by late information we Learn that a large Scout of the Enemy are disposed to take a Tour to this post; the inhabitants, with their families, cannot be quieted without an assurance of the arrival of Troops directly for their assistance. You will Please to let us know your determination without delay.

The Continental Stores at Bennington seem to be their present aim. You will be supplied with provision here on your arrival. Pray send all the Troops you can Possibly Raise; we can Repulse them if we have assistance.

I have the honor to be your Most Obed<sup>t</sup> Hum<sup>bl</sup> Serv<sup>t</sup>.

By order of Council,

IRA ALLEN, *Sec'y.*



P. S.—By express this moment received we Learn that between 3 & 6 Thousand of the Enemy are Fortifying at the town of Castleton. Our case calls for immediate assistance.

I. ALLEN.

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*General Schuyler to Colonel Warner.*

FORT EDWARD, July 15, 1777.

*Dear Colonel,*—I am favored with yours of yesterday. Inclose you an order for what clothing can be procured at Albany, which must be sent for. I have made a temporary appointment of M. Lyon to be your Pay Master, and have given him four thousand dollars, which is all I can at present spare. Colonel Simmonds, with four or five hundred of his Regiment, will join yours; but let the others come this way. We are informed the enemy are gone to Ticonderoga, to come by the way of Fort George, because they find it rather difficult to penetrate by the way of Skeensborough.

Secure all the cattle and carriages you can. Much depends upon preventing them from getting supplies of that kind. Advance as near to the enemy as you possibly can. Secure all Tories, and send them to the interior part of the country. Be vigilant: a surprise is inexcusable. Thank the troops in my name, for behaving so well as you say they did at Hubbarton. Assure them that I will get whatever I can to make them comfortable. All of your Regiment that were here are already on the way to join you. If we act vigorously, we save the country. Why should we despond? Greater misfortunes have happened, and have been retrieved. Cheer up the spirits of the people in your quarter.

P. SCHUYLER.

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*General Schuyler to Ira Allen.*

FORT EDWARD, July 16, 1777.

*Sir,*—It gives me great pain that I am not in a capacity July 16. directly to answer your letter of the 15th inst. As an officer of the Honorable the Congress, who represents the thirteen United States of America, I cannot with propriety take notice of a fourteenth State, unknown in their confederacy. In order that the public service may not suffer, I shall however answer your letter, which, for the reasons already assigned, I am under the necessity of doing in your private capacity.

That the enemy should fortify at Castleton is to me exceedingly unaccountable. It is certain that a considerable body of their troops with General Burgoyne are at Skeensborough; that from corroborated information a body of them have gone to Ticonderoga, to come by the way of Lake George.

It is doubtless extremely difficult to move the inhabitants that lie nearest the enemy, but I should hope that Colonel Warner, supported by the militia under Colonel Simmonds which I have ordered to join him, and with that of the State of New Hampshire, and such as can be collected from the more Southern parts of what are commonly called Grants, would be able to effect this business in a very great measure.

The enemy, by the last accounts, are not above six thousand; and, if it be true that they are disposed of as I have mentioned, the body at Castleton cannot be considerable. I have ordered such persons as are going to the enemy for protection, to be seized and sent prisoners to me. Three have been delivered to me and I have sent them to goal in Albany. I think it would be right to adopt a similar conduct, especially to those who are not yet so much in their power as to be obliged to accept protection from them.

I have delivered Captain Fitch a Proclamation of which I wish you to make copies and distribute them in the Country nearest the enemy.

P. SCHUYLER.

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*General Schuyler to Colonel Warner.*

July 16, 1777.

*Sir*,—I am this moment informed by Captain Fitch that the New Hampshire Militia are marching to join me. It is [not] my intention, much as I am in want of troops, that they should come hither, as it would expose the country in that quarter to the depredations of the enemy. I therefore inclose you an order for them to join you. If none are arrived, you will send express for them. I hope when they come you will be able, if not to attack the enemy, at least to advance so near as to bring off the well affected and secure the malignants. Let me hear from you soon.

P. SCHUYLER.

*Colonel Warner to the Council of New Hampshire.*

MANCHESTER, July 18th, 1777.

*Gentle*,—You have Inclosed General Schuyler's or-  
 July 18. der For Raising the Militia of your State to Join me in  
 Defence of the Country which I believe if you know the  
 necessity we stand in of help, and that soon, it would be a means  
 to Forward you on. There is an army or Body of the Enemy to  
 the amount of three Thousand at Castleton. Many of the People  
 have Fled and Left all in the Enemy's hands, and continually on  
 the move, and unless we can have help to make a Stand against  
 the Enemy I know not where the end will be. Some have Took  
 Protection From them already, and Should they march Down with  
 any Considerable Body (which according to the best Intelligence  
 we can Get they are now about to do) many more Stand Ready  
 to take it Likewise. I therefore Earnestly Request of your  
 Honors to without Fail speedily to send on the Militia of your  
 State agreeable to Gen<sup>l</sup> Schuyler's orders. The Confusion, Dis-  
 tress, and Trouble of our Country in this District Presses me to  
 urge the matter. We have this minute Received news that the  
 Enemy are about Marching this way Down the Country.

I am Gen<sup>l</sup> your honors' Humble Serv<sup>t</sup>,SETH WARNER, *Col.*

*To the Hon<sup>ble</sup> the Council of the State of New Hampshire and the  
 Field Officers in s<sup>t</sup> State.*

In compliance with the application of the Vermont  
 July 19. authorities, the Assembly of New Hampshire organized  
 a brigade of their militia, and gave the command to Gen-  
 eral JOHN STARK and sent him to the aid of the new State with in-  
 structions as follows :

*The President of New Hampshire to General Stark.*

STATE OF NEW HAMPSHIRE. )

Saturday, July 19<sup>th</sup>, 1777. )

*To Brig<sup>d</sup> Gen<sup>l</sup> J<sup>no</sup> Stark*,—You are hereby required to repair  
 to Charlestown, N<sup>o</sup>. 4, so as to be there by 24<sup>th</sup>—Thursday next,  
 to meet and confer with persons appointed by the Convention of  
 the State of Vermont relative to the route of the Troops under your  
 Command, their being supplied with Provisions, and future opera-

tions—and when the Troops are collected at N<sup>o</sup>. 4, you are to take the Command of them and march into the State of Vermont, and there act in conjunction with the Troops of that State, or any other of the States, or of the United States, or separately, as it shall appear Expedient to you for the protection of the People or the annoyance of the Enemy, and from time to time as occasion shall require, send Intelligence to the Gen<sup>l</sup> Assembly or Committee of Safety, of your operations, and the manœuvres of the Enemy.

M. WEARE.

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*Colonel Warner's Circular to Generals of Militia.*

MANCHESTER, July 20<sup>th</sup> 1777.

*Gentlemen,*—The necessity we are in at present of immediate assistance from some Quarter obliges us in the most urgent manner to call upon and request you to forward us all the assistance in your power with the greatest Dispatch you possibly can. By all we can learn from our Scouts and men coming from the Enemy, as well as by Prisoners taken from them, the numbers who are now at Castleton, and destined to march down through the New Hampshire Grants so called, are about 4000. They are supposed to march this day and with Cannon.

The number of Troops we have at present collected don't exceed 500, and unless we have speedy help (should the Enemy approach) we must be obliged to retreat before them and leave them to Possess a great part of what we have. You may conclude the Frontiers will be where there is a Body of Troops sufficient to stand the Enemy. All are desired to bring Kettles and utensils for Cooking. The Express is to alarm the Inhabitants as he goes through. The General's Orders for the disposition of the Militia are inclosed.

I am, Gentlemen, with due respect

Your Obed<sup>t</sup> Servant,

SETH WARNER, *Col.*

In Council of War.

*To the General Officers commanding the Militia in the Counties of Hampshire and Worcester in Massachusetts State, per Express.*

*Colonel Warner to General Stark.*

MANCHESTER, 24 July, 1777.

*Dear Sir,*—I hear by express from the Council of July 24. Safety and Assembly of your State, dated the 19<sup>th</sup> inst., and directed to the Council of this State, that it is expected that one-fourth part of twelve regiments are to be immediately drafted, formed into three battalions and placed under your command and sent forthwith into this State to oppose the ravages and coming forward of the enemy; and also to desire the Committee of this State to send by some person or persons to wait on you at N<sup>o</sup> 4 this day, to advise with you relative to the route and disposition your troops are to take, as also the present disposition and manœuvres of the enemy.

By Major Tyler and Capt. Titus I send you an extract from a letter from Gen. Schuyler, relative to the situation of the enemy, and from what intelligence I have been able to collect since that date, I judge there is not less in number than 2000 at different places in Castleton and Rutland, and a large number at Skeensboro', part of which are by their motions making preparations for a very speedy movement towards this camp, which is at present so thinly inhabited that *I can by no means be able to make a stand* without assistance. It is therefore of the most pressing importance that your troops be forwarded to this place with as much expedition as possible. Provision will be made *here* for their subsistence on their arrival.

The Council of Safety of this State are *present*, and join me in urging the necessity of your speedy assistance.

I am, Sir, your Most Ob<sup>t</sup>

Humble Servant,

SETH WARNER.

Hon. Brigadier General Stark.

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As the army of Burgoyne advanced into the interior, a number of the inhabitants of the State, who were possessed of considerable property, not only took his written protections, but left their homes and joined his army. The Council of Safety, having no funds in their possession for repelling the invasion, came to the resolution that the property of those who had fled to the enemy should be made to pay the expense of defending the persons and property of those that remained. A regiment of Rangers for state service



was ordered to be immediately raised, of which Col. Samuel Herrick was appointed Colonel, and to meet the charge for this corps and other necessary expenses, commissions of sequestration against the fugitives were issued.<sup>1</sup>

*Copy of a Commission of Sequestration from the Council.*

IN COUNCIL OF SAFETY, STATE OF VERMONT, ( )  
Bennington, 28 July, 1777. ( )

To ———: You are hereby required (agrecable to July 28. a previous resolve of this Council) to seize all lands, tenements, goods and chattels, of any person or persons in this State; whom you know or may hereafter learn, to have repaired to the enemy, and a true inventory thereof to take, and return to this Council, except articles as are wanted for the use of the army; which are wanted at Manchester or elsewhere, where there is a contractor to receive and pay for them. You will appoint three persons noted for good judgment, who are, after being duly sworn, to apprise the same; and all other movable effects you are to sell at public vendue, except such necessaries as humanity requires for the support of such families. And after paying necessary charges you are to remit the remainder of the money to this Council. You will take the natural and artificial marks of every creature you shall receive, or take, and their age, from whom they came, for what sold, and to whom sold. You are to lease out all such lands and tenements at a reasonable price, not exceeding two years, giving the preference to such persons as have been drove from their farms by this war. You are further authorized to arrest any person, or persons, you shall have sufficient grounds to believe are enemies to the liberties of this and the United States of America, and all such persons as you shall arrest you will seize all their movable effects (where there is danger of their being embezzled) and keep in safe custody until after trial. If they are acquitted, to give unto such person or persons such seizour; but if found guilty, to make return to this council. You are to call to your assistance such person or persons as you shall find necessary, keeping regular accounts of all your procedures.

By Order of Council,

IRA ALLEN, *Secy.*

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<sup>1</sup> *Ira Allen's Vt.*, 95-97.

*Col. Wm. Williams of the Vermont Militia to Gen. Stark.*

MANCHESTER, 28th July, 1777.

*Dear General,*—Last Evening Rec<sup>d</sup> your favour of the 25<sup>th</sup> Ins<sup>t</sup>. Am very glad to hear of Relief from you as the Troops now under my Command are constantly Returning home, and without Immediate help from you, shall be left destitute of any. I therefore hope your Honour will push on men with the greatest Expedition by companies, as I think you will not be exposed on your march. We have Intelligence by Scouts and sundry Inhabitants to the Northward, That the Enemy have actually left Castleton, and also have marched from Skeensborough to Fort Ann, last Thursday. Our Troops attacked their Boats in Wood Creek and Killed and wounded three hundred of the Enemy, which Caused them to retreat. I shall make the best provision possible for the Quartering of your Troops. But the loss of all our Kettles at Ticonderoga puts it out of my Power to Provide any, or at least a Sufficient number for your Troops, you will therefore send orders Back to your State to provide you with such necessaries as you shall think proper.

Sir, we shall Provide beds and other necessaries which your Honour may need in camps for your own use. We have a Plenty of Provisions and Ammunition for present use, and more can be had on the shortest notice.

I am, Sir, your most Obed<sup>t</sup> Humble Serv<sup>t</sup>.

*To Gen<sup>l</sup> Stark.*

WILLIAM WILLIAMS.

*Circular of the Council to those who had removed from the State.*

[ From the *Hartford Courant* of Aug. 17, 1777.]

IN COUNCIL OF SAFETY, STATE OF VERMONT, (   
 Bennington, July 28, 1777. )

Whereas the inhabitants of the northwesterly part of this State have been necessitated to remove their families by the encroachments of the enemy, and some are removed to the states of Massachusetts Bay and Connecticut:—

These are therefore to earnestly request such men to return and assist in defending this and the United States of America from the ravages of the enemy, as it will be to their honor, and much to their profit, as we have authentic accounts, this moment arrived, that the enemy have evacuated Castleton for fear of devastation by our troops that were gathering to pay them a visit; for which

reason it is likely that most or all the crops may be saved, if the inhabitants return soon.

By order of the Council,

IRA ALLEN, *Secretary.*

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*General Stark to the New Hampshire Committee of Safety.*

CHARLESTOWN, No. 4, July 30th, 1777.

Sir,—I received yours of the 22<sup>d</sup> instant with the in-  
July 30. closed informing me of the situation of the Enemy, and  
of our own frontiers, but previous to your letter I had  
received an Express from Col<sup>o</sup>. Warner, informing me of their  
Situation, and I forwarded 250 Men to their Relief, on the 28<sup>th</sup>.  
I Sent another detachment of this day, and as fast as they come  
in will Send them. I Expect to March myself to-morrow or next  
day; we are detained a Good deal for want of Bullet Moals as  
there is but one pair in Town, and the few Balls you Sent goes but  
a little way in Supplying the whole. I am afraid that we shall  
meet with difficulty in procuring kettles or utensils to Cook our  
victuals in, as the Troops have not brought any. If such articles  
could be procured, I believe it would be of the utmost impor-  
tance to the Safety and Welfare of the Troops. I am Informed  
this day by a Man from Otter Creek, that the Enemy is left Cas-  
tleton, and is gone to Skeensborough with an intent to march to  
Bennington, but I rather think they do it by way of a feint to call  
the attention of General Schuyler from Fort Edward, or to Fatigue  
our Troops. There is four Pieces of small Cannon at this place  
that Looks good but wants to be Cleaned out and put on Carriages.  
If you should think proper I will order it done, as there is People  
here that Says they can do it. As there is but very little Rum in  
the Store here, if some could be forwarded to us it would oblige us  
very much, as there is none of that article in them parts where we  
are a going. I inclose you A Copy of a Letter I this moment [receiv-  
ed] from Col<sup>o</sup>. Williams, and as you Informed me when I Saw you  
last, That you had not received any account from any Gentleman  
in the army since the desertion of Ticonderoga, I likewise In-  
close you a Copy of a letter I Rec'd from M<sup>r</sup>. Coggan, and by the  
best Information is as near the truth as any you may receive. I  
have showed it to Col<sup>o</sup> Bellows and a number of other officers  
that was present, and they say they could all sign it.

I am, Sirs, your Honors most

Obedient Humble Serv<sup>t</sup>

JOHN STARK.

*To Col<sup>o</sup>. Bartlett, or the Chairman of the Committee of Safety for  
the State of New Hampshire.*

*General Stark to the New Hampshire Committee.*—[*Extract.*]

CHARLESTOWN, Aug. 2, 1777.

*Sir,*—The Brigade is not yet completed \* \* \* As  
 Aug. 2 to the quantity of state stores at Bennington it is quite  
 out of my power to give you an account at present, but  
 refer you to Col. Williams' letter, which I transmitted you by ex-  
 press, and which I hope came safe to hand. I set out for Man-  
 chester to-morrow \* \* \* I would have sent you an account  
 of the strength of the Brigade was it in my power, but cannot  
 because they only arrive in small parties, and as soon as I can  
 complete a division I give them marching orders to set out for  
 Manchester without delay \* \* \* I have ordered one com-  
 pany to tarry here to guard the state stores, and two companies I  
 have stationed on the height of land between this place and Otter  
 Creek for the security of the inhabitants.

JOHN STARK.

*Mesheck Weare, Chairman of New Hampshire Committee, to the  
 New York Committee of Safety.*

STATE OF NEW-HAMPSHIRE, IN COMMITTEE OF SAFETY, {  
 Exeter, Aug. 5th, 1777. }

*Sir,*—I had the honor of receiving yours of the 27  
 Aug. 5. ultimo this day by express, and agree with you, that  
 the loss of Ticonderoga, in the manner it was left, has  
 occasioned the loss of all confidence, among the people in these  
 parts, in the general officers of that department. About ten days  
 past, orders went out for one-quarter part of the Militia of twelve  
 regiments of this State (the whole consisting of 18 regiments  
 only) under the command of Brigadier Gen. Stark, to march into  
 your State and join Colo. Warner in protecting the people there,  
 oppose the progress of the enemy and act as occasion may require.  
 I was informed this day, by a letter from Gen. Stark, that he had  
 sent off from No. 4 700 men to join Colo. Warner at Manchester,  
 and that he should follow them the next day (which was last Sun-  
 day) with 300 more: and had ordered the remainder to follow  
 him as fast as they came in to No. 4. His whole brigade will be  
 together in a few days, and will consist of at least 1500. Half  
 of the remaining six regiments of militia are drafted, equipped  
 and stand ready, at a minute's [notice.] to march to any part of the

sea-coast of N. E. that may be attacked; and shall continue to exert all our strength in the common cause.

I am, sirs, with due respect,

Your very humble servant,

MESHECH WEARE, *Chairman.*

*Hen. Pierre Van Cortlant.*

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*General Stark to Colonel Hunt.*

BROMLEY, [PERU,] Aug<sup>t</sup> 6<sup>th</sup>. 1777.

Aug. 6. *Col<sup>o</sup>. Hunt*,—I would request of you to fix them cannon at No. 4 immediately on proper Carriages, so that they may be ready for your defence in case of danger.

I would also pray you to forward, with all convenient speed, all the rum and sugar that is in Mr. White's Store belonging to the State. Be sure to employ some careful Teamsters to transport them.

I am, Sir, your Hum<sup>l</sup> Ser<sup>t</sup>

JOHN STARK, B'd. G.

N. B.—Get all the Cannon from Walpole brought up to No. 4. and fix them too on carriages.

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Gen. Stark had served with reputation as Colonel at Bunker Hill, in Canada, and under Washington at Trenton and Princeton, but Congress had promoted junior officers over him, and he had retired from service. His instructions from New Hampshire, as has been seen, were of a discretionary character, authorizing him "to march into the State of Vermont, and there act in conjunction with the troops of that State or any other of the United States, or separately, as it should appear expedient to him for the protection of the people or the annoyance of the enemy." When he reached Manchester on the 7th of August, he was met by Gen. Lincoln, who had been sent from Stillwater by General Schuyler to conduct the militia to the west bank of the Hudson. Stark communicated his orders from New Hampshire, stated his views of the dangerous consequences to the people of Vermont of removing his force from their borders, and declined obedience to Gen. Schuyler's command. Gen. Lincoln wrote to Gen. Schuyler the

result of his application, and Gen. Schuyler transmitted the letter to Congress.<sup>1</sup> Upon consideration of Gen. Lincoln's letter, Congress on the 19th of August passed the following resolution :

*Resolved*, That a copy of General Lincoln's letter be forthwith transmitted to the Council of New Hampshire, and that they be informed that the instructions, which General Stark says he has received from them, are destructive of military subordination, and highly prejudicial to the common cause at this crisis ; and therefore that they be desired to instruct General Stark to conform himself to the same rules which other general officers of the militia are subject to, whenever they are called out at the expense of the United States.

But the event proved that the refusal of Stark was fortunate for the country, and Congress, on the 4th of October following, unanimously passed the following resolution :

*Resolved*, That the thanks of Congress be presented to General Stark, of the New Hampshire Militia, and the officers and troops under his command, for their brave and successful attack upon, and signal victory over the enemy in their lines at Bennington : and that Brigadier Stark be appointed a Brigadier General in the army of the United States.

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*Vermont Council of Safety to General Bayley at Newbury.*

IN COUNCIL OF SAFETY, STATE OF VERMONT, }  
Bennington, 11th August, 1777. }

Dear Sir,—As the Council is much crowded with business, as one of our Members is with our Enemies, (viz Aug. 11. Esq. Spencer,) as an attendance of all the Members is required (that are on this side the mountain) to make a quorum, and as some of us want to visit our families, we wish for your speedy attendance on the Council, together with the other Members on the east side of the mountain. We have herewith sent an express to Col. Marsh and Alcott, for one half of their militia. The Enemy have pointed their whole force toward Albany and evacuated this State entirely, they have left Ticonderoga with but about 100 men, as we find by our friends, who they have taken prisoners, and have made their escape.

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<sup>1</sup> *Everett's Life of Stark*, *Am. Biography*, Vol. 1, p. 80, 81 ; *Irring's Washington*, Vol. III, p. 175 ; *Jour. Cong.*, August 18 and 19, 1777.

Our Army lies at Still Water and recruits are daily passing through this town on their way to join them. Their army is in part as low down as Saratoga, the rest at Fort Edward. Their Indians do some mischief by firing on scattering parties, &c. A subaltern Officer of our Rangers returned last evening with a small scouting party of six men only from Saratoga with Two Tory Prisoners, eight head of cattle, a span of horses and a waggon.

Pr Order,

PAUL SPOONER, *D. Secy.*

*Brig. Gen. Bagley.*

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*Vermont Council of Safety to the Colonels of the State Militia.*

STATE OF VERMONT, IN COUNCIL OF SAFETY, }  
Bennington, 13<sup>th</sup> Aug<sup>r</sup> 1777. }

*Dear Col<sup>o</sup>.*—By Express this day received from the  
Aug. 13. Commanding officer of the Northern Department, we

Learn that a Door has now opened for the troops of this State to do Duty on this Side the North River, which will be clear from General Schuyler's Command, and as an Expedition is on foot of the greatest importance, which is to remain a secret till the Troops are Collected, these are therefore the most Positive terms to Require you without a moment's Loss of Time to march one half of the Regiment under your Command to this Place. No small excuse at this Juncture can be received.

Whilst I am writing this we are informed by Express that a Large Body of the Enemy's Troops Were Discovered two hours ago in St. Koik, 12 Miles from this Place, and another Body at Cambridge, About 18 Miles from this, that they marched Boldly in the Road, and there will Doubtless be an attack at or near this Place within 24 howers. We have the assistance of Maj<sup>r</sup> general Stark with his Brigade. You will hurry what Rangers forward are Recruited with all speed. Now is the Time, S<sup>r</sup>.

I am S<sup>r</sup> your Humble Servant.

Sr, I Desire you would By order of Council Send this Express to General Baley, Peter Olcott, Col., Col<sup>o</sup> Marsh.

JONAS FAY, *Vice President.*

*To Maj. Israel Smith of Stafford.*

After Burgoyne reached the Hudson River, he conceived the project of sending a detachment of his forces eastward by way of Arlington and Manchester, and, if circumstances permitted, across the mountain to Rockingham and down the Connecticut River to Brattleboro, from which place they were "to return by the great road to Albany." The detachment was to be under the command of Colonel Baume, a veteran German officer, to whom particular written instructions were given, in which the object of the expedition was stated to be "to try the affections of the country, to disconcert the councils of the enemy, to mount Riedesel's dragoons, to complete Porter's corps, [of Tories,] and to obtain large supplies of cattle, horses and carriages."<sup>1</sup>

The troops for this expedition, numbering about 600, having been selected and posted at Batten Kill, on the 12th of August Gen. Burgoyne by new verbal instructions to Col. Baume changed his route, and ordered him, instead of going to Arlington and Manchester and across the mountain, to proceed directly to Bennington, and capture the magazine of military supplies and store at that place.<sup>2</sup>

Gen. Stark had arrived at Bennington on the 9th of August with most of his brigade—800 to 1000 strong—and a small number of Vermont Militia from the east side of the Green Mountains under Col. William Williams. Col. Warner of the Continental forces was also with Stark at Bennington, but his regiment, about 150 strong, remained at Manchester under Lieut. Col. Samuel Safford.<sup>3</sup>

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*Colonel Baume to General Burgoyne.*

BATTEN KILL, 12th August, 1777.

Sir,—I had the honour of acquainting your Excellency, by a man sent yesterday evening by Colonel Skeene to head-quarters, of the several corps under my

<sup>1</sup> *Burgoyne's State of the Expedition*, Appx., p. 34.

<sup>2</sup> *Burgoyne's State of the Expedition*, p. 38; *Riedesel's Memoirs*, Albany Ed., Vol. I, p. 126, 127, 128.

<sup>3</sup> *Stark to Gates*, Aug. 23, and *Stark's Memoirs*, p. 128.



command being encamped at Saratoga, as well as of my intention to proceed the next morning at five o'clock; the corps moved at that time, and marched a mile, when I received a letter from Brigadier General Fraser, signifying your Excellency's order to post the corps advantageously on Batten Kill, till I should receive fresh instructions from your Excellency; the corps is now encamped at that place, and wait your Excellency's orders. I will not trouble you, Sir, with the various reports which spread, as they seem rather to be founded on the different interests and feelings of the people who occasion them.

I have the honour to be, most respectfully,  
Your Excellency's most obedient and humble servant,

F. BAUME.

The reinforcement of fifty chasseurs, which  
your Excellency was pleased to order,  
joined me last night at eleven o'clock.

*General Burgoyne.*

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*Colonel Baume to General Burgoyne.*

CAMBRIDGE, 13th Aug., 1777.

Sir,—In consequence of your Excellency's orders I  
Aug. 13. moved this morning at four o'clock, with the corps under my command; and after a march of sixteen miles arrived at Cambridge at four in the evening. On the road I received intelligence of forty or fifty of the rebels being left to guard some cattle. I immediately ordered thirty of the provincials and fifty savages to quicken their march, in hopes to surprize them. They took five prisoners in arms, who declared themselves to be in the service of the Congress; yet the enemy received advice of our approach, and abandoned the house they were posted in. The provincials and savages continued their march about a mile, when they fell in with a party of fifteen men, who fired upon our people, and immediately took to the woods with the greatest precipitation. The fire was quick on our side, but I cannot learn if the enemy sustained any loss. A private of Captain Sherwood's company was the only one who was slightly wounded in the thigh. From the many people who came from Bennington they agree that the number of the enemy amounted to 1800. I will be particularly careful, on my approach at that place, to be fully informed of their strength and situation, and take the precautions necessary to fulfil both the orders and instructions of your Excellency.

I cannot ascertain the number of cattle, carts, and waggons taken here, as they have not been as yet collected. A few horses have been also brought in, but am sorry to acquaint your Excellency that the savages either destroy or drive away what is not paid for with ready money. If your Excellency would allow me to purchase the horses from the savages, stipulating the price, I think they might be procured cheap, otherwise they ruin all they meet with, their officers and interpreters not having it in their power to controul them. Your Excellency may depend on hearing how I proceed at Bennington, and of my success there: praying my respectful compliments to General Reidesel.

I am, most respectfully, Sir,

Your most obedient and humble servant,

F. BAUME.

P. S. The names of the men taken in arms are as follows:

George Duncan.	John Bell,
David Slarrow,	Matt. Bell.
Samuel Bell,	

Hugh More, a noted rebel surrendered himself yesterday evening. The expres left Cambridge at 4 o'clock on the morning of the 14th of August.

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*Colonel Baume to General Burgoyne.*

SANCOICK, 14th August, 1777, 9 o'clock.

*Sir*,—I have the honour to inform your excellency, Aug. 14. that I arrived here at eight in the morning, having had intelligence of a party of the enemy being in possession of a mill, which they abandoned at our approach, but in their usual way fired from the bushes, and took their road to Bennington; a savage was slightly wounded; they broke down the bridge, which has retarded our march above an hour, they left in the mill about seventy-eight barrels of very fine flour, 1000 bushels of wheat, 20 barrels of salt, and about 1000l. worth pearl and pot ash. I have ordered thirty provincials and an officer to guard the provision and the pass of the bridge. By five prisoners taken here, they agree that 1500 to 1800 men are in Bennington, but are supposed to leave it on our approach; I will proceed so far to-day as to fall on the enemy to-morrow early, and make such disposition as I think necessary from the intelligence I may receive.

People are flocking in hourly, but want to be armed; the savages cannot be controuled, they ruin and take every thing they please.

I am,  
Your excellency's most obedient,  
humble servant,

F. BAUME.

Beg your excellency to pardon the hurry of this letter, it is wrote on the head of a barrel.

*General Burgoyne.*

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*General Burgoyne to Colonel Baume.*

NEAR SARATOGA, August 14, 1777. Seven at Night.

Aug. 14. *Sir,*—The accounts you have sent me are very satisfactory, and I have no doubt of every part of your proceeding continuing to be the same.

I beg the favour of you to report whether the road you have passed is practicable, and if so, if it is convenient for a considerable corps with cannon.

Should you find the enemy too strongly posted at Bennington, and maintaining such a countenance as may make an attack imprudent, I wish you to take a post where you can maintain yourself till you receive an answer from me, and I will either support you in force, or withdraw you.

You will please send off to my camp, as soon as you can, waggons, and draft cattle, and likewise such other cattle as are not necessary for your subsistence.

Let the waggons and carts bring off all the flour and wheat they can that you do not retain for the same purpose. This transport must be under the charge of a commission officer.

I will write you at full to-morrow in regard to getting horses out of the hands of the savages.

In the meantime any you can collect from them, fit to mount the regiments, at a low price, shall be allowed.

I am with great esteem, Sir,  
Your most obedient humble servant,

J. BURGOYNE.

*Orders of the Council of Safety.*

STATE OF VERMONT, }  
 Bennington, in Council of Safety, August 15, 1777. }

*Sir*,—You are hereby desired to forward to this place,  
 Aug. 15. by express, all the lead you can possibly collect in your  
 vicinity; as it is expected, every minute, an action will  
 commence between our troops and the enemies', within four or  
 five miles of this place, and the lead will be positively wanted.

By order of Council,

PAUL SPOONER, *D. Sec'y.*

The Chairman of the Committee of Safety, Williamstown.

The same request sent to the Chairman of the Committee, Lanes-  
 boro, the same date—sent by Jedediah Reed, Paulett.

*Madam*—Please to send by the bearer, Jedediah Reed, 6 or 7  
 lbs. of lead, by Col. Simonds' order.

By order of Council,

PAUL SPOONER, *D. Sec'y.*

*Mrs. Simonds.*

A warrant was given to Doct. J. Rhuback, to impress a horse  
 to ride to General Stark's head quarters, in this town—drawn in  
 the usual form.

To Lieut. Peter Roberts, one of the Commissioners of Seques-  
 tration,

*SIR*,—You are hereby directed to forward the cattle under your  
 care, being one hundred and eleven head, to New Providence;  
 then and there to advertise said cattle, and expose them to sale at  
 public vendue, and keep fair accounts of said cattle, natural and  
 artificial marks, and age, with their particular prices—and make  
 returns of the money, with all your proceedings, to this Council,  
 as soon as may be.

PAUL SPOONER, *D. Sec'y.*

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*Order of the Council to Colonel John Williams.*

STATE OF VERMONT, }  
 In Council of Safety, Aug. 16, 1777. }

*To Col. John Williams,—Sir,*

Aug. 16. You will proceed with your party toward the lines, and  
 if the enemy should retreat, you will repair to the road  
 leading from St. Cork to Hoosack, and if you make any discovery,

report to this Council;—at the same time, you are to pay proper attention to the road leading from Hoosack to Pownal.

By order of Council,

PAUL SPOONER, *D. Sec'y.*

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*Circular of the Council to Military Officers.*

Read in the New York Council of Safety at Poughkeepsie, August 19th, 1777—forwarded from the Albany Committee.<sup>1</sup>

STATE OF VERMONT, }  
In Council of Safety, Bennington, 16<sup>th</sup> August, 1777, }  
6 o'clock [P. M.] }

*Gentlemen*,—Brig<sup>r</sup> Gen. Stark from the State of New Hampshire with his Brigade, together with the militia and company of Rangers raised by this State, with parts of Col. Symond's regiment of Militia, [from Berkshire County, Mass.,] are now in action with a number of the enemy's Troops assembled near this place, which has been for some time very severe. We have now in possession (taken from them this day) four brass field pieces, ordnance stores, &c., and this minute four or five hundred prisoners have arrived. We have taken the ground, although fortified by entrenchments &c., but after being drove about one mile the enemy, being reenforced, made a second stand, and still continue the action. The loss on each side is doubtless considerable. You are therefore in the most pressing terms requested by Gen. Stark and this Council to forward the whole of the militia under your several commands to this place without one minute's loss of time:—they will proceed on horseback with all the ammunition that can be provided conveniently. On our present exertions depends the fate of thousands.

I am, gentlemen, your Most Obt. Servant,

JONAS FAY, *Vice President.*

*To the Gentlemen officers nearest this place commanding Regiments of Militia in the several United States.*

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<sup>1</sup> *Journal of N. Y. Council*, Vol. 1, p. 1044.

*General Stark to the New Hampshire Council.*

BENNINGTON, August 18, 1777.

*Gentlemen,*—I congratulate you on the late success of  
 August 18. your troops under my command, by express. I propose  
 to give you a brief account of my proceedings since I  
 wrote to you last.

I left Manchester, Vt., on the 8th instant, and arrived here on the 9th. The 13th I was informed that a party of Indians were at Cambridge, which is twelve miles distant from this place, on their march thither. I detached Col. Gregg, with two hundred men under his command, to stop their march.

In the evening I had information, by express, that there was a large body of the enemy on their way, with field pieces, in order to march through the country, commanded by Governor Skene. The 14th I marched with my brigade, and a portion of the State militia, to oppose them, and cover Gregg's retreat, who found himself unable to withstand their superior numbers. About four miles from this town I accordingly met him on his return, and the enemy in close pursuit of him, within a half mile of his rear; but when they discovered me, they presently halted on a very advantageous piece of ground.

I drew up my little army on an eminence in view of their encampment,—but could not bring them to an engagement. I marched back about a mile, and there encamped. I sent a few men to skirmish with them, who killed thirty of them, with two Indian chiefs. The 15th it rained all day; I sent out parties to harrass them.

The 16th I was joined by this State's (Vt.) militia, and those of Berkshire county. I divided my army into three divisions, and sent Lieut. Col. Nichols with two hundred and fifty men on the rear of their left wing, Colonel Herrick on the rear of their right, ordered, when joined, to attack the same. In the meantime I sent three hundred men to oppose the enemy's front, to draw their attention that way. Soon after I detached Colonels Hubbard and Stickney on their right wing, with two hundred men, to attack that part; all which plans had their desired effect. Colonel Nichols sent me word that he stood in need of a reinforcement, which I readily granted, consisting of one hundred men; at which time he commenced the attack, precisely at three o'clock in the afternoon, which was followed by all the rest. I pushed forward the remainder with all speed.

Our people behaved with the greatest spirit and bravery imaginable. Had they been Alexanders, or Charleses of Sweeden, they could not have behaved better.

The action lasted two hours ; at the expiration of which time we forced their breastworks, at the muzzle of their guns ; took two pieces of brass cannon, with a number of prisoners ; but before I could get them into proper form again, I received intelligence that there was a large reinforcement within two miles of us, on their march, which occasioned us to renew our attack ; but, luckily for us, Colonel Warner's regiment came up, which put a stop to their career. We soon rallied, and in a few minutes the action began very warm and desperate, which lasted until night. We used their cannon against them, which proved of great service to us.

At sunset we obliged them to retreat a second time ; we pursued them till dark, when I was obliged to halt for fear of killing our men.

We recovered two pieces more of their cannon, together with all their baggage, a number of horses, carriages, &c.; killed upward of two hundred of the enemy in the field of battle.

The number of wounded is not yet known, as they are scattered about in many places. I have one lieutenant colonel, since dead (Colonel Baum), one major, seven captains, fourteen lieutenants, four ensigns, two cornets, one judge advocate, one baron, two Canadian officers, six sergeants, one aide-de-camp, one Hessian chaplain, three Hessian surgeons, and seven hundred prisoners.

I inclose you a copy of General Burgoyne's instructions to Colonel Baum, who commanded the detachment that engaged us. Our wounded are forty-two—ten privates and four officers, belonging to my brigade ; one dead. The dead and wounded in the other corps I do not know, as they have not brought in their returns yet.

I am, Gentlemen, with the greatest regard, your most obedient and humble servant,

JOHN STARK,  
*Brigadier General Commanding.*

P. S. I think in this action we have returned the enemy a proper compliment for their Hubbardston engagement.<sup>1</sup>

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<sup>1</sup> *Historical Collections and Monthly Literary Journal.*

*General Stark to General Gates.*

BENNINGTON, August 22, 1777.

*Dear General:*—I received yours of the 19th instant, which gave me great pleasure; I beg to be excused for not answering it sooner, I have been so sick ever since that I could not write, neither am I well yet. But General Lincoln has written and I joined with him in opinion on the subject of his letter.

I shall now give your honor a short account of the action on the 16th instant. I was informed there was a party of Indians in Cambridge on their march to this place; I sent [Lt.] Colonel Gregg of my brigade, to stop them, with two hundred men. In the night I was informed, by express, that there was a large body of the enemy on their march in the rear of the Indians. I rallied all my brigade and what militia was at this place, in order to stop their proceedings; I like wise sent to Manchester, to Col. Warner's regiment that was stationed there; also sent express for the militia to come in with all speed to our assistance, which was punctually obeyed; I then marched in company with Colonels Warner, Williams, Herrick and Brush, with all the men that were present. About five miles from this place I met Colonel Gregg on his retreat, and the enemy in close pursuit after him. I drew up my little army in order of battle; but when the enemy hove in sight, they halted on a very advantageous hill or piece of ground. I sent out small parties in their front to skirmish with them, which scheme had a good effect; they killed and wounded thirty of the enemy, without any loss on our side; but the ground that I was on did not suit for a general action. I marched back about one mile and encamped, called a council, and it was agreed that we should send two detachments in their rear, while the others attacked them in front; but the 15th it rained all day, therefore had to lay by—could do nothing but skirmish with them.

On the 16th in the morning was joined by Col. Simmons, with some militia from Berkshire county. I pursued my plan, detached Col. Nichols, with two hundred men, to attack them in the rear; I also sent Colonel Herrick, with three hundred men, in the rear of their right, both to join, and when joined to attack their rear. I also sent Col's. Hubbard and Stickney, with two hundred men, in their right, and sent one hundred men in their front, to draw away their attention that way; and about three o'clock we got all ready for the attack. Col. Nichols began the same, which was followed by all the rest. The remainder of my little army I pushed up in front, and in a few minutes the action begun in general. It lasted two hours, the hottest I ever saw in my life—it represented



one continued clap of thunder; however, the enemy was obliged to give way, and leave their field pieces and all their baggage behind them. They were all environed with two breast works with their artillery, but our martial courage proved too hard for them.

I then gave orders to rally again in order to secure the victory, but in a few minutes was informed that there was a large reenforcement, on their march, within two miles. Luckily for us, that moment Colonel Warner's regiment came up fresh, who marched on and began the attack afresh. I pushed forward as many of the men as I could to their assistance. The battle continued obstinate on both sides till sunset; the enemy was obliged to retreat; we pursued them till dark, but had day light lasted one hour longer, we should have taken the whole body of them.

We recovered [in the two actions] four pieces of brass cannon, seven hundred stand of arms, and brass-barreled drums, several Hessian swords, about seven hundred prisoners, two hundred and seven dead on the spot, the number of wounded is yet unknown. That part of the enemy that made their escape marched all night and we returned to our camp.

Too much honor cannot be given to the brave officers and soldiers for gallant behavior; they fought through the midst of fire and smoke, mounted two breastworks that were well fortified and supported with cannon. I cannot particularize any officer, as they all behaved with the greatest spirit and bravery. Colonel Warner's superior skill in the action was of extraordinary service to me; I would be glad if he and his men could be recommended to Congress. As I promised in my order that the soldiers should have all the plunder taken in the enemy's camp, would be glad if your honor would send me word what the value of the cannon and other artillery stores above described may be. Our loss was inconsiderable; about forty wounded and thirty killed. I lost my horse, bridle and saddle in the action.

I am, Sir, your most devoted and most obedient humble servant,

JOHN STARK.

Maj. Gen. Gates, Albany.

*General Lincoln to the Massachusetts Council.*

[Copy of a handbill issued at Boston, August 22, 1777.]

BOSTON, (12 o'clock) Friday, August 22, 1777.

The following letter from Hon. Maj. Gen. Lincoln to the Honorable Council is just received by express.

BENNINGTON, August 18, 1777.

*Gentlemen*—I most sincerely congratulate you on the late very signal success gained over the enemy, near this place, by a few continental troops, the rangers from the Grants, some of the militia from the State of Massachusetts, and those from New-Hampshire and the Grants, under the command of Brigadier General Stark. Officers and men, stimulated by the most laudable motives, behaved with the greatest spirit and bravery; entered the enemy's several intrenchments with fortitude and alacrity, amid the incessant fire from their field-pieces and musketry. Our loss, killed, is supposed to be between twenty and thirty—wounded in common proportion. The enemy were totally defeated. The number of their slain has not yet been ascertained, as they fought on a retreat, several miles, in a wood; but is supposed to be about 200. A large number of the wounded have fallen into our hands.

We have taken one lieutenant colonel, mortally wounded; one major, five captains, twelve lieutenants, four ensigns, two cornets, one judge advocate, one baron, two Canadian officers, and three surgeons. Besides the above officers and wounded, there are in our hands thirty-seven British soldiers, three hundred and ninety-eight Hessians, thirty-eight Canadians, and one hundred and fifty-five Tories; four brass field-pieces, with a considerable quantity of baggage. The number the enemy had in the field can not be ascertained—perhaps one thousand five hundred.

It is very unhappy for the wounded, and painful to us, that such is our situation that we can not afford them all that speedy relief which their distresses demand of us. We were under a necessity to forward the prisoners to the State of Massachusetts. They are now under the care of General Fellows. He will wait the order of the council with respect to them.

I was ordered by General Schuyler, a few days since, from this place, to join the army at Stillwater, and was on my return when the action happened. This is the best account I can obtain of matters at present. It appears, by one of the enemy's journals,

that the day before the general action they had thirty killed, and two Indian chiefs, and some wounded.

I am, gentlemen,

With sentiments of esteem and regard,

Your very humble servant,

B. LINCOLN.

Published by order of council—

JOHN AVERY, *Dep. Sec.*

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*Colonel Seth Warner.*<sup>1</sup>

The part taken by Col. Seth Warner in the battle of Bennington, though well authenticated by cotemporaneous accounts, has been strangely misunderstood, and consequently misrepresented by several subsequent historians. Ira Allen, in his "History of Vermont," prepared from memory, and published in London in 1798 without access to written materials, gives a general, and in some respects, an erroneous account of the battle, in which he represents Col. Warner *as arriving on the battle-ground with his regiment after the first action was over.* Dr. Williams, in his History, published ten years after, follows Ira Allen in regard to the time when Col. Warner first came into the battle.

Now, no historical fact is more certain than that Warner was with Stark at Bennington for several days previous to, and remained with him until after the battle, *assisting him in planning the first and conducting both actions*; although *his regiment* only reached the ground in time to participate in the second engagement. The mistake has doubtless arisen from assuming, without inquiry, that Warner came in person with his regiment from Manchester, where it had been stationed; whereas, it was marched from that place under the command of Lieut. Col. Samuel Safford, Warner himself having been for some time at Bennington.

That Warner was with Stark at Bennington, prior to the attack upon Baum, and not with his regiment at Manchester, clearly and distinctly appears from Stark's official account of the battle above given. Speaking of events that occurred on the 13th and 14th, he says: "I likewise sent to Manchester, to *Col. Warner's regiment* that was stationed there; also, sent expresses for the militia

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<sup>1</sup> The following, in regard to Col. Warner's share in the battle, written by HILAND HALL, is copied from the *Vermont Quarterly Magazine*, p. 156, 157, published in 1861. See also *N. Y. Historical Magazine* for Sept. 1860, p. 268.

to come in with all speed to our assistance, which was punctually obeyed: *I then marched with Col. Warner, Williams, Herrick and Brush, with all the men that were present.*" Stark then gives an account of his proceedings on the 14th and 15th, and of the engagements on the 16th, representing *Warner's regiment* as coming up *fresh* after the first action, without intimation that Warner came up with it. After his account of all the events of the day, he says: "Col. Warner's superior skill in the action was of extraordinary service to me," as it undoubtedly was.

Gordon, in his "History of the Revolution," (vol. ii., p. 539,) also states that "Stark marched with Warner to meet the enemy on the morning of the 14th of August," and Dr. Thatcher, in his contemporaneous journal, says that "on the 16th, Stark, *assisted by Warner*, matured his plans for the battle," (p. 93.) These statements would seem to make it very certain that Col. Warner participated in both engagements.

It may be further stated in addition, that without knowing what Stark himself had written on the subject, the writer of this sketch had as long ago as 1828 noticed the discrepancy between the accounts of Gordon and Williams, and had set about ascertaining from the mouths of living persons how the fact really was. Again in October 1833, on receiving a letter of inquiry from Edward Everett, who was then preparing a life of Stark for Spark's American Biography, (see vol. i., p. 88) the writer of this again renewed the investigation and now has before him the statement of several intelligent and truthful survivors of the battle, reduced to writing on those occasions, all confirming the fact that Warner was here, at Bennington, with Stark, before and during both engagements.

Among the statements are three which may be mentioned, viz.: *Jacob Safford*, who was a lieutenant in Warner's regiment (see "Journals of Congress," for Nov. 18, 1779,) and marched with the regiment from Manchester, under the command of his brother, Lieut. Col. Samuel Safford, and well remembered that Warner was absent from Manchester, and was at Bennington for some time previous to the battle. He gives a particular account of the march from Manchester, and of the part taken by the regiment in the battle, and states the causes of the delay of its arrival on the battle ground. *Solomon Safford*, another brother of the lieutenant colonel, belonging to one of the Bennington companies of militia, was left in charge of the baggage, at an out post, when the troops marched for the attack in the morning of the 16th, and was passed and spoken to by Stark and Warner, who were riding side by side to the battle-field. *Gov. Isaac Tichenor*, who was an assistant commissary, under the authority of Congress, came to Bennington

in June, 1777, and distinctly remembers that after Stark reached Bennington, he applied to him for a guard for a drove of cattle he had purchased and was taking to Albany, that on Stark's declining to provide it, he applied to Warner, who procured the guard for him from the Vermont Council of Safety, then in permanent session, and that after taking the cattle to Albany he returned to Bennington by way of Williamstown, and reached there at evening on the 16th of August, just after the battle was over. He also, from his intimacy with the officers engaged in the battle, knows that Warner was of great assistance to Stark in planning the attack of Baum, that he went into the first action with Stark and was by his side all day, and that it was contrary to the first impression of Stark, and on the earnest appeal of Warner, that the reinforcement of Breyman was immediately resisted instead of ordering a retreat to form the scattered forces in regular order of battle.

Warner's residence was at Bennington; he was familiarly acquainted with every rod of ground in the neighborhood of the posts which had been occupied by Baum, and their approaches; he was a Colonel in the Continental army, superior in rank to any officer in the vicinity, and he had already acquired a high reputation for bravery and skill—all which naturally made him the chief counselor and assistant of Stark in his deadly struggle with the enemy. Thus much it is deemed proper to say in order to clear up a point in the history of the battle which seems to have been rather extensively misapprehended.

The body of three hundred men under Col. Herrick, mentioned by Stark as having been sent in the rear of Baum's right, was composed of Herrick's Rangers and part of Col. Brush's regiment of Militia, from Bennington and its vicinity.

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*Account of the Battle of Bennington, by Glich, a German Officer who was in the Engagement, under Col. Baum.*

The great object which General Burgoyne sought  
Aug. 16. to obtain, was to force his way down the course of the Hudson, and rallying round him as many loyalists as chose to follow his fortunes, to effect a junction with the army of Gen. Howe, then blockaded in New York. To facilitate this measure by distracting the attention of the enemy, a small expedition, under the orders of Colonel St. Ledger, had been organized, which, moving through the western part of Chester County, threatened Fort Stanwix, a rudely fortified station upon the

Mohawk. Colonel St. Ledger's force was very weak, particularly in troops of the line, of which no more than four hundred, and those composed of detachments from different regiments, served under him; and the whole, including provincials, Canadians, and some hundreds of indians, barely came up to twelve hundred men. He pushed forward, however, with diligence, and on the third of August invested the Fortress, sending intelligence at the same time to the General in chief of his situation; and in two days afterwards he had the good fortune to surprise and cut to pieces a body of eight hundred Americans, when on their march to relieve the garrison. So far all things had succeeded according to our wish; but Col. St. Ledger gradually found that in the expectations which he had been led to form respecting the loyalty of the inhabitants of the invaded district, the grossest impositions had been practised on him. Instead of crowds of volunteers, scarcely an individual came to his camp; and of the few who did come, it was more than suspected that by far the greater portion came with a treacherous intention.

That these advantages, trifling as they were, might not be wholly wasted, it became incumbent on Gen. Burgoyne to advance without delay; whilst the deplorable deficiency in the means of transport, under which he labored, seemed to render all attempts at moving the army fruitless. Though our troops had toiled without intermission during three whole weeks, there was in camp no greater stock of provisions than sufficed for four days consumption; and to move forward with a supply so slender, into a desert country, appeared to a leader of the old school little better than insanity. I have called it a desert country, not only with reference to its natural sterility, and heaven knows it was sterile enough, but because of the pains which were taken, and unfortunately with too great success, to sweep its few cultivated spots of all articles likely to benefit the invaders. In doing this the enemy showed no decency either to friend or foe. All the fields of standing corn were laid waste, the cattle were driven away, and every particle of grain, as well as morsel of grass, carefully removed; so that we could depend for subsistence, both for men and horses, only upon the magazines which we might ourselves establish. But our draft animals were so inadequate to the conveyance of stores, that no magazine had as yet been formed farther in advance than Fort George; and Fort George was too much in the rear to be of service as a base of operations, after we should have quitted the position which we now occupied.

I have said that the American army retreated as we advanced, cutting up the roads, and devastating the face of the country over which they passed. They were now, according to the best ac-

counts which we could receive, at Saratoga, a hamlet, or rather farm, on the left bank of the Hudson, and about half way between Fort Edward and the Mohawk. It seemed advisable to General Burgoyne to threaten them there; for if they wished an action, he had no apprehension as to the result; if they retired, Col. St. Ledger would be in their rear; and should they succeed in escaping both divisions, then was the road to Albany thrown open, and the principal design of the inroad attained. Increased exertions were accordingly used to bring a flotilla from the lakes to the nearest navigable point in the river; and so unremitting were they, that before the close of the first week in August, a considerable number of boats and barges, laden with such stores as could be forwarded, were launched upon the stream, and ready to accompany the army.

Whilst these projects were in contemplation, and the above means adopted for bringing them to an issue, a piece of information was obtained at headquarters which promised to bring about the happiest results, by relieving us at once from all the embarrassments attendant upon meagre supplies and inadequate means of transport. About twenty miles to the eastward of the Hudson lies the obscure village of Bennington, a cluster of poor cottages situated in a wild country between the forks of the Hosac. Here the enemy had gathered together a considerable depot of cattle, cows, horses, and wheel carriages, most of which were drawn across the Connecticut river from the provinces of New England; and as it was understood to be guarded by a party of militia only, an attempt to surprise it seemed by no means unjustifiable. It is true that between Fort Edward and Bennington the means of communication were exceedingly defective. One prodigious forest, bottomed in swamps and morasses, covered the whole face of the country, through which no body of men, unless accustomed to such expeditions, could hope to make their way, at all events with celerity. But the necessities of the army were pressing; the state of the campaign was a critical one; and the risk, though doubtless great, was considered by no means to outweigh the advantages to be derived from success. General Burgoyne determined to incur it; and a few hours sufficed for the final arrangement of his plan and drawing up of his instructions.

There were attached to our little army two hundred German dragoons; men of tried valor and enterprise, but destitute of horses. These the General selected as part of the force to be employed in the surprise of Bennington; not only because he entertained the most perfect confidence in their steadiness, but because he conceived that, in the country which they were about to penetrate, they might be able to pick up a sufficient number of

horses for their own use. In addition to these, the Canadian rangers, a detachment of provincials, about one hundred Indians, and Capt. Fraser's marksmen, with two pieces of small cannon, were allotted to their service; and the whole, amounting to five hundred men, were placed under the orders of Lieut. Col. Baume. The latter officer received special instructions to proceed with extreme caution. He was particularly enjoined to keep his dragoons together, and feel his way, foot by foot, with his light troops alone; and whilst it was broadly hinted that he might look for recruits among the well disposed inhabitants, the greatest care was taken to impress him with the conviction that they were not to be implicitly trusted. It would have been well, both for himself and his followers, had these advices been somewhat more carefully remembered. But there was a fatality attending all our measures, which soon began to develop itself; and perhaps the fate of the present expedition ought to have been taken as a fair warning of the destiny which awaited the army at large.

Though all these arrangements were completed, and the troops destined to fulfil them told off so early as the first of August, the middle of the month was approaching ere this attempt, on the success of which so much was supposed to depend, was made. Perhaps there was no great error here, more especially as the column broke up from its bivouac, and advanced to the point where the Hudson was to be crossed. It was a toilsome and tedious march—a little, and but a little, enlivened by a harmless skirmish which some straggling Americans chose to maintain with our detached Indians. After enduring great privations, with a spirit which failed not to the last, our army at length reached its desired resting place, and took up a position on the eastern bank of the Hudson, immediately opposite the heights of Saratoga.

This done, and the enemy having withdrawn as far as Stillwater, the general proceeded to carry into execution his projected design against Bennington. At an early hour in the morning of the 12th, our little band, unincumbered with any quantity of baggage besides that which each man could conveniently carry upon his back, set off in the direction of Battenkill, where it arrived without meeting with any adventure, by four o'clock in the afternoon. Here we halted for the night, by which means a company of fifty chasseurs overtook us, whom Gen. Burgoyne, distrustful of our strength, sent to reinforce us; but at five next morning we were again in motion, and pushed cautiously, though with a quick pace, in the direction of Cambridge. Our journey this day proved, in many respects, more interesting than any which we had performed since the pursuit from Ticonderoga. The country, as we advanced, exhibited great signs of cultivation, a field or two inter-



posing here and there amidst the plains, and a few detached cottages lying by the way side, while several of the country people voluntarily joined us, and took the oath of allegiance to the king. From them we learned that a company of Americans had been left at Cambridge as a guard over some cattle which were on their way to Bennington; and as it was deemed of importance to seize such, wherever they could be found, our scouts were commanded to quicken their pace and surprise them.

I was not one of the party thus sent forward, that duty having been entrusted to thirty provincials and fifty Indians; but the latter attained their object after a trifling skirmish, in which one man only was wounded. Nothing could be finer than the effect produced by the desultory firing, which was kept up on both occasions by the retreating enemy and our pursuers. It so happened that the point where they first met, though covered with a deep and extensive forest, was not incumbered by brush wood or other deafening substances; and hence each report, as it rolled from tree to tree and glade to glade, sounded as if not one, but fifty muskets had been fired.

You will easily believe that the first discharge caused us to quicken our pace, and to recover our ranks, which had began to straggle; but no opportunity was afforded us of joining. The enemy fought only to escape; and hence, when we reached Cambridge, we found it in full occupation of our advance, which had made prizes of no inconsiderable quantity of carts and waggons, as well as of cattle and horses.

The satisfaction arising from this first success was not, however, so great as to render us indifferent to the nature of the intelligence which met us there. Instead of four or five hundred men, it was accurately ascertained that not fewer than eighteen hundred were in Bennington; and though some appeared to be of opinion that they would not wait to receive us, there were others who scrupled not to foretell a widely different result. Now, in spite of our late reinforcement, our strength fell considerably short of six hundred men; and of these, a full hundred were Indians, on whom no great reliance could be placed. Still Col. Baume appeared to consider his situation secure. He spoke, as far as we could understand him, in very contemptuous tones of the Americans, and busily employed himself in receiving the submission of the inhabitants, who in great numbers flocked to his standard. Unfortunately, Col. Baume forgot the cautions which had been so strongly impressed upon him. He considered all persons sincere who professed attachment to the royal cause; aluding in their presence, and without reserve, both to his own numbers and designs; and as by far the greater portion were in

reality traitors to us, every circumstance connected with our dispositions and plans became as well known to the enemy as to ourselves.

It was the leader's intention to march at once upon Bennington ; for which purpose his little corps was under arms and in column long before sunrise on the 14th. For some time our progress was, as it had hitherto been, unimpeded ; but as we approached the northern branch of the Hosac, by the farm and bridge of Sankoik, the arrangements of the enemy began gradually to develop themselves.

A flying party of Americans were discovered in front of the farm, which, on the approach of our people, spread themselves along the underwood ; and they were not dislodged till after a good deal of firing, which caused us some loss in several of the most forward among the savages. At last, however, they retreated, abandoning a mill which they had previously fortified, and breaking down the bridge ; and long before the latter could be repaired they were safe from further molestation. There was a good deal to excite apprehension, even in this unimportant rencontre. The Americans, though they gave way at last, fought like men conscious of their own prowess, and confident in the strength of the support which was behind them ; and this, coupled with the rumors which had reached us relative to the amount of the garrison of Bennington, failed not to startle both Col. Baume and the boldest of his troops. Besides, much time was lost by the destruction of the bridge. It required a full hour so far to repair it as to enable the guns and horses to pass ; and when this was done, the day had declined so far as to render any attempt to reach the point of our destination before sunset fruitless. We bivouacked at the farm of Walmscott, about four miles from Sankoick, and three from Bennington ; where the night was spent, if not in a sense of absolute security, at all events without the occurrence of any accident capable of exciting alarm.

The morning of the 15th came in with heavy rains, and a perfect hurricane of wind : consequently the little column, instead of pressing forward, was fain to keep under shelter of the farm buildings. But it was not permitted to remain long in a situation so comfortable. Our early parade had just been dismissed, when a few shots in the direction of the advanced sentries gave notice that the Americans, instead of waiting to be attacked, were on the move ; and in a few minutes afterwards, a general commotion at the outposts, indicated more by the shouts of the Indians than the reports of their arms, warned us to make ready for an immediate attack.

Colonel Baume lost no time in preparing to meet it. Forming

his dismounted dragoons in close column among the homestead, he directed the provincials, supported by Fraser's marksmen, to advance to the assistance of the pickets, with orders to dispute every inch of ground to the utmost, and finally to retire upon the reserve, should all their efforts to maintain themselves prove ineffectual.

In an instant we were in motion, and a few minutes sufficed to bring us to the scene of action. We found our Indians threatened, rather than seriously assailed, by a considerable body of militia men, before whom they were falling back, leisurely and in order; but such was the violence of the storm, that not one in a dozen muskets would explode, and hence the skirmish was neither very animated nor very bloody. On seeing us, our savage allies uttered a yell, which seemed to strike a panic into the bosoms of their assailants; for the latter instantly paused, hung back as it were irresolute, and finally retired. We followed for a time, briskly and impetuously; but we likewise felt the bad effects of the weather too much to seek a general engagement; and as the movements of the enemy seemed to indicate a wish on their part to draw us on, we were of course extremely shy in trusting ourselves beyond our own limits. We accordingly halted as soon as we had recovered the ground which the savages had lost, and, lying down behind the trees, contented ourselves with watching the result during many hours, and striving, as well as we could, to keep the priming of our rifles from the rain.

Whether the Americans ever entertained any serious intention of attacking this day, I cannot pretend to determine; but if they did, the state of the weather compelled them to relinquish it. Yet they ventured to advance, from time to time, in considerable numbers, as if resolved to try how far our position was tenable; and on each occasion a little firing took place; but no impression was made upon us, and the rain continuing to fall without intermission, they at last desisted from their efforts and withdrew. Their proceedings were not of a nature however to be disregarded, or held in contempt, by a force so insignificant as ours. Colonel Baume immediately dispatched a messenger to the rear, for the purpose of bringing up an additional corps which General Burgoyne had stationed at Batten Kill to support us; whilst he set sedulously to the task of fortifying a position in which he might await the coming up of supplies, of which he began now to be conscious that he stood in need.

The farm of Walmscott lies upon both sides of the Hosac, and consisted at this time of some six or eight log built huts, scattered here and there over the narrow expanse of cultivated ground. To the left was a height, which Col. Baum hastened to occupy; he

posted here the dragoons, with a portion of the workmen on their right, in rear of a little zizzag breastwork, composed of logs and loose earth. Such of the detached houses as come within the compass of his position he filled with Canadians, supporting them detachments of chasseurs and grenadiers, likewise intrenched behind breastworks; and he kept the whole, with the exception of about a hundred men, on the north side of the stream, having the road upon his flanks, and in front and rear by the Indians.

To complete these arrangements, and throw up the few works that were to render them efficient, occupied the entire day, and some portions of the night of the 15th; and seldom have men undergone hardships more severe than our people endured whilst thus employed. Let it be borne in mind, that the 15th was a day of continued rain; not such rain as we are accustomed to witness in this country, but an absolute torrent, to afford shelter against which human ingenuity has as yet devised no covering.

Under this, the men toiled on, the earth which they threw up being repeatedly washed down again, and the holes and ditches which they dug out filled in a moment, and so rendered worse than useless. But their patience equalled the difficulties which it was called upon to surmount. Each man felt, too, that he was laboring for his own personal safety, not less than for the benefit of the whole; and all were, in consequence, inspired with a principle of perfect heroism and self-devotion. Poor fellows! their spirit and perseverance were, on the present occasion, of little avail. They sufficed, indeed, to save their possessors from dishonor, and enabled them to sell their lives dearly; but they were quite inadequate to secure victory, or even to ward off defeat.

As soon as darkness fairly set in, our corps, which had kept its station on the opposite side of the stream, was silently withdrawn, and took ground beside Reidesel's dragoons, on the little hill above alluded to. There we passed the night, not very comfortably as may well be supposed, seeing that no fires were lighted, and that we were all impressed with a powerful sense of impending danger. But if there was an absence of mirth from amongst us, there was no approximation to terror; for we held our own valor at the highest, and rated that of our opponents somewhat too cheaply. Yet there were few amongst us that slept very soundly. We could not but remember, that we were cut off, by a wide tract of desolate country, from all communications with our friends, and exposed to attacks on every side from a numerous enemy; and the whoop which the savages raised from time to time, as well as an occasional musket shot, gave notice, that even now that enemy was not inactive. Our anxiety for the return of day was greater by far than perhaps any of us would have been willing to

acknowledge, even to his dearest friend ; and the feeling of satisfaction was general, when the reddening of the eastern sky denoted that it was fast approaching.

The morning of the sixteenth rose beautifully serene. The storm of the preceding day having expended itself, not a cloud was left to darken the face of the heavens ;—whilst the very leaves hung motionless, and the long grass waved not, under the influence of a perfect calm. Every object around, too, appeared to peculiar advantage ; for the fields looked green and refreshed, the river was swollen and tumultuous, and the branches were all loaded with dew drops, which glittered in the sun's early rays like so many diamonds. Nor would it be easy to imagine any scene more rife with peaceful and even pastoral beauty. Looking down from this summit of the rising ground, I beheld immediately beneath me a wide sweep of stately forest, interrupted at remote intervals by green meadows or yellow cornfields, whilst here and there a cottage, a shed, or some other primitive edifice, reared its modest head as if for the purpose of reminding the spectator that man had begun his inroads upon nature, without as yet taking away from her simplicity and grandeur. I hardly recollect a scene which struck me at the moment more forcibly, or which has left a deeper or a more lasting impression on my memory.

I have said that the morning of the sixteenth rose beautifully serene ; and it is not to the operation of the elements alone that my expression applies. All was perfectly quiet at the out posts, not an enemy having been seen, nor an alarming sound heard, for several hours previous to sunrise. So peaceable, indeed, was the aspect which matters bore, that our leaders felt warmly disposed to resume the offensive, without waiting the arrival of the additional corps for which they had applied ; and orders were already issued for the men to eat their breakfasts, preparatory to more active operations. But the arms were scarcely piled, and the haversacks unslung, when symptoms of a state of affairs different from that which had been anticipated, began to show themselves, and our people were recalled to their ranks in all haste, almost as soon as they had quitted them. From more than one quarter scouts came in to report, that columns of armed men were approaching ; though whether with friendly or hostile intention, neither their appearance nor actions enabled our informants to ascertain.

It has been stated, that during the last day's march our little corps was joined by many of the country people ; most of whom demanded and obtained arms, as persons friendly to the royal cause. How Colonel Baume became so completely duped as to place reliance on these men, I know not ; but having listened with complacency to their previous assurances, that in Benning-

ton a large majority of the populace were our friends, he was some how or other persuaded to believe, that the armed bands, of whose approach he was warned, were loyalists on their way to make tender of their services to the leader of the king's troops. Filled with this idea, he dispatched positive orders to the outposts, that no molestations should be offered to the advancing columns; but that the pickets retiring before them should join the main body, where every disposition was made to receive either friend or foe. Unfortunately for us, these orders were but too faithfully obeyed. About half past nine o'clock, I, who was not in the secret, beheld, to my utter amazement, our advanced parties withdraw without firing a shot, from thickets which might have been maintained for hours against any superiority of numbers; and the same thickets occupied by men whose whole demeanor, as well as their dress and style of equipment, plainly and incontestably pointed them out as Americans.

I cannot pretend to describe the state of excitation and alarm into which our little band was now thrown. With the solitary exception of our leader, there was not a man among us who appeared otherwise than satisfied that those to whom he had listened were traitors; and that unless some prompt and vigorous measures were adopted, their treachery would be crowned with its full reward. Capt. Fraser, in particular, seemed strongly imbued with the conviction, that we were wilfully deceived. He pointed out, in plain language, the extreme improbability of the story which these deserters had told, and warmly urged our chief to withdraw his confidence from them; but all his arguments proved fruitless. Colonel Baume remained convinced of their fidelity. He saw no reason to doubt that the people, whose approach excited so much apprehension, were the same of whose arrival he had been forewarned; and he was prevented from placing himself entirely in their power, only by the positive refusal of his followers to obey orders given to that effect, and the rash impetuosity of the enemy. We might have stood about half an hour under arms, watching the proceedings of a column of four or five hundred men, who, after dislodging the pickets, had halted just at the edge of the open country, when a sudden trampling of feet in the forest on our right, followed by the report of several muskets, attracted our attention. A patrol was instantly sent in the direction of the sound, but before the party composing it had proceeded many yards from the lines, a loud shout, followed by a rapid though straggling fire of musketry, warned us to prepare for a meeting the reverse of friendly. Instantly the Indians came pouring in, carrying dismay and confusion in their countenances and gestures. We were surrounded on all sides; columns were

advancing every where against us, and those whom we had hitherto trusted as friends, had only waited till the arrival of their support might justify them in advancing. There was no falsehood in these reports, though made by men who spoke rather from their fears than their knowledge. The column in our front no sooner heard the shout, than they replied cordially and loudly to it; then, firing a volley with deliberate and murderous aim, rushed furiously towards us. Now then, at length, our leader's dreams of security were dispelled. He found himself attacked in front and flanked by thrice his number, who pressed forward with the confidence which our late proceedings were calculated to produce; whilst the very persons in whom he had trusted, and to whom he had given arms, lost no time in turning them against him. These followers no sooner heard their comrades' cry, than they deliberately discharged their muskets among Reidesel's dragoons; and dispersing before any steps could be taken to seize them, escaped, excepting one or two, to their friends.

If Col. Baume had permitted himself to be duped into a great error, it is no more than justice to confess, that he exerted himself manfully to remedy the evil, and avert its consequences. Our little band, which had hitherto remained in column, was instantly ordered to extend, and the troops lining the breastworks replied to the fire of the Americans with extreme celerity and considerable effect. So close and destructive, indeed, was our first volley, that the assailants recoiled before it, and would have retreated, in all probability, within the woods; but ere we could take advantage of the confusion produced, fresh attacks developed themselves, and we were warmly engaged on every side, and from all quarters. It became evident that each of our detached posts were about to be assailed at the same instant. No one of our dispositions had been concealed from the enemy, who, on the contrary, seemed to be aware of the exact number of men stationed at each point, and they were one and all threatened with a force perfectly adequate to bear down opposition, and yet by no means disproportionately large, or such as to render the main body inefficient. All, moreover, was done with the sagacity and coolness of veterans, who perfectly understood the nature of the resistance to be expected, and the difficulties to be overcome, and who, having well considered and matured their plans, were resolved to carry them into execution at all hazards, and at every expense of life.

It was at this moment, when the heads of columns began to show themselves in rear of our right and left, that the Indians, who had hitherto acted with spirit and something like order, lost all confidence, and fled. Alarmed at the prospect of having their

retreat cut off, they stole away, after their own fashion, in single files, in spite of the strenuous remonstrances of Baume, and of their own officers, leaving us more than ever exposed, by the abandonment of that angle of the intrenchments which they had been appointed to maintain. But even this spectacle, distressing as it doubtless was, failed in affecting our people with a feeling at all akin to despair.

The vacancy, which the retreat of the savages occasioned, was promptly filled up by one of our two field pieces, whilst the other poured destruction among the enemy in front, as often as they showed themselves in the open country, or threatened to advance. In this state of things we continued upwards of three quarters of an hour. Tho' repeatedly assailed in front, flank, and rear, we maintained ourselves with so much obstinacy, as to inspire a hope that the enemy might even yet be kept at bay till the arrival of Breyman's corps, now momentarily expected; when an accident occurred, which at once put an end to this expectation, and exposed us, almost defenceless, to our fate. The solitary tumbril, which contained the whole of our spare ammunition, became ignited, and blew up with a violence which shook the very ground under our feet, and caused a momentary cessation in firing, both on our side and that of the enemy. But the cessation was only for a moment. The American officers, guessing the extent of our calamity, cheered their men to fresh exertions. They rushed up the ascent with redoubled ardor, in spite of the heavy volley which we poured in to check them; and finding our guns silent, they sprang over the parapet, and dashed within our works. For a few seconds the scene which ensued defies all power of language to describe. The bayonet, the butt of the rifle, the sabre, the pike, were in full play; and men fell, as they rarely fall in modern war, under the direct blows of their enemies. But such a struggle could not, in the nature of things, be of long continuance. Outnumbered, broken, and somewhat disheartened by late events, our people wavered, and fell back, or fought singly and unconnectedly, till they were either cut down at their posts, obstinately defending themselves, or compelled to surrender. Of Reidesel's dismounted dragoons, few survived to tell how nobly they had behaved; Col. Baume, shot through the body by a rifle ball, fell mortally wounded; and all order and discipline being lost, flight or submission was alone thought of. For my own part, whether the feeling arose from desperation or accident I cannot tell, but I resolved not to be taken. As yet I had escaped almost unhurt, a slight flesh wound in the left arm having alone fallen to my share; and gathering around me about thirty of my comrades, we made a rush where the enemy's ranks appeared weakest, and burst



through. This done, each man made haste to shift for himself, without pausing to consider the fate of his neighbor; and losing one third of our number from the enemy's fire, the remainder took refuge, in groups of two or three, within the forest.

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*Colonel Breymann's Account of his Part in the Affair near Wallorms-Kork, August 16, 1777.*

At eight o'clock on the morning of the 15th of August, Aug. 20. I received orders from his excellency, General Burgoyne, by his adjutant, Captain Clark, to start at once with the corps, consisting of the company of yagers, a battalion of chasseurs and grenadiers and two cannon, and reenforce the corps of Lieut. Col. Baum. I started, therefore, at 9 o'clock; and there not being any teams, I had two ammunition boxes placed upon the artillery wagons. Each soldier carried with him forty cartridges. The crossing of the Battenkill consumed considerable time, for the men had all to wade through the water. The great number of hills, the bottomless roads, and a severe and continuous rain, made the march so tedious that I could scarcely make one-half of an English mile an hour. The cannons and the ammunition wagons had to be drawn up hill one after the other. All this, of course, impeded our march very much; and I was unable to hasten it notwithstanding all of my endeavors. The carts loaded with ammunition upset, and it caused considerable trouble to right them.

To this, also, was added another difficulty. The guide, whom we had, lost the way and could not find it again. At last, Major Barner found a man who put us back on the right path.

All these unexpected mishaps prevented me from marching on the enemy on the 15th, as far as Cambridge, and, I, therefore, found myself obliged to encamp seven miles this side of that place.

Before reaching that place, however, I wrote to Lieutenant Colonel Baum notifying him of my arrival, and sent Lieutenant Hageman with the dispatch. Lieutenant Colonel Baum received this note at eleven o'clock at night; and I received his answer on the following morning.

Early on the morning of the 16th, I set out, but the artillery horses being very weak, in consequence of their not having been fed, the march progressed very slowly.

Major Barner was obliged to go ahead with the advance guard in order to procure horses and carts. These reached us before noon, and we at once made use of them. The march was then

continued with as much haste as possible beyond Cambridge, where I was forced to halt half an hour to collect the columns.

Toward two in the afternoon, Colonel Skeene sent two men to me with the request that I would detach one officer and twenty men to occupy the mill at St. Coyk, as the rebels showed signs of advancing on it. Instead of sending these men as he desired, I dispatched Captain Gleisenberg ahead with the advance guard, consisting of sixty grenadiers and chasseurs and twenty yagers. I followed as quickly as possible with the rest. Some of the ammunition carts again broke down on the road.

I reached the mill at St. Coyk at half-past four o'clock in the afternoon, and found the advance guard, which had been sent on ahead, in that place undisturbed. I candidly confess, that I did not hear a cannon or a musket shot either while on the march or in the mill.

Colonel Skeene was also at the mill. He informed me that the corps of Colonel Baum was only two miles distant. I supposed, therefore, that I could not do better than to hasten to meet it. Colonel Skeene was of the same opinion, and we both marched over the bridge in order to reach the camp of Baum, being as yet unaware that his fate was already sealed. If Colonel Skeene was acquainted with that fact at this time, then I cannot imagine what could have induced him to keep it from me; for, in such a case, I certainly would not have risked an engagement.

I was scarcely 600 paces from the bridge when I noticed through the woods a considerable number of armed men (some of whom wore blouses and some jackets), hastening toward an eminence on my left flank. I called Colonel Skeene's attention to it, and received from him the reply, that these men were loyalists. But upon his riding up toward them and calling to them, the matter was soon explained, for instead of returning an answer, they fired upon us. I thereupon ordered the battalion Barner to move toward the height, while the yagers and grenadiers advanced on the right. The engagement now commenced, and lasted until nearly eight o'clock.

The cannon were posted on a road where there was a log house. This we fired upon, as it was occupied by the rebels. This drove them out, and we then repulsed them on all sides, and this too, notwithstanding they received reinforcements.

The troops did their duty, and I know of no one who doubts this fact. After our ammunition was all expended, and the artillery in consequence ceased firing, nothing was more natural than to suppose that the enemy would be encouraged to renew his attack. Under this supposition I hastened, with a number of men, to the cannon in order to take them away. By this movement

most of my men were severely wounded. The horses either were dead or in a condition which prevented them moving from the spot. In order, therefore, not to risk anything (as I was unable to return the enemy's fire, my ammunition being exhausted), I retreated on the approach of darkness, destroyed the bridge, had as many of the wounded as possible brought thither that they might not be captured, and, after a lapse of half an hour, in company with Colonel Skeene, pursued my march and reached Cambridge toward twelve o'clock at night. Here, after taking precautionary measures, I remained during that night, and marched thence at daybreak of the 17th of August to the camp.

This is all that I am able to report concerning the affair of the 16th of August. The loss of the two cannon pains me most. I did my best to save them, but the above named circumstances and the want of ammunition rendered it impossible to retake them from under fire of the enemy's muskets, although I would willingly have done it even at the loss of my life.

Your most obedient,

BREYMANN.

In camp at Saratoga, August 20, 1777.

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*General Burgoyne to Lord George Germaine.*—[*Extract.*]

CAMP NEAR SARATOGA, August 20, 1777.

*My Lord*:—It was well known that the enemy's supplies in live cattle, from a large tract of country, passed by the route of Manchester, Arlington, and other parts of the Hampshire Grants, to Bennington, in order to be occasionally conveyed from thence to the main army. A large deposit of corn and of wheel carriages was also formed at the same place, and the usual guard was militia, though it varied in numbers from day to day. A scheme was formed to surprise Bennington. The possession of the cattle and carriages would certainly have enabled the army to leave their distant magazines, and to have acted with energy and dispatch: success would also have answered many secondary purposes.

Lieut. Col. Baume, an officer well qualified for the undertaking, was fixed upon to command. He had under him 200 dismounted dragoons of the regiment of Riedesel, Captain Fraser's marksmen, which were the only British, all the Canadian volunteers, a party of the Provincials who perfectly knew the country, 100 Indians, and two light pieces of cannon; the whole detachment amounted to about 500 men. The instructions were positive to keep the

regular corps posted while the light troops felt their way, and not to incur the danger of being surrounded, or having a retreat cut off.

In order to facilitate this operation, and to be ready to take advantage of its success, the army moved up the east shore of Hudson's River. On the 14th, a bridge was formed of rafts, over which the advanced corps passed and encamped at Saratoga. Lieutenant Colonel Breyman's corps were posted near Batten Kill, and upon intelligence from Colonel Baume, that the enemy were stronger at Bennington than expected, and were aware of his attack, that corps, consisting of the Brunswick grenadiers, light infantry and chasseurs, were sent forward to sustain him.

It since appears that Lieutenant Colonel Baume, not having been able to complete his march undiscovered, was joined at a place called Sancoix Mills, about four miles short of Bennington, by many people professing themselves to be Loyalists. A provincial gentleman of confidence who had been sent with the detachment, as knowing the country and the character of the inhabitants, was so incautious as to leave at liberty such as took the oath of allegiance.

His credulity and their profligacy caused the first misfortune. Colonel Baume was induced to proceed without sufficient knowledge of the ground. His design was betrayed; the men who had taken the oaths were the first to fire upon him; he was attacked on all sides. He shewed great personal courage, but was overpowered by numbers.

During this time Lieutenant Colonel Breyman was upon the march through a heavy rain; and such were the other impediments stated in that officer's report, of bad roads, tired horses, difficulties in passing artillery, carriages, &c., that he was from eight in the morning of the 15th to four in the afternoon of the following day making about twenty-four miles.

He engaged, fought gallantly, and drove the enemy from three several heights; but was too late to succor Colonel Baume, who was made prisoner, and a considerable part of his dragoons were killed or taken. The failure of ammunition, from the accidental breaking to pieces of a tumbrel, unfortunately obliged Lieutenant Colonel Breyman to retire conquering troops, and to leave behind two pieces of cannon, besides two which had been lost by Lieutenant Colonel Baume. The Indians made good their retreat from the first affair, as did Captain Fraser, with part of his company, and many of the Provincials and Canadians.

The loss, as at present appears, amounts to about 400 men, killed and taken in both actions, and twenty-six officers, mostly prisoners; but men who were dispersed in the woods drop in daily. A correct return shall be transmitted to your Lordship the first opportunity.

This, my Lord, is a true state of the event. I have not dwelt upon errors, because in many instances they were counterbalanced by spirit. The enemy will of course find matter of parade in the acquisition of four pieces of cannon: but that apart, they have small cause of exultation; their loss in killed and wounded being more than double to ours, by the confession of their prisoners and deserters, and of many inhabitants who were witnesses to the burial of their dead.

The chief subject of regret on our side, after that which any loss of gallant men naturally occasions, is the disappointment of not obtaining live cattle, and the loss of time in bringing forward the magazines.

I have the honor to be, with great respect,  
Your Lordship's  
most obedient and most humble servant,  
(Signed) J. BURGOYNE.

*Extracts from Burgoyne's private letter to Lord George Germain.*

CAMP NEAR SARATOGA, August 20, 1777.

*My Lord*,—In regard to the affair at Sancoick [Ben-  
Aug. 20. nington] I have only to add to the public account, that  
if ever there was a situation to justify enterprise and  
exertion, out of the beaten track of military service, it was that in  
which I found myself. Had I succeeded I should have effected a  
junction with St. Leger, and been at Albany. \* \* \* The  
great bulk of the country is undoubtedly with the Congress, in  
principle and zeal; and their measures are executed with a  
secrecy and dispatch that are not to be equalled. Wherever the  
King's forces point, militia to the amount of three or four thousand  
assemble in twenty-four hours; they bring with them their subsis-  
tence, etc., and the alarm over, they return to their farms. The  
Hampshire Grants in particular, a country unpeopled and almost  
unknown in the last war, now abounds in the most active and most  
rebellious race of the continent, and hangs like a gathering storm  
on my left. \* \* \* I have the honor to be, etc.,

J. BURGOYNE.<sup>1</sup>

<sup>1</sup> *Burgoyne's State of the Exp., App., XXIV and XXV.*

*General Stark in relation to the services of the Vermont Council.*

From the *Hartford Courant* of October 7, 1777.

BENNINGTON, August 18, 1777.

*To the printer of the Connecticut Courant,*—The following exertions of the Council for the State of Vermont since the evacuation of Ticonderoga, Mount Independence, &c., may be depended on as facts which I think justly deserve a space in your useful paper; you are therefore desired to publish the same.

Those Gentlemen were with others attending a General Convention of that State at Windsor, when the above mentioned fortresses were besieged by the enemy, who constantly received intelligence of the movements of the several bodies. Every method in their power was taken to forward the militia in this and the eastern States to the assistance of General St. Clair, as well as provisions of every kind. On receiving authentic intelligence of the evacuation of those fortresses, and that a stand was to be made at Bennington, the same day, the honorable convention, then sitting as aforesaid, appointed twelve members as a council to transact public business of the state during the recess of the convention; who without delay repaired to Manchester, where Col. Warner's regiment of Continental troops was at that time posted; which they finding were not a sufficient force to withstand the enemy in case of an attack, exerted themselves in a most spirited manner, and collected the militia of said state, which enabled Col. Warner to maintain that post. At the same time they wrote to the Hon<sup>l</sup> the Council of the State of New Hampshire, setting forth in the most pressing terms the necessity of the assistance of the militia of that state to guard so valuable a part of the country from the immediate ravage of the Indians, as was threatened by Gen. Burgoyne's manifesto.

The Hon<sup>l</sup> the Council of New Hampshire, taking the same under their immediate consideration, ordered a fourth part of twelve regiments to be forthwith drafted and put them under my command, at which time I received orders to march to Manchester and act in conjunction with Col. Warner. After my arrival at that place I received orders from Major General Lincoln, pursuant to orders from General Schuyler, to march my whole brigade to Stillwater, and join the main army then under his command. At the same time requested the whole of the militia (by Gen. Schuyler's order) of the state of Vermont to join him and march to Stillwater as aforesaid. In obedience thereto I marched with my brigade to Bennington on my way to join him, leaving that part of the country almost naked to the ravage of the enemy. The

Honorable the Council then sitting at Bennington were much against my marching with my Brigade, as it was raised on their request, they apprehending great danger of the enemy's approaching to that place, which afterwards we found truly to be the case. They happily agreed to postpone giving orders to the militia to march, by which, together with their repeated applications for the militia of the state of Massachusetts Bay, and supplying with arms and ammunition, afforded the greatest assistance in obtaining the glorious and memorable victory over the enemy near this place on the 16<sup>th</sup> instant, who were determined to have penetrated the country.

I cannot therefore in justice resist giving the Hon<sup>l</sup> Council the honor of exerting themselves in the most spirited manner in that most critical time.

JOHN STARK, B. D. G.

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On the 19th of August, Gen. HORATIO GATES, by order  
Aug. 19. of Congress, took command of the Northern Department in the place of Gen. Schuyler; Maj. Gen. Benjamin Lincoln, under Gen. Gates, having charge of the forces to the eastward of the Hudson river. Gen. Stark not long afterwards joined the main army under Gates, and was followed by Warner's Continental regiment, leaving the territory of Vermont to be defended by the State Rangers and militia, and the militia arriving from the Eastern States.

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*Order of the Council of Safety.*

IN COUNCIL OF SAFETY, Bennington, August 20, 1777.

Aug. 20. *Sir,*—You are required to raise seventy-five able bodied, effective men of your regiment of militia, exclusive of the common quota of commissioned officers for such number; which number you will cause to be continued in the field, under the commanding officer of the eastern militia, until the first day of December next, unless sooner discharged by such commanding officer. Should you find it more convenient for part or all such troops to be relieved before that time, you will do it, observing always, to keep the full number in the field. Those who engage, are to do it only on the principle of being under the reg-

ulation of the Continental army, during the time they serve, although under the command of the above officer.

By order of Council,

THOMAS CHITTENDEN, *President.*

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*Order of the Council of Safety to Adjutant Clark to muster Herrick's Regiment of Rangers.*

IN COUNCIL OF SAFETY, Bennington, August 26, 1777.

*To Adjutant Elisha Clark,*—You are hereby required  
 Aug. 26. to make return of the names and number of the officers, non-commissioned officers and soldiers, belonging to Col. Samuel Herrick's Regiment of Rangers, already raised within this State, for the defence thereof, to Ebenezer Walbridge, Arlington, at 10 o'clock of the morning of the 28th inst. ; as he is appointed and authorised to muster, and return the several musters of the whole, in order to their being severally entered and entitled to their pay, agreeably to their several ranks. And you are further ordered to take particular accounts of the several companies and names of the several soldiers of that corps, who may hereafter join, at every opportunity. Of this you are not to fail.

By order of Council,

THOMAS CHITTENDEN, *President.*

*Attest, IRA ALLEN, Sec'y.*

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*Order of the Council to the Committee of Safety in Windsor.*

IN COUNCIL OF SAFETY, Aug. 29, 1777.

*To the Committee of Safety, in Windsor, and the Adjacent Towns in this State :*

*Gentleman,*—All such persons as you shall have sufficient evidence exhibited against, on trial, as to prove them so far enemies to the *liberties of America*, as to be dangerous persons to go at large, you will send to Westminster goal, and put them in close confinement. If you send any prisoners to said goal, you will send a proper guard ; provided it should happen before any prisoners or guard should be sent from this.

By order of Council,

THOMAS CHITTENDEN, *President.*



*Order of the Council for raising a body of Militia for Special Service to General Lincoln.*

IN COUNCIL OF SAFETY, August 29, 1777.

Whereas, his honor, Major General B. Lincoln, has requested this Council to raise a part of the militia of this State, to serve in Continental service, agreeable to the Resolution of the Hon. Continental Congress of the United States;—in obedience to which, this Council have heretofore resolved, that three hundred and twenty-five men of the militia of this State, should be raised for the defence of this, and the United States of America:—and whereas, the prices of all kinds of provisions and clothing, are raised to exorbitant prices—

*Resolved*, therefore that fifty shillings per month be paid to each person that shall serve agreeable to the aforesaid Resolution, in addition to their Continental pay.

By order of Council,

IRA ALLEN, *Sec'y.*

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*The Council appoint a Committee to wait on General Lincoln.*

IN COUNCIL OF SAFETY, 4th Sept. 1777.

*Resolved*, that Gen. Jacob Bailey, Doct. Jonas Fay,  
Sept. 4. and Capt. Ira Allen, be a committee to wait on the Hon.

Major General Lincoln, to assure him that every aid and assistance in the power of this Council, will be granted him, on the earliest notice.

By order of Council,

IRA ALLEN, *Sec'y.*

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*General Stark presents the Council of Safety with a Hessian Broad Sword.*

BENNINGTON, September 6, 1777.

This may certify, to all whom it may concern, that  
Sept. 6. Brigadier General Stark has, this day, made a present of one *Hessian broad sword*, to the Hon. Council of the State of Vermont, in order to be kept in said Council Chamber, as a memorial, in commemoration of the glorious action fought at Walloomsack, August 16, 1777; in which case, the exertions of the said Council was found to be exceeding servicable.

By the donor's order,

JOHN CASEY, *A. D. Camp.*

*Burgoyne's Invasion of 1777.**Council of Safety to General Stark.*

IN COUNCIL OF SAFETY, 6th Sept., 1777.

The Council's compliments most cordially wait on his honor Brigadier General Stark, with their sincere thanks for the honor the General has been pleased to do them, by presenting them with a *Hessian broad sword*, taken by a number of troops from the State of New-Hampshire, and elsewhere, under his immediate command, in the memorable battle fought in Walloomsack, near this place, on the 16th of August last; and also for the honor the General has been pleased to do them, in applauding their exertions in a public weal, as a Council.

JOSEPH FAY, *Sec'y.*

*Brig. Gen. Stark.*

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*General Gates to the Council of Safety.*

CAMP ON BEHMUS' HEIGHTS, }  
 Sept. 17, 1777. }

I have Rec'd Certain Intelligence that Gen<sup>l</sup> Burgoyne  
 Sept. 17. has Caused Skeensborough, Fort Ann, Fort George,  
 Fort Edward, and the Post he Lately occupied to the  
 Southward of Lake George and Skeensborough, to be evacuated,  
 and the artillery Stores and Provision to Be Brought to his Army  
 now at Van Veder's Mills, seven miles north of this Camp, Except  
 some heavy Cannon, which are carried to the five mile Island in  
 Lake George. From this it is Evident the Gen<sup>l</sup> Designs to Resque  
 all upon one Rash Stroke, it is therefore the Indispensible Duty of  
 all concerned to Exert themselves in Reinforcing this Army with-  
 out one moment's Delay. The Militia from every Part should be  
 ordered here with all Possible Expedition. I am, S<sup>r</sup>, your  
 most obedient hb<sup>le</sup> Sev<sup>t</sup>,

HORATIO GATES.

*To the Honourable the Chairman of the Committee at Bennington,  
 to be forwarded to the Committees to the Eastward thereof.*

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*The Council of Safety to General Gates.*

BENNINGTON, 18 Sept., 1777.

Sept. 13. *Dear General,*—This day rec<sup>d</sup> your orders to forward  
 the militia, in consequence of which we have given or-  
 ders for the militia to be raised immediately; also have

forwarded copies to New Hampshire requesting the militia to be forwarded with all expedition, as also your letter to the County of Berkshire. Nothing in the power of this Council will be neglected to prosecute your orders when called upon.

I am, D. General, Your Most Obedient  
Humble Servant :

By order of Council,

JOSEPH FAY, *Secy.*

*The Hon. Maj. Genl. Gates,*  
*Commanding the Northern Department.*

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*The Council of Safety to the Committee of Charlestown, N. H.*

BENNINGTON, 18<sup>th</sup> Sept<sup>r</sup>. 1777.

*Gentlemen,*—I am ordered by this Council to Inclose a Copy of General Gates' Letter to you, by which you will see the necessity of forwarding your Militia with Expedition. You will also forward Copies to the Eastward of the General's Letters Requesting them to come forward.

I am, Gentlemen, your  
Most Obedient Humb<sup>l</sup> Serv<sup>t</sup>.

By order, JOSEPH FAY, *Sec'y.*

*To the Honorable Committee of*  
*Charlestown in N. Hampshire.*

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*The Council of Safety to Col. William Williams of Wilmington.*

BENNINGTON, 18<sup>th</sup> September, 1777.

*Dr. Sir,*—I am directed by the Council to enclose to you a Copy of a letter just rec<sup>d</sup> from General Gates, by which you will see the importance of the exertion of the militia at this critical juncture for the salvation of this post, if not the whole country. Therefore it is expected that you will exert yourself and come forward with all the militia you can raise out of your regiment without one moment's loss of time. General Gates has sent to the state of Massachusetts, and ordered us to send to New Hampshire, which we have done, and to the upper regiment in this State.

I am, by order, Your Most Ob<sup>t</sup> Hum. Servant,  
THOMAS CHITTENDEN, *President.*

N. B.—I heard by Capt. Dewey that your people now with the army are like sheep without a shepherd, and very uneasy at your being absent, and threaten to come off with General Stark's men.

By order, THOMAS CHITTENDEN.  
*Col<sup>o</sup> William Williams.*

Copy examined, JOSEPH FAY, *Secy.*

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*The Council of Safety to Col. Peter Olcott of Norwich, Vt.*

BENNINGTON, 18 Sept., 1777.

*D. Sir,*—I am ordered to inclose you a Copy of General Gates' Letter, by which you will immediately march with the Militia under your command to join him; you will also forward copies to Col<sup>o</sup> Marshe's regiment.

I am, Sir, Your Hum. Servant.  
 By order, JOSEPH FAY, *Secy.*  
*Col<sup>o</sup> Peter Olcott.*

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*The Council of Safety to Maj. Gen. Lincoln.*

BENNINGTON, 18<sup>th</sup> Sept<sup>r</sup>. 1777.

*Dear General,*—I am ordered by this Council to enclose a Copy of General Gates' letter to you, which agrees with ours of yesterday's date. We have also, agreeable to the General's orders, sent Copies to the eastward, to forward the militia of this State with all expedition. You will please consult General Bayley, and will doubtless think proper that he return or send home to forward the militia with all expedition.

I am, D. General, Your Most  
 Obedient Humble Servant,  
JOSEPH FAY, *Secy.*

*Hon. Maj. Gen<sup>t</sup> Lincoln.*

N. B.—We have also sent Copies to New Hampshire that the militia of that State be forwarded with all expedition.

By order, JOSEPH FAY, *Secy.*

*Gen. Stark to the Commanding Officer of Militia on their Way from New Hampshire.*

CAMP ABOVE STILLWATER, 17<sup>th</sup> Sept<sup>r</sup>, 1777.

*Dear Sir,*—I embrace this opportunity by Express to  
Sept. 17. inform you That the Troops under our Command is to leave this place Tomorrow, and the Enemy are within Six miles of our army, and an engagement is daily expected. This is to intreat you as a Lover of your Country to hasten your Troops to join the Army without Loss of time. It is probable the Fate of America may be determined in a few Days. Your Exertions in this will get you Everlasting Honor, and Neglect to the Contrary.

I am, Sir,

Your most Obedt very hble Servt,

JOHN STARK.

*To the Commanding Officer of the Militia destined for the Northern Army, on the way from the State of New Hamp<sup>r</sup>.*

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*Council of Safety to General Stark.*

BENNINGTON, 18th Sept., 1777.

*Dr General,*—We have this day received a letter  
Sept. 18. from your Honor, directed to the commanding officer of the troops on their way to join the northern department, which we have forwarded by express. We heartily wish you success, and am your most obedient

Humble Servant.

By order of Council,

JOSEPH FAY, *Secy.*

*Hon. Brigadier Gen<sup>l</sup> Stark.*

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*The Council of Safety to Major General Gates.*

STATE OF VERMONT, }

In Council of Safety, Bennington, 20 Sept., 1777. }

Sept. 20. A gentleman, an acquaintance of mine, was last evening in Council from the enemies' Head Quarters, Monday evening last, who has had such an acquaintance among them for some time past as to put it in his power to learn their strength and situation very nearly. They consist of six

British Reg<sup>ts</sup> which amount to nearly 3000 men, and about the same number of foreign troops, exclusive of Tories. They have six weeks' provisions, which they keep constantly on board of their water Craft. The Gentleman learns further that they seem disposed to risque all on one desperate action. The front of their army expect to winter in Albany, if General How penetrates up the North river; if not, at Ticonderoga, and their rear in Canada. Anything in the power of Council is always ready at your Command. I have honor to be, D<sup>r</sup> General,

By order,

Your Most Obedient Humble Servant,

JONAS FAY, *V. P.*

N. B.—By a person this instant arrived from Ft. George only 30 men are at that place, and 2 gun boats lye anchored at a distance from the land, and that the enemy have not more than three weeks' provisions.

*Hon<sup>l</sup> Maj. General Gates.*

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*The Council of Safety to General Stark.*

IN COUNCIL OF SAFETY, 20th Sept., 1777.

The Council beg leave to return their sincere thanks to the Hon. Brigadier General JOHN STARK, for the infinite service he has been pleased to do them, in defending them and their constituents from the cruel and bloody rage of their unnatural enemy, who sought to destroy them on the 16th day of August last. They also return their grateful acknowledgments for the honor the General has been pleased to do the Council, by presenting them with one Hessian gun with bayonet, one broad sword, one brass barrell'd drum, and one grenadier's cap—taken on the memorable 16th of August aforesaid, for the use of this State. The General may rely that they will be reserved for the use they were designed.

I am, Dear General, with sentiments of esteem,

Your most obedient, humble servant,

THOMAS CHITTENDEN, *President.*

*The Council of Safety—Circular for Aid to General Gates.*

BENNINGTON, Sept. 21, 1777.

(CIRCULAR.)

*To all Gentlemen concerned:*

The Council enclose a copy of the Hon. General Sept. 21. Gates' particular and positive orders, of this date, to you, which he requests may be forwarded to you with the greatest speed. It seems that your assistance can never be more wanted than at this critical moment. The armies are now in such position as renders it impossible for the enemy to avoid an action. It is a thing almost impossible for them to retreat; therefore, if you will now instantly give your assistance, you can never have it in your power to do yourselves, and your country, a greater service. So favorable a prospect of success, in the northern department, never before appeared. Pray exert yourselves, this once, and the matter cannot detain you long.

I am, Dear Gentlemen, with great anxiety,

By order of Council,

Your most obedient, humble servant,

THOMAS CHITTENDEN, *President.*

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*The Council of Safety to Major General Gates..*

BENNINGTON, 6 o'clock 21st Sept., 1777.

STATE OF }  
VERMONT. } In Council of Safety, date above.

*Dear General,*—Your particular orders by Major Cochran has been duly rec<sup>d</sup> & copies thereof have been enclosed and forwarded to every necessary part, with orders to have them forwarded without one moment's loss of time.

The Council are very anxiously concerned for your Honor's welfare, and the General may absolutely rest assured that no one thing shall be wanting that is in their power to grant every assistance.

I am, D<sup>r</sup> General, by order of Council, your most

Obedient Humble Servant,

THOMAS CHITTENDEN, *P.*

*Hon<sup>ble</sup> Major Gen. Gates.*

Copy examined,

JOSEPH FAY, *Secy.*

*The Council of Safety to Captain Jonas Galusha and Lieutenant Hutchins.*

IN COUNCIL OF SAFETY, Sept. 22, 1777.

*To Capt. Jonas Galusha, Sir,*—You are hereby  
 Sept. 22. directed to repair, with the fifty men of the militia of  
 Col. Moses Robinson's Regiment, now under your command, to the Hon. Major General Gates' head quarters, who is the commander in chief of the northern department. You will, on your arrival, put yourself under his immediate command, where you will receive orders, during the time you are engaged for, unless sooner discharged by him, or some other Continental officer, commanding the northern department; during which time, you will strictly adhere to, and follow, such orders and directions, as you shall, from time to time, receive from your superior officers.

*To Lieut. William Hutchins.*

*Sir,*—You being the next officer in command, and Capt. Galusha being unable to attend the service, will take the above command, and see the orders duly executed.

By order of Council,

JOSEPH FAY, *Sec'y.**The Council of Safety to General Wolcott.*BENNINGTON, 22<sup>nd</sup> September, 1777.

*Dear General,*—I am directed by the Council to inform you that the Rangers of this State, under the command of Col<sup>o</sup> Samuel Herrick, in conjunction with Col<sup>o</sup> John Brown of Pittsfield, have the command of Lake George, and the enemies' Water Craft, as also Mount Defiance, Hope and the French Lines by Ticonderoga, Skeensborough, &c., &c.

Have taken	2	Captains,
“	“	9 Subalterns,
“	“	143 Rank and non-Commissioned,
“	“	119 Canadians,
“	“	20 Artificers.

293 Total. And one hundred of our prisoners released; a quantity of provisions and a number of Arms, out of which the one hundred prisoners just mentioned, who were taken in the action at Hubbarton, were furnished, and now act in



conjunction with Colonels Herrick and Brown. The enemies' water craft taken consist of 200 Batteaux and one armed Sloop. Last friday an action ensued between General Gates and General Burgoyne. General Arnold with his division attacked a division of Burgoyne, in which General Arnold gained the ground, when the enemy were reinforced by the main body, when General Arnold was obliged to retreat, but being reinforced recovered his own, so that the ground remained 8 o'clock yesterday divided between them; none gained on either side, and the dead unburied. This acc<sup>t</sup> came by express from General Gates' Head Quarters, yesterday afternoon, by Major Cochran, who returns this morning with the Hon. Maj. Lincoln. The Major adds that the loss in this engagement is computed by the best acc<sup>ts</sup> at between two and three hundred killed and wounded; and the enemies' loss at 1000 killed, wounded and taken prisoners. Among the wounded is General Burgoyne shot in the bowels.

Their loss is of the British troops. The Cannon were again heard yesterday, but no particular account of the execution has yet transpired. The enemy seem determined to risque all at once, as it is reported they have the whole of their stores and other necessaries with them, and cut away the bridges behind them as they advance. They keep their provisions constantly on board their boats in the North river.

I have the Honor to be, with the  
 Council's best Compliments, by order,  
 Your Honor's most Obedient  
 Humble Servant,  
 JOSEPH FAY, *Secy.*

*Hon<sup>ble</sup> General Wolcott.*

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*The Council of Safety to Colonel Simonds.*

IN COUNCIL, Bennington, 23<sup>d</sup> Sept., 1777.

*Dear Sir,*—This moment rec<sup>d</sup> your favour of this  
 Sept. 23. day's date, requesting Horses and Empty Bags to be  
 forwarded with expedition, in consequence of which we  
 have granted press Warrants to procure them, without loss of Time  
 and will be on to-morrow.

I am, Sir, with esteem, by order of Council,  
 Your Most Obedient Humble Servant,  
 JOSEPH FAY, *Secy.*

*Colonel B. Simonds.*

*The Council of Safety to Captain Nathan Smith.*

*To Capt. Nathan Smith, Sir,*—You are hereby re-  
 Sept. 24. quired to march, with the men under your command, to  
 Paulett, on horse back, where you will apply to Col.  
 Simonds for a horse load of flour to each man and horse. You  
 will furnish bags sufficient for such purpose.

By order of Council,

THOMAS CHITTENDEN, *President.*

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*The Council to Captain Ebenezer Wood.*

*To Capt. Ebenezer Wood, Sir,*—You are hereby required to take  
 the charge of the men, horses and bags, ordered from this town,  
 and proceed, without one minute's loss of time, to Paulett, where  
 you will apply to Col. Benjamin Simonds for a load of flour for  
 each horse, and proceed to Gen. Warner with the same, if Col.  
 Simonds shall judge proper. When you return, you are to take  
 especial care that the horses and bags be returned to their proper  
 owners.

JOSEPH FAY, *Sec'y.*

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*The Council to Colonel Simonds.*

BENNINGTON, 24 Sept., 1777.

*Dear Sir,*—Agreeable to your request Rece<sup>d</sup> last Eve-  
 Sept. 24. ning, the Council sends you such assistants as you de-  
 sired. They will remain with you a reasonable Time  
 to effect the business for which they are sent. You will please  
 to give them such Instructions from time to time as you may judge  
 most advantageous to the public Good. The Council rejoice at  
 the success of the northern Troops. Wish your farther success.

I have the honor to be, D<sup>r</sup> Sir,

by order of Council, Your most  
 obedient Humble Servant,

THOMAS CHITTENDEN, *Pres.*

Colonel Simonds.

*The Council of Safety to General Gates.*

STATE OF VERMONT, }  
In Council of Safety, Bennington, 24 Sept., 1777. }

*Dear General,*—The Council have rec<sup>d</sup> certain intelligence this morning that a very considerable number of the militia from the Eastern States are now on their march to your assistance. Several companies have passed this place this morning for the above purpose. The bearer Capt. Angel will be able to give your honor further intelligence in the matter. The Council are every moment anxious to know your Honor's present situation, your wants, (if any) and whether they be such as in their power to relieve.

I have the honor to be, D<sup>r</sup> General,  
Your most obedient Humble Servant.  
By order of Council,

THOMAS CHITTENDEN, *Pres.*

The Hon<sup>ble</sup> Major Gen<sup>l</sup> Gates.

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*The Council of Safety to General Lincoln.*

BENNINGTON, 30th September, 1777.

*Dear General:*—Your favour of the 2d is this mo-  
Sept. 30. ment come to hand. Your honour's particular care for this part of the country, I am ordered by the Council to acknowledge. They are of opinion that the post you have been pleased to order occupied in this Department will sufficiently secure the Inhabitants for the present.

I have the Honor to be, D<sup>r</sup> General,  
Your most obedient Humble Servant.  
By order,

JOSEPH FAY, *Sec'y.*

*The Honorable Maj: Gen. Lincoln.*

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*The Council of Safety to Colonel Herrick.*

BENNINGTON, 3d October, 1777.

*Dear Col<sup>o</sup>:*—I have this day rec<sup>d</sup> your favour dated  
Oct. 3. Paulet, 1st October inst., and am ordered by this Council to return you their sincere thanks for your spirited behaviour since your appointment, and in particular your late

noble enterprise at Lake George Landing, Ticonderoga, and for destroying the enemies' Water Craft in general to the great disadvantage of the enemy. With respect to the appointment of Serg<sup>t</sup> Smally to a Lieutenant in Capt. Wood's Company, it will be left with you if a proper recommendation can be obtained and he raises his quota of men.

Shoes can be had at Shaftsbury, as we are informed there is some made there. Upwards of 30 p<sup>r</sup> are ready, which you can send for at any time. I heartily wish you success, and make no doubt you will conduct yourself agreeable to the trust reposed in you, and am, D. Sir, by order of Council, your most obedient

Humble Servant,  
THOMAS CHITTENDEN, *Pres't.*

*Col. Samuel Herrick.*

Copy examined.

JOSEPH FAY, *Sec'y.*

*The Council of Safety to Doctor Jona. Potts.*

BENNINGTON, 4th October, 1777.

Oct. 4. *Dear Sir:*—The Council (at the request of Dr. Harvey,) have provided a number of Hospitals for the sick militia. Nothing seems wanting to make them as comfortable as their condition will admit of, excepting the want of a Commissary furnished with money to procure provisions and other necessaries for said Hospital, the former Commissary being called upon by Doct. Hogan, to make a final settlement, and give back the cash that remains on hand. The same gentleman (Capt. Fassett) is still willing to continue Commissary to the Hospital on being properly supplied with Cash. I am, Sir, by order of Council, your very Humble Servant,

JOSEPH FAY, *Sec'y.*

*Doct. Jona. Potts,*  
*D. G. N. D.*

*The Council of Safety to General Gates.*

IN COUNCIL, Bennington, 6<sup>th</sup> October, 1777.

Oct. 6. *Dear General,*—The Council are this moment informed by ———' who has at present the charge of upwards of one hundred sick belonging to the Army and depos

ited in this place, that [he] is called upon by Letter by the Surgeon and Physicians at N. City to attend the sick at that place. The circumstances are truly critical. This Town has suffered almost every Inconvenience with cheerfulness and always stand ready to contribute any thing in their Power for the common cause; but as we find we are incumbered with many things and have neither Surgeons, Physicians or medicines to attend those already on hand, beg your honor to place some Continental Surgeons or Physicians, in lieu of Doct. Hovey, in case he must be removed. The Surgeon who has the command at N. City will be served with this request at the same time.

I am, D<sup>r</sup> General, by order of  
Council, Your most obedient  
Humble Servant,

JOSEPH FAY, *Sec'y.*

*The Hon<sup>ble</sup> Major General Gates commanding N. D.*

N. B. Doct. Hovey gives universal satisfaction, therefore pray he may continue if consistent.

JOSEPH FAY, *Sec'y.*

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*The Council of Safety to General Gates.*

STATE OF VERMONT,  
In Council, Bennington, 8<sup>th</sup> Oct., 1777. }

*Dear General,*—The Council this moment had under  
Oct. 8. Examination a Scargent Major of the Foreign Troops taken near Mount Independence by a scout of Colonel Herrick's Rangers, who informs us that the Garrisons of Ticonderoga and Independence have been reinforced by about 600 Troops, principally British, from Fort George; that it is reported at that place, that detachment is to make a forced march west of Lake George with 10 days' Provisions to reinforce Gen. Burgoyne; that no movements of any Boats across the Lake is mentioned among them. The whole number of Troops at their Garrisons is about 1000. The Council hold themselves bound in duty to Give the earliest Intelligence of any movements of the Enemy that may come first to their knowledge.

I have the honor to be, Dear General,  
by order of Council, Your most ob'dt Humble Servant,  
JOSEPH FAY, *Sec'y.*

*Honorable Major General Gates.*

BENNINGTON, 10<sup>th</sup> Oct., 1777.

Transmitted the intelligence of a reinforcement to Gen. Fellows by a Letter of this date.

JOSEPH FAY, *Sec'y.*

Oct. 17. The army of Burgoyne surrendered to that of Gen. Gates at Saratoga.

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*Order of the Council of Safety for the Release of Tory Prisoners.*

IN COUNCIL OF SAFETY, Oct. 20, 1777.

Whereas, God, in his providence, has smiled, in a very remarkable manner, on our arms, in this northern department, whereby we are secured, in a very considerable degree, from the ravages and machinations of a cruel and inveterate enemy and their confederates:

And whereas, we delight not in the misery or confinement of any individuals, when such confinement is not absolutely necessary to the security of the major part—Therefore we recommend it to the Committees of the several towns, in this State, to liberate all such persons as have been confined, on suspicion of being enemical, or any whom you may judge may, with safety to this State, or the United States, be liberated, in full or in part, with proper restrictions,—such as confinement to their farms or towns, under the inspection of respectable persons, and during good behavior.

By order of Council,

JONAS FAY, *V. President.*

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*The Council of Safety to Gen. Gates.*

BENNINGTON, 25th Oct., 1777.

Oct. 25. *Dear General,*—I am directed to acquaint your Honor of the necessity of building some Barracks, a Hospital, &c., in this place, as there is a large continental store kept here, of provisions and ammunition, for the use of the continent, and a guard to guard it, as also it is a place where soldiers rendezvous, which makes it not only necessary on account of its being very troublesome to the inhabitants, but very inconvenient for both officers and soldiers, who are passing to and from the army.

The inhabitants of this place have been willing to suffer any thing to support the American cause, and still are, but if your honor should think expedient to order Barracks to be erected, it would greatly contribute to the benefit and happiness of not only the people but officers and soldiers that may be ordered that way.

I shall however submit the affair to your Honor's directions, being assured nothing in the power of your honor will be wanting that will contribute to the happiness of the people.

I have the honor to be, D. General, your  
Most Obt. Hble. Servant.

By order, JOSEPH FAY, *Secy.*  
*Hon. Maj. Gen' Gates.*

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*Council of Safety to Colonel Herrick.*

BENNINGTON, 12 Nov., 1777.

*Dear Sir* :—Brigadier General Walbridge, who has  
Nov. 12. undertaken to build a store house in this place, has made application to this Council for the assistance of Lieut. Edgerton and several others of your regiment, (such as he may choose.) The Council submit to your direction whether the service requires their immediate assistance. If so you will doubtless detain them, if not they may continue in the service and attend the business as artificers, for which Lt. Edgerton and other workmen will be allowed 1 dollar pr. day, in addition to their present pay, and common hands 4s pr. day. The number wanted will be about 10, which must be good hands. I am directed to present you the Council's compliments. You will please to accept the same from, D<sup>r</sup> Sir, (by order of Council,)

Your most obedient  
Humble Servant,  
JOSEPH FAY, *Sec'y.*

*Col<sup>o</sup>. Herrick.*

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*Council of Safety to Major John V. Ranslear.*

STATE OF VERMONT, }  
Bennington, 15th Nov., 1777. }

In Council, date above.

*D<sup>r</sup> Sir* :—Inclosed you have a List of the names of  
Nov. 15. five prisoners (and their crimes) belonging to your State, who have for some days past been confined in this place. We have thought proper to take their paroles to deliver themselves to you as prisoners, and to be subject to the authority of the State of N. York. You will, therefore, after examining

them, send for the Evidence to support the several charges against them, and deal with them according to the nature of their crimes.

I am, Sir, (by order of the Council,)

Your most obd<sup>t</sup>

Humble Servant,

JOSEPH FAY, *Sec'y.*

*Major John V. Ranslear.*

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*The Council of Safety to Gen. Gates.*

BENNINGTON, 16th Nov., 1777.

STATE OF VERMONT. } In Council, date above.

*Dear General,*—The Council enclose to your honor a Nov. 16. letter from Lt. Col<sup>o</sup> Herrick which contains an acc<sup>t</sup> of the enemies having evacuated the Fortress Ticonderoga and Independence, as also a request to be removed to this place.

The Council would like to know if your Honor has any further service for them in the Northern Department, as this part of the Country seems secure on acc<sup>t</sup> of the Enemies from Great Britain, and as his regiment was raised by this State to continue in service until the 15 day of January next only. It is possible they might be sooner discharged if not disagreeable to your Honor's pleasure.

I have the Honor to be, D<sup>r</sup> General,

Your Most Obedient Humble Servant.

By order, JONAS FAY, *V. P. of Council.*

*Hon<sup>bl</sup> Major Genl. Gates, Albany.*

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*The Council of Safety to Colonel Herrick.*

IN COUNCIL, Bennington, 20 Nov., 1777.

*Dear Colonel,*—In consequence of Your Letter of the Nov. 20. 14<sup>th</sup> inst., requesting to be removed to this or some place nigh this, the Council immediately sent an Express to General Gates with a Copy of Your Letter, as also a Copy of General Powel's Letter to you, and your answer this Express has this moment returned. Inclosed you have a Copy of the General's Letter, which I think does you and the State of Vermont great honor, and by which you will find the General's approbation on your Regiment's being dismissed. The Council therefore order that your Regiment be dismissed immediately, as soon as this



comes to hand, unless it will be a means of frustrating some plans which you have in prosecution. You will be able to judge in that affair. I am directed by Council to return you and the Regiment under your command, both officers and soldiers, their hearty thanks for their good services to this and the United States. The Council is also requested by the Hon<sup>ble</sup> Major Gen. Gates to return you his thanks for the good services of your Regiment, which you will see by this Letter inclosed. I am, Sir, sincerely Your Hum<sup>ble</sup> Serv<sup>t</sup>. By order of Council,

JOSEPH FAY, *Secy.*

*Colonel Herrick.*

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*The Council of Safety to Colonel Herrick.*

BENNINGTON, 21 Nov., 1777.

*Dear Sir,*—Yours of last Evening came to hand this Nov. 21. Morning forwarded by L<sup>t</sup> Holmes. I am ordered by council to let you know they are much pleased at the spirited conduct of Major Wait and Capt. Allen, in their late Expedition, by your orders, and that a Copy of your Letter will be immediately sent to the Honorable Major Gen. Gates, which I think cannot fail to recommend your Regiment in the highest Degree. You will find inclosed in a Letter from Council of Yesterday a Copy of a Letter from Gen. Gates, which does Your Regiment great Honor. Commissary Sherman, on the reception of Your Letter for Provisions, Made application to Council, on which a press Warrant was drew to forward Ten Barrels flour from Manchester to Your relief with all possible expedition.

I am, sir, with respect,

Your Real Friend and Hum<sup>l</sup> Servant.

By order of Council,

JOSEPH FAY, *Secy.*

*Colonel Herrick.*

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*The Council of Safety to General Gates.*

BENNINGTON, 22 Nov., 1777.

We have the pleasure to inform Your Honor of the Nov. 22. success of our Green Mountain Rangers in harassing the Enemies' rear on their retreat from Tyconderoga, in which Capt. Allen with 50 Rangers have taken 49 prisoners, upwards of one hundred Horses, 12 Yoke of oxen, 4 cows and 3 of the Enemies' Boats, &c., &c.

Major Wait, who was sent to take possession of Mount Independence, found nothing of consequence there except several Boats which the Enemy had sank, in which there was some provisions ; all Barracks, Houses and Bridges were burnt. Cannon to the number of 40 were broke and spiked up. He was so fortunate as to take one French Suttler with some Rum, Wine, Brandy, &c. Agreeable to Your honor's request for Colonel Warner to come to Albany, Express was sent and he is to set out for Albany this Morning.

I have the honor to be, by order of Council,  
Your Honor's Most Obedient Humble Servant,  
THOMAS CHITTENDEN, P.

*Hon<sup>l</sup> Major Gen. Gates.*

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*The Council of Safety to General Gates.*

IN COUNCIL, BENNINGTON, 25 Nov., 1777.

*Dear General,*—I am directed by council to inform  
Nov. 25. Your honor that the prisoners taken by Capt. Allen on the west side of Champlain have arrived at this place ; the Council think proper to send them to Albany, where Your honor can dispose of them as You shall think proper, as the most part of them are Tories belonging to the State of N. York ; several of them pretend they were included in the Capitulation between Your honor and General Burgoyne ; be that as it will, they was found aiding and assisting the Enemy to drive their Cattle to Canada. Your honor's Wisdom will be sufficient to direct in this affair.

I have the honor to be, by order of Council,  
Your Most Obedient Humble Servant,  
THOMAS CHITTENDEN, P.

*Honorable Major Gen. Gates.*

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Among the persons taken by Captain Allen, fleeing  
Nov. 28. from Ticonderoga to Canada, was Dinah Mattis, a colored slave, with her infant child, and Captain Allen "being conscientious that it was not right in the sight of God to keep slaves," gave her a deed of emancipation, which is now found on record in the town clerk's office in Bennington. The following is a *verbatim* copy :

HEAD QUARTERS, Pollet, 28<sup>th</sup> November, 1777.

*To whom it may concern know ye*

Whereas Dinah Mattis, a negro woman with Nancy her child of two months old was taken prisoner on Lake Champlain with the British troops somewhere near Col. Gillinner's patten the twelfth day of instant November by a scout under my command, and according to a resolve passed by the honorable the Continental Congress that all prizes belong to the captivators thereof—therefore she and her child became the just property of the captivators thereof—I being conscientious that it is not right in the sight of God to keep slaves—I therefore obtaining leave of the detachment under my command to give her and her child their freedom—I do therefore give the said Dinah Mattis and Nancy her child their freedom to pass and repass any where through the United States of America with her behaving as becometh, and to trade and to traffic for herself and child as though she was born free without being molested by any person or persons—In witness whereunto I have set my hand or subscribed my name.

EBENEZER ALLEN, *Capt.*

BENNINGTON, Town Clerk's Office, July 26, 1870.

I certify that the foregoing is truly copied from Book No. 3 of said town records, recorded by Moses Robinson when town clerk.

D. F. SQUIRES, *Town Clerk.*



CELEBRATION IN 1778  
OF THE  
BENNINGTON VICTORY  
Of 1777.



## INTRODUCTORY NOTE.

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THE battle of Bennington was fought August 16th, 1777, and its anniversaries have ever since been observed as holidays in that and the neighboring towns, and have been celebrated with all the demonstrations of rejoicing that are usual through the country on "Independence Day;" such as the discharge of cannon, the display of banners, military parades, processions with music, orations and public dinners.

The first anniversary celebration at Bennington took place the 16th of August, 1778, one year after the victory, on which occasion "a speech was delivered by NOAH SMITH, A. B.," and "a poetical essay, by STEPHEN JACOB, A. B." They were two young men who had just graduated at Yale College, and had come to the new country and State of Vermont to remain and "seek their fortunes,"—with the like purpose that thousands of Vermonters have since emigrated to the newer regions of the West. The class of 1778, in which they had graduated, contained also the names of Noah Webster, Joel Barlow, Oliver Wolcott, Zephaniah Swift, Uriah Tracy, and others who afterwards became highly distinguished. Both Smith and Jacob adopted the profession of law, both deservedly acquired considerable prominence in the State.

NOAH SMITH was admitted to the bar of the Superior Court of the State at Westminster in May, 1779; was at the same term appointed State's Attorney, *pro tem.*, for Cumberland County, and was immediately engaged in his official capacity in the prosecution of a number of the adherents of New York, who had been concerned in resisting the authority of the State, and whose conviction he procured. Having settled in Bennington, he was the same year appointed State's Attorney for Bennington County, which office he held for several years. He was a Judge of the Supreme Court for five years prior to 1801, and he was also Col-

lector of the United States Internal Revenue under the administration of President Washington. Israel Smith, his younger brother, read law with him in Bennington ; began practice at Rupert, removed to Rutland, and became Governor of the State in 1807. Noah Smith was born at Suffield, Connecticut, and settled in Bennington in 1779. He removed to Milton soon after the year 1800, where he died December 25, 1812, aged 57.

STEPHEN JACOB is believed to have been a native of Sheffield, Massachusetts. Soon after he came to Vermont, he settled in Windsor, where he died in February, 1817, at the age of 61. He represented Windsor in the General Assembly on several occasions, was one of the Council of Censors in 1785, a member of the Constitutional Convention of 1793, a State Councillor for five years, ending in 1800 ; and a Judge of the Supreme Court in 1801 and 1802.

The speech and poem at the celebration of the victory at Bennington August 16, 1778, were printed at Hartford, Connecticut, in 1779, and were as follows.



A SPEECH

DELIVERED AT

BENNINGTON

ON THE

ANNIVERSARY

OF THE

16TH OF AUGUST, 1777,

By NOAH SMITH, A. B.



HARTFORD:

PRINTED BY WATSON & GOODWIN.

MDCCLXXIX.

The committee (consisting of five) chosen by the people who composed the audience, return their thanks to Messrs. Noah Smith and Stephen Jacobs for their agreeable orations delivered in commemoration of the battle fought at Bennington on the memorable 16th of August, 1777, and desire a copy thereof for the press.

JONAS FAY,  
*Clerk of the Committee.*

## A SPEECH, &c.

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THE history of America during the last twelve months relates events favorable to a degree which has exceeded our expectations, established our independence and astonished the world. Among which none has been more signal than that which happened on the memorable 16th of August, 1777, of which this is the anniversary.

The recollection of past events, whether merciful or afflictive, often produces a good effect in the human mind by leading it to view the operations of that Being by whose permission all judgments are inflicted and to whose benignity all deliverance must be attributed.

It is presumed that the history of these northern campaigns is so fresh in the memory of every one present that a repetition of it would be neither entertaining or instructive; therefore, waiving the description of the progress of our arms into Canada, and of the defeat and death of the brave General Montgomery, which was productive of the most precipitant and confused retreat, we need only mention that Ticonderoga was adjudged a proper place to make opposition.

This being by its natural situation the key of the country, to maintain it was the determination of every man who wished well of America.

For more than fourteen months, while this was the object, no sums were too great to be expended and no fatigue too painful to be endured; so that when the third campaign was opened, the works were so completely finished, the storehouses so amply supplied with provisions, the lines so sufficiently manned, and the whole country so ready to fly to their assistance upon any emergency, that it was thought nothing but the infernal hands of cowardice or treachery could have delivered them into the enemy's possession.

Under these circumstances the people in this department, not considering that disappointments are common to mankind in a state of imperfection, pursued their business with no less security than diligence.

But a train of evils, which at this time like a mighty torrent

rushed in upon us, soon discovered how vain and unscriptural it is to trust in fortifications, for within eight days after Burgoyne appeared upon the Lake, he found means to possess himself of the forts, which laid our numerous army under a necessity of fleeing before him, and filled the whole country with consternation and amazement.

In this condition every battle he attempted was succeeded by victory and every advance he made was conquest.

The inhabitants of the northern districts for more than one hundred miles in length were obliged to quit every thing they possessed, and for subsistence had no other dependence but the benignity of heaven and the charity of their countrymen.

Whenever we had intelligence from our army it was marked by defeat and discouragement; so that some, to their shame be it spoken, exclaimed, had not we better submit to any impositions than to be driven from every thing we possess. Notwithstanding this town was then esteemed an asylum, yet the sagacity of the honorable council then sitting at this place induced them to be apprehensive of an attack and prompted them to dispatch advices to the neighboring States for the purpose of procuring assistance.

In consequence of which, General Stark, who was here to complete the edifice of his glory, arriving from New Hampshire at the head of a detachment of the noble and spirited militia of that State, was welcomed to the command. But a special order for him to join the main body at Stillwater gave rise to new apprehensions.

Under these circumstances, intelligence of the enemy's approach was received. If it be proper to judge of futurity by past events, nothing could now be expected but panic, retreating and confusion. But with that magnanimity of soul which is ever the characteristic of real greatness, those patriots who composed the council at that time, deliberately laid the plan which their penetration assured them would be the destruction of the enemy. Having induced General Stark to return, they were indefatigable in adopting such measures as might conduce to the success of the enterprise.

A length of time had now elapsed sufficient for the arrival of a number of respectable militia from the adjacent towns in this State, and that of the Massachusetts. The exertions of the people in Berkshire County were extraordinary on this occasion and merited them particular honor. In convening, resolution, like electric fire, diffused itself through the whole body of the troops, while bravery marked the countenance, and patriotism glowed in the breast of every individual.

“The wise new prudence from the wise acquire,  
“And one brave hero fans another’s fire.”

Prompted by their apprehensions, the enemy, having made choice of the most advantageous ground, began at this time to entrench. But so determined were our forces, that no circumstance of superiority in number, of perfection of discipline, or of finished entrenchments was sufficient to bring discouragement to their view. Stark gave command, the attack was made, the entrenchments stormed, and the enemy defeated. What miracles will resolution and perseverance effect.

That an undisciplined militia, without the assistance of a single field piece, should, in the face of cannon, confront an enemy almost double in number, and drive them from their entrenchments, marks the determination of Americans, and affords an instance of bravery without precedent in history.

Soon after this the enemy, being reinforced, renewed the attack, and from the dictates of despair fought with persevering intrepidity, which in any other circumstances must have been the attainment of their wishes. In this critical moment the arrival of Col. Warner’s regiment, by adding to the spirit of the men as well as to their numbers, completed the victory. Boast then, ye gasconading Britons, that two thousand of your men can effect a march from Saratoga to Springfield, for this action has evinced that a Stark, a Warner and a Herrick, with a number of men little more than half equal to yours, could by the assistance of heaven defeat your enterprise upon the first attempt, and make two-thirds of your body prisoners.

But I check this language because gasconade is no mark of bravery. The fame of this action spread through every part of America, and was productive of the most salutary effects in raising the spirits of our army, which was worn out by fatigues and hardships, and in depressing those of the enemy which for a long time had been flushed with victory. This battle being a prelude to those fought at Stillwater, which were the immediate harbingers of Burgoyne’s resignation, had a powerful operation in effecting that event, which was really the most memorable and glorious that ever graced the annals of America.

Can it be thought possible that the heroism of a few hundred Green Mountain Boys, by being exhibited when the whole country was depressed by retreats and misfortunes, should effect the resignation of a general who commanded ten thousand men, and operate the total dissolution of his army. To the effects of this action must be attributed in a considerable degree that series of success which for the year past has constantly attended our arms, and which has made America so respectable among the nations,

that one of the most potent monarchs in the world has not thought it derogatory to court her alliance.

This establishes our independence and must soon put a period to the calamities of war. Are these the effects of the battle of Bennington? Are these the prospects which attend the republic of America? Then what laurels are due to Stark and those bold assertors of liberty, whose determined resolution and undaunted courage effected the salvation of their country?

But in a speech of this kind it would be impious not to make ascription of the sublimest praise to that God whose Kingdom is over all. "Had not the Lord been on our side when men rose up against us, they had swallowed us up quick." The success of that day is not to be attributed to the skill of the officers, and the prowess of the soldiers, but to the interposition of heaven. That omnipotent being who has been pleased to style himself the God of armies, inspired our troops with intrepidity and directed their charge in such a manner that opposition could produce nothing but carnage and immediate death.

Those heroes who were active that day were the instruments by which our deliverance was effected, but God was the author. To Him, therefore, let the first and most grateful tribute be paid. As the victory was complete, let the song of praise be sincere and universal. It becomes all to unite in this glad work, even those whose nearest friends were numbered with the slain. By yielding themselves a sacrifice to the flagitious exertions of tyranny, they discovered a stability of sentiments in the cause of freedom and sealed it with their blood. It was a custom among the ancients to canonize those who fell in battle, and to send them immediately to the Elysian fields. This was productive of good effect among their soldiers, as it made them believe that to die in battle was only to enter upon a more happy state. "It is sweet and glorious to die for one's country," was a maxim which they firmly believed.

In fighting, the death of some is necessary, even on the side of victory; and that individual who would not resign his life for the salvation of his country must be possessed of a soul the most partial and contracted. There is, therefore, no just cause of lamentation to those whose friends were slain, for by their deaths our country was saved. Since that event, the situation of affairs in this northern department has been very different. The hurry and bustle of war are now succeeded by the sweets of tranquility and retirement. Those, who by the savage cruelty of the enemy were driven from their habitations, are now returned to a peaceful and flourishing settlement, and instead of those horrors and deprivations which are inseparable from all wars, and with which this

has been particularly marked, all have now the glorious prospect of a permanent and uninterrupted peace. When this takes place, the necessity of maintaining so numerous an army will cease, our currency will again revert to its proper value, and thousands will resort to this State with designs of making it the place of their residence ; all the avenues of commerce will be laid open, and the inestimable blessings of government established. Then, if we may be allowed to put a literal construction upon the enraptured prophecy of Isaiah : “ The wilderness and the solitary place shall be glad for them ; and the desert shall rejoice, and blossom as the rose.”





A  
POETICAL ESSAY,  
DELIVERED AT  
BENNINGTON,  
ON THE  
ANNIVERSARY  
OF THE  
16TH OF AUGUST, 1777,  
BY STEPHEN JACOB,  
1778.

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HARTFORD:  
PRINTED BY WATSON & GOODWIN,  
MDCCLXXIX.



## A POETICAL ESSAY, &c.

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Where blood-bought fame the glowing sage inspires,  
Where thirst of glorious death the patriot fires,  
Where future scenes in happier prospect rise,  
Where griefs are sooth'd and grating discord flies,  
Springs the rich theme that wakes the enraptured song  
Which claims an audience of the assembled throng.  
When angry faction rolling from afar  
Burst on our shores, and spread the flame of war,  
Rous'd fair Columbia with its dread alarms,  
And bid her sons indignant rush to arms,  
This infant State, where beasts of midnight howl'd,  
Rang'd the broad waste and thro' lone deserts prowl'd,  
And this fair town where feline monsters stray'd,  
Broke from their dens and on the helpless prey'd,  
Their martial offering to their country gave,  
To share its victories or a glorious grave,  
Up-sprung the heroes from their new abode,  
Inspir'd by freedom and by freedom's God,  
With heaven-born vigor drove the oppressors forth,  
And crop't the first blown laurels of the north ;  
Nor could a tyrant's rage or fetters bind  
The unconquered Allen's more unconqu'rd mind.  
He rose superior to the chills of fear,  
Disdaining threats, defy'd the uplifted spear,  
When shifting victory flushed the adverse fight,  
When war's pale torch display'd a glim'ring light,  
When fear our less'ning band inspired,  
The foe advanced, and back our arms retir'd ;  
When to this trembling seat our troops were driven,  
Like hosts subdu'd or disapprov'd of heaven,  
That dread Supreme whose thundering terrors roll,  
Dart from the storm and blast the guilty soul,  
Mark'd all our grief from his bright throne above,

Ey'd our distress and soften'd into love ;  
 The foe's rash boasting, in fierce anger heard,  
 Pointed their fate and our cold bosom cheer'd,  
 Then from his seat sublime sent Michael forth  
 To rouse the ardor of the drooping north.  
 In awful grandeur on the dusky storm  
 Soon as commanded flew the ethereal form,  
 Here in mid heaven slow hov'ring on the wing,  
 Diffus'd the ardor that he came to bring.  
 As by the Eternal's conquering breath inspir'd,  
 Vigor return'd and zeal each bosom fir'd,  
 Swift to the field each blazing warrior flew,  
 Each took his post and each his falchion drew,  
 Each here glow'd to meet th' insulting foe,  
 Resolved to fall or give the conquering blow.  
 High o'er the hills th' ethereal seemed to sail,  
 And from a cloud suspends the dubious scale,  
 Where veil'd in darkness near the opposing foe,  
 The signal given, forth rushed the martial train,  
 Nor mountains, floods, or hosts their zeal restrain.  
 Their shining arms a dazzling pomp display,  
 Gleam o'er the vale and brighten on the day ;  
 The adverse legions eye the trembling light,  
 And flushed with conquest, rush amid the fight ;  
 Our dauntless troops th' impetuous shock sustain,  
 Burst through their ranks and multiply their slain ;  
 Then back recoil like vanquish'd warriors driven,  
 Now blaze afresh as reinspir'd by heaven,  
 Now on the foe in leaden volleys pour,  
 Now back on them the thund'ring cannon roar ;  
 Now close engag'd the opposing heroes meet ;  
 Now fly their hosts, and ours again retreat.  
 Thus long conceal'd the dubious victims lay,  
 Till length'ning shades proclaim'd the setting day,  
 When from our sight the angelic form withdrew,  
 Up poiz'd the scale and back their squadrons flew.  
 Great Stark, a warrior from that day, may claim,  
 With the brave Herrick, an immortal fame ;  
 To many more we'd grateful tributes pay  
 Who fought, who conquer'd and who bled that day,  
 And those firm souls, that new elected band,  
 Which forms your Senate our best thanks demand.  
 Their persevering minds 'mid thick alarms,  
 Could sway the public and direct its arms,  
 And midst the din of war and rough debate

Fix the firm basis of a rising state.  
Yon bright'ning orb, whose beams the nations cheer,  
Has mark'd one circuit round the varied year  
Since those fair prospects first approached the sight  
Which greet our wond'ring eyes with pleasing light,  
When sec fierce discord cease, sec treason bleed,  
See war's rough tumult end, and peace succeed.  
Astonish'd strangers eye the new born state  
Where Chittenden presides in each debate,  
Whose patriot mind no selfish views can charm,  
And whose mild bosom gen'rous passions warm,  
Beneath whose eye see science stretch her wing,  
Cheer the lone waste and make the desert sing,  
And heaven at last, tho' long it seems to frown,  
On its own sons confer a laurel crown.  
When war's rough genius fir'd the angry plain,  
Bade orphans weep and parents mourn their slain,  
Bade sorrowing thousands eye the empurpl'd field  
Where slaughter rag'd, in various forms reveal'd,  
Where countless warriors left their parting breath,  
And many a hero swell'd the tide of death,  
We make a solemn pause to mourn those dead  
Whose fame shall live till greatful hearts are fled ;  
Who, to defend an injur'd, bleeding land,  
Dar'd bleed themselves at heav'n's severe command.  
We mourn their fall, yet joy they once were here,  
To show their country what they held most dear.  
Heroes thus bravely falling we deplore,  
Yet hail them welcome to the immortal shore !  
Here blameless envy might with justice cry,  
" Oh ! could I virtuous live, and like them die."  
Each matron, too, with ancient Sparta's dame,  
Whose son for freedom bled, might thus exclaim :  
" For this I birth to that young warrior gave,  
That he by falling might a country save."  
Yet such rough firmness we but seldom find.  
And tenderness adorns the female mind.  
One sympathetic tear we'd now impart  
To sooth the parent's and the orphan's heart,  
Console the widow and th' afflicted maid  
Whose dearest bliss beneath the dust is laid.  
For you who wail a tender offspring dead,  
Whose sons for freedom fought and nobly bled,  
You, whose companions met the fatal spear,  
We greatly mourn and drop the friendly tear.

For you, fair virgins, who in beauty's bloom  
 Fade into grief and wear a saddening gloom,  
 In secret languish and your pains approve,  
 Melt in distress and mourn your hapless love,  
 We feel, we feel for you the tenderest pain,  
 And floods of softness rush through every vein !  
 But stop ! too fast these piercing sorrows roll,  
 And spread a gloom o'er every feeling soul.  
 Now led by fancy, burst the films of night,  
 To future scenes extend the pleasing sight,  
 Survey the paths your unborn sons shall tread  
 When you're forgot and their's, when you are dead,  
 When Albion's less'n'd host shall disappear,  
 Her rage grow mild and calm Columbia's fear,  
 When the fair olive shall her branch extend,  
 And long lost peace again from heaven descend,  
 When fleets for traffic skim along the tide,  
 Heave to our shores, or in safe harbors ride,  
 Where with soft smiling commerce they impart  
 Th' ensnaring vices of each distant court,  
 Where pamp'r'd lux'ries with malignant breath  
 Invade our shores and spread a moral death,  
 Internal sweetness and domestic ease  
 Here fix their gentle reign and spread the charms of peace.  
 No tyrant here shall dare erect his throne,  
 No griping landlord wake th' oppressed's groan,  
 No cringing minion be for flatt'ry fed,  
 No menial slave a haughty master dread,  
 No hateful monster supplicate defense  
 Who boasts his spoils of artless innocence,  
 But injur'd virtue sinking in distress  
 Fly here for safety and obtain redress.  
 No jarring feuds revive the martial flame,  
 Or war be known but as a transient name,  
 No tender matron feel the pangs of fear,  
 Or melting virgin drop the parting tear,  
 No mourning consort of her fate complain,  
 Or lisping infant weep a parent slain,  
 But gentle friendship spread her balmy wing  
 While music softens from the trembling string,  
 Each youth excel in every noble art,  
 Taste the pure blessings of an honest heart,  
 Disdain the follies of a vicious age,  
 And spurn deceit and meanness from the stage,  
 Nor dare permit the polish'd tongue to speak

What wakes a blush on virtue's modest cheek,  
Or yield assistance with malicious joy  
To blast the fair and innocence destroy,  
But taught by heaven their generous aid extend,  
Protect the helpless and the weak defend.  
Nor these alone th' enraptur'd tho'ts inspire,  
But fairer charms the glowing bosom fire.  
The heaven-born sweetness and an angel mind,  
With beauty's soft excess to sweetness joined,  
By wisdom taught the just distinction know  
'Twi'x't worthy merit and the flutt'ring beau,  
They scorn those vulgar arts that fools pursue,  
And stem the tide of custom to be true.  
There conscious virtue holds her gentle reign,  
And knows no fear but that of causing pain.  
To these blest scenes our fondest hopes extend,  
When discord flits and hated factions end,  
Long peaceful years in calm succession roll,  
And love of wisdom animates the whole ;  
Art and refinement wake and spread their charms,  
The youth in letters shine as now in arms,  
When many a fair adorns the polish'd page  
That beams instruction o'er the rising age,  
When warring sexes lay their arts aside  
And take fair virtue for their guiltless guide,  
When worth and grandeur in our bosom shine,  
And age and youth in sacred chorus join,  
Where none shall court the rich unpolished clown,  
On needy merit cast a sneering frown,  
Spurn from their presence the dejected poor,  
Or send the hungry fainting from their door,  
But heaven-born freedom spread her wide domain,  
And peace and justice unmolested reign.  
Cold poverty shall fly nor want appear,  
But health and plenty every bosom cheer,  
The blooming mead, the hill and fertile plain  
Yield a rich blessing to th' industrious swain,  
The fatal steel destroy the noxious weed,  
And blushing orchards to their place succeed,  
The trackless waste, the rough uncultur'd soil  
And desolation's self be seen to smile.  
Where beasts of prey once found a safe abode  
Rise the fair temples of the immortal God ;  
Where superstition's zeal obscur'd the day,  
Truth uncontested shine with piercing ray ;

Where savage ignorance held her midnight reign,  
And bound whole nations in her gloomy chain,  
Unnumbered ages these blest scenes reveal,  
To guide the public and the private weal,  
Point to fair virtue her unbeaten road,  
And mark with censure hated foes to God ;  
Bid science rise and stretch her bright'ning wand,  
To dash out darkness from this blissful land.  
None of that impious race shall then remain,  
Who bend the gospel to increase their gain,  
Who point to heaven a new and nearer way,  
In unknown paths make erring mortals stray,  
Avoid election as a theme too high ;  
Who preach up works, but pass repentance by,  
Leave faith untaught, or to one sect confin'd,  
And damn the rest as heretics and blind.  
But fair religion warns the hoary sage,  
And lib'ral tho'ts inspire the rising age,  
Pure gospel truths in full meridian blaze  
To gray hairs, wisdom, and to infants praise.  
Far distant climes the blissful tidings greet,  
Rough, boisterous sects in heavenly union meet,  
Swift gathering crowds in listening clusters throng,  
And hang impatient on the speaker's tongue,  
While the calm teacher marks the glorious way,  
That leads to mansions of eternal day.

FINIS.



PETITIONS TO THE KING,

1766.



## EXPLANATORY NOTES.

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VERMONT STATE LIBRARY, }  
Montpelier, August 25, 1870. }

THE book, which is substantially reproduced in the pages following, has been in this library many years. The title, "Green Mountain Boys' Petition to the King, 1767," was placed upon its back by Henry Stevens, Jr., (see note following.) The volume is a small sized quarto and contains eighteen petitions, and fifteen powers of attorney, with the autographs of their signers.

All the petitions and all the powers of attorney are printed, and so are alike with the exception of a few erasures and interlineations of little importance. The whole number of signers is six hundred and twenty-four.

It was, doubtless, the intention to have each man sign a petition, and also a power of attorney; and this design was as nearly carried out as possible; and so each name is here given as though signed to a petition and also to a power of attorney, notwithstanding there a few names which are found on but one instrument.

The names upon each separate petition and corresponding power of attorney are designated as those of Signers of Petition and Power of Attorney, No. 1, No. 2, No. 3, &c.

The succeeding notes of Henry Stevens, Jr., and Gov. Hall, written upon the fly leaves of the book, render the volume more valuable and give its history. A further account may be found in the *Early History of Vermont*, published by Gov. Hall, since his note of March, 1868, was written.

CHARLES REED, *State Librarian.*

## HENRY STEVENS' NOTE.

---

THESE Petitions by the Green Mountain Boys were found by me in 1842, on one of my antiquarian excursions from Yale College, while mousing for unconsidered trifles, in the old Johnson family mansion, at Stratford, Ct., among the papers of William Samuel Johnson, of Stamp Act notoriety, and subsequently President of Columbia College. He acted as agent in London of the settlers of the New Hampshire Grants in 1767, and died in 1819, aged 92. These Petitions were scattered among a large quantity of old papers, books and pamphlets, in old barrels, stored in the garret. I brought together all the copies I could find. Probably a few are lost. Mr. Wm. Samuel Johnson, the son, who died four years after, in October, 1846, aged 85, seeing the great interest I took in them as a Vermonter, kindly gave them to me. Returning with them to Yale College, I arranged and had them bound. Afterwards I deposited the volume with my father, HENRY STEVENS, of Barnet, Antiquarian. How it drifted from his collection, and became the right volume in the right place, or what had become of it, my father could never tell me. I am glad, however, to-day again to see it, after more than a quarter of a century, and am not now disposed to inquire into or trace out its wanderings. THE VERMONT STATE LIBRARY is the proper place for it, *and long may it remain here.*

Written in the Vermont State Library, }  
this 7th day of August, 1869. }

HENRY STEVENS, G. M. B.,  
of 4 Trafalgar Square, London.

## GOVERNOR HALL'S NOTE.

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THE Petitions and Powers of Attorney here bound together were taken to England by Capt. Samuel Robinson, as Agent of the settlers on the New Hampshire Grants. Mr. Robinson sailed from New York December 25, 1766, on board the same vessel with William Samuel Johnson, who went out as Agent for the Colony of Connecticut. He was also employed by the settlers to assist Mr. Robinson in obtaining relief from the Crown. On reaching London, it was deemed advisable to prepare and substitute for these another petition, stating the case of the settlers more in detail, which was signed by Mr. Robinson in their behalf, and presented to the King. Mr. Robinson died in London, October 27, 1767. These papers were found by Henry Stevens, Jr., among those of the deceased Mr. Johnson, at Stratford, Connecticut.

Montpelier, March, 1868.

HILAND HALL.





A

P E T I T I O N

T O

HIS MAJESTY KING GEORGE the Third.







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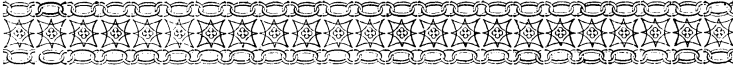
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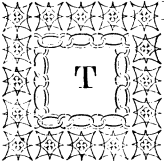
J. & J. M. POLAND, PRINTERS.



To the KING's Most Excellent MAJESTY.

*The Humble Petition of the several Subscribers hereto, Your Majesty's Most Loyal Subjects,*

Sheweth to Your Majesty;

HAT We obtained at considerable Expence of Your Majesty's Governor of the Province of *New-Hampshire*, Grants and Patents for more than One Hundred Townships in the Western Parts of the said supposed Province; and being about to settle the same, many of Us, and others of Us, having actually planted Ourselves on the same, were disagreeably surprized and prevented from going on with the further intended Settlements, by the News of its having been determined by Your Majesty in Council, That those Lands were within the Province of *New-York*; and by a Proclamation issued by Lieutenant Governor GOLDEN, in Consequence thereof forbidding any further Settlement until Patents of Confirmation should be obtained from the Governor of *New-York*. Whereupon We applied to the Governor of said Province of *New-York*, to have the same Lands confirmed to Us in the same Manner as they had been at first granted to Us by the Governor of the said Province of *New-Hampshire*; when, to Our utter Astonishment, We found the same could not be done, without our paying as Fees of Office for the same, at the Rate of *Twenty Five Pounds, New-York Money*, equal to about *Fourteen Pounds Sterling*, for every Thousand Acres of said Lands, amounting to about *Three Hundred and Thirty Pounds Sterling* at a Medium, for each of said Townships, and which will amount in the Whole to about £33,000 Sterling, besides a Quit-rent of *Two Shillings and Six Pence Sterling*, for every Hundred Acres of said Lands; and which being utterly unable to do and perform, We find Ourselves reduced to the sad Necessity of losing all our past Expence and Advancements; and many of Us of being reduced to absolute Poverty and Want, having expended Our All in making said Settlements.

Whereupon Your Petitioners beg Leave most Humbly to observe,

1. That when We applied for and obtained said Grants of said Lands, the same were and had been at all Times fully understood and reputed to lie and be within the said Province of *New-Hampshire*, and well within the Power of the Governor of that Province to grant: So that Your Petitioners humbly hope they are equitably entitled to a Confirmation of the said Grants to them.

2. The said Grants were made and received on the moderate Terms of Your Petitioners paying as a Quit-rent *One Shilling* only, Proclamation Money, equal to *Nine Pence* Sterling per Hundred Acres; and which induced Us to undertake to settle said Townships throughout, and thereby to form a full and compacted Country of People, whereas the imposing the said *Two Shillings* and *Six Pence* Sterling per Hundred Acres, will occasion all the more rough and unprofitable Parts of said Lands not to be taken up; but Pitches, and the more valuable Parcels only to be laid out, to the utter preventing the full and proper Settlement of said Country, and in the Whole to the lessening Your Majesty's Revenue.

3. Your humble Petitioners conceive, that the insisting to have large and very exorbitant Fees of Office to arise and be computed upon every Thousand Acres in every Township of Six or perhaps more Miles square, and that when one Patent, one Seal, and one Step only of every Kind, toward the completing such Patents of Confirmation respectively, is necessary, is without all reasonable and equitable Foundation, and must and will necessarily terminate in the totally preventing Your Petitioners obtaining the said Lands, and so the same will fall into Hands of the Rich, to be taken up, the more valuable Parts only as aforesaid, and those perhaps not entered upon and settled for many Years to come; while Your Petitioners with their numerous and helpless Families, will be obliged to wander far and wide to find where to plant themselves down, so as to be able to live.

Whereupon Your Petitioners most humbly and earnestly pray, that Your Majesty will be graciously pleased to take their distressed State and Condition into Your Royal Consideration, and order that We have Our said Lands confirmed and quitted to Us, on such reasonable Terms, and in such Way and Manner, as Your Majesty shall think fit. Further, We beg Leave to say, that if it might be consistent with Your Majesty's Royal Pleasure, We shall esteem it a very great Favour and Happiness, to have said Townships put and continued under the Jurisdiction of the Government of the said Province of *New-Hampshire*, as at the first, as every Emolument and Convenience both publick and private, are in Your Petitioners' humble Opinion, clearly and strongly

on

on the Side of such Connection with said *New-Hampshire* Province. All which Favors or such and so many of them as to Your Majesty shall seem meet to grant, We humbly ask ; or that Your Majesty will in some other Way grant Relief to Your Petitioners ; and they, as in Duty bound, shall ever pray.

*Dated in New-England, November, 1766. And in the Seventh Year of His Majesty's Reign.*



## POWER OF ATTORNEY.

**WE** the Subscribers Proprietors and Claimants in and of sundry Townships, lately granted by Governor WENTWORTH, in the Western Parts of the then supposed Province of *New-Hampshire*, do hereby fully empower Our trusty Friends and fellow Partners in those Interests, *Samuel Robinson*, Esq; *Ebenezer Cole*, *Jeremiah French*, *Benjamin Ferris*, *Samuel Hungerford*, *Ebenezer Fisk*, *John Brooks*, *John Sherrer*, *Samuel Keep*, *Partridge Thatcher*, *Abraham Thompson*, *Edward Burling*, *Benjamin Townsend*, *Tunis Wortman*, *Peter Clapper*, *John Burling*, *Joseph Hallet*, *Thomas Hicks*, Esq; and *David Matthews*, Esq; for Us and in Our Behalf and Stead, to take and pursue all and every needful and proper Measure and Step, by Application to His Majesty or otherwise, to obtain a full Confirmation to Us of said Lands, on such reasonable Terms as may be; hereby granting to them and to any and every three or more of them, full Powers of Substitution. Witness our Hands, in *New-England*, *November*, 1766.

*Names of the Signers of the foregoing Petition and Power of Attorney.*

No. 1.

Ebenezer Cole,	Sam'l Robinson, Jr.,	Henry Walbridge,
Sam'l Waters,	Silas Robinson,	James Breakenridge,
Freegift Cole,	Daniel Scott,	Thomas Smith,
Parker Cole,	Zephaniah Holmes,	Joseph Robinson,
Mills Sly,	Thos. Henderson,	Gideon Spencer,
Peleg Spencer,	Elnathan Hubbel,	John Smith,
Jacob Marsh,	Elkanah H. Shley,	Samuel Atwood,
Maehir Mertin,	Cornelius Cady,	Nathaniel Holmes,
Ichabod West, Jr.,	Zech'h Harwood,	Sam'l Hunt,
John Trumble,	Lenard Robinson,	Nath. Spencer,
Edward Fitsimmons,	Benajah Story,	Sam'l Tubs,
Moses Robinson,	John Smith, Jr.,	Daniel Mills,
Ebenezer Wood,	Petre Harwood,	Nathaniel Holmes, Jr.,
Nathan Clark,	Robert Cochren, Sen.,	Israel Hurd,
Jacob Hide,	Robert Cochren, Jr.,	Jonathan Carpenter,
Jonathan Eastman,	Sam Brown, Jun'r,	Nathan Clark, Jr.,
Henry Walbridge,	Elish Noble,	Benjamin Corey,
Jedediah Merrill,	Amos Leach,	Benajah Rude,
John Fassett, Jun.,	Obadiah Noble,	Jonathan Scott,
Joseph Wickwire,	Moses Corbin,	Ebenezer Robinson,
Joseph Rudd,	Ichabod West,	John Fassett,
Jonathan Scott, Jr.,	Rufus Bakon,	Stephen Fay,
Josiah Fuller,	Matthias Cobb,	Samuel Cuttler,
Lebbeus Armstrong,	Isaah Carpenter,	Sam'l Scott,
Timothy Pratt,	Ichabod Cross,	Benj. Warner,
Joseph Willoughby,	Justins Olin,	Daniel Warner,
Elijah Story,	John Burnum,	John Warner,
Elisha Field,	George Pengree,	Seth Warner,
Jonathan Fassett,	Abither Waldo,	Weight Hopkins,
Simeon Harmon,	David Blakelee,	Stephen Hopkins,
Joseph Richardson,	Zarubabel Materson,	Isaac Lawrance,
John Corey,	Sam'l Pratt,	Jediah Dewey,
Joseph Barber,	Benj. Whipple,	Isaac Serls,
Joseph Smith,	Samuel Safford,	Sam'l Adams,
Nath'l Dickinson, M.D.,	Silas Pratt,	John Burnam, Jr.

*The following is a list of the Inhabitants of Pownal who are all on the spot.*

[This list of names is appended to petition No. 1, and is in one hand-writing.]

Seth Hudson,	Caleb Reynolds,	Elijah Woolcutt,
Direck Smith,	Abraham Jacob Lanson,	Abraham Bass,
Asa Alger,	Petter Robards,	Noah Pratt,
Petter Payne,	Isaac Whaley,	Lorance Cry,
Luke Vanernum,	Theophels Whaley,	John George Kriger,
James Archer,	Charls Wright,	Woolrod Kriger,
John Vanernum,	John Dafoo,	Crispen Bull,

Andrew Burns,  
Francis Burns,  
Mathew Ford,  
Peeter Fursburg,  
David Carey,  
Paul Gardner,  
Mathew Randal,  
Elisha Card,  
Benj'm Briges,  
Benj'm Reynolds,  
Daniel Perce,  
George Baker,  
Jonathan Card,  
Dan Howlet,  
John Blakely,  
Joseph Miller,  
James Draper,  
Ephriam Burlingame,  
Michel Duning,

Isaac Vanarnum,  
David Perigo,  
Timothy Grover,  
Enos Grover,  
Ephriam Mallery,  
Joseph Williams,  
George Gardner,  
George Gardner, Jur.,  
Benoni Permenter,  
James Fuller,  
William Hayward,  
Andrew Alger,  
Benj'm Gardner,  
Boaz Brookens,  
Philip Brookens,  
Jonathan Wright,  
Joseph Gallop,  
David Mallery,  
Elezer Marsh,

Witherly Wittam,  
Jerimeah Gardner,  
Ely Nobels,  
Josiah Nobels,  
Daniel Luce,  
James Curtis,  
Edward Hicks,  
George Hicks,  
Samuel Anderson,  
Benj'm Grover,  
George Mitchel,  
James Perigo,  
John Willson,  
Moses Omsted,  
Ebenezer Wright,  
Levi West,  
Samuel Waters, Jun'r,  
Joshua Reynolds.

## No. 2.

James Owen,  
David Vallance,  
Samuel Tousley, Jun.,  
Abner Woodwarth,  
Joseph Hanchet,  
Amos Bird,  
Andrew Squier,  
Roswell Steel,  
Ruluff White,  
David Owen,  
Elijah Skinner,  
Elias Reed,

Joel Reed,  
Elias Reed, Jr.,  
Eliphalet Owen,  
Gideon Kellogg,  
William Ham,  
Sam'l Keys,  
Daniel Reed,  
David Stevens,  
Andrew Brownson,  
John Scovil,  
Daniel Cole,  
Ebenezer Hanchet,

Elish Strong,  
Samuel Chipman,  
Heman Allen,  
Thomas Chipman,  
Jonathan Chipman,  
Reynold Marvin,  
Aaron Owen, Jr.,  
Jonathan Hall,  
Jabez Keys,  
John Chipman,  
William March.

## No. 3.

Charles Burrall,  
Sam'l Elmore,  
Dan'l Griswold,  
David Holcomb, Jr.,  
Daniel Hopkins,  
Ruben Squire,  
Tim'o Holcomb,  
Isaac Kellogg,

Elisha Sheldon, Ju'r,  
Appleton Burnham,  
Thomas Porter,  
Phenihaz Spaulden,  
Henry Spaulden,  
Russell Hunt,  
Thomas Barney,

Odel Squier,  
Joseph Bradley,  
Timothy Pangborn,  
William Burrall,  
Charles Burrall, Ju'r,  
Jonathan Burrall,  
Ovid Burrall.

## No. 4.

Stiles Curtiss,  
Nathan Birdsey,  
Abner Judson,  
Francis Hawley, Purch'r  
of Gideon Wheeler,  
Joseph Tomlinson,  
Jos. Tomlinson, Purch'r  
of John Beecher,

Beach Tomlinson,  
Daniel Judson,  
Joseph Birdsey, Purch'r  
of Daniel Bardslee,  
Agur Judson, under  
John Mallary,  
Luke Summers,

John Wooster under  
Samuel Hockings,  
Thomas Wooster,  
Israel Johnson,  
Joseph Holbrook,  
Elnathan Lake,  
Thomas French,



Agur Tomlinson under	Jonathan Judson,	John Moss,
Benajah Dickinson,	Jeremiah Beardslee,	William Pendleton by
Agur Tomlinson under	John Beardslee,	Edmond Pendleton,
John Hide,	Henry Curtiss,	John Brooks,
Silas Curtiss under	Edmund Curtiss,	Jonathan Judson.
Edmund Lavenworth,	Zechariah Tomlinson, Jr	

No. 5.

Joseph Sanford,	Nathl. Bartlet,	Zalmon Hull,
Nathan Sanford,	Peter Fairchild,	Seth Samuel Smith.
Stephen Sanford,	Eben'r Green,	Danl. Beets,
James Sanford,	Wm. Green,	Benjamin Beets,
Joseph Sanford, Juner,	James Gray,	Joshua Hall,
Samuel Barlow,	William Hawley,	Joshua Hall, Junr.,
James Barlow,	Job Bartram,	Hezekiah Sanford,
Jabez Barlow,	Wm. Livesay,	Gershommor Hous, Jr.,
Nathaniel Barlow,	Abram. Gold,	Seth Sanford.

No. 6.

Nathaniel Edwards,	George Nichols,	Ephraim Worner,
Thomas Matthews,	Joseph Beach,	Jonathan Baldwin,
Stephen Matthews,	Samuel Holt,	Abijah Worner,
Stephen Upson,	Israel Woodward,	William Nichols.
Gideon Matthews,		

No. 7.

Thomas Clapp,	Timothy Seamour,	Seth Lee,
Caleph Croswell	Junr., 3d,	Amos Lee,
claims under Spenser,	Timothy Lee,	Timothy Seymour,
Timothy Seymour, Jr.,	Eliakim Hall,	purchased of Joshua
Jared Lee,	Ephraim Tuttle,	Stanton.

No. 8.

Partridge Thacher,	Abel Hine,	Samuel Canfield.
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No. 9.

Noble Hine,	Joseph Ferris,	Oliver Warner,
John Brownson,	Thomas Weller,	Thomas Noble,
William Gookl,	Benjamin Gaylard,	Abel Camp,
Ebenezer Hotchkiss,	Amos Bostwick,	Capt. Joseph Canfield,
Isaac Hitchcock,	Zadok Noble,	Martain Warner,
Israel Baldwin,	Joseph Ferris, Junr.,	Isaac Bostwick,
John Carington,	Samll. Ferriss,	Reuben Booth,
Benjamin Eastman,	Daniel Bostwick, Jr.,	Isaac Canfield,
David Ferris,	John McEwen,	Dobson Wheeler.
Samuel Comstock,	Zechariah Ferriss,	

## No. 10.

Reed Ferris,	William Davis,	Nathaniel Howland,
John Akin,	Daniel Chase,	Jonath. Akin,
Benja. Ferris, Jr.,	George Soule,	Josiah Akin,
Elisha Akin,	John Hoag,	Elijah Doty,
Thomas Akin,	John Hoag,	Henry Davis,
John Tripp,	Samuel Coe,	Henry Chase,
James Tripp,	Elias Palmer,	John Soule,
Giddeon Gifford,	Benja. Ferris,	Nathan Soule,
Nathan Soule,	David Akin,	Daniel Wing,
Amos Northrup,	Ebenezer Peaslee,	Jonathan Mosher,
Joshua Dakin,	John Cannon,	David Palmer,
Simon Dakin,	Prince Howland,	Stephen Field,
Jacob Haviland,	Nathaniel Stevenson,	John Hoag,
William Haviland,	Zebulon Ferris,	Paul Hoag.

## No. 11.

John Cornell,	Joseph Cornell,	Benjamin Cornell.
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## No. 12.

James Ferris,	Mathew Franklin,	Edward Burling, Junr.,
John Ferris,	David Hunt, Junr.,	Richard Burling,
Saml. Stringham,	Theophilus Hunt,	J—— Hallock,
Benj'n Haviland,	Jonathan Fowler,	John Vermilye,
Thomas Haviland,	Henry Contant,	Peter Huggeford,
Jacob Suydam,	Aaron Quinby,	Samuel Tredwell,
Daniel Bowne,	James Fowler,	Abram Guion.
John Cornell,		

## No. 13.

Richard Woodhull,	David Austin,	Daniel Lyman,
Thomas Willmotts,	Isaac Doolittle,	Samll. Austin,
Jonathan Lyman,	Jonathan Mix,	Samll. Bishop, Junr.
Naphtali Daggett,		

## No. 14.

Eliakim Hall, for ten rights,	John Austin, one Right purchased
John Hulls, one Right, Purchest of	of Abraham Perker,
Asel Beech,	Daniel Clark, one Right,
Caleb Merriman, one Right,	Benjamin Rice, one Right,
Jared Lee, one Right,	Isaac Halsey, one Right,
Benjamin Lewis, one Right,	Samuel Jearom, one Right,
Isaac Hall, nine Rights,	Abel Austin, one Right,
Reuben Royse, one Right,	John Ives, one Right,
John Austin, his Right,	Caleb Culver, two rights,
	John Austins, one Right.

No. 15.

Samuel Hungerford,	Will'm Barnes, Jun'r,	Elnathan Hall,
James Potter,	William Giddings,	Seth Hall,
Nathaniel Seelye,	Joseph Giddings,	Stephen Hull,
Elijah Sill,	John Wing,	Haynes Stanford,
James Moger,	John Morhous,	Andrew Sturgis,
Aaron Prindle,	Samuel Waldo,	George Burr,
Alexander Steward, Jr.,	Benjamin Elliot,	William Barnes,
Elihu Marsh,	John Hoag, Ju'r,	Edmund Hawse,
Daniel Marsh,	Andrew Morhous,	Thomas Dronk,
John Marsh,	John Mac Cordy,	Benjamin Eliot,
Samuel Marsh,	Samuel Olmsted,	Josiah Hungerford,
Kent Wright,	James Stewart,	That ford Homes,
Leddol Buck,	Daniel Cone,	Dan Towner,
Leddol Buck, Jr.,	Daniel Prindle,	Will. Gaylard Hubbel,
John Gorham,	Alexander Stewart,	Eleazer Hubbell,
Thomas Douglas,	William Beck,	Dennis Hubbell,
Samuel Dean,	John McCoal,	Ephraim Hubbell,
Thomas Northroup,	Grean Hungerford,	Thomas Gold.
Stephen Barns,	Daniel Prindle, Jun.,	

No. 16.

Paul Yeats,	Azariah Pratt,	Silvenas Osborn,
Benjamin Seelye,	Eliezer Thompson,	Elipelet Whittlesey,
Noah Wadhams,	Jethro Hatch,	John Whittlesey,
John Calhoun,	Silvanus Hatch,	Nathaniel Hickcock,
Josep Wheten,	Zacheriah Nobles,	Nathan Hicoek,
Benjamin Bennit,	John Bostwick,	Joseph Calhoun,
Morgin Noble,	Elias Kinne,	James Calhoun,
Stephen Noble,	Jacob Kinne,	David Cahoun,
Israel Noble,	Daniel Kinne,	Sam'l Averill,
Joel Bordwell,	Josiah Caswell,	Tille Weller,
Jedidiah Hubbell,	Benjamin Mallory,	Abel Weller.
Abijah Hubbell,	Samuel Mallory,	

No. 17.

Cotton Mather Smith,	Tho's Pardee,	Martin Elmore, Jun'r,
Tempe Worthington,	Sam'l Elmore, Jun'r,	Samuel Hurlbut.
G. Caldwell,		

No. 18.

Jehiel Hawley,	Agur Hawley,	Jeremiah French,
John Searls,	Zackeas Mallary,	Eliakim Weller,
Sam'l Adams,	Gideon Hawley,	Sam'l Sopper,
Ogdin Malery,	Simon Burton,	James Mead,
Josiah Hawley,	Ebenezer Leonard,	James Vaugn,
Remember Baker,	Amos Chipman,	James Frome,
Ebenezer Wallis,	Stephen Mead,	Gideon Serls,
Jeptha Hawley,	Joseph Erls,	John Serls, Jur.,
David Williams,	Will'm Serls,	Elisha Pendle.

Gideon Woring,	Will'm Nowland,	John Whesson,
Timothy Brownson,	Ezra Mead,	John Prey,
Gideon Brownson,	Will'm Emes,	Benja. Simonds,
John White,	Isaac Wallis,	John Newbre,
Isaac Hill,	Ebenez'r Wallis, Junr.,	Thomas Denten,
Roscl Hill,	Nathaniel Wallis,	John Willson,
Frances Berney,	David Williams,	James Lewis.

## No. 19.

Edward Burling,	Lancaster Burling,	Amos Underhill,
John Burling,	John Lawrence,	Jacobus Bogert,
Dirck Lefferts,	Caleb Lawrence,	Nicholas Bogert,
Daniel Latham,	B'n Blagget,	John Grenell,
Benja. Hildreth,	Gilbert Pell,	Amos Dodge,
Sam'l Farmar,	Joseph Latham,	Jos. Pearsall,
Wm. Field,	John Bogert, Junr.,	Tho. Pearsall,
Francis Field,	Edward Agar,	Tho's Franklin, Junr.,
Sam'l Willets,	Wm. Mercier,	Willett Taylor,
Jacob Watson,	Joseph Hallett,	Henry Franklin,
David Barclay,	Wm. Hawxhurst,	Benjamin Underhill.

THE  
VERMONT COINAGE,

By Rev. EDMUND F. SLAFTER, A. M.,

*Member of the Boston Numismatic Society; Corresponding  
Member of the Vermont Historical Society, etc., etc.*



## THE VERMONT COINAGE.

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BEFORE entering upon a description of the Coinage of Vermont, a few brief statements of a general character seem to be necessary in explanation of some of the terms employed, and of the historical relations of the subject.

Coins are a specific form of money, the latter comprehending all established mediums of exchange. In the early periods of the world, and in different stages of civilization, a great variety of materials were used as money. The precious metals, however, began soon to be employed exclusively in most countries, and their values to be determined by weight. For greater convenience and facility in transacting business, as another step in progress, small pieces of metal, of a given weight, received a government stamp or seal, and their values were computed by tale or count. This was a great advance, as it rendered unnecessary the very tedious process of weighing whenever it was desired to give or receive money in the transactions of business.

The art of coinage had its origin not far from eight hundred years before the Christian era, and the early products of the mint were exceedingly rude in their structure. The history of the progress of the art, and the improvement in the figure, beauty, and adaptedness of coins to their intended use, is a subject of great interest, but too extensive to be entered upon in a brief paper like this.

It will be sufficient for our present purpose to state that a coin is a metallic substance, of a given weight and value, and bears

upon it a device or seal placed there by order of government, and is designed to be a medium of exchange. All these particulars are essential constituents of a coin. Metallic pieces are often struck from dies, and resemble coins, but are not so, simply because they are wanting in one or more of the before-mentioned particulars. Medals may have the necessary weight, value and devices, but are not coins, because they are not authorized as such by the government.

In this country, anterior to 1776, very few coins were struck. The Colony of Massachusetts Bay issued, in 1652, silver coins, having "N. E." stamped upon them: these were soon followed by the well known "pine-tree money," and this coinage was continued for more than thirty years. Steps were taken by the colonies of Maryland, Virginia and North Carolina for the establishment of mints, but none of them appear to have advanced so far as to have coined money. The copper pieces in circulation were for the most part of European origin. The only exception, as far as we are informed, was the "Granby Copper" manufactured by Samuel Higley at Granby, Connecticut, about the year 1737. These unauthorized medalets were circulated as coins, were of pure copper from the Granby mines, and as they were struck from several dies, we may infer that the number issued was considerable.

Between the Declaration of American Independence in 1776, and the adoption of the Constitution of the United States in 1788, often denominated the period of the Confederation, several of the states established mints, or authorized the manufacture and issue of coins. Among these Vermont took the lead, her first act, authorizing the issue of coins, bearing date of June 15, 1785. Connecticut came next, her act being October 20, 1785. New Jersey followed June 1, 1786, and Massachusetts, October 17, 1786. These were the only states that issued coins during the period of the Confederation, and none were struck except in copper. Massachusetts established a proper mint, and the business was conducted by the authority and in behalf of the state. The other three states issued patents to private persons on their petition, who, under heavy bonds and careful restrictions, manufactured the coins at their own risk, and so far forth as a private enterprise.



There is abundant evidence that there was a great want of small coins throughout the whole country, and in Vermont, so far removed from the great centres of business, it was doubtless as severely felt as at any other point.

At the session of the General Assembly of Vermont, held at Norwich in 1785, a petition was presented on the 10th of June, by Reuben Harmon, Jun., Esq., praying for leave "to coin a quantity of copper," which was referred to a committee of three, to be joined by another from the Council, to take the subject into consideration and report to the House. The committee appointed consisted of Isaac Tichenor of Bennington, John Strong of Addison, and Samuel Williams of Rutland, and these gentlemen were joined by Ira Allen as a committee from the Council.<sup>1</sup>

This joint committee reported a bill, which passed through all its stages, and became a law of the State on the 15th of the same month. We give the act entire as follows :

*Whereas*, Reuben Harmon, Junior, Esqr., of Rupert, in the County of Bennington, by his Petition, has represented that he has purchased a quantity of copper, suitable for coining, and praying this Legislature to grant him a right to coin Copper under such regulations as this Assembly shall seem meet, and this Assembly being willing to encourage an undertaking that promises so much public utility, therefore

*Be it enacted, and it is hereby enacted, by the Representatives of the Freemen of the State of Vermont, in General Assembly met, and by the authority of the same :*

That there be and hereby is granted to the said Reuben Harmon, Junior, Esqr., the exclusive right of coining copper within this State for the term of two years from the first day of July in the present year of our Lord one thousand seven hundred and eighty-five : and all coppers by him coined shall be in pieces of one-third of an ounce Troy weight each, with such Devices and mottoes as shall be agreed upon by the Committee appointed for the purpose by this Assembly.

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<sup>1</sup> For some account of the Hon. ISAAC TICHENOR see *Hall's Vt.*, p. 471; of Hon. JOHN STRONG see *Vt. Historical Gazetteer*, Vol. I, p. 7-10; of SAMUEL WILLIAMS, LL. D., Vt. Historian, see *Allen's Am. Biographical Dictionary*, Saml. Williams, p. 894; of Gen. IRA ALLEN, *Hall's Vt.*, p. 454, also *Vt. His. Gazetteer*, vol. I, p. 770.

*And be it further enacted by the authority aforesaid :*

That the said Reuben Harmon, before he enters on the business of Coining, or take any benefit of this act, shall enter into a bond of five thousand pounds to the Treasurer of this State, with two or more good and sufficient sureties, Freeholders of this State, conditioned that all the copper, by him coined as aforesaid, shall be of full weight as specified in this act, and that the same shall be made of good and genuine metal.

Passed June 15, 1785.

It will be observed that, by the conditions of this act, Mr. Harmon could not enter upon the business of coining until he had bound himself under a heavy penalty to faithfully observe all the provisions of the foregoing act. This he did the next day by entering into Bonds to the Treasurer of the State for the faithful discharge of the duties of his office of coiner. The nature of his obligations will best appear by reference to the bond itself, which we here present :

Know all men by these presents, that we, Reuben Harmon, Junior, Esq., and David Sheldon of Rupert, Abraham Underhill, and Benjamin Baldwin of Dorset, all in the County of Bennington and State of Vermont, are Held and firmly Bound in the Penal Sum of Five Thousand Pound L. M<sup>y</sup>., to Ira Allen, Esq., Treasurer of the State of Vermont, and his successor in said office, the s<sup>d</sup> Harmon as Principle and the s<sup>d</sup> Underhill and Baldwin as sureties to which Payment well and Truly to be done, we Bind ourselves our Heirs Executors and Administrators firm by these Presents.

In Testimony whereof we have hereunto set our Hands and Seals this 16th day of June, 1785, in Presence of

The condition of this Bond is such that the above Bound Reuben Harmon as Principle, and the s<sup>d</sup> Sheldon, Underhill and Baldwin as sureties, Be Responsible to s<sup>d</sup> Treasurer that s<sup>d</sup> Harmon will, agreeable to an act entitled "an Act Granting to Reuben Harmon, Jur., Esq., a Right of Coining Copper and Regulating the same," that all the Copper by s<sup>d</sup> Harmon Coined shall be in Pieces of one-third of an ounce troy weight each, and that the same shall be of good and genuine metal ;

*Provided*, s'd Harmon should at any time Coin Copper of Wait Mettle or Mottos Contrary to said Act then this Bond is forfeit.

In witness whereof we have hereunto set our Respective Hands and Seals in presence of

$\left. \begin{array}{l} {}^1\text{N. CHIPMAN,} \\ \text{JOHN STRONG.} \end{array} \right\}$	REUBEN HARMON, Junr.,	$\left\{ \begin{array}{l} \text{L. S.} \\ \text{---} \\ \text{---} \end{array} \right\}$
	{}^1DAVID SHELDON,	$\left\{ \begin{array}{l} \text{L. S.} \\ \text{---} \\ \text{---} \end{array} \right\}$
	{}^1ABBAHAM UNDERHILL,	$\left\{ \begin{array}{l} \text{L. S.} \\ \text{---} \\ \text{---} \end{array} \right\}$
	{}^1BENJ. BALDWIN.	$\left\{ \begin{array}{l} \text{L. S.} \\ \text{---} \\ \text{---} \end{array} \right\}$

At the meeting of the General Assembly at Windsor, in the autumn of the same year, the weight of the coins, as determined by the preceding act, was diminished by the following modifying act, which we give entire :

*Whereas*, an act was passed by this Assembly, at their session in June last, granting to Reuben Harmon, Esqr., Junior, of Rupert, in the County of Bennington, the privilege of Coining Copper, for the time therein specified, in pieces of one-third of an ounce each, which is found to exceed in weight the Copper Coin used in the United States of America, Therefore,

*Be it enacted, and it is hereby enacted by the Representatives of the freemen of the State of Vermont in General Assembly met, and by the authority of the same ;*

That all coppers coined by the said Reuben Harmon, Esq., shall be of genuine copper, in pieces weighing not less than four pennyweights, fifteen grains each, and so much of the aforesaid act as regulates the weight of said coins is hereby repealed ; and the Treasurer is directed to deliver up the bond entered into by said Harmon in pursuance of said act, on his the said Harmon entering into an other bond, with sureties in the same sum, conditioned for making said coin agreeable to the regulations in this act.

Passed Oct. 27th, 1785.

By the first act the weight of the coin was fixed at one-third of an ounce, equal to six pennyweights and sixteen grains, while by this act the weight was reduced to the minimum of four penny-

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<sup>1</sup> For some account of the Hon. DAVID SHELDON see *Vt. His. Gazetteer*, p. 223 ; of BENJAMIN BALDWIN, *idem*, p. 186 ; of Capt. ABRAHAM UNDERHILL, *idem*, p. 184 ; of the Hon. NATHANIEL CHIPMAN, *Hall's Vt.*, p. 458.

weights and fifteen grains. The coins "used in the United States of America," referred to as being of less weight than that established by the act of June, 1785, were such unauthorized pieces as were in circulation by common consent; for it is to be observed that at this time neither of the States, nor the Congress of the United States, had issued any copper coins. Those in circulation were doubtless a variety of foreign and spurious coins, of which there was apparently a great influx at that period. The weight established, however, by this act was less than that subsequently adopted by the other states. The Connecticut coppers were required by law to weigh six pennyweights; those of New Jersey six pennyweights and six grains; while those of Massachusetts were to be of the weight established for copper coin by the Congress of the United States. As there was no unit of value established by law to which the Vermont coins were to conform, it was only necessary that the weight should be uniform, and the metal genuine, two points carefully secured by the act of the General Assembly.

After Mr. Harmon had obtained the exclusive right of coining copper in Vermont, had received from the committee the authorized devices, and had given bonds for the faithful discharge of the trust imposed in him, he was at liberty to proceed in the manufacture wherever he chose within the limits of the state, to obtain his stock and to dispose of the proceeds to the best advantage he could. He accordingly constructed a small factory, which by courtesy may be called a mint, in the northeastern part of Rupert, the town in which he resided, on a small stream called Mill Brook, a tributary of the Mettawee or Pawlet river. The building is described as "about sixteen by eighteen feet, made of rough materials, simply clapboarded, unplanned and unpainted." Within this small area were the furnace, the rolling machine and also that for cutting and stamping the planchets. The impressions were made by means of a screw moved by hand, and it is said that sixty coins per minute were struck, although half that amount was the usual number.<sup>1</sup>

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<sup>1</sup> This statement may be taken *cum grano salis*. In Barber's *Connecticut Historical Collections*, p. 531, we are informed that the apparatus for coining in the Connecticut mint was carried to such perfection that it

The devices and mottoes were fixed by a committee appointed for that purpose by the Assembly. It is interesting to observe that in Connecticut the devices were set forth and defined by statute. In New Jersey they were left to the discretion of the Justices of the Supreme Court, and in Massachusetts to that of the Governor and Council.

The devices and mottoes, in full or abbreviated, of the coins authorized by the act we have already recited, are recorded on the coins themselves, and were as follows :

OBVERSE.

*Device.*—A sun rising, with mountains and trees in the foreground, and a plough in the field beneath.

*Legend.*—VERMONTENSIVM. RES. PUBLICA.

*In the Exergue.*—Date.

REVERSE.

*Device.*—A radiated eye, surrounded by thirteen stars.

*Legend.*—QUARTA. DECIMA. STELLA.

[See Plate I. Figures 1, 2, 3.]

The Latin legend on the obverse is, in English, “the Republic of the Green Mountains ;” that of the reverse is, “the fourteenth star.” The legends are variously abbreviated, as will be seen by reference to the illustrations on Plate I.

In the construction of the dies, it is obvious that the mottoes and devices in their general features, as here laid down, must be scrupulously observed to meet the requirements of the law. Unessential matters relating to artistic finish are properly left to the fancy of the die-sinker, or directors of the mint. Hence it follows that

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could turn out a hundred and twenty pieces per minute. This declaration, however, appears to rest merely on tradition. [See *New Haven Historical Society Papers*, vol. 1., p. 181.] When machinery propelled by hand-power can be made to excell in rapidity of movement that of steam, these traditions may be regarded with more favor. In the United States Mint, with machinery highly perfected and worked by steam, “the usual speed of striking is sixty pieces per minute for the dollar and half-dollar, seventy-five for the quarter-dollar, and ninety for the dime and half-dime.” [See *Manual of Gold and Silver Coins*, by Eckfeldt and Du Bois, p. 14.] Copper could not probably be struck with more rapidity than silver of the same size.

whenever the dies become worn, or are broken, and new ones are introduced, there are more or less variations between the old and new dies. This accounts for the differences which we often observe in coins of the same date and the same general character.

There are two classes of variations which may be distinguished as types and varieties. The type is determined by the devices and mottoes required to be upon the coin by authority of the government, and while these are retained the type is not changed. Subordinate differences, not affecting the authorized devices, mere matters of taste in the structure or finish of the die, constitute varieties.

Under the first type of the Vermont coins, as set forth by authority, there are several varieties, indicating that there were not less than six or eight different dies employed. The varieties are distinguished by different abbreviations of the legend, by the structure of the diverging rays, as single or bifurcated, and by other very minute variations.

The inscriptions are all in Latin, as also are those on the New Jersey and Connecticut coins, while those of Massachusetts are inscribed in English. The Latin language was used in the inscriptions on coins almost universally in Christian nations until within the last three-quarters of a century, since which the vernacular has for the most part taken its place. England, and perhaps one or two other countries, however, still retain the Latin.

We cannot fail to observe the appropriateness of the devices and mottoes on our Vermont coins. The committee that authorized them did not interpret them, but their meaning is plainly obvious. We are reminded by the "mountains," on the obverse, of the range of green hills that bisects the state; by the "forest trees," of its then new and unsettled condition; by the "plough," of its agricultural character, and of the source of its future wealth, and by the "rising sun," of the morning freshness and youthful promise of its opening career. The legend, *Vermontensium res publica*, was significant of the political attitude to which the inhabitants of the New Hampshire Grants aspired, and a pledge of their resolution to obtain it.

The reverse is equally expressive, but more general in its character. The "radiated eye surrounded by thirteen stars" is in

obvious allusion to the thirteen united colonies that had just achieved their independence, and the legend "QUARTA DECIMA STELLA," the fourteenth star, was in the nature of a prophecy that Vermont would be triumphant in the struggle through which she was then passing, and would constitute the fourteenth star in the constellation of states. This prophecy was literally fulfilled when, six years after, in 1791, Vermont was admitted, and thus became the fourteenth state in the American Union.<sup>1</sup>

Not far from a year after Mr. Harmon had entered upon the work of coining, he began to see the importance of having his license or patent extended, the reasons for which are fully recited in the following petition, which we here give in full:

*To the Honorable General Assembly of the State of Vermont now sitting at Rutland:*

The petition of Reuben Harmon, Jr., of Rupert, in the County of Bennington, humbly sheweth that the Legislature of this State did, at their session held at Norwich in June, 1785, grant him the sole right of coining copper within this State for the term of two years; that he, your Petitioner, has been at a very great expense in erecting works and procuring a quantity of genuine copper for that purpose; that said Term is nearly expired, and that your Petitioner, by reason of the shortness of said Term, will be unable to indemnify himself for said expenses; farther, your Petitioner conceives that in the present scarcity of a circulating medium, the coining of coppers within this State may be very advantageous to the public: Your Petitioner therefore prays this Honorable Assembly to grant him the privilege of coining copper for a farther term of ten years, on such other terms and under such regulations and restrictions as to your Honors, in your wisdom, shall seem meet,

And as in duty bound shall ever pray.

REUBEN HARMON, JUNR.

*Rutland, Oct. 23, 1786.*

This petition was referred to a committee consisting of Nathaniel Chipman of Tinmouth, John Bridgman of Wardsborough and Silas Goodrich of Dorset, to join a Committee of the Council,

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<sup>1</sup> When Ethan Allen returned to Bennington, in 1778, after a captivity of nearly three years, the old iron six-pounder was brought out by the rejoicing populace, and discharged *fourteen times*, "once for each of the thirteen United States, and once for young Vermont."—*Vt. Historical Gazetteer*, p. 150.

and report to the Assembly. Gen. Ebenezer Walbridge<sup>1</sup> of Bennington was appointed by the Council. On the next day the committee made the following report :

RUTLAND, Oct. 24, 1786.

*To the General Assembly now sitting :*

Your committee to whom was referred the consideration of the within Petition beg leave to report, as their opinion, that the sole privilege of coining copper be granted to the said Reuben Harmon, Jr., for the term of eight years from the expiration of the former grant, under the following regulations, viz : that he give a new bond to the Treasurer, as is provided in the former grant ; that the first three years the said Reuben shall enjoy the said privilege free ; that for the remaining five years he shall pay two and one-half per cent. to the State on all the copper he shall coin, and give security for the payment ; that the device be in future a head on one side, with the motto "AUCTORITATE VERMONTENSIVM," abridged, on the reverse a woman representing the Genius of America, with the letters "I N D E-ET-L I B," for "Independence and Liberty." All which is humbly submitted by

EBEN<sup>W</sup> WALBRIDGE, *for Committee.*

In accordance with the report of the joint committee, the following act was passed the same day :

*Whereas*, the legislature of this state did, at their session at Norwich, in June, 1785, grant to Reuben Harmon, Junior, Esq., of Rupert, in the County of Bennington, the exclusive right of coining copper within this state, for the term of two years from the first day of July in the aforesaid year of our Lord 1785 ; and whereas, the said Reuben has, by his petition, represented to this Assembly that he has been at great expense in erecting works and procuring a Quantity of Copper for the purpose of carrying on said business of coining, and that by reason of the shortness of said term, he will be unable to indemnify himself for his said expense, and praying this Assembly to grant him said privilege of coining copper for a longer term, and this Assembly being willing to encourage an undertaking that promises a considerable public utility : Therefore,

*Be it enacted by the General Assembly of the State of Vermont :*

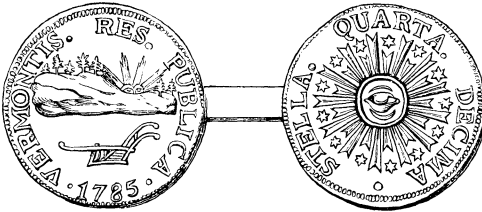
That there be and hereby is granted and confirmed to the said Reuben Harmon, Junior, Esq., the exclusive right of coining within this State for a further term of eight years from the first

<sup>1</sup> For some account of Gen. EBENEZER WALBRIDGE see *Hall's Vt.*, p. 472.

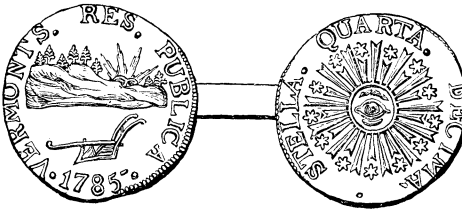


PLATE I.

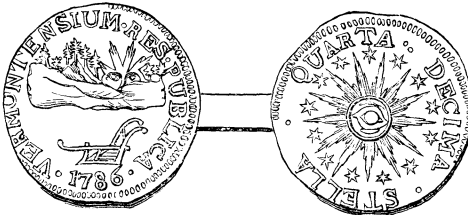
No. 1.



No. 2.



No. 3.



No. 4.

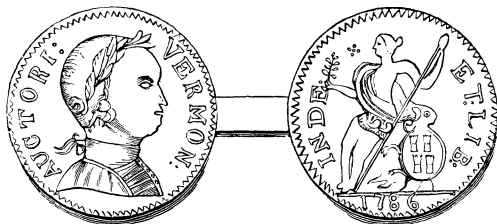


1786.

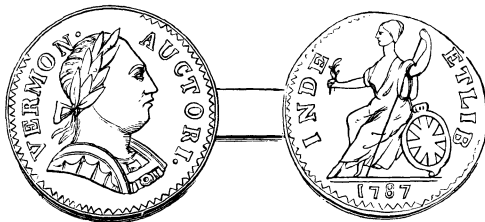


PLATE II.

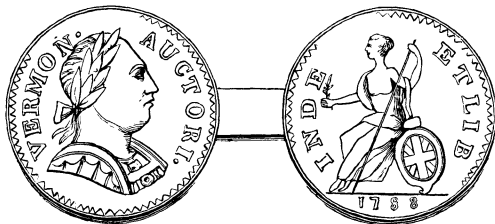
No. 5.



No. 6.



No. 7.



No. 8.



1788.



day of July in the year of our Lord 1787; and that all copper by him coined shall be in pieces weighing not less than four pennyweights, fifteen grains each; and the device for all coppers by him hereafter coined shall be, on the one side a head, with the motto "AUCTORITATE VERMONTENSIVM," abridged; on the reverse a woman, with the letters "I N D E: ET: L I B," for "Independence and Liberty."

*And be it further enacted by the authority aforesaid :*

That the said Reuben shall have and enjoy the aforesaid privilege of coining copper within this State free from any duty to this State as a compensation therefor, for the full term of three years from the first day of July, in the year of our Lord 1787; and that from and after the expiration of the said three years, he, the said Reuben, shall pay, for the use of this State, two and one-half per cent. of all the copper he shall coin for and during the remainder of the aforesaid term of eight years; and the said Reuben, before he take any benefit of this act, shall enter into a bond of five thousand pounds to the Treasurer of this State, with two or more good and sufficient sureties, frecholders of this State, conditioned that all the copper by him coined as aforesaid, shall be of full weight as specified in this act and of genuine metal, and that from and after the expiration of the aforesaid three years, he will well and truly render an account of the sums by him coined, by virtue of this grant, and pay over all such sums as shall, on account of said coinage, become due to this State, at such times and in such manner as this or a future assembly shall direct.

Passed October 24, 1786.

Agreeably to the requisitions of the above act, Mr. Harmon entered into the following bond :

Know all men by these presents, that we Reuben Harmon of Rupert, in the County of Bennington and State of Vermont, as principal, and Nathaniel Chipman of Tinmouth, and Lemuel Chipman of Pawlet, both of the County of Rutland, and State aforesaid, Esquires, as sureties, are held and firmly bound unto Samuel Mattox, Esquire, Treasurer of said State of Vermont, and his successors in said office, in the full sum of Five Thousand pounds lawful money, to be paid to the said Samuel, or his successors in said office of Treasurer. For the true payment whereof we bind ourselves, Heirs and assigns Firmly by these Presents. In witness whereof we have hereunto set our hands and seals, 23d day of February, A. D. 1787.

The conditions of the above obligation is such that whereas the above bounden Reuben did on the 24th of October, 1786, obtain License from the General Assembly of the State of Vermont to coin copper under certain regulations and restrictions, which are

particularly set forth in a certain Act granting license to the said Reuben as aforesaid, on the above 24th of October, Now if the said Reuben shall strictly and punctually attend to all the rules, regulations, directions and restrictions or limitations which are set forth or enjoined in said Act, then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered in presence of

JOHN A. GRAHAM, {	REUBEN HARMON, {	L. S.
DAVID RUSSELL, }	NATH'L CHIPMAN, {	L. S.
	LEM. CHIPMAN. {	L. S.

This was the last act of the General Assembly relating to the coinage of Vermont. It will be observed that it extended the term of Mr. Harmon's exclusive right, making it ten years from the beginning, that he was to pay into its treasury, for the use of the State, two and a half per centum of all the copper he should coin during the last five years of this period, and that a new type was introduced by a change of the mottoes and devices. The coins issued by Mr. Harmon in pursuance of this act, are at this time far more numerous than those of the first type,<sup>1</sup> and conform to the following description :

OBVERSE.

*Device.*—A bust in a coat of mail; head usually laureated.

*Legend.*—VERMON. AUCTORI.

REVERSE.

*Device.*—A female figure, representing the genius of America, seated with a shield at her side, holding an olive branch in her right hand and a rod in her left.

*Legend.*—INDE ET LIB.

*In the Exergue.*—Date.

<sup>1</sup>The scarceness of the Vermont coins may be very well determined by the prices which they brought at the Mickley sale in New York in 1867. The pieces were mostly in the finest condition.

<i>Vermontensium Res Publica</i> .....	\$3.00 to \$4.00
<i>Vermonts Res Publica</i> .....	1.50 “ 5.00
<i>Vermontis Res Publica</i> .....	9.00
<i>Vermon. Auctori</i> .....	62 “ 2.25

[See Plate I and II, Figures 4, 5, 6, 7, 8.]

The abbreviated Latin legend on the obverse is in English "by the authority of Vermont;" and that on the reverse is "Independence and Liberty."

In the examination of a large number of this type, we find many of them varying from each other, indicating that numerous dies were employed, or possibly, in some cases, that old ones were "touched up" by the graver of the die-sinker.

As is usual, where governments change the type of their coins, no reasons are recorded for the alteration of the mottoes and devices. Several reasons, however, naturally suggest themselves for the change. The symbols and inscriptions of the first coinage were peculiar to Vermont. They had already accomplished their purpose. The announcement that Vermont was to be the fourteenth state in union with the old thirteen, and that it was already an independent republic, was proclaimed far and wide on thousands of these little coins. No repetition could render these declarations more emphatic. The "head" upon the obverse, introduced by this last act of the General Assembly, was not only sanctioned by ancient usage, and by almost universal custom, but it imparted a dignity to the appearance of the coin, and was moreover wrought into all the early associations of the people. The influence of usage is always powerful. When the regular United States coinage was begun in 1793, the "head," without any well defined reason except that of custom, was introduced upon our American coins, and retained its place on most of them for fifty years, and on some of them down to the present time.

But, beyond the reasons here suggested, it is to be added that the mottoes and devices were identical with those established the year previous by the General Assembly of Connecticut, with the single exception of that part of the legend which determines the state in which the coins were struck and by whose authority they were issued. This was the natural result of the intimate relations that existed between the people of these two states. The bulk of the freemen of Vermont, at that period, were natives of Connecticut. They modelled all their civil institutions very closely after those of the state from which they came. As it was

natural, so it appears to have been deemed appropriate, that the coinage of the new state should be identical, as nearly as possible, with that of the old. The change of a single word renders the legal description of the coins of the two states entirely similar. It has, moreover, been asserted, and a careful comparison seems to confirm the statement, that the dies from which the Connecticut and Vermont coins were struck were executed by the same person. This is indeed conjectural, but whether correct or not, the similarity of some of the devices, not only in outline but in finish and in minor particulars, is very remarkable.

One of the issues of 1786, which we illustrate, [See Pl. II. Fig. 4.,] has *Auctori* on the left of the bust, and *Vermon* on the right. There is said to be one of a similar description of the issue of 1787, but this we have not seen. All the others of the second type, which have come to our notice, have *Auctori* on the right, and *Vermon* on the left. Some of the heads face to the right and others to the left, and the features vary in the different dies employed. All the variations fall within the limits allowed to the engraver.

The reverse of the last type is, as we have intimated, identical with the reverse of the Connecticut coins. The seated female is an emblem similar to that found upon Roman coins at a very early period. It appears upon a coin of Hadrian, struck in honor of his arrival in Britain, A. D. 121. From that it appears to have been transferred to the Farthing of Charles II., and may be seen on the copper coins of England at the present day, and is commonly designated Britannia. In the coinage of the United States a similar figure was introduced in 1836 on the pattern dollar, and is now found on all our silver coins, from the dollar down to the half dime, and with us is the symbol of Liberty. There was a great propriety in the adoption of this device by the General Assembly of Connecticut, and a year later by the General Assembly of Vermont, especially in its association with the abbreviated Latin legend INDE. ET LIB., for Independence and Liberty. Its significance was very distinctly set forth by the committee in their recommendation to the Vermont House of Assembly that the device on the reverse should be a "woman representing the genius of America." For this embodiment of what



was deemed the spirit of the American people, we have on the coin a female figure, in the attitude of repose, having the olive branch, symbolizing *peace*, in her extended right hand, while she holds a rod firmly in her left, intended, doubtless, to represent the power by which American *independence* had been obtained, and by which her *liberty* was to be protected. Thus the mottoes and the device were harmonious, and plainly inculcated and enforced the same sentiment.

The artists who executed the die-sinking were obviously amateurs, with little experience, and no extraordinary ingenuity or skill. The heads are presented in profile, and offer but an indifferent map of the human features. The same want of skill is observable for the most part in the coins of the other states, but they are perhaps as well executed as could be reasonably anticipated, when we remember that the arts in this country had, at that period, received little attention.

The whole pecuniary business of the coinage was in the hands of Mr. Harmon. He conducted it on such a scale as suited his interests, and employed such workmen as he chose, but he alone and his bondsmen were responsible to the State. It is said that the workmen were sharers in the profits under some sort of partnership, but of this very little is definitely known. The names of the persons mentioned in connection with the manufacture of Vermont coins are Col. William Cooley of Rupert, Elias Jackson of Litchfield, Ct., Daniel Van Voorhis of the city of New York, and Mr. William Buel<sup>1</sup> of New Haven, Ct.

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<sup>1</sup> Mr. Buel's connection with the Vermont coinage appears to be rather indistinctly known. In the *Vermont Quarterly Gazetteer*, Vol. I, p. 228, it is asserted that "he associated himself with Harmon in the business of coining," and that "he brought with him the original dies used by his father at New Haven." This is probably one of those traditions that does not lose anything by passing down through three generations and by being oft repeated for three score years and ten. His connection could not have been more than that of an employe, as he was not to share in the profits after Mr. Harmon entered into business arrangements with Capt. Thomas Machin and others. That he "brought with him the original dies" seems very improbable, since coining appears still to have been going forward at the Connecticut works in 1789. See *New Haven Historical Society Papers*, vol. I, p. 179.

The amount of coppers coined and put into circulation by Mr. Harmon is wholly unknown. It was doubtless no more than he could dispose of in very limited quantities in a comparatively small and scattered population. As he was a trader, or "country merchant," he doubtless had unusual facilities in this direction. But under the most favorable circumstances we cannot suppose that the undertaking was largely remunerative to him; and the revenues of the state were not enlarged by the enterprise, as the business was wholly closed up before the two and a half per centum became due, which was required by statute to be paid on the coinage of the last five years of the extended term. During the year 1788 the operations of the mint came to a close. The official notice of the ratification of the Constitution of the United States was communicated to Congress in July of that year. By this instrument the privilege of coining money was no longer permitted to each of the states, but vested solely in the General Government. Although Vermont was not admitted to the Union till the 4th of March, 1791, she recognized herself as one of the United States, and gracefully yielded to this constitutional disqualification, as did the other states engaged at that time in coining money.

Mr. Harmon fulfilled his obligations under his patent to the satisfaction, and we think deservedly so, of all concerned. We have examined many of his coins, and they appear to be of genuine copper. Twelve of them, of no more than an average size, were recently weighed at our suggestion, and were found, after eighty-five years' abrasion, to exceed, by over five grains each, the weight required by law. The devices and mottoes, as laid down by the authority of the General Assembly, were strictly observed, and appear fully on all the Vermont coins.

It has been erroneously stated that half cents <sup>1</sup> were issued. No halves were authorized or issued. We may here remark that the Vermont coin, not being the hundredth of an established unit, is never denominated a cent in the proceedings of the General Assembly, and, whenever this term is used, it is, of course, a misnomer.

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<sup>1</sup> See *Historical Account of American Coinage* by JOHN H. HICKCOX; also *New American Encyclopædia*.

The illustrations which we give in the accompanying Plates exhibit the two types authorized by the General Assembly, with several varieties under each. They present a fuller representation than has before appeared, and several of the varieties are now for the first time engraved.<sup>1</sup>

Our notice of the Vermont Coinage would terminate here, were it not that there have been made, within the last few years, certain unfounded insinuations and grave mistatements in connection with this coinage, implicating the loyalty and honor of the State of Vermont. These statements have arisen in some instances from a want of a full knowledge of the subject, and in others from an overweening readiness to catch at straws, if need be, in support of an unstable theory. It is marvellous with what facility the "surmise" of one writer becomes the "impression" of the next, and "the distinct opinion" of the third, and so on, *crecens eundo*, until it comes to be announced, without any foundation whatever, as the genuine fact of history. The statements to which we refer are all of recent date; none of them having been made when the coins are alleged to have been put in circulation, nor indeed until nearly three-quarters of a century afterwards. We propose to allude to a few of them and to show on what flimsy foundations they rest. In 1858 a volume was published at Albany, entitled "An Historical Account of American Coinage, by John H. Hickcox," in which we find the following extraordinary statement:

"At the time the British in Canada were carrying on negotiations with the leading men in Vermont, for the purpose of making Vermont a crown dependency, coppers were issued having on the obverse,

FIRST:

A bust of George III; Legend, Vermon. Auctori. Reverse, the figure of Britannia.

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<sup>1</sup> We are indebted to Mr. S. S. Crosby, of Boston, for a part of the wood-cuts from which the electrotype plates were made. The remainder were engraved especially for this work.

## SECOND :

Obverse. A bust of George III ; Legend, *Georgiuv3 III, VTS.*  
 Reverse, a figure of Britannia ; Legend, not intelligible.  
 They were usually struck over British half pennies."

Such confusion of ideas, ignorance of history, and mistatement of facts, are rarely, as here, compressed into so few words. Let us look at these statements a little in detail. By the "negotiations with the leading men" the writer undoubtedly refers to the successful manœuvres carried on under the direction of the Governor of Vermont and his Council during the Revolutionary War, to cause delay and thus save the frontiers of Vermont from invasion by the British army. These are the only negotiations known to history to which the writer could have referred. It happens somewhat awkwardly for the author of the above statement that these "negotiations" took place in 1781-1782, while no coppers having the representation of a man's head upon them, or the legend *Vermon. Auctori*, were struck in Vermont until late in the year 1786. The insinuation therefore that coppers were issued at the time of the alleged negotiations, and in furtherance of the same, is, so far as the State of Vermont is concerned, utterly baseless and absurd. There is not indeed a particle of evidence that these "coppers" were in existence at the time of the alleged negotiations.

But we are told without any qualification that the coppers have upon them the bust of George III. Here again the author draws solely upon his imagination. In regard to the coin first described by him, there is no inscription, not a word or an emblem upon the coppers, to indicate that the bust is intended for that of George III. There is not a particle of evidence that such is the case. This bold assertion rests merely upon the author's guess. Writers upon Numismatics do not usually plunge into the field of pure imagination, and thrust their unqualified fancies into the place of facts. The coppers in question have long been familiar to us, and several of them are before us at this writing. The head resembles that on one of the varieties of the Connecticut coppers, as also that on one of the Vermont coins, but does not resemble any head of George III., as

represented on English coins, which we have ever seen. But even if it did, it does not follow that it was intended for the likeness of George III. Resemblance is one thing, and an intended representation is quite another. The nose on the effigy is prominent, giving the face an oval form; and perhaps this was a distinguishing feature in the bust of George III., but, unfortunately for Mr. Hickcox's fanciful theory, the old King did not monopolize all large noses and oval faces. There were probably more than half a million of people living in this country at that time, whose features this unlucky effigy resembled more than those of George III. But while this suggestive copper did not come from the Vermont mint, as we think we shall satisfactorily show in the sequel, nevertheless, had the authorities of Vermont anticipated how a prominent feature on their coins might in the future cast a cloud over their loyalty and tarnish their good name, they would undoubtedly have given strict orders to their die-sinkers to enter upon no dangerous experiment, but to design only pug noses and square faces.

But it remains to examine the second copper described by Mr. Hickcox, in the passage which we have quoted. This he also asserts was issued "at the time the British in Canada were carrying on negotiations with the leading men in Vermont for the purpose of making Vermont a crown dependency."

This copper is found in most collections, and bears upon it a very poorly conceived and badly executed caricature of the head of George III., as exhibited on the English half-pennies of as late a date as the beginning of the present century. In all we have seen, the letters of the legend are imperfect, only the lower parts of them are clear and distinct. As this imperfectness is similar in all the numerous specimens which we have examined, we presume it arises not from abrasion, but from the structure of the die.

Several varieties<sup>1</sup> of them are noted by numismatists, but there

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<sup>1</sup> Various readings of the legend are reported: Georgiuv. Gloriovs. Georicvs. Mr. Sandham gives the following description and note: "Obv. Very large and coarse; bust to right. GEORICVS III VIS. Rev. Coarsely executed figure of female seated to left and holding in her hand a leaf similar to (and probably intended as) a shamrock. BRIT. round left side of coin; edge plain."

"There are two or three varieties remarkable for nothing but their

is no evidence that any of them were issued at the time stated by Mr. Hickcox, or that they had any connection whatever with the State of Vermont. They have no date upon them to indicate the period of their issue. They are apparently caricatures of George III. as he is represented on coins of a date later than 1800, and, moreover, the opinion has been expressed, in which we think all experts will agree, that they were not struck more than fifty or sixty years ago. Mr. Hickcox represents part of the legend to be VTS. What this signifies we are utterly at a loss to say. Any school boy knows that these letters are not an abbreviation for Vermont, and have never been so employed. In fact we do not think the coppers described by Mr. Hickcox have VTS upon them at all. We have seen many of them in various collections, and we have heard of others bearing the same description, and in all cases they have not VTS, but VIS. While it is true, as we have already intimated, that the upper part of the letters appear to be cut off, nevertheless the space between the V and S is not sufficient to receive the horizontal part of a T, and consequently what appears to be an I cannot have been a T defaced by abrasion. Indeed the letters do not appear to be worn, but to be defective from the original imperfection of the die. It is to be observed that the letters VIS occupy the same place on the copper as the Rex does on the English half-penny, and the Latin *vis*, (as meaning brutal force or power) as a substitute for Rex, has at least a faint significance in a caricature. Mr. Alfred Sandham, in his work entitled "Coins, Tokens and Medals of the Dominion of Canada," published in Montreal in 1869, though doubtful of its origin, describes this copper among the tokens of the Dominion, and it appears to be the prevailing opinion among numismatists that it is of Canadian origin.

But if there were no other objections to Mr. Hickcox's theory, the character of the "copper" itself is fatal to it. This theory, if it has any meaning whatever, supposes that this copper was struck in compliment to the king, and to draw the citizens of Ver-

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coarse workmanship and the very poor condition in which they are generally found." See *Coins, Tokens and Medals of the Dominion of Canada*, by Alfred Sandham, p. 46.

mont into a love and reverence for his person and government. It should therefore have represented him in the most engaging and attractive light possible. But if the hideous features portrayed on this copper were those of the King of England, it is plain that their dissemination among the yeomanry of Vermont would have deepened and intensified their hatred, already strong both to him and to his government. Nor could the effect have been any more felicitous upon the "British in Canada." However brilliant their anticipations of "making Vermont a crown dependency" may have been before, the issue of this derisive copper, by the authorities of Vermont, as the theory supposes, must have extinguished all hope, as they could not but see that their king, their government, and themselves, were objects of ridicule, scorn and contempt. Under these circumstances the appearance of this copper, from the source and at the time alleged, could not have been conciliating, it could not have gathered up and united the broken cords of loyalty, but on the contrary it must have been an apple of discord, at once fatal to their whole scheme. We conclude therefore that it was not issued in furtherance of the object suggested.

We have thus shown that there is not the faintest ray of evidence that either of the two coppers, mentioned by Mr. Hiccox, was issued at the time alleged by him, or that they had the remotest relation to the political affairs of the State of Vermont. But the insinuation of Mr. Hiccox is very distinctly improved upon by Mr. W. C. Prime, three years later, in his work entitled "Coins, Medals and Seals," published in New York in 1861.

He says: "The mint of Vermont seems to have been very active, and great quantities of coin were issued from it. Among others we have found coins with the head and name of King George, and the reverse INDE. ET LIB."

The assumption that these coins, with the "head and name of King George," came from the Vermont mint is wholly inadmissible. They might be assigned to Connecticut for the same reason that he assigns them to Vermont. All the Connecticut coins had, upon the reverse, INDE. ET LIB. Why does he not assume that they therefore came from the Connecticut mint? or from the royal

mint of England, the image of whose king, he informs us, is upon the coin?

But, in truth, there is no probability that they came from either of these sources. When we find coins with devices and legends in part of one country and in part of another, we do not infer, and we have no right to infer, that they came from any regular, legalized mint, but, on the contrary, that they came from some private or unauthorized source. If, for illustration, a coin should appear with a United States legend and device on one side, and a French legend and device on the other, what could be more unnatural and absurd than to infer that the coin was struck either at the French or United States mint? In like manner there is not the slightest reason for believing that the copper referred to by Mr. Prime came from any legally established mint, from that of Vermont or Connecticut, or indeed from the royal mint of England. Its irregularity is *prima facie* evidence against it, and to establish any such origin for it, it is necessary to adduce proofs not found upon the coin itself.

Dr. M. W. Dickeson, whose Numismatic Manual was published a little earlier than Mr. Prime's work, appears to have transferred Mr. Hickcox's insinuation to his pages without assuming any personal responsibility for its correctness. Having described a copper with George III on the obverse and Britannia on the reverse, an inscription and device purely English, and having no possible reference to Vermont, he adds: "it is said to have been issued at the time when the leading men of Vermont were tampered with by partizans of the British Crown." As this is a reiteration of the old story, which we have already refuted, and does not profess to rest upon any authority whatever, we pass on to another statement in which Mr. Hickcox's fancy seems to have ripened into its legitimate fruit.

In a paper read before the New England Historic Genealogical Society, on the 6th of May, 1868, by the Rev. Benjamin F. De Costa, A. M., of New York, in speaking of Vermont, he says,



“the authorities actually had a coin struck bearing the image of George III.”<sup>1</sup>

In explicitness and fullness this declaration is only surpassed by its utter want of foundation in truth. Mr. De Costa needed just such a derogatory proceeding as this would have been on the part of Vermont to help out a favorite theory, and as it was to be had by rounding out the insinuations and loose statements of the writers to whom we have referred, he appears unwittingly to have fallen into the tempting snare. Had he taken proper pains to look for the evidence on which the charge he was making must rest, we presume it would never have been made. We have set forth in the earlier pages of this paper all of the proceedings of the “authorities” in the State of Vermont on the subject of coinage. And they did not order any coins to be struck “bearing the image of George III.” On the contrary they laid down very specifically the devices and mottoes to be used on their coins, altogether American in their character, and bound the citizen, to whom they gave the exclusive right of coining in the State, under heavy bonds, with gentlemen as sureties of the highest standing and character, to strike the coins with the devices and mottoes established by law, and with no others. And in case he did not “strictly and punctually attend to all the rules, regulations, directions and restrictions or limitations” set forth or enjoined, the obligation of the bond was to rest upon him and his sureties in all its force and virtue. It is, therefore, clear to a demonstration that whatever coins came from the Vermont mint, the authorities were responsible only for those that bore their legalized mottoes and devices. Even if the coiner had issued others, the authorities had used the full power of legislation (the only power they possessed) to prevent it. This was the utmost that could be done, and relieved them of all responsibility.

But the assertion has, we understand, been made, though we have not seen it in print, that the image on some of the Vermont coins is that of George III., while the mottoes and devices are

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<sup>1</sup> See *New England Historical and Genealogical Register*, Vol. xxii, p. 369.

those established by the legal authorities of the state.<sup>1</sup> We have already alluded to this absurd pretension. The prominence of a single feature on one of the varieties, (almost identical with that on one of the Connecticut coins), but bearing no other resemblance to the image on the coins of George III., is the sole foundation for this purely fanciful and utterly untenable theory. It reminds us of the "castles in the clouds," or the "men and women in the red-hot cinders," which some imaginations so readily see. We need not give any serious attention to fancies so utterly baseless and idle.

We may here remark, that after the most careful investigation of the whole subject we are satisfied that the irregular or "hybrid" coppers, to which allusion has been made, did not come from the Vermont mint. We find no evidence pointing in that direction. There is not even a tradition lingering in the neighborhood that such was the case. Mr. Harmon, the coiner, had no motive for such a procedure. He had the exclusive right of coining in Vermont, and during the whole period of his actual coining he had no revenue to pay to the State, as was the case in Connecticut, while the legal weight of his coins was less than that of other States, and he had no limitation whatever as to the quantity he might issue. He had a positive advantage over all competitors. Mr. Harmon was, moreover, under very heavy bonds, and the issue of a single irregular coin in Vermont would have imperiled

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<sup>1</sup> It would appear from a statement in the *American Numismatic Manual*, by M. W. Dickeson, M. D., page 106, that a similar charge is made touching the Connecticut coins. We make the following extract, not for its logic, but as a specimen of the loose talk which has prevailed on this subject to a considerable extent :

"It is believed and expressed by some, that the bust upon these coins was originally intended to represent George III. As we would not question the patriotism of those interested in this coinage, we must conclude that the art of design was at so low a standard at that time, as to compel the copying of some bust of their late sovereign, which was probably the case, as we have heard of a type of these coins absolutely bearing the name of George III. We must suppose, however, for the honor of the State of Connecticut and its enterprising merchant coiners, that the artist of this type had not heard of the recognition of our national independence."

his fortune, to say nothing of its damaging effect upon his standing and character in the community in which he lived. His bondsmen were men of the highest respectability, both of them members of the legal profession; one of them was an eminent jurist and statesman of his day, appointed by Washington a Judge of the District Court of Vermont; and afterwards was Chief Justice of the Supreme Court of his State, and a Senator in the Congress of the United States. These were not men to wink at any irregularities, certainly such as might cast suspicion upon their integrity, or endanger their fortunes. But Mr. Harmon, as we shall show in the sequel, was connected with a coining establishment outside of his State, where "coppers" not legalized, but of all descriptions, might be freely issued without endangering his own, or the fortunes of others. Had his interests inclined him to issue unauthorized "coppers," he had no occasion to peril his own, or the interest of others, by striking them at his mint in Vermont.

But the assumption that these anomalous "coppers" were issued by him for political reasons favoring the British crown is founded in extraordinary and unpardonable ignorance of history. There was no people anywhere more devoted to the interests of the Colonies struggling to be free from the British rule than the inhabitants of Vermont. This was true both of the private citizen and of the leading men. The property of "tories" was summarily confiscated, and they were treated sometimes with apparent harshness, and always with opprobrium and contempt. But the period for seeking the favor of the English, if it had ever been desired, had passed long before the establishment of Mr. Harmon's mint. No coppers were issued from it, having a man's head upon them, until about three years after the treaty of peace. And after that treaty Vermont was a part of the territory of the United States absolutely and by universal consent, as much as was Massachusetts, or Virginia, or any other State. It would have been a singular proceeding for the "British in Canada," to be "tampering" with the "leading men in Vermont" to make that State a "crown dependency" in violation of their late treaty of peace, acknowledging the independence of the United States; a treaty solemnly entered into, and which the history of nearly a

century proves they intended to respect. This theory involves the re-opening of the whole question of American independence. But this whole charge is so utterly absurd, and so wholly at variance with all the facts of history, that we need not pursue it further.

The origin of the anomalous coppers in question is a subject of some interest to numismatists. It is, however, involved in mystery, and will probably never be wholly freed from doubt. That they came from any legally established mint we find no evidence. There are certain circumstances, however, that point to Ulster County, N. Y., as the probable place of their coinage. In the history of Schoharie County, N. Y., by Jephtha R. Simms, printed in 1845, we are informed that a company was established in April, 1787, for the avowed purpose of coining copper, provided Congress, or any of the State Legislatures, enacted a law allowing individuals to coin money.

The Company consisted of Capt. Thomas Machin, of New Grange, Ulster County, New York, and of Samuel Atlee, James F. Atlee, David Brooks, James Grier and James Giles, all of the City of New York. In June, following, they received into their partnership Reuben Harmon, Esquire, William Cooley, of Bennington County, Vermont, Elias Jackson, of Litchfield County, Connecticut, and Daniel Van Voorhis, of the City of New York, who were partners in the business of coining at Rupert. Works were erected at the mills of Capt. Machin, near the Great Pond in the County of Ulster. The profits accruing from the manufacture of coppers at these works, and at those in Rupert and elsewhere, if other works should be established, were to be divided equally among the ten partners. If any of them obtained an act from Congress, or any of the States, to coin money, the profits so arising were to be divided equally among them all. The company was to continue eight years from the first day of July, 1787, the termination of Mr. Harmon's right to coin in Vermont. The contract appears to have been carefully drawn, the duties of each partner were distinctly assigned, and they entered into bonds in the penal sum of a thousand pounds for the faithful performance of their contract. Mr. Simms infers from Mr. Machin's papers that they did not ac-

comply much before 1789, when they manufactured, perhaps, a *thousand pounds of copper*. About this time their enterprise probably terminated, as in a letter of one of their number to Mr. Machin, in October, 1790, the wish was expressed that they might "arrive at a settlement on equitable terms, and compromise their matters without a tedious and expensive lawsuit."

Such is the establishment as described by Mr. Simms in his work published twenty-five years ago. We do not assume absolutely that the anomalous coppers came from it; but do not hesitate to state that there is not merely a possibility, but a very strong probability that such was the case. It is to be observed that the manufacture commenced at Machin's Mills about the time or a little after the coinage of the several States came to a close. Such of the old dies, as might in any way be made useful, could doubtless be very easily obtained. This was especially true of those in the Vermont mint, as several of the persons interested in it were also partners in the New York Company. But all the coppers issued by this Ulster County establishment were coined without authority of law. The Company had no patent or right, granted by any government whatever, for the coining of money. Their establishment was a sort of Gretna Green, at which certain things, unlawful in other places, could be safely and effectually done. They undoubtedly issued such pieces as in the judgment of the Company would most easily find a remunerative market. They were, of course, limited to no legends, devices or dates. As all things were lawful, they did whatever was expedient. We can well suppose that, in the great scarcity of small coins at that period, the United States and British Provinces together furnished an ample market. In this market, or some other, they appear to have distributed the proceeds of a *thousand pounds of copper* or thereabouts. The pieces thus issued undoubtedly bore some kind of mottoes, devices, and dates. The thousand pounds of copper would yield, at a low estimate, more than *fifty thousand pieces* of the average weight of the Connecticut and Vermont coins. Many of them, we think it fair to infer, are now to be found in the form of counterfeits or otherwise, in the cabinets of coin-collectors. Without doubt the anomalous coppers, which could not with

safety be struck at any lawfully established mint, and unreasonably, as we have shown, attributed to that of Vermont, were far more likely to be manufactured here than anywhere else: and that this was their origin, we presume will be the opinion of the careful numismatist and judicious reader of history, until some direct and satisfactory evidence to the contrary is adduced.

THE NATURAL  
AND  
POLITICAL HISTORY  
OF THE  
STATE OF VERMONT,  
BY IRA ALLEN.  
1798.





## PRELIMINARY NOTE.

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THE following history of Vermont, by IRA ALLEN, possesses a peculiar interest from the fact that it treats largely of events in which the author was a prominent actor. It was written and published in England towards the close of the last century, and having become quite scarce it is thought worthy of being re-produced in this volume.

Ira Allen was the youngest of six brothers, of whom Col. Ethan Allen was the eldest, was born at Cornwall, Connecticut, May 1, 1751, and came to the New Hampshire Grants in 1772, when about twenty-one years of age. He had received a good common school education and was a practical land surveyor. He soon became one of the active leaders of the settlers in their struggles against the hostile measures of New York, and was afterwards prominent among the inhabitants of the territory in their resistance to the oppressions of the British crown, and also in their foundation of a state government and in maintaining its independence. He was a delegate to the several conventions of the people of the New Hampshire Grants preparatory to the organization of the state government, a member and Secretary to the Council of Safety that carried them successfully through the trying campaign of 1777, and when the government, under the Constitution, went into operation in 1778, he was elected one of the Governor's Council and State Treasurer, and the next year he became Surveyor-General, all of which offices he held by successive annual elections until about 1787. He was also frequently an agent of the state to the Continental Congress, and to several of the state governments, and was the principal negotiator of the truce with Canada in 1781 and 1782, which prevented the invasion of the state from that province, all of which missions he con-

ducted with much skill and ability. Of these several matters his history gives a particular and interesting account.

It appears from Mr. Allen's preface that his principal motive for the preparation and publication of his history in England was to disabuse the public mind there in relation to a purchase by him of a quantity of arms in France, which had been captured by a British vessel, and about which a suit was then pending in the English Court of Admiralty. For the information of the general reader some account of this controversy seems necessary.

Mr. Allen's position as Surveyor-General had given him peculiar facilities for land speculations, in which he had extensively engaged. He held, or claimed to hold, title to very large quantities of lands, mostly in the northwesterly part of the state in the valley of Lake Champlain. He had a favorite project of increasing their value and promoting the interest of the state, by means of a ship canal to connect the waters of the St. Lawrence with that lake, of which, by application to the Governor of Canada, he procured the survey of a route to be made as early as 1785. This would seem to have been the germ of an undertaking which now, in 1870, promises to be successfully accomplished at no very distant day, by the common efforts of capitalists and railroad managers of the Eastern States and Canada.

Mr. Allen united great energy of purpose with a passion for speculation and adventure. In 1795 he conceived the project of going to Europe to further his scheme for a canal, to dispose of his lands, and to purchase a quantity of arms to supply the militia of the state, in which they were greatly deficient, and of about one-fourth of which he was in command as Major-General. Taking with him a certificate of his character, and of the honorable public positions he had held, he went to England, where he arrived in January, 1796, and soon had an interview with the Duke of Portland respecting the construction of the canal, but without any favorable result. He then went to Paris, where he appears to have disposed of some of his lands, and on the 11th of July, 1796, he concluded a contract with the French Directory for the purchase of "20,000 muskets with bayonets, 24 brass four pound field-pieces, six gun-carriages and six cannon-waggons," declared in the written contract to be "for the use of the militia of the

State of Vermont." Most of the arms were delivered on board of the *Olive Branch*, an American vessel, at Ostend, a French port, from which the ship sailed for New York on the 11th of November, 1796, and on the 19th of the same month was captured by a British ship of war, carried into Portsmouth, England, and libeled in the Court of Admiralty as lawful prize.

France was at that time at war with England, but there was nothing in the acknowledged law of nations, or in any treaty, which forbid the exportation of arms from a belligerent power to a neutral port in a neutral vessel. The only ground on which the condemnation of the cargo could be claimed was that the contract was not real but collusive, and that instead of being intended for the Vermont militia, the arms were designed to be used in the interest of France against the territory and subjects of Great Britain. The proof produced by Mr. Allen was very strong in favor of the *bona fide* character of the transaction, and the captors could bring forward no direct evidence to counteract it. They however claimed that the circumstances under which the arms were obtained were inconsistent with a fair contract of purchase, and were of so suspicious a character as to demand their condemnation. By the written contract produced by Mr. Allen, it appeared that he was to pay twenty-five livres, or about five dollars, for each musket, and that one hundred thousand livres, or one-fifth of the purchase money, had been paid in cash, and that for the other four-fifths a credit, on the personal obligation of Mr. Allen, had been given him for seven years, on annual interest at the rate of five per cent.

France at this time was at war, not only with England, but with other European powers, had an army of invasion in Italy, and was maintaining on her north-eastern frontier a doubtful struggle with Austria. That the French government, at such a time, should sell to a stranger and foreigner such a quantity of arms, on such liberal terms of payment, to be carried out of the country, and especially to the United States, with which their relations were of a threatening character, was declared to be altogether improbable. The fairness of the transaction was violently assailed in London and other newspapers. It was charged that Mr. Allen had no authority from the State of Vermont to make the purchase, which

was indeed true ; that he was “ a Jacobin friend of France,” employed by the Directory ; that the arms were intended to be used in a contemplated revolt against the British government in Canada, and were connected with an attempt of that kind alleged to have been fomented by Mr. Adel, the French Minister to the United States, and for which a Major McLane had been convicted of treason and executed at Quebec. Mr. Allen replied to these charges with earnestness and ability, in newspaper and pamphlet publications, and in a volume of four hundred pages, entitled *The Olive Branch*, printed in London early in 1798, in which the evidence produced by him in the Court of Admiralty and the proceedings of said court were largely set forth. He also prepared and published his *History of Vermont*, to show that the extent and population of the state was such as to need the arms he had obtained, and that his own relations and those of the people of the state, with the governing authorities of Canada, were of so friendly and confidential a character as to preclude the supposition that any hostile measures against that province could have been intended.

The Judge in Admiralty having, in December 1797, decided in favor of the captors, Mr. Allen appealed to a higher Court, and the proceedings were protracted at great trouble and expense to him until February, 1804, when the Appellate Court ordered the arms to be restored to him ; but, on the ground that there had been probable cause for their seizure, directed him to pay the costs of the captors. These, together with his own costs and expenditures in the controversy, amounted to many thousands of dollars. The arms, previous to the final decision, had been delivered to Mr. Allen on his procuring sufficient bonds to abide such decree as the Court should make respecting them, and had been sent to New York for sale for his benefit. The consignees, without making any payment to him or rendering any account of their sales, became bankrupt, and this, with his other losses and expenditures, involved him in pecuniary difficulties and embarrassments, from which he was never afterwards able to extricate himself. He returned to Vermont for short periods, but left the state in the fall of 1804, and thereafter continued to reside in Philadelphia, where he died January 7, 1814.

In 1805, Mr. Allen published in Philadelphia another volume of

over five hundred pages, entitled *The Olive Branch*, giving a further account of the proceedings, and treating also of other personal as well as historical and political matters. He also published in Philadelphia, in 1807, a pamphlet containing some additional comments on the Olive Branch controversy, and relating also to controversies and pecuniary difficulties of his with some Vermonters and others. From these several publications the foregoing accounts have been compiled.

Although it cannot be denied that the purpose for which the arms were obtained by Mr. Allen from the French Government was liable to some degree of suspicion, yet it is difficult to read the great mass of evidence produced by him to show the fairness of the transaction, without being convinced that his real object was to furnish the militia of Vermont with arms, of which they were greatly deficient, and with which each individual was required by law to supply himself under the penalty of a considerable fine. Mr. Allen expected to be able to dispose of the arms on such reasonable terms as to secure their ready sale, and at the same time at such an advance on their cost as to make it a successful and profitable pecuniary speculation. This he probably would have done, if the passage of his vessel to New York had not been interrupted.

One of the principal objects of Mr. Allen in his history having been to defend himself before the English public against charges of a design to excite an insurrection and revolt in Canada, he would be personally interested, to represent that his own relations and those of the people of Vermont with the government of that province, were of the most friendly and intimate character. Perhaps what he says on that subject should for that reason be taken with some degree of allowance.

Mr. Allen apologizes in his preface for any inaccuracies of dates and for other minor errors in his history, on account of its having been prepared when he was "remote from original documents" and under peculiar embarrassments. Some of these errors are noticed and corrected in the following reprint in brief foot notes, which notes are referred to by figures and included in brackets to distinguish them from those in the original work, which are marked in the usual manner.



THE  
NATURAL AND POLITICAL  
HISTORY  
OF THE  
*STATE of VERMONT,*  
ONE OF THE UNITED STATES OF AMERICA.  
TO WHICH IS ADDED,  
AN APPENDIX,  
CONTAINING ANSWERS TO SUNDRY QUERIES,  
ADDRESSED TO THE AUTHOR.

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By *IRA ALLEN, Esquire,*  
MAJOR-GENERAL OF THE MILITIA IN THE STATE OF VERMONT.

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1798.





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## PREFACE.

ONE reason amongst others that led to the publication of this memoir, was the proceedings of the High Court of Admiralty of England, relative to twenty thousand muskets with their bayonets, twenty-four brass four-pound field-pieces, six gun-carriages, and six cannon-waggon, purchased at Paris, in July, 1796, by the Author, from the French Government, for the equipment of the militia in the State of Vermont, in America, according to the written request of Thomas Chittenden, Governor and Captain General of said State, in 1795. Those arms being thus purchased, the ship Olive Branch, a neutral bottom, was chartered in London to convey them to New York; she received her cargo at Ostend, and on the 11th of November, 1796, sailed from that Port for New York, and on the 19th of the same month, was taken by his Majesty's ship of war the Audacious, Davidge Gould, Esq; Commander, in latitude 47 7 north, and longitude 10 41 west from the meridian of London, and brought to Portsmouth, and soon after libelled by the Captors in the High Court of Admiralty at London, where the Author of the following pages laid in his claim to the cargo in due form of law. In the course of this cause the character of the people of Vermont and that of the claimant were frequently called in question, which operated as a stimulus to this publication.

The public are therefore most respectfully referred to the "Particulars of the capture of the ship Olive Branch, laden with a cargo of arms, &c. the property of Major General Ira Allen, destined for supplying the militia of Vermont, and captured by his Britannic Majesty's ship of war Audacious, together with the proceedings and evidence before the High Court of Admiralty of Great Britain, Vol. I. by Ira Allen, Esq; of Vermont, in the United States of America, the claimant in this cause, and printed by J. W. Myers, No. 2, Paternoster-Row, London, 1798."

The aim of the writer has been to lay open the source of contention between Vermont and New York, and the reasons which in-

duced the former to repudiate both the jurisdiction and claim of the latter, before and during the American revolution, and also to point out the embarrassments the people met with in founding and establishing the independence of the State against the intrigues and claims of New York, New Hampshire, and Massachusetts, supported as they were by repeated resolves of Congress; when they were exposed to the power of a British army in Canada, &c.

Thus surrounded on every side, when their numbers were small, without affluence, and in a perilous situation; necessity, the mother of invention, instituted policy in place of power, which the author attempts to explain, but for want of documents and certain political expedients, some matters will be omitted till a future edition (in Vermont).

To state from memory historical facts relative to Vermont, many years past, with precision and correctness of dates, remote from original documents, is not to be expected, especially from a person involved in mercantile concerns, and embarrassed in a suit of much consequence;

VI when Europe is affected with continental revolutions, and America feels the consequence; under such circumstances the Author relies on the public indulgence to pardon and correct all errors and inevitable imperfections, until they may be noted in a future impression.

Many of the principal actors in establishing the independence of Vermont being numbered with the dead, the writer considered it his duty, while detained in this country, to spend a few weeks in relating the various manœuvres made use of to perfect the constitution and Government of Vermont, which equally defends the rights and liberties of all.

Hereafter it may be proper further to explain the proceedings of New York against Vermont, as they were literally contrary to the orders of the King and Privy Council, and as they laid the foundation for the independence of Vermont. The conduct of the late colony of New York tended much to sour the minds of other colonists against the Government of Great Britain, believing as they did, that the Governor

VII and Council of New York acted in conformity to instructions from the British Cabinet. The principles of the controversy between New York and Vermont were spread and well understood in the colonies several years before the American war began, and no doubt had considerable influence in hastening and bringing about the revolution of America.

An appendix has been formed and subjoined to answer a number of queries of a gentleman respecting the general state of the country, its productions and habits.

The AUTHOR.

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THE  
NATURAL and POLITICAL  
HISTORY  
OF  
VERMONT.

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THE territory forming the present independent State of Vermont, is situate between  $42^{\circ} 45'$  and  $45$  degrees of north latitude, and between  $3^{\circ} 53'$  and  $5^{\circ} 46'$  of longitude, east of the city of Washington, which corresponds with  $71^{\circ} 22'$  and  $73^{\circ} 15'$  west of London, and  $73^{\circ} 47'$  and  $75^{\circ} 40'$  of longitude west from Paris. It is bounded at the east on the west bank of Connecticut River, which is the western bounds of New Hampshire; on the north by the south line of Lower Canada; on the west by the waters of Lake Champlain, East Bay, and up Poultney River where it intersects the west line of Poultney; thence by a strait line to the north west corner of Massachusetts; and thence east on the north line of Massachusetts to Connecticut River. Its length <sup>2</sup> measured by the latitude is one hundred and fifty-six miles and three-eighths of a mile; its north line is ninety miles and one-fourth, and its south is forty-one miles. Its mean breadth is nearly sixty-five miles, which gives 10,164 superficial square miles and three-eighths, or 6,505,200 acres. The lands included within the State are fertile and well calculated for agriculture; the soil, with few exceptions, is deep, rich, moist, loamy, warm, and of a dark colour and loose contexture; wheat, Indian corn, and other kinds of grain grow and flourish luxuriantly as soon as the woods are removed, without the use of the plough; and after the first crop naturally produces grass for grazing and mowing. The face of the country affords different aspects; the lands adjoining the rivers are extensive fine plains and meadows; at a distance they rise into hills and mountains with many beautiful and productive valleys between them; springs and streams issue from

those hills and mountains, which plentifully supply and fertilize the earth. The Green Mountains begin in Canada near the Bay of Chaleur, and one branch runs through Vermont, Massachusetts, and Connecticut, and ends near New Haven. Their general course is from N. N. east to S. S. west, and they divide Vermont nearly in the centre; from ten to fifteen miles in width, and are the reservoirs of water to supply the adjacent hills and country; they are principally clothed with spruce, hemlock, firs, some pine, and other ever greens. The whole range is composed of huge

<sup>3</sup> rocks confusedly piled on one another, though in many places are large inlets of excellent land, which will be of more value for grazing than the low country, as they are but seldom exposed to droughts, and the grass is more nutritious. The humidity and height of these mountains render the air several degrees colder than it is in the flat country. The greatest height of Killington Peak (according to Dr. Williams) is 3454 feet above the level of the ocean, and the highest mountain within the State, whose summit has been taken by actual mensuration; though it is concluded the Camel's Rump and Mansfield Mountain, if measured, would be found to exceed that,<sup>1</sup> yet not more than half the height of the *White Hills*, the highest mountains in New England, which are said to be about 7,800 feet<sup>2</sup> above the level of the sea, and but a little below the line of perpetual congelation in the same latitude in Europe.\* Lake Champlain separates Vermont from the State of New York; its length (reckoning from *White Hall*, † in the State of New York, to Fort St. Johns, in Lower Canada) is about one hundred and sixty miles, and its mean width near five miles. It contains three valuable islands which are within the jurisdiction of Vermont, viz. the north and south heroes, and La Motte. Lake Mumphramagog is about forty miles long and nearly

<sup>4</sup> three miles broad; its greatest part lies in Lower Canada; the division line at latitude 45° crosses it; the lands and timber circumjacent to it are principally good, though at present the former is but partially cultivated. It discharges itself into the River St. Lawrence at the north, through the River St. Francois and Lake St. Peters; its navigation is more impeded by rapids

\* 44° 15'.

† Formerly Skeensborough.

<sup>1</sup> [By the report of the Geological Survey of the state, made in 1859, Vol. II, p. 876, it appears that the height of the three mountains above the ocean is as follows :

Mount Mansfield.....	4348 feet.
Killington Peak.....	4180 "
Camel's Hump.....	4083 " ]

<sup>2</sup> [ 6634 feet.—*Mitchell*. ]

and falls than the River Sorel is from St. John's to Chamble, through which Champlain empties into St. Lawrence.

In 1785 Captain Twist made a survey and level to ascertain the expence of a canal from the River St. Lawrence to Lake Champlain. By his report it is said to appear that the sum of twenty-seven thousand pounds sterling would make a canal sufficient for a ship of 200 tons to pass into Lake Champlain, which would extend a navigation 180 miles into the country, and make Lake Champlain a port; an idea which Congress have already anticipated, by the actual establishment of a custom-house at Alburg, near the entrance of the Lake.

The Rivers Missisqui, La Moile, and Onion, on the west side of the Green Mountains, flow into Champlain, and are of considerable extent. Otter Creek would be called a river in Europe, being equal in magnitude to either of the rivers beforementioned; so

5 would many other streams which have not that appellation, though much larger than the *Isis*, so highly celebrated by the poets of Oxford. The Missisqui rises in Kellyvale, and runs north across the south line of Canada, thence turning S. westerly re-enters Vermont at Richford, and after a course of about seventy miles, discharges itself into Missisqui Bay at Highgate. This meandring river is navigable for large boats to Swanton Falls. La Moile and Onion Rivers are nearly of the same extent, and run in a serpentine manner. Otter Creek flows in a northward course nearly 90 miles, and unites with Champlain at Ferrisburg; large vessels go up eight miles to the falls at Vergennes. The rivers and streams on the east side of the Green Mountains are more numerous, but of less magnitude, than those on the west, and all of them fall into Connecticut River; the most considerable are West River, White River, and Posoomsuck. The surface of the country appears to have undergone various changes. Large trunks of trees have been found in some places as low as thirty feet under the earth, which, no doubt, have lain there for ages, and from various circumstances, it is evident they once flourished above the spot where they lie. The floods, from time to time, have changed the beds of several of our rivers, as the different strata at twenty, thirty, and forty feet below the surface evince; and there is reason to conclude that the intervals have thereby been formed. The operation of water upon solid rocks indicates a very remote period, and proves they have been long subject to the power of that element, which has worn holes, of different forms, and a depth

6 that astonishes the human mind. Travellers often have paid attention to the perforated rocks in Black River, at Cavendish.

About three miles from Burlington Bay, the River Onion presents a singular contraction, about seventy-five feet in breadth, depth unknown. Two rocks rise at this point on each side, opposite to each other, which pointed out the ease of making a wooden bridge across it, ninety feet above the water, and which has been found exceedingly convenient to passengers. Above and below this narrow place, the water is computed to be eighty-seven yards in breadth. How or in what manner this happened is a question worthy the enquiry of the naturalist, especially, when we view a channel south of this river which resembles the old bed of one, and if so, hence it is probable to conjecture, that the fertile lands, for several miles up said river, might have once been the bed of a lake, which supposition is farther strengthened by the following curious fact, well authenticated :—

At Judge Lane's, in digging a well near the said river, at the depth of twenty-four feet, wood was found, and about thirty frogs were discovered, but so apparently petrified that it was difficult to distinguish them from so many small stones. When brought out of the well, disengaged from the earth, and exposed to the air, they gradually felt the vivifying beams of the sun, and, to the surprize of all present, leaped away with as much animation as if they had never lain in their subterraneous prison. The place where this well was sunk, was on high grounds, often surrounded by the river in flood times; large pines, and the ancient fragments of them, are found on this land; from the appearance of the growth of this timber, those frogs we may well suppose to have remained under ground six hundred years. To account for this phenomenon, we must suppose some convulsion of nature to have buried those animals thus deep, whilst in a torpid state, and thus being excluded from the air, continued in the state in which they were found.

The River Onion, in passing through the range of the Green Mountains, also exhibits another curiosity :—A stone bridge, consisting of one entire fragment, over which a man may pass, and which appears to have been separated from a perpendicular rock on the south side, two hundred feet high. Above and below this place, the water may be about one hundred yards in breadth. The river flows underneath this bridge in low water, but when swelled with floods, runs over.

In the spring of 1783, the dissolving snow and heavy rains swelled the River Poultney to such an extraordinary height, that

8 it broke its usual bounds at Fair-haven, whence it rushed with such impetuosity through a pine plain as to form a new channel, which is the less surprizing, as the soil was of a light texture on a stratum of hard blue clay, which it even wore away with such force as to discolour the water upwards of four months, sometimes extending to Crown Point, a course of fifty miles. It soon deserted Colonel Clark's intended mill, seat, and fall, and poured so rapid a torrent as to undermine and carry off lofty pines, the tops of which, when fallen in, and held by the roots, did not fathom the bottom. What is strange, logs of wood were found in the banks, thirty feet beneath the surface of the soil, and different layers of earth, at different depths. It is not easy to account for these circumstances. Let us suppose for a moment, that the present interval above this fall, was once the bed of a lake, through which the river ran, and that in the order of nature, and the course of time, wood, sand, &c. carried down by floods, choaked up the lake. The waters being no longer retained in their usual reservoir, rolled with all their strength, the effects of which, at length, disclosed the materials of its original bed.

Vermont contains almost every thing within itself that can contribute to the immediate wants, convenience, and even luxury of man. This State abounds with different kinds of iron ore, 9 well suited for hollow ware, bar-iron, and steel, together with lead and copper ore, ochre, red and yellow, lime-stone, and marble, white and beautifully clouded; and other kind of building stone: different sorts of clay for bricks, &c. materials from which putty of a good quality is made; springs which produce salts equal to that of Epsom; white pitch, yellow pine, oak, white, red, and black; and other species of useful timber, amongst which is the sugar maple, from which the farmers often make more sugar than serves for the usual consumption of their families, by the use of their kitchen utensils; good hops and grapes grow spontaneously in the uncultivated intervals; apples, pears, plumbs, damascenes, red, black, and choke cherries, currants, gooseberries, rasberries, strawberries, melons, squashes, pompkins, &c. rise to great perfection in open fields and gardens.

The climate of Vermont is friendly to population and longevity; the air is salubrious, notwithstanding it partakes of heat and cold in high degrees\*, which gradually make their approaches. The

\* The extremes of heat and cold may be considered by Farenheit's thermometer; greatest height 94°, least height 27° below, and the mean

frosts commonly retire about the 20th of April and return in October. Their first appearance is on the low lands in the con-  
 10 gelation of the dews and vapours. High winds are found to prevent the humidity of the night falling on the earth, and fogs retain so much heat as to defeat the bad effects of a frost on vegetables and fruit. From the latter part of December to the last of March the snow covers the low lands from one to two feet in depth, and the mountains from two to four. It remains longer on the mountains than the valleys and hills. As soon as the snows melt off the mountains, the earth appears to be fertilized, and vegetation comes on rapidly; with a little cultivation the ground is prepared to receive the seed, and the vegetables soon spring forth to perfection.

The severity of the winter seldom kills young trees, or freezes any of the cattle, although they are not housed; nor is the cold so affecting to the inhabitants as the extremes and sudden transition from heat to cold on the sea coasts; there is a steady, settled frost, for three months, and generally with little variation; the people, being accustomed to it, dress accordingly, and are far more healthy during this season than those who are subject to the vicissitudes of heat and cold near the ocean.

The most prevalent winds are west, north west, and northerly; they are dry and elastic. Those from the south and south west  
 11 are warm and more relaxing. The weather is generally fair in winter. The snows are frequent, and for the most part fall in small quantities, without high winds. Rain is uncommon in the winter, but hail is not. In April and May the weather becomes mild, attended with frequent showers, which promote vegetation. Though the weather, during the summer months, is generally clear and settled, yet it has been found, by meteorological observations, that near double the quantity of rain falls in Vermont to what falls in the same parallel of latitude in Europe. Naturalists attribute this to the forests and the uncultivated state of the country, which furnish more water for the formation of clouds, but notwithstanding this opinion, many parts of America suffer more from droughts than any part of Europe.

The heat in the middle of the summer days is often uncomfortable, though the nights are cool and agreeable. The weather

heat, according to three years observations by Dr. Williams, in latitude  $43^{\circ} 38'$ , at  $43^{\circ}$  one-half, and which is more than  $10^{\circ}$  degrees below the mean heat of the cells of the Observatory at Paris.



from the 15th of May to the 20th of October is, on the whole, very pleasant. Thunder and lightening are frequent in May, June, July, and August. The *Aurora Borealis* is the most common in March, September, and October, but is not unusual at other times of the year.

The climate admits of melioration as the woods are cleared away. The want of accurate meteorological observations prevents our determining whether the rain has decreased in the same proportion with the snow: Certain it is, that the snow has decreased in a very visible manner since settling and clearing the lands, in many parts of the State. Perhaps the decrease of snow and rain will keep pace with the temperature of the atmosphere, which, in a century and a half (according to Dr. Williams) has changed for the better, between ten and twelve degrees, though at present about ten or twelve degrees colder than in the same latitude in Europe. Many of the small springs, streams, and brooks, have dried up; miry places and large swamps have been converted into the richest meadows and arable lands. One of the first effects of cultivation is the dissipation of the waters, and a change in the swampy soil to that of dry and fertile lands. The forests abound with almost innumerable kinds of trees, shrubs, and vines; among the former, (reckoning the most useful) are the pine, cedar, maple, oak, ash, hickory, and wild cherry. Many vegetables are indigenous, and possessed of sanative qualities in a high degree, as far as has been proved in their application to medicinal purposes.

Various kinds of quadrupeds, peculiar to a northern and cold climate, are found in Vermont. Dr. Williams enumerates thirty-six. According to that able naturalist, Count de Buffon, there are seventy-five in America peculiar to it, and twenty-five which are not, making in the whole one hundred. He concludes, that there are about two hundred diffused over the face of the globe. Vermont is not less fruitful in birds and fishes, than in the four-footed race.

The extensive lakes and rivers in Vermont, and those contiguous thereto, are abundantly stored with fish, which in magnitude, variety, and flavour, equal, and in many respects excel those of the same species in Europe, particularly sturgeon, salmon, salmon-trout, muskunge, pike, &c. and in Davis and Lester Lakes, trouts are often taken from 20 to 30lbs. weight, with a line from 70 to 100 feet in length. Nature is not less bountiful to this State in fowl and quadrupeds of different kinds. The most use-

ful in the first class are wild geese and ducks, partridge, pheasant, wild-pigeon, quail, &c. In the second, moose-deer, bear, beaver, hare, rabbit, otter, &c. independent of a large and increasing stock of domestic animals. Hunting, fishing, and fowling, are free to all orders, in all seasons, except the killing of deer from the beginning of January to the first of September, as in part of that interval the skin and carcass are not so valuable; the intent of the other part of this law (founded on nature) is to preserve the young till they can exist without the dam.

In 1741, the line, called the east and west line, which was the boundary between the provinces of New Hampshire and Massachusetts, was ran and established. This line extended southward  
 14 further than had been imagined, and included in New Hampshire the fort called Fort Dummer, which had been built and garrisoned by Massachusetts's, but afterwards was supported at the joint expence of both provinces, as a mutual defence against the inroads of the savages, as the adjacent country, at the commencement of the war in 1754, was nearly a wilderness. A few families settled at and near this fort, as early as 1724, contiguous to Connecticut River, on locations from and under the Province of Massachusetts, which lands were afterwards granted by Benning Wentworth, Governor of the Province of New Hampshire, in townships of six miles square each, by the names of Hinsdale, Brattleboro', and Fulham; and the dispute about the lands and titles was accommodated. A few Dutch families settled on the banks of Hoosock River, without any titles to the lands, and which were afterwards granted by the Governor of New Hampshire, under the name of Pownal. Near the south line of this township were two block forts erected by Massachusetts's to guard the frontiers against the Indians and Canadians, whose incursions were dangerous. In 1731, the French erected the garrisons of Ticonderoga and Crown Point, and commenced settlements on Seignoral Grants, contiguous to Lake Champlain; the most flourishing of these was a settlement upon a point called Chimney Point, opposite to Crown Point, upon the said lake.<sup>1</sup> On the Missisqui River was a large Indian town, which became greatly de-  
 15 populated about 1730, by a mortal sickness that raged among them; in consequence of which they evacuated the place, according to the tradition of the savages, and settled on the River St. Francoise, to get rid of *Hoggomog*, (the devil) leaving their beautiful fields, which extended four miles on the river, waste.

<sup>1</sup> [The French began their fortifications at Ticonderoga in 1755. *Col. His. N. Y.*, Vol. VI, p. 1001, 1003, 1021.]

In pursuance to orders and instructions from his Britannic Majesty and the Privy Council, the Governor of New Hampshire (Benning Wentworth) proceeded, in 1749, to grant the lands on the west of Connecticut River, and north of the division line between the two Provinces, to such persons as would settle on and cultivate the same; those grants went under the title of *New Hampshire Grants*, each grant being six miles square, to sixty-eight proprietors, in equal shares, whose names were entered on the charter, reserving to himself 500 acres at the corner of every township, which were considered as two shares. Also reserving four public rights, viz. one to the Society for the propagation of the Gospel in foreign parts, one for a perpetual glebe to the Church of England, as by law established, one for the first settled Minister of the Gospel in the town, and one for the benefit of a School. The patentees or possessors after ten years were to pay ninepence sterling per annum on each and every hundred acres, as quit-rent to his Majesty. Each township was erected into a corporation, and authorized to act as such; and so soon as fifty families were settled therein, they were to have the privilege of a fair.

16 It is to be remembered, that Governor Wentworth made about one hundred and forty grants on similar principles, between 1749 and 1764, yet few settlements were made on them till after the capture of Montreal in 1761, and the reduction of Canada. In the course of this war, the French abandoned their patents, burnt their houses, and removed to Canada with the Indians, who had been a heavy scourge to the frontiers of New England, from its first settlement in 1620. Many of the patentees on the New Hampshire Grants, passed through the wilderness as soldiers, in the war against Canada; a road was cut from No. 4, (Charlestown) on Connecticut River, to Crown Point; others had traversed those woods as hunters and scouting parties, by which means they discovered the beauties of the country, and the richness of the soil; a country that had been hitherto reserved by contending nations as a barrier, and proved a snare for the subjects of both. At the happy period when Canada and New England became subject to one king, this wilderness was rapidly settled, and soon changed into fruitful fields and pleasant gardens, as there were no longer any savages to make the inhabitants afraid.

“To check the proceedings of New Hampshire, and to intimidate the settlers, Mr. Colden, Lieutenant Governor of New York, issued a proclamation\*, reciting the grants to the Duke of York, asserting their validity, claiming the jurisdiction as far east

\*1763, December 8th.

east as Connecticut River, and commanding the Sheriff of the County of Albany to make a return of the names of all persons who, under colour of the New Hampshire Grants, had taken possession of any lands to the west of the river.

“To prevent the effects that might arise from this proclamation, the Governor of New Hampshire put forth another proclamation\*, declaring the grant to the Duke of York to be obsolete; that New Hampshire extended as far to the west as Massachusetts and Connecticut; that the grants made by New Hampshire would be confirmed, if the jurisdiction should be altered; the settlers were exhorted not to be intimidated, but to be industrious and diligent in cultivating their lands; and civil officers were required to exercise jurisdiction as far westward as grants had been made, and to punish all disturbers of the peace.”

Their prosperity and happy situation raised the envy of a number of avaricious and designing men in the colony of New York, who devised ways and means to change the jurisdiction, and attempted to dispossess the inhabitants and proprietors of their property. Their plan was curious as it was culpable. In 1763, 18 strangers were observed to pass through the district of the New Hampshire Grants, under the pretence of speculating in lands, but it was known that under this pretext they carefully took down the names of the inhabitants. Soon after, a petition to his Majesty and the Privy Council was made out, as was supposed, signed with the names of the settlers, and sent to London, praying that the district, lying west of Connecticut River, might be annexed to the Colony of New York, in consequence of its local situation, as best calculated to promote trade; and that the western bank of Connecticut River might be appointed the eastern boundary thereof. The petition had its effect; for on July the 20th, 1764, an order passed in council, declaring the western bank of Connecticut River, opposite the Province of New Hampshire, to be of right the eastern boundary of New York. The jurisdiction being changed by his Majesty's order, and the reasons not known, the people on the grants under New Hampshire acquiesced, never entertaining an idea that the title of their lands would be called in question, when both were royal governments. The Governor of New Hampshire remonstrated against this loss of territory, and represented it to be injurious to the settlement and peace of the country; but his council being contracted in their politics, and more fond of gratifying the over-bearing influence of the favourite colony

\* 1764, March 13th.

of New York, than of the just remonstrance of their Governor, 19 induced his Excellency, of course, to relinquish all civil and military government over his grants west of the Connecticut River; and in his proclamation, he recommended to the proprietors and settlers *submission and due obedience to the authority and laws of the colony of New York*, whereupon the Governor of New York issued his proclamation, claiming the jurisdiction, and requiring the inhabitants to deliver up their New Hampshire titles, and take out new grants of their lands, which was to be granted the settlers upon paying half the usual fees. Civil and military officers were accordingly appointed among the people of the New Hampshire Grants, and every thing seemed to presage happiness and prosperity. But their prospects were soon clouded; for the Governor of the colony of New York, who, with the advice of his council, on seeing the people not disposed to purchase their own lands over again, proceeded to re-grant the lands which they already held under the grant of one Royal Governor, whose authority was equal to that of any other Royal Governor. Fees of office, rather than justice or sound policy, actuated the Governor of New York, as will appear in the sequel; for certain of his favorites, who had distinguished themselves in procuring the change of jurisdiction, obtained extensive grants of other people's property. This conduct alarmed the settlers, not knowing what measures were best to secure their common interest; all being willing to own the jurisdiction of New 20 York, but none being disposed to yield their lands; they therefore remonstrated against the injustice and illegality of one Governor superseding the grants of another; that the change of jurisdiction could not alter the state of private property; that the object of the Crown was originally to give the lands to the settlers; and finally, that it made no difference to the King which province held the jurisdiction if the quit-rents were not to be changed from their New Hampshire establishment of nine-pence sterling the hundred acres, though the Grants under the colony of New York established them at two shillings and six pence. Those just and equitable assertions weighed not with the Governor and Council of New York so much as the fees, and they determined to persevere in re-granting the lands, and to enforce obedience to their measures both by civil and military law. The Governor used however some policy to complete his injustice, he made a difference between the settlers on the east and west sides of the Green Mountains. Some leading characters on the east side, by yielding up their New Hampshire grants, had new or confirmation grants  
from

from New York on paying half fees.\* This plan was intended to divide the people, while the settlers on the west side had their lands re-granted, and were called on to acknowledge themselves tenants to the Grantees under New York; this demand was not

21 complied with by the settlers, who replied that the fee simple of the lands rested in the possessors. The settlers called a *Convention* of Representatives from the several towns on the west side of the Green Mountains, who, on mature deliberation, agreed to send an Agent to the Court of Great Britain, to state to the King and Council the illegal and unjust proceedings of the Governor of New York, and to obtain redress of their grievance; they appointed Samuel Robinson, Esq; of Bennington, as their Agent; he accordingly repaired to London, and stated the grievance that the people laboured under, through the illegal conduct of the Governor and Council of New York, but unfortunately was taken sick and died, and was buried in Westminster-Abbey. After his death, his Majesty and Privy Council took the Petition into consideration; and in July, 1767, passed an order, "His Majesty doth hereby strictly charge, require, and command, that the Governor or Commander in Chief of his Majesty's province of New York, for the time being, do not, upon pain of his Majesty's highest displeasure, presume to make any grants whatsoever, of any part of the lands described in the said report, until his Majesty's further pleasure shall be known concerning the same."<sup>1</sup> This Royal prohibition was sent to the Governor, but was kept private by him and his Council, for near two years. In the mean time the persecutions of the settlers were carried on by the Governor and his land-monopolists. About this time Smith's

22 *History of New York* was industriously circulated, in which he attempts to prove that the colony had an ancient and indisputable title to the lands west of Connecticut river, in virtue of a grant of King Charles II. to his brother James Duke of York, containing "all the lands from the west side of Connecticut river, to the east side of Delaware-bay."

\*The fees to the Governor of New Hampshire, for granting a township, were about three hundred Dollars; under the Governor of New York they generally exceeded two thousand Dollars.

<sup>1</sup> [Mr. Allen is in error in regard to Mr. Robinson. His death did not take place till October, 27, 1767, more than three months after the prohibitory order was made. He was interred in the burial ground belonging to the Rev. Mr. Whitefield's Church. For an account of his mission and death, see *H. Hall's Vt.*, chap. ix, p. 85-97.]

In order to promote a further division between the people on the east and west side of the Green Mountains, the Governor of New York gave civil and military commissions to the leading characters on the east side. Mr. Nathan Stone, of Windsor, raised a large party to oppose the overbearing power of the Governor and Council of New York, but finally was overpowered and submitted; and soon after was appointed Colonel of the militia in the county of Cumberland, which then included all the New Hampshire grants east of the Green Mountains and west of Connecticut river. This county being so extensive, and other men wishing for preferment, the Governor and Council divided it, and established the county of Gloucester to the north. The new county was divided into half shires, Newbury and Kingsland,\* and (strange to relate) a *log* Court House and Goal were erected at the latter place, though in the wilderness, and eight miles distant from any  
23 settlement; there the Courts were opened and adjourned to Newbury. The Governor, by this stratagem, partially brought the eastern counties to coincide with the interest of New York, and placed the western district in the interior of the Government, thereby thinking to compel them to submit as tenants to the Grantees, under New York; forgetting that men, who had braved every danger and hardship attending the settlement of an uncultivated country, would not tamely submit to a mercenary Governor and a set of land-jobbers, having no legal or equitable right to the land and labours of others; the contest grew warm and serious; writs of ejectment were issued, and served on sundry persons, and returned to the supreme Court at Albany; some officers were opposed by the people and prevented serving their writs.

Ethan Allen, Esq; a proprietor under the New Hampshire Grants, was appointed by the people their Agent; his first step was to wait on the Governor of New Hampshire, and obtain copies of the Royal orders and instructions, on which his Excellency had granted and given patents of lands in the western part of the province of New Hampshire; with these copies and the original charters or grants, he waited on Mr. Ingersoll, an eminent barrister of Connecticut, who accompanied him to Albany, to defend the settlers under New Hampshire Grants, before the supreme Court, against the writs of ejectment. When the first cause  
24 was brought before the Court, Mr. Ingersoll answered for the Defendant, and pleaded in bar to the action, and supported his plea by the Royal orders and instructions to Governor

\* Now Washington.

Wentworth to make grants of lands in the province of New Hampshire, to such people as would settle upon and cultivate them; and also produced the grant and charter to the settlers, but the Judge would not admit of their being received in Court as evidence, on which Mr. Ingersoll saw the cause was already prejudged, and did not attempt to defend it; and judgment was rendered against the Defendant. Thus a precedent was established to annihilate all the titles of land held under New Hampshire Grants, west of Connecticut river. Mr. Ingersoll and Mr. Allen retired from the Court, and in the evening Messrs. Kemp, Banyar, and Duane, lawyers and land speculators of New York, called on Mr. Allen, and among other conversation, Mr. Kemp, the King's attorney, observed to Mr. Allen, *that the people settled on the New Hampshire Grants should be advised to make the best terms possible with their landlords, for might often prevailed against right*: Mr. Allen answered, *The Gods of the valleys are not Gods of the hills*; Mr. Kemp asked for an explanation, Mr. Allen replied, *that if he would accompany him to Bennington, the phrase should be explained*. Mr. Kemp proposed to give Mr. Allen and other men of influence on the New Hampshire Grants, some large tracts of land, to secure peace and harmony, and the friendship of the leading men; but the proposal was rejected, and their conversation ended.<sup>1</sup>

25 On the return of Mr. Allen to Bennington, a convention of the people met, and passed a resolution to support their rights and property under the New Hampshire Grants, against the usurpation and unjust claims of the Governor and Council of New York, *by force*, as law and justice were denied them, and not being able to stand in their Courts, before the intrigues and power of a junto of New York land-jobbers, who controlled the civil powers of the colony.

This was a bold stroke of a hundred men, who united to oppose the most favoured colony under the Crown, and whose wealth and numbers were great; but the people on the grants rightly considered their controversy was not with the great body of the people; only with the Governor and Council of New York, and their land associates, who were but a small and jesuitical part of the community.

This distinction was kept up during the whole dispute in all the publications against the tyranny and injustice of the rulers of New

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<sup>1</sup> [ These trials took place in June, 1770. ]



York, which made friends abroad, and united the people at home, and greatly promoted migrations from New England.

Some Patents which began in New York on perambulating and re-measuring their lines, were extended into the towns of Pownal, Bennington, Shaftsbury, &c. about three miles on their western parts.

26 These claims were violently insisted upon (especially at Walloomscoick), and were as forcibly defended by the people, who determined to dispute every inch of ground which had been granted to them by the Governor of New Hampshire.

Civil officers from New York were therefore opposed by the people of New Hampshire Grants, who, in return, were indicted for riots, by the people of New York, from whence writs were issued, and their Sheriffs' officers sent to apprehend the delinquents. These officers were seized by the people, and severely chastised *with twigs of the Wilderness*; every day produced new events, which induced the settlers on the Grants to form themselves into a military association. Mr. Ethan Allen was appointed Colonel Commandant, and Messrs. Seth Warner, Remember Baker, Robert Cockran, Gideon Warren, and some others, were appointed Captains; Committees of Safety were likewise appointed in the several towns west of the Green Mountains; though by order of the Governor of New York the south part of the Grants were annexed to the County of Albany, and the North formed into a County by the name of Charlotte, which extended some distance west of the district of the New Hampshire Grants. Here Justices of the Peace and Civil Courts were also appointed, and allowed (by the people) to act, when the title of Lands was not concerned, nor riots, nor sending people off the Grants without the concurrence of the Committee of Safety. The Governor of New

27 York had threatened to drive the military (his opposers) into the Green Mountains, from which circumstance they took the name of *Green Mountain Boys*. In consequence hereof the Convention passed a resolution that no officer from New York be allowed to carry out of the district of New Hampshire Grants, any person, without permission of the Committees of Safety; or of the military Commanders. Surveyors of land under New York were forbid to run any lines within the Grants; transgressors in this point were to be punished according to the judgment of a Court formed from among the elders of the people, or military commanders. Their punishment sometimes consisted in whipping severely with beech twigs, and banishment,

not to return on pain of suffering the *resentment* of the *Green Mountain Boys*. Mr. Hugh Monroe, an old offender, was taken, tried and ordered to be whipped on his naked back; he was tied to a tree and flogged till he fainted; on recovering he was whipped again until he fainted; he recovered and underwent a third lashing until he fainted; his wounds were then dressed, and he was banished the district of the New Hampshire Grants. These severities were used to deter people from endangering their lives, and to prevent aid being given to the land claimants of New York; they proved to answer the purpose, and the *Green Mountain Boys* soon became the terror of their adversaries. When the Sheriffs' officers came to collect debts they were used with civility, and the cause of the people was explained;

28 in this way the strength of the enemy was weakened, and the cause of the settlers gained strength and credit.

Colonel Reed, a British officer, had obtained from the Governor of New York a grant of lands that covered most part of the townships of New Haven, Ferrisburgh, and Panton; he went and took possession of a saw mill by force, at the lower falls on Otter Creek, with a quantity of logs and boards, and refused to permit (the Pangborns) the owners and builders to make use of any part of their property. The Colonel kept possession and built a corn-mill, sundry houses, and settled some Scotch families on the premises. Several riots happened in consequence of opposing surveyors and civil officers under the authority of New York.

The Convention met again, and passed a *decree* forbidding all persons taking grants or confirmation of grants under the Governor of New York. This decree tended to unite very much the settlers in the common cause. About the same time the Legislature of New York passed an act authorizing the Sheriffs of Albany and Charlotte counties to call out the *posse comitatus* in case they should be opposed in the execution of their office, and if any person refused to obey the order of the Sheriff, he was subject to a fine of 75 dollars and six months imprisonment. The Governor of New York issued his proclamation, offering a reward of 150

29 pounds for Colonel Ethan Allen, and 50 pounds each for Warner and five others therein named, to any person that should take and confine them in any gaol in the colony of New York. Allen and the other proscribed persons issued another proclamation, offering five pounds to any person who should take and deliver *John Taber Kemp*, Esq; Attorney General of the colony of New York, to any officer in the militia of the Green Mountain

tain Boys, and published the same in the public newspapers in New England.<sup>1</sup>

The supreme Court at Albany having awarded a judgment on a writ of ejectment against James Brackenridge, of Bennington, Esq. the Sheriff of the County of Albany summoned the *posse comitatus* to go with him and assist him in putting the Plaintiff in possession of the Defendant's house and lands. Accordingly 750 men well armed followed the Sheriff. The news of the Sheriff's approach with an armed force so formidable, was a trial of the courage and independent spirit of the Green Mountain Boys, who, under every discouragement, except that of being in the wrong, had determined on justice or death. The settlers in general were poor and widely spread, which made it difficult to convene them in a body sufficient to encounter 750 men; in this case they had to oppose the most favorite colony under the Crown, whose population was large, the land monopolists rich; the Governor and Council intriguing, and who had, by con-

30 tending with Connecticut and New Jersey, in the settlement of boundary lines, gained considerably, and also laid claim to the western part of Massachusetts's bay. Notwithstanding these discouraging circumstances, the officers of the Green Mountain Boys collected as many men as they could, (being only about three hundred) who arrived at the house of Mr. Brackenridge some hours before the Sheriff; they were formed into three divisions; the house was prepared, and an officer with 18 men put in it for defence; about 120 were placed in a wood, behind trees, near the road, through which the Sheriff must march, and would naturally halt his men while he went to demand possession of the premises; the other division was stationed behind a ridge of land in a meadow, within gun-shot of the house, and out of sight of the Sheriff's men. Thus the ambuscade was formed to have a cross fire on the Sheriff's without endangering themselves, and to be ready against the Sheriff forced the door, which was to be known by hoisting a red flag above the top of the chimney. When the Sheriff approached all were silent; he and his men were completely within the ambuscade, before they discovered their situation; Mr. Ten Eyck, the Sheriff, went to the house and demanded entrance as Sheriff of the County of Albany, and threatened on refusal, to force the door; the answer was, "attempt it, and you are a dead man." He repeated his demand and threat, without

<sup>1</sup> [Governor Tryon's proclamation was dated December 9, 1771, and that of Allen, Baker and Cochran, the 5th of February following; see *H. Hall's Vt.*, p. 134.]

using any force ; and received for a second answer, *hideous groans*  
 31 *from those within!* At this time the two divisions exhibited  
 their hats on the points of their guns, which appeared to be  
 more numerous than they really were. The Sheriff and his posse  
 seeing their dangerous situation, *and not being interested in the*  
*dispute*, made a hasty retreat, so that a musket was not fired on  
 either side ; which gave satisfaction to and cemented the union of  
 the inhabitants, and raised their consequence in the neighboring  
 colonies.<sup>1</sup> Riots and disputes continued to increase, and many  
 transgressors from New York underwent the discipline of the  
 whip : Mr. J. Monroe, who had acted as a justice of the peace  
 under New York, had rendered himself obnoxious by his partiality  
 for New York, and persecution of the settlers of the grants.  
 Colonel Allen, with a party, went to his house very early one  
 morning, and fired several shot into the upper part of it, which  
 alarmed him to such a degree that he fled to New York.

About this time a banditti came to Arlington, wounded and  
 took prisoner Captain Remember Baker, (one of the seven pro-  
 scribed persons) and his wife was also severely wounded with a  
 sword. They put Baker into a sleigh, and drove off with great  
 speed for Albany. An express was sent to Bennington with the  
 tidings ; instantly on the news, ten men mounted their horses and  
 pursued them near thirty miles, and intercepted the party at a  
 cross road, (about 50 men) on full speed. This banditti thought  
 32 the ten horsemen were an advanced guard of a larger party,  
 and therefore left their prisoner and fled. Captain Baker be-  
 ing nearly exhausted by loss of blood, was taken care of, his  
 wounds dressed, and then carried home to his wife and children,  
 to their no small joy, and that of the Green Mountain Boys.<sup>2</sup>

Information reached Bennington, that Governor Tryon was on  
 his way by water to Albany, with British troops, in order to sub-  
 ject or destroy the Green Mountain Boys : This news was read-  
 ily credited, as the royal troops had been lately used on Bateman's  
 Patent, in the colony of New York, to quell some disputes about  
 the titles or rents of lands ; and it was known that the subsequent  
 Grantees of the New Hampshire Grants had applied to the Govern-  
 or of New York for a similar favour. New and more serious  
 troubles daily appeared. The Committees of Safety met the mili-  
 tary officers to consult on measures proper to be taken. They  
 found matters had come to a crisis that compelled them either to

<sup>1</sup> [ The posse were at Mr. Breakenridge's, July 19, 1771. ]

<sup>2</sup> [ The capture and rescue of Baker took place March 21, 1772. ]

submit and become tenants to the land jobbers of New York, or to take the field against a royal Governor and British troops ; either step seemed like the forlorn hope. Having reflected on the justice of their cause, the hardships, expence of money, and labour they had been at in building and cultivation, they, therefore, unanimously resolved, *that it was their duty to oppose Governor*

33 *Tryon and his troops to the utmost of their power ;* (and thereby convince him and his council, that they were punishable by the Green Mountain Boys) *for disobeying his Majesty's prohibitory orders, of July, 1767.* The plan of defensive operation was the next question in case of an attack. The elders of the people urged the propriety of sending a flag to the Governor, to enquire whether an accommodation was impracticable ? the military objected and said, that step would shew pusillanimity as well as confidence in the Governor, who had proved himself at North Carolina *to be not worthy of confidence ;* and besides, no officer could be found to be bearer of a flag to him.\* The elders of the people assured the military officers that they would afford them every degree of assistance in their power, advising them to concert among themselves the plans of defence, and then retired.†

34 The military sent a person to Albany, who had not been indicted as a rioter, to see the Governor and some of his principal officers, so as to know them again ; to discover their strength, and order of marching ; and when they would leave Albany. Having performed this business he had orders to return and join six other good marksmen, and station themselves at a certain place in a wood near the road that the enemy were to march ; the Governor was to be pointed out, and the expert marksmen were to fire, one by one at him, until he fell from his horse, then to give an Indian *whoop* and raise their ambuscade ; and should the enemy afterwards continue their march, they were to return to the

\* Except Captain Stephen Fay.

† Mr. Tryon, while Governor of North Carolina, called in the military to quell some disturbances among the people called Regulators. On the approach of the two parties the Regulators sent a flag to the Governor ; it was received, and an answer was wrote, signed, and delivered to the officer of the flag, and he departed with it. The *Aid-de-Camp* of the Governor suggested a clause to be added, which the Governor approved of ; the officer of the flag was ordered to return and deliver up the letter ; he refused to obey the order, and said he had brought a message and delivered it, and had an answer given to deliver, which he would deliver according as directed.—On that answer the Governor ordered his men to fire on the officer of the flag ; they fired and killed him, by which means they obtained the answer.

road at a fixed place, and take down two or three more of the chief officers; then to hasten and join the main body, who were to be prepared to receive Governor Tryon's troops, and to decide the fate of the inhabitants of the New Hampshire Grants.

The messenger, on his return from Albany, made the following report, *that the British troops were wind bound some miles below Albany, and were destined to relieve the garrisons of Oswego, Niagara and Detroit; and Governor Tryon was not with them;* of course the preparations for a battle were suspended. The Governor and his land-jobbers soon got information of this preparation; and they were both intimidated and convinced, that the *Green Mountain Boys* would fight even the King's troops if sent

35 to decide the titles of land, and to dispossess the inhabitants who rescued them out of a state of nature. This alarm answered every purpose that a victory possibly could have done, without shedding blood.<sup>1</sup>

The Convention met and passed a decree, forbidding all inhabitants in the district of the New Hampshire Grants, *to hold, take, or accept any office of honour or profit under the colony of New York,* and all civil and military officers who had acted under authority of the Governor or Legislature of New York, were required to suspend their functions on pain of being *viewed*. This decree united the people in the common cause, and induced many in New England to move and settle on the New Hampshire Grants. Mr. J. Monroe, whose house had been fired at, met Captain Warner and Mr. Sherwood, when some provoking words passed, and Warner drew his sword and smote Monroe on his head, but his thick hat, hair, and skull saved his brains, and broke Warner's sword.

Colonel Allen, with a party of men, thought it high time to pay a visit to the plantation and mills which Colonel Reed had taken possession of in New-haven as aforesaid; he gave Colonel Reed's tenants a short time to remove their goods, and then burnt the houses, ordering the tenants to quit the district, unless they took or purchased under the New Hampshire Grants.

36 Colonel Allen went then to Colonel Reed's corn mill; but found it could not be burnt separately from Pangborn's saw-mill; he ordered the mill-stones to be broken and thrown down

<sup>1</sup> [This alarm from an apprehended military attack upon the settlers was in April, 1772. See *Doc. His. N. Y.*, Vol. IV, p. 778.]

the falls, and the roof taken off, and put Pangborns in possession of their property; assuring the people that henceforth all who held titles under the grants of New Hampshire, should be protected against the lawless invaders from New York.

The Sheriff of Charlotte county attempted to arrest Captain Cockran for riots and outrages, who was too well armed for a civil officer, and the Sheriff, for safety, made the best of his way out of the territory of the Green Mountain Boys.

The first settlers of Clarendon, held under an absolute title of Colonel Henry H. Lydius, who pretended to have a title from Governor Pownal, of Massachusett's, but it was no more than an order of location, beginning at the mouth of Otter Creek, thence extending 60 miles up the Creek, and its width 20 miles; a part of these lands had been granted by the Governor of New York to James Duane, and others, under the name of Socialboro'. The settlers were in favour of New York, and pretended to hold under Lydius; they, therefore, declined purchasing under New Hampshire or New York, until the dispute should be settled. Disturbances had frequently sprung up in this place; Mr. Spencer, an artful, intriguing, and designing man, acted as a justice of the peace under New York, and often sent writs against the inhabitants of that and other places. Colonel Allen, with near 37 hundred men, set off for Clarendon, to terrify and frighten Spencer out of the country. Information of the intended visit reached Spencer, and he fled into the woods. Allen and his party went to his house, but he could not be found. After scouting the woods in vain, they marched three miles, and put up for the night. Towards day-light Allen, with ten men, went again to Spencer's house, and, with a log, forced the door, then with swords and pistols rushed in, crying out for Spencer to appear, but he had not ventured to return home. They left the house and joined their party, where a small dog was discovered, whose name was *Tryon*; they took and cut the poor animal in pieces with their swords, for no other cause than that of being called Tryon; they held up the different parts of the dog, and vociferated, *Thus will we do unto Tryon*. Mr. Spencer was so much alarmed at this visit to his house, and the fate of the dog, that he fled to New York, and matters remained quiet for a time.

In the spring of 1772, Governor Tryon addressed a letter to the Rev. Mr. Dewey, of Bennington, which held out a glimmering hope of pacification. The Governor requested Mr. Dewey to interpose his good offices, and state the grievances of the people, assuring

assuring him that they should be redressed so far as was consistent, and that if the people chose to send agents to negotiate an accommodation, they should be received and protected, excepting Mr. Ethan Allen, Seth Warner, Remember Baker, and Robert Cockran. This invitation was kindly accepted, and Captain Stephen Fay, with Dr. Jonas Fay, were appointed agents of the settlers on the grants to go to New York, for an adjustment of the claims of the grantees under New Hampshire. Accordingly the agents waited upon and laid before the Governor and Council of New York all matters of grievance, and a suspension of all crown actions against the settlers on the grants took place in consequence, until his Majesty's will and pleasure should be further known: and further it was recommended by the Governor and Council to the land claimants under New York, to put a stop, during this period, to all respecting titles of land suits. The agents found that nothing could be done effectually with the Governor and Council to secure the interest of the settlers; therefore, after having put the business in a train of negotiation, they took leave and returned to their constituents. Their reports gave union and strength to the settlers, and proved a sufficient caution against the collusions of New York. Sundry letters afterwards passed between Governor Tryon and Mr. Dewey on this subject, which had a tendency to keep matters quiet a little while. During this seeming friendly correspondence, the land jobbers of New York privately sent Mr. Cockburn, a surveyor, to make further locations within the district of the New Hampshire grants; some knowledge of this transpiring, pains were taken to find him out. At length Ira Allen discovered his destination, by traversing the wilderness, and Captain Warner and Baker, with a number of men, went in the pursuit; they found and took him in Bolton, near one hundred and thirty miles north of Bennington: great part of this way was in the Wilderness. They broke and destroyed his instruments, and tried him by a court martial; he was found guilty, and banished the district of the grants, on pain of death if he ever returned. The correspondence then going on between the Governor and the people for the restoration of peace and friendship, saved Mr. Cockburn a severe whipping.

In the autumn Lieutenant Ira Allen being desirous of exploring the northern part of the district, for settlement, was accompanied by Captain Baker and five men, who went from Skeensborough-falls by water to the lower falls in Onion River, where they discovered and took a boat and some provisions, with two men, one of whom informed Allen and Baker that they were with a surveying party  
from



from New York under Captain Stephens, who had with him five men and three guns. Baker and his party had only one gun, a case of pistols, and a cutlass. It was concluded to await their return, as hunger would soon force them in ; therefore, at evening, 40 they stationed a sentinel, secured their prisoners, and went to rest. Next morning, about sun-rise, two boats were seen coming towards the *camp*, with six white men and thirteen Indians, armed. Stephens and his five men landed, and the Indians were about to follow. Allen and Baker had one man who spoke the Indian language ; he told the Indians that “ this was a land dispute between white men, and did not concern the Indians, who might hunt and fish wherever they pleased.” At this the Indians went off, and left Stephens and his men prisoners.

They were released without any trial, or corporal punishment (on account of the subsisting negociations) and they promised not to return again. Baker, Allen, and the party went on, and explored the country, surveyed the township of Mansfield, and returned to the river in Bolton. Allen wishing further to explore the country, Captain Baker and one man returned with the boat to Skeensborough, and he and the four men remained, and traversed the wilderness. Being almost destitute of provisions, in consequence of a disappointment, they concluded to make the best of their way to Pitsford, nearly seventy miles through a wilderness. After travelling four days through the woods, brooks, and rivers, and over the range of Green Mountains, with only one dinner and three partridges for five men, they reached Pitsford, almost overcome with hunger and weakness. They were fed with 41 a crust of bread, then with pudding for an hour, then with a small piece of mutton and turnips. One man eat a double share, and soon fell asleep ; he was rolled over and over, and carried about for an hour, before they could awake him ; had they neglected him during that hour, he would have never awoke again : This should caution men not to eat too much after long abstinence, and when hunger has changed to faintness.

The agents of Colonel Reed found means (by hooping) to repair the stones of the corn-mill, and by that means kept possession. Mr. Allen, with one man, on passing that way, stopped at the mill, and caused the miller to break the stones into small pieces with a sledge, and throw them down the falls, and gave orders not to repair the mill again, on pain of suffering the *displeasure* of the Green Mountain Boys.

The

The Governor and his coadjutors seeing they could not make settlements, or get possession of the lands in the district of the grants, and that time and persecution had added strength and courage to the people, cunningly adopted another plan, by encouraging a number of Scotch emigrants to settle at New Haven falls, under the New York proprietors. Information of this was sent to Colonel Allen; whereupon he, with a number of men, repaired to New Haven falls, and built a block fort, but before it was finished,

42 some agents from the Scotch emigrants came from New York to view the country, and learn the nature of the dispute, prior to the removal of their families. Having discovered the nature of the different claims, they informed Col. Allen that they had been deceived, and that they had not migrated to settle on lands whose titles were contested, especially where garrisons were building to support them. Those emigrant strangers quitted the district of the grants, and afterwards settled on the Mohock River.

The families of Allen and Baker, with a view to guard the coasts against settlers under the grants of New York, erected another block fort at Colchester, near Onion River lower falls, with thirty-two port holes in the upper story, and well furnished with arms and ammunition.

A road was cut by these families, extending from Castleton to Colchester, being about seventy miles, which, with the forts now completed, contributed to facilitate the settlement of the northern part of the grants, and discouraged settlements under the claims of the New York patentees.

At Shelburne a few families had settled under the New York claimants, and these were permitted to remain so long as they continued peaceable, with leave to use their option as to purchasing under the New Hampshire titles.

43 The plan of the land monopolizers of New York was to get in possession and to occupy the lands contiguous to Champlain, as they had done on the east part of the grants adjoining Connecticut River, and thereby be able to subject the interior country. At this time New York was contending with Massachusetts, and claimed jurisdiction over the county of Berkshire, that lay east of the twenty miles line from Hudson's River, which was, in 1763, the established eastern boundary of New York, and so remains. Though the New Yorkers, to change that line, and establish a *precedent*, sent warrants into that county, in the jurisdiction

tion of Massachusetts's, and took Joseph Bills and Gillom Belcher at Sandersfield, for (*the supposed to be*) forgers of New York paper currency, carried them to Albany, tried, condemned, and executed them, for a crime which (if committed) was committed twenty-five miles east of the jurisdiction of New York.

One evening Colonel Allen and Mr. Eli Roberts went into the house of Mr. Richardson at Bridport, and unexpectedly met with two serjeants and ten men from the garrison of Crown Point, well armed. The serjeants knew him; the soldiers were at the door, and before Allen saw his danger, it was too late to retreat. Thus situated, Allen called for liquor, and made merry with the serjeants, who observed that he and Roberts had each a gun and a case of 44 pistols. They supped, and Allen and Roberts asked to be accommodated with beds, but were answered, that all were engaged by the serjeants. They then concluded to sleep in the barn, though the serjeants politely offered to give up one bed to them, which was not accepted, as the season was warm, and they well knowing that, for sake of the Governor's reward, the serjeants would endeavor to secure them. At bed time they were shewn to the barn, and, to blind suspicion, left their guns in the house; the serjeants saw them to the barn, and wished them good night. Soon as possible Miss Richardson brought them their guns, and they departed. The serjeants waited in the house till they supposed Allen and Roberts were asleep, then surrounded the barn, and sought in vain for their expected prey.

Mr. Hough, of Clarendon, by persuasion of the Governor of New York, had the imprudence to accept the office of a justice of the peace, under the jurisdiction of that colony, and was hardy enough to officiate as such; whereupon he was taken, and brought before the Committee of Safety at Sunderland, before whom he justified his conduct, and pleaded the jurisdiction of the colony of New York. The Committee ordered the resolution of the Convention of the New Hampshire grants to be read, *which forbid all persons holding any office, civil or military, under the colony of New York, within the said district.*

45 In the presence of a large concourse of people, the following judgment was pronounced, *that the prisoner be taken from the bar of this Committee of Safety, and tied to a tree, and there, on his naked back, to receive two hundred stripes; his back being*

*being dressed, he should depart out of the district, and, on return, to suffer death, unless by special leave of Convention.*<sup>1</sup>

This sentence was executed in a severe manner. He asked for and received a copy of his sentence, which, together with the receipt on his back, would, no doubt, be admitted as legal evidence before the Supreme Court and Governor of New York, though the King's warrant to Governor Wentworth, and his Excellency's sign manual, with the great seal of the province of New Hampshire, were not.

In the summer of 1773, Mr. Ira Allen, with three men, went from the block fort on Onion River, in pursuit of a Mr. S. Gale, who, with a number of men, were surveying in the district of the New Hampshire grants, for the land jobbers of New York. Allen and his party traversed the district from east to west, through the townships of Waterbury, Middlesex, and Kingsland, to Moretown, alias Bradford, and Haverhill; and, at length, obtaining information of the surveyor's destination, they procured provisions and some spirits, and went again in quest of him; they discovered his line, and, by that, followed him to near the north east corner of the present town of Montpelier; here it ended, and he  
 46 could not be traced further, because being apprised of his danger, he made a corner on dry land, and thus precipitately escaped, and Allen came to the corner an hour after he fled. On the sixteenth day they reached the block fort whence they set out.

Dr. Samuel Adams, of Arlington, became friendly to the interests of the monopolists of New York, and often spoke disrespectful of the Convention and system of the Green Mountain Boys, advising people to purchase lands under the New York titles. Such conversation tended to divide the people, and strengthen the enemy, who were much alarmed at the perseverance and summary mode made use of by the Green Mountain Boys, in punishing the claimants under, or partizans of New York, many of whom had been whipped almost to death. Therefore the New York grantees would have been willing to have sold their subsequent grants to the most influential characters, to cover their lands and improvements, in order to obtain peaceably the lands granted by New Hampshire, which were not settled, as well as that part

<sup>1</sup> [Hough had not only served as magistrate, but had been very active in procuring from the New York Assembly the passage of the outlawry act against Allen and others. His trial and punishment took place at Sunderland, January 30, 1775.]

of the country which had not been granted, considering themselves safe, and in the quiet possession of all the lands to the east of the Green Mountains. Under these circumstances Doctor Adams was requested to change his conversation on the subject, or, at least, to be silent. The Doctor persisted, and declared that he would  
 47 speak his mind, and converse as he pleased. He also armed himself with a pair of good pistols and other private weapons, and gave out that he would *silence* any man who attempted to molest him. However, the Doctor was soon taken by surprize, and carried to the Green Mountain tavern, at Bennington, where the Committee heard his defence, and then ordered him to be tied in an armed chair, and hoisted up to the sign (*a cat-a-mount's skin stuffed, sitting upon the sign-post, 25 feet from the ground, with large teeth, looking and grinning towards New York*) and there to hang two hours, in sight of the people, as a punishment merited by his enmity to the rights and liberty of the inhabitants of the New Hampshire grants. The judgment was executed, to the no small merriment of a large concourse of people. The Doctor was let down and dismissed by the Committee, with an admonition to go and sin no more. This mild and exemplary disgrace had a salutary effect on the Doctor, and many others.

About this time the Convention of the said district of New Hampshire Grants appointed Messrs. James Breckenridge and Jehial Hawley, as their agents, to repair to London, and in the name and behalf of the said people, to prefer a memorial to his Majesty and Priy Council, for redress of the aforesaid grievances from the colony of New York, and to further negotiate, in the  
 48 name and behalf of said people, as circumstances might require.

They repaired to London, made some progress in their mission, and favourable measures were taken; but after considerable delays, the approaching American war seemed to bar any final decision, and they returned, without accomplishing the objects of their delegation.<sup>1</sup>

Colonel and Lieutenant Allen were on a visit at their brother Heman Allen's, at Salisbury in Connecticut, near the east line of the colony of New York. A plot was laid by a number of people in the colony of New York to take Colonel Allen, and carry him to Poughkeepsie gaol, and thereby obtain the premium promised

<sup>1</sup> [Messrs. Breckenridge and Hawley sailed for England late in the fall of 1772. *Doc. His. N. Y.*, Vol. IV, p. 802.]

by Governor Tryon. One Robert M'Cormick, who had done business for Heman Allen, was appointed *the decoy duck* on this occasion. His plan was to go and find which room Colonel Allen slept in, then to inform the gang, who were well armed with swords and pistols, and had two sleighs prepared. At a proper hour in the night, Mr. M'Cormick was to open the door, and conduct them to the Colonel's apartment, seize, force him into a sleigh, and drive off with all speed out of Connecticut. The plan thus laid, M'Cormick parted with his *gang*, went to Heman Allen's house, and was as usual kindly received, and offered a bed. It was observed by the family that M'Cormick was unusually reserved

49 in his conversation and drinking. He made some feint enquiries about Colonel and Lieutenant Allen, who had rode out that afternoon, but were expected to return every moment. Heman Allen, from these circumstances, surmized some plot was on foot against his brothers; and, on the Colonel's return, informed him of his suspicions. Colonel Allen suddenly taxed M'Cormick of being concerned: He confessed such a plot was in agitation, and that he had come privately to apprise them of it. M'Cormick departed, and told the gang what had happened, and they thought it prudent to suspend their intentions. The Colonel and Lieutenant armed, however, for their defence, but were not disturbed. The spirit of opposition and resentment had arisen so high in the course of these proceedings, that in March, 1774, the Government of New York passed an act, the most mandatory and despotic of any thing which ever appeared in the British colonies. Among other extraordinary exertions of "vindictive power, it contained,\*" to the disgrace and shame of the authors and abettors, this curious clause; "and in case the said offenders shall not respectively surrender themselves pursuant to such orders of his Excellency the Governor, or of the Governor and Commander in Chief for the time being, to be made in Council as aforesaid; he or they so neglecting or refusing to surrender

50 " himself, or themselves as aforesaid, [i. e. within the space of seventy days next after the first publication of the order] shall, from the day to be appointed for his or their surrender as aforesaid, be adjudged, deemed, and (if indicted for a capital offence hereafter to be perpetrated) to be convicted and attainted of felony, and shall suffer death, as in cases of persons convicted and attainted of felony by verdict and judgment, without benefit of clergy; and that it shall and may be lawful to, and for the supreme court of judicature of this colony, or the courts of oyer and terminer, or general gaol

\* *Williams's History of Vermont*, page 222.

“ delivery, for the respective counties aforesaid, to award execution against such offender or offenders, so indicted for a capital offence, perpetrated after the passing of this act, in such manner as if he or they had been convicted or attainted in the supreme courts of judicature, or before such courts of oyer and terminer, or general gaol delivery respectively.” This act of proscription caused a meeting of the committees of the several towns on the west side of the Green Mountains, to convene in Manchester, April, 1774, who came to the following resolve: “ That for the future, every necessary preparation be made, and that our inhabitants hold themselves in readiness, at a minute’s warning, to aid and defend such friends of ours, who, for their merit and attachment to the great and general cause, are falsely denominated rioters; but that we will not act any thing, more  
 51 “ or less, but on the defensive, and always encourage due execution of law, in civil cases, and also in criminal prosecutions, *that are so indeed*; and that we will assist, to the utmost of our power, the officers appointed for that purpose.”<sup>1</sup>

The proscribed military were more pointed and severe in an address directed to the people of the counties of Albany and Charlotte, and others who might be called on to assist the authority of New York, in these words: that “ we will kill and destroy any persons, whomsoever, that shall presume to be accessory, aiding or assisting, in taking any of us.” This, with the preceding resolution, was published in newspapers and hand-bills, to deter any person from carrying the said acts into execution, and to prevent the effusion of blood. In this, the inhabitants of said district conceived that they were only contending for justice, as rigidly as it was forcibly and illegally debarred them by the Governor and Council of New York.<sup>2</sup>

At this Convention, a printed constitution, or more properly rules for the future government of the district of the grants were published, as a general defence became necessary to guard against the usurpations of the colony of New York.

After the accession of King William III. the first commission issued was, to appoint Colonel Henry Sloughter *Governor of the*  
 52 *colony of New York, and the territories thereon depending in America.* The colony of *New York* did not, however, ex-

<sup>1</sup> [ For this extraordinary act of outlawry in full, see *Slade's Vt. State Papers*, p. 42-48.]

<sup>2</sup> [ *Slade's State Papers*, p. 49-54.]

tend to Albany; but that country, and the remainder now claimed by the Governor of New York, were territorial jurisdictions, continuing still *in residuum*, under authority of the crown. The same forms have since been observed in commissions to the Governors of New York, until the independence of America.

In 1773, Colonel Allen made a collection of documents respecting grants to the Plymouth Company, Sir John Young and others, Lord Say and Sele, of the settlement of the boundary line between the provinces of Massachusetts and New Hampshire, the grant to the Duke of York, and the history of the first settlement of New Amsterdam, now New York.

From these documents, and the oppressions exercised by the Governor and Council of New York, Colonel Allen wrote and published a book of nearly 400 pages, in 1774. By this book and others, the cause of the people became of public notoriety through the colonies, as the newspapers were in every part circulating these proceedings, which sowed the minds of the people much against the British Government, as it was generally supposed that the Governor and Council of New York were countenanced by Government; and one circumstance which contributed to this idea,

53 was the difference in quit-rents, annually payable to the crown under New Hampshire; they were ninepence sterling on each hundred acres of land; in New York proposed Grants they would be two shillings and sixpence sterling per hundred acres; these measures contributed much towards hastening and bringing about the revolution of America; the consequence the Green Mountain Boys had acquired abroad, through those violent struggles, to preserve their property in the first instance, and then to protect themselves against the tyranny of the late colony of New York, will, in some measure, appear from Colonel Ethan Allen's being applied to immediately after the battle at Lexington, both by the Governor and Council of Connecticut, and a board of war at Water Town, near Boston, to take Ticonderoga, Crown Point, &c.

Hence, in the year 1774, to get rid of the colony of New York, a plan was formed by Colonel Allen, Mr. Amos Bird, and other principal characters among the people, in conjunction with Colonel Philip Skene, to have established a new royal colony, which was to contain the grants of New Hampshire, west of Connecticut River, and the country north of the Mohawk River, to latitude 45° north, and bounded west by Iroquois River and Lake Ontario.

Colonel



Colonel Skene had been an officer in his Majesty's service, and had retired on a large patent of land lying at the south end of Lake Champlain, which was called Skenesboro'\*, a proper scite for  
54 the capital of the new colony, of which he was proposed to be Governor.

The honor and lucrative prospects thus presented to Colonel Skene, stimulated him to go to London at his own expence, to solicit the accomplishment of an important object to individuals, and to the public: for had he succeeded, the people who had settled under the royal grants of New Hampshire would have been quiet, and relieved from the oppressive conduct of the Governor and Council of the colony of New York.

Colonel Skene's first object, after his arrival in London, was to get himself appointed Governor of the garrisons of Ticonderoga and Crown Point, which being effected, his friends advised him that, to obtain the grand object in view, he should bring forward a petition from the people on the premises to the King and Privy Council, stating, that in order to restore harmony in the said district, and for the convenience of administering justice in a department very remote and extensive, his Majesty would be pleased to establish the territory aforesaid, with colonial privileges, and appoint Colonel Philip Skene Governor thereof.

55 Information of these matters was transmitted from London to the people of the said district; but the calamity of an approaching war in America put an end to the proposed negotiation for a royal colony, that was to surround that important water  
LAKE CHAMPLAIN.

The disputes between Great Britain and the American colonies had arose to such an height, that a congress convened in Philadelphia, September 5th, 1774, and recommended to the people to maintain their liberties in such ways as might be found necessary. In consequence all the courts of justice in the neighboring colonies, that were held under royal authority, were either shut up or adjourned, without doing business. In March, 1775, an attempt was made to hold a court of justice at Westminster, in the county of Cumberland, which was prevented by the people, who had early taken possession of the Court-house, and the Judges were refused entrance at the usual hour when the Courts were opened; therefore, they and the officers of the Court retired, until about

\* Now Whitehall.

eleven o'clock at night, when they returned, and were again refused admittance; whereupon they fired into the house, and killed one man and wounded several. This inflamed the minds of the people to an high degree, who next day flocked from every part of the county; a coroner's inquest sat on the body, and brought in a verdict that the man was *wilfully murdered by the Court party,*  
 56 some of whom they seized, and sent to Northampton gaol in Massachusetts, but who were released on application to the Chief Justice of New York. The committees, exasperated at this event, met at Westminster the following month, from a large number of towns, and came to the following resolutions: "That it is the duty of the inhabitants, wholly to renounce and resist the administration of the government of New York, until such time as the lives and property of the inhabitants may be secured by it, or until such time as they can have an opportunity to lay their grievances before His Most Gracious Majesty in council, together with a proper remonstrance against the unjustifiable conduct of that government; with an humble petition to be taken out of so oppressive a jurisdiction, and either annexed to some other government, or erected and incorporated into a new one, as may appear best for the inhabitants." The animosity which subsisted between the two parties of New York, and the New Hampshire grants, partially gave way before greater events, which involved the colonies in a war of eight years, and terminated in the acknowledgement of American independence.

The battle of Lexington, which happened on the 19th of April, 1775, threw the whole continent into a ferment, and preparations were every where making for opposition to the unjust claims of the British cabinet. The Governor and Council of Connecticut  
 57 immediately sent Major Halsey and Noah Phelps, Esquires, to the New Hampshire Grants, requesting Colonel Allen to raise the Green Mountain Boys, and to go and take the garrisons of Ticonderoga and Crown Point; so consequential were the Vermontereers, that an application for offensive operations came at the same time from different colonies. Colonel Allen forthwith advertised his principal officers to meet him at Bennington, where they met, and in a council of war it was resolved, that a secret and forced march should be undertaken without delay against those garrisons, in order to take them by surprize. This measure was necessary, as Ticonderoga was a strong and well fortified garrison, and well supplied with cannon, though not strongly manned in time of peace.

Colonel

Colonel Allen had only small arms without bayonets ; he, by the assistance of his officers, soon raised about 180 men, and having set guards on different roads, he marched and arrived with his troops nearly opposite to Fort Ticondaroga, on the night between the 7th and 8th of May, 1775 : There he was joined by Colonel Benedict Arnold with only one man, who were sent by order of a council of war from Water Town, near Boston, to Colonel Allen, for the same purpose that Halsey and Phelps were from Connecticut. He produced his orders, and attempted to take the command, which Colonel Allen and his officers did not permit. At length, after considerable altercation, Colonel Arnold was admitted as second in command, and to enter the garrison with

58 Colonel Allen, *at his left hand*. All possible dispatch was then made to cross the lake, about a mile in an oblique direction ; they could find only very small boats : but with them, by passing and repassing, they got over about 80 men by the dawn of day, when Colonel Allen ordered an immediate attack on the garrison, which consisted of nearly an equal number of men, as he apprehended danger of being discovered by the approaching morning light, if he waited for the remainder of his men to join him. It being a peacable time, a *wicket* gate was left open wide enough for two men to pass a-breast ; when Colonels Allen and Arnold approached, the out sentinel attempted to fire, but his gun did not go off ; he turned and run through the wicket gate, and Allen and Arnold rushed in after him, and their men followed them. As soon as they were within the garrison, Allen made a pass with his sword at the sentinel, who defended himself with his musket, but received a slight wound on his head. On this the assailants made an hideous yell in imitation of the Indians, then demanded an immediate surrender of the garrison. Captain De la Place, Commandant of the garrison, appeared in his shirt at the head of one pair of stairs, which were outside leading to the parade ; there Colonel Allen met him. De la Place demanded to know by what authority he (Colonel Allen) required the surrender of the garrison ? Colonel Allen answered, *in the name of the Great Je-*

59 *hovah, and the Continental Congress !* The garrison was immediately surrendered, without firing a gun. The remainder of Colonel Allen's men having crossed the lake, a party was sent by water, as soon as possible, to Crown Point, under the command of Captain Warner ; previous to this, Colonel Allen had sent orders to Captain Baker, of Onion River, forty miles north of Crown Point, to come with his company and assist ; (and though belated) yet he met and took two small boats on their way, to give the alarm to Fort St. John. Captain Warner and Baker appeared before Crown Point, nearly at the same time ; the garrison having only

only few men surrendered without opposition. In the mean time Colonel Arnold, with the best water crafts that could be found, proceeded with all possible speed, with a small detachment of men to Fort St. John's, in order to take a sloop of war with 16 guns, which he effected by surprize, and brought her away.

Colonel Allen having made proper regulations respecting the garrisons and prisoners at Ticondaroga, set off with 60 men for Fort St. John's, and met Colonel Arnold with his prize; he proceeded on, and arrived there in the evening, and was informed that 150 British troops were on their way from Montreal, and would be at St. John's by break of day. This news induced Colonel Allen and his officers to attempt to maintain their ground; in the night they formed an ambuscade for the party coming against them, but  
 60 he and his men having had no rest for three days and nights, and being weighed down by fatigue and sleep, they raised the ambush and crossed the lake, taking all the boats away with them. Early next morning, Captain Amstruser arrived at St. John's, and fired some Field-pieces, and shot at Colonel Allen's men, who answered with bullets from their muskets, then returned to Crown Point and Ticondaroga, without having a man killed or much hurt. Thus, in a few days, at the commencement of hostilities between the British and the Americans, two hundred undisciplined men, with small arms, without a single bayonet, made themselves masters of the garrisons of Ticondaroga, Crown Point, and St. Johns, a sloop of war of 16 guns, about eighty prisoners, near 300 pieces of cannon, shot, shells, &c. &c. so that the stone which the builders rejected, became the head of the corner, *to the honour of the Green Mountain Boys.* It is to be remembered, that this was the first offensive part taken against Great Britain in the American revolution. Those troops of Colonel Allen kept possession of the two former garrisons, until Colonel Benjamin Hinman's regiment from Connecticut arrived, and by order of congress relieved them. The prisoners were sent to Hartford in Connecticut.

In June, 1775, Mr. Brook Watson,\* a British Merchant, with two young noblesse of Canada, arrived at Crown Point with pass-  
 61 ports from the continental congress, directing the commanding officer to give them a passage over the lake into Canada. The officers and men belonging to Colonel Hinman's regiment were not acquainted with the lake and country; therefore, Lieutenant Ira Allen, and some Green Mountain Boys, undertook to carry those gentlemen over the province line, to some settlements

\* Late Lord Mayor of London.

in Lower Canada. Having almost reached the south line of Canada, Lieutenant Allen was convinced, in his own mind, that Mr. Watson (although he professed to be) was no friend to the American cause, notwithstanding his papers from the President of Congress, and his public and fair speeches at Crown Point; and apprehending danger from some Indians near the Canada line, (who might not understand or respect flags of truce) gave his men orders to new prime their guns, and to be ready for defence, at which Mr. Watson and the two Frenchmen objected, and attempted to seize their pistols to prevent obedience to the orders, but they were soon silenced, and let their pistols rest. Mr. Watson then requested to be put on shore at the nearest point of land, and both parties being willing to separate, the boat was ordered to shore accordingly, and Mr. Watson and the two Frenchmen were landed in a swamp three miles from any house, with instructions to follow the lake shore, until they came to a Frenchman's house. The boat departed, leaving Mr. Watson to his choice.

62 After the arrival of Colonel Hinman, Captain Baker took the command of a scout to discover the movements of the British troops at the isle *Aux Noix*. He cautiously landed at the bottom of a bay four miles above that island, in the silent watch of the night, there secured his boat, and in the morning went with his men on a point of land, whence he could see the said island and the lake for some distance. Baker being a curious marksman, always kept his musket in the best order possible, sat down and sharpened his flint; a party of Indians having discovered his boat, took and set off with it towards St. John's. Baker saw them approaching the point of land where he was. He stationed his men behind trees, and when the Indians came near he hailed them, and desired them to give up his boat in a friendly manner, as there was no war between the Indians and Americans. Baker had ordered his men to be concealed and ready, but not to fire on the Indians unless he did; the Indians showed no signs of giving up the boat, whereupon Baker ordered them to return his boat, or he would fire upon them. An Indian in the boat was preparing to fire on Baker, who attempted to fire before hand with him, but his musket missed fire, owing to the sharpness of his flint, which hitched on the steel; he recovered his piece, and again levelled it at the Indian, at which Instant the Indian fired at him, one buck shot entered his brains, and Baker fell dead on the spot. His men fired on the Indians, and wounded some, but the boat was soon out of gun shot. Afterwards the Indians returned and  
63 cut off Baker's head, then carried it in triumph to St. John's, where the British officers bought and buried it; the body was likewise

likewise interred. Captain Baker was the first man killed in the northern department, and being a gentleman universally respected, his death made more noise in the country than the loss of a thousand men towards the end of the American war.

The district of the New Hampshire grants furnished a regiment for the northern army, under the command of General Philip Schuyler, who left the army at the Isle *Aux Noix*, and the command devolved on Brigadier-General Richard Montgomery. Soon after the blockade of Fort St. John's and the capture of Fort Chamblee by Colonel John Brown, (where the Americans found a considerable quantity of gun-powder, which, with the cannon, mortars, shells, and shot, taken at Ticondaroga and Crownpoint, they used in the forty-eight days siege at St. John's,) Colonels Allen, Brown, and Warner were sent by General Montgomery into Canada, with small detachments, to learn the disposition of the Canadians, and the strength of Montreal. They met on the east side of the river St. Lawrence, opposite Montreal, where, in council, it was agreed to attack that town. Boats being scarce, it was agreed, that Colonel Allen, with his party, should cross at Longuale, below Montreal, and Colonels Brown and Warner were to

64 cross from Laprairie, above the town. The night for crossing was agreed on, and the manner of proceeding. The two parties being nine miles distant from one another, they agreed, upon principles of honour, that if any event should hinder either party crossing at the hour appointed, early notice should be given to the other. The night proved windy, and Brown and Warner judged it dangerous to attempt crossing the river, and went quietly to rest, without sending any express to Colonel Allen, who apprehended no danger from the wind, therefore crossed the river with his men, at different times, in the few small boats he had in his possession. The conduct of Brown and Warner is hard to be accounted for, on any principles honourable to themselves. We are informed by sacred writ that *the disciples of Jesus Christ disputed among themselves who should be the greatest.*<sup>1</sup> In the morn-

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<sup>1</sup> [ There could have been no proper foundation for the suspicion of the author here intimated. Under such an engagement with Allen, both Brown and Warner would have every motive to perform their part of it, as they would share equally with him in the honor of the capture of the city. Probably the author is mistaken in supposing that Col. Warner was any way concerned in the attempt. Col. Ethan Allen in his narrative of his captivity represents the agreement to attack Montreal as having been made wholly with Brown, and makes no mention of Warner, nor does he say any thing of an agreement to give notice of the  
ing

ing the British troops and militia of Montreal marched against Colonel Allen, who had chose the best ground for defence, and put his men in order for battle, expecting Brown and Warner every moment to his relief. The action commenced and continued obstinate for a considerable time, but Brown and Warner not appearing, and Captain Young, with a number of Canadians, deserting, Colonel Allen and his small party, were overpowered, and obliged to surrender themselves prisoners of war, on verbal stipulations with an officer, a natural son of Sir William Johnson, to whom Colonel Allen gave his sword. As soon as he had parted  
 65 with his sword and musket, two Indians, painted in a frightful manner, came up, and attempted to tomahawk Colonel Allen, who, being a stout and strong man, seized the young *coloured officer*, a small man, and kept him as a target between himself and the Indians, which served for a defence till some British officers ran to his relief.

In this action numbers were killed and wounded on both sides. After the prisoners were conducted into Montreal, General Prescott gave orders to a serjeant and file of men to put to death some Canadians who had been taken in arms with Colonel Allen; they forthwith went, with their bayonets fixed, to execute the Canadians, according to the cowardly order of their General. Colonel Allen, understanding their business, stepped between them and the Canadians, opened his bosom, and told the guard to thrust their bayonets into his breast, if they must shed human blood, and thereby save those poor Canadians, who deserved no censure, *as what they had done was in obedience to his orders.* The guard were deterred, and returned to their General, whose or-

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failure of either party to cross "at the hour appointed," which, indeed, would seem to have been quite impracticable at nine miles distance. The failure of Brown to unite in the attack may have been occasioned by the great severity of the storm, at Lapraire, or by some other unexpected occurrence, which so frequently in military operations interposes to prevent the success of apparently well planned expeditions, where success, as in this case, depends upon the united assault from distant points of different bodies of men. Both Brown and Warner had deceased long before the publication of this work. Col. Brown was killed in the Mohawk Valley, in 1780, in a battle with Canadians and Indians, and Col. Warner died in 1784. Both left highly honorable military records. For an account of Col. Brown, see *Allen's Am. Biographical Dictionary.* Col. Warner's reputation is too well known to need further notice here.]

ders

ders were re-considered.\* The regiment of Vermonteers, com-  
 66 manded by Colonel Warner, was stationed at La Prairie and  
 Longuale, during the siege of St. John's; their duty was  
 67 severe, as they were daily exposed to the attacks from the  
 British at Montreal, therefore two companies of New York

\* Colonel Allen, instead of receiving liberal usage, was *confined in irons* by a British General's order, and sent to Quebec. After much ill treatment there, he was sent on board a man of war, commanded by Captain Littlejohn, who acted with lenity and honour, for he ordered Colonel Allen to be liberated from his irons, except when military officers on shore came on board. While in this situation, a dispute arose between Captain Littlejohn and an officer; a challenge ensued; Captain Littlejohn called on Colonel Allen to serve as his friend; the Colonel answered, *if it was consistent in his situation, he would do himself the honor*, to which the Captain replied, *that he could change his dress, and go on shore in disguise, and no questions would be asked*. This measure was taken, but by the interposition of friends, the dispute was settled, and Captain Littlejohn and Colonel Allen returned to the ship. During Colonel Allen's captivity, he was put on board a man of war commanded by a Captain Smith, and confined in irons in the most dreary part of the ship; when the ship was got to sea, Captain Smith ordered Colonel Allen's irons off, requesting him to dine at his table that day, and in future, while on ship-board. Colonel Allen came on deck from his dark abode, thanked Captain Smith for his generous conduct, and said, *that he did not know it would ever be in his power to return the compliment*; Captain Smith replied, *that gentlemen did not know when they might render essential services to one another*. On board were a great number of prisoners, who laid a plan to kill Captain Smith, and run off with the ship. This plan being nearly ripe for execution, Colonel Allen was let into the secret, who told them if they murdered the Captain, they must also murder him, at which the conspirators were extremely alarmed, but Colonel Allen quieted them by saying, *drop your plan, and I will be as faithful to you as I have been to Captain Smith*; here the business ended, and Captain Smith never knew his danger, or the service of his grateful friend. While Colonel Allen was a prisoner to the British, he was imprisoned at Halifax, at Pendennis Castle, in Cornwall, where he applied for a writ of *Habeas Corpus* to be removed to London for trial; to prevent it he was put on board a man of war, and removed to Ireland, where he remained some time in the Cove of Cork, and received great civilities and many presents in money and stores, till he refused taking any more, but the Captain of the ship had the meanness to take the most of them from him. Afterwards he was sent to the prison at New York, and confined in irons, and experienced severe trials and hardships during near three years captivity, and then was exchanged for Colonel Campbell.

troops



troops were sent to reinforce them. General Carleton was busy in sending out boats to alarm Colonel Warner's party, and shot were daily exchanged between them near Longuale.

On this ground, Warner made several applications to General Montgomery, for some field-pieces, without success; at length the officers united in a petition for two field-pieces; fortunately they were sent, and arrived late in the evening. The next day General Carleton appeared with a large number of boats and men, with a view to land, march, and raise the siege of St. John's. Captain Potter was sent, with his company, nearly opposite to Grant's Island, where he arrived in time to prevent a party of Indians landing, and, after a smart skirmish, remained master of the ground, they retiring, with the loss of three prisoners, and four killed on the spot.

In the meantime a party of the enemy, in boats, took the advantage of the wind and current, and fell down against the town, where  
68 they expected to make good their landing, but were disappointed by a company of reserve, who marched down to the edge of the river before their two field-pieces, where they opened to the right and left, and discharged grapeshot upon the boats, which caused the enemy to believe a reinforcement had arrived, and, thus deceived, they gave Colonel Warner a victory over more than double his number of troops. Next morning Captain Heman Allen was sent with dispatches, and the three prisoners, to General Montgomery, who, after receiving them, sent a flag to Major Preston, Commandant at St. John's, and an account of the defeat of General Carleton, with the name of one of the prisoners, a man of consequence. Major Preston returned the flag, requesting a cessation of hostilities, and that the prisoner named might be permitted, on his parole of honour, to come into the garrison, and stay two hours.

The requests were granted, and the articles of capitulation were settled without further bloodshed. The garrison, consisting of about six hundred men, who surrendered prisoners of war, were almost destitute of provisions.

General Montgomery having ordered a gun-boat, with one nine-pounder in its bow, and other boats with field-pieces to Sorel, marched his army against Montreal. General Carleton,

69 therefore, evacuated that city; his troops and a quantity of gunpowder were placed in eleven small vessels, which sailed for Quebec, but before they reached Sorel, a battery was erected

there by the Americans, and two cannons mounted; besides, the gun-boat from St. John's had arrived in the River St. Lawrence. Doctor Jonas Fay wrote a spirited letter, demanding an immediate surrender of the fleet, without any demolition of the stores, stating also, that he was strongly posted at Sorel; Colonel James Easton signed the letter, and the writer was the bearer, with the flag. General Carleton seeing the battery and gun-boat, and a large number of troops on the shores, stopped the fleet, and returned the flag, with an answer to Colonel Easton. By this time Colonel Brown had arrived, who, with Dr. Fay, went on board the fleet with a second flag, and a truce was concluded on till next morning. In the night, however, General Carleton put himself into a small birch canoe, and, being covered with straw, was carried past Sorel by a Canadian, who, for this service, was allowed a pension of £82 sterling per annum during life. After this escape, the General proceeded on to Quebec with less danger, where he arrived safe. Next day the fleet was surrendered, and sent back to Montreal, where General Prescott, with the British troops, grounded their arms, and became prisoners of war. The Americans who were in the battery at Sorel, and on board the gun-boat, did not exceed 80 men, while those of the enemy, who

70 at their head, were intimidated, and returned to Montreal, without attempting either to dislodge the Americans, or to pass them, which could have been done without much danger, either from the battery or gun-boat, as the wind and current favoured their descent. Thus, after the surrender of Fort St. John's, General Montgomery made himself master of the fleet and Montreal, without firing a single shot.

Colonel Warner's regiment having served out the time for which they enlisted, were dismissed, and went home. General Montgomery, with his army, proceeded to Quebec, with intentions to take that garrison, where he reinforced a detachment from Massachusetts under Colonel Benedict Arnold, who set out from Cambridge, went to the province of Main, ascended the river Kenebeck, descended the *Schedeure*, and formed the blockade of Quebec, after many hardships from hunger and cold in traversing a wilderness of some hundred miles, in an inclement season; here he was joined by General Montgomery, who took the command. The united forces erected batteries, and about the eighth of December commenced a tremendous cannonade and bombardment against that fortress, until their powder, shot, and shells were nearly exhausted, when, in a council of war, it was resolved to attempt to take the garrison by storm, though contrary to the opinion

71 ion of the General. The assault was agreed on, and accordingly commenced before day-light in the morning of the first of January, 1776, and proved unsuccessful; the General was killed, and the assailants repulsed with the loss of a considerable number of men. The command then devolved on Colonel Benedict Arnold, who had received a ball, under the walls of Quebec, in his leg; the siege was continued with perseverance, in this inhospitable and frozen clime, during the winter and spring, until the 6th of May following, under many and complicated discouragements. In this dilemma, the district of the New-Hampshire Grants raised a second regiment under Colonel Warner, which marched to Quebec soon after the death of General Montgomery; the reinforcements which arrived from Montreal, and Colonel Warner's regiment, gave essential relief to the besieging army of a strong citadel.

On the 6th of May the siege was raised, in consequence of the arrival of a British fleet with considerable reinforcements, and the assailants were compelled to retreat from that place; the small-pox and a camp distemper raged in the army, which was in a bad state of health and spirits. General Thompson, and a detachment under his command, were defeated in an action, near *Trois Rivieres*, with considerable loss of killed, wounded, and prisoners. General Sullivan, on the whole, however, made a retreat that would have done honour to an officer of greater experience, being almost continuously harassed by the enemy; after  
72 many difficulties the army arrived at Crown Point in a deplorable state.

This disastrous retreat exposed the frontiers of the New Hampshire Grants to an invasive war; most of the inhabitants on Onion river and the shores of Champlain, north of Crown Point, instantly removed, and the militia was organized by the Convention of the New Hampshire Grants. The best possible measures for defence were taken, carefully guarding against all connections with the provincial Congress and Committees of New York. Several conferences were held among the leaders of the people, concerning the establishment of civil government; some were for returning and joining with New Hampshire, supposing that would secure the titles of their lands, notwithstanding the subsequent and illegal grants of the Governor of New York; others were disposed to form a new State, including all the district of the New Hampshire Grants west of Connecticut river, while some were for joining with New York during the war; this idea too much affected the property of the settlers. For the time being as liberty  
was

was the reigning passion, they cordially united in self-defence and in the support of Congress, and accordingly, to evince their attachment to the general cause, met at Dorset in convention, Jan. 1776, and drew up a petition to Congress, and which was the first application of the people to that body, stiled "the humble Petition,

73 Address, and Remonstrance of that part of America, being situate south of Canada line, west of Connecticut river, commonly called and known by the name of the New Hampshire Grants;" in which they avowed their readiness at all times to furnish their quota in support of the war, not only by raising troops, but but by bearing an equal proportion with the other colonies, in defence of the rights and liberties of the American people. The Committee of Congress, to whom this application was referred, reported as their opinion, "that it be recommended "to the Petitioners for the present, to submit to the Government "of New York, and to assist their countrymen in the contest "with Great Britain; but that such submission ought not to prejudice their right to any lands in controversy, or be construed "to affirm or admit the jurisdiction of New York over the country, when the present troubles should be ended;\*" however to avoid a decision, it was thought advisable to withdraw the petition.

Colonel Allen being in captivity, Baker dead, Warner, Cockran, and others engaged in the army, greatly weakened the Council of the enterprizers of the New Hampshire Grants, and some months passed without any decisive measures being taken. The people had been governed by committees and conventions as before the war, with this difference, the dispute with the Governor and Council

74 of New York seemed to be lost in the common cause of the struggling colonies of America; for those who had been outlawed and indicted for high treason, riots and sedition against the authority of New York, passed freely, and without any kind of molestation through the colony of New York.

In the beginning of the year 1776, four of the leading men conferred on measures to be recommended to the people for the establishment of a civil Government, which appeared necessary effectually to carry on the war, raise men and money, and to secure the titles of the lands against the latent intentions of the Governor of New York: Those men differed in opinion about a plan, though all were convinced that their and the country's interest required a connection with New Hampshire, or an establishment of a new government; no one of them dreamed of ever associating with

\* *Williams's History of Vermont.*

New York, whose late persecuting conduct and system of government, rendered that colony the most detestable of any on earth.

The arguments advanced in favour of a union with New Hampshire were, that as the jurisdiction of the New Hampshire Grants had been transferred from that colony through the misrepresentations of the Governor and Council of New York (contrary to the interest and wish of the settlers, who held their lands under Royal deeds from New Hampshire,) a petition from the settlers to  
75 the Governor and Council of New Hampshire, praying them to extend their jurisdiction over them as formerly, notwithstanding the order of the King and Privy Council, would be granted, and the settlers would be gratified, and unite cordially in carrying on the war. That such a union would be highly satisfactory to the people of New England, whose children were settled on the grants, and many owned lands there under New Hampshire titles; and that this measure would secure all those who held lands under the grants of New Hampshire, and avoid a dispute with Congress respecting a new State, which the envy and intrigues of New York and the calamities of war might produce.

The arguments in favour of a new Government were, they did not like any connection with a colony, which, by act of a royal Governor, had too easily consented to part with territory, contrary to the interest and wishes of the people, and who might hereafter expose themselves to the evil intentions of the colony of New York. That by such a connection they should lose all the glory and credit they had gained in their exertions against the Governor and Council of New York. That a new Government would perpetuate the name of the Green Mountain Boys, and the honour of their leaders. That a new Government would infallibly establish the title of their lands under the New Hampshire  
76 Grants; and that the unappropriated lands might be disposed of to defray the expences of Government and the war. That as a separate Government, in the course of events, they might find ways and means to retaliate on the monopolists of New York, who had given them so much trouble in re-granting and claiming the lands they held and occupied under the grants of New Hampshire. That the active and offensive part taken at an early period of the war, in taking Ticonderoga, Crown Point and St. John's, would make them consquential in the eyes of Congress, as friends to the American revolution. That notwithstanding the influence of New York might for a time prevent the new Government from a representation in Congress, yet it might not eventually hurt the interest of the people. That the district of the New Hampshire  
Grants

Grants, on revolutionary principles, was the *oldest* in America. That the people had governed themselves by Committees of Safety and Conventions, against the oppressions and tyranny of New York, eight years before the colonies of America took similar measures against Great Britain; of course the people ought to persevere and brave every danger that might be in the womb of futurity. The result of those deliberations was to establish a new Government; accordingly great care was taken to prepare the minds of the people for such an event, and to effect the important object; circular letters were sent to convene a Convention at Dorset, on the 24th of July, 1776; fortunately for these measures, 77 Congress, on the 4th of the same month, made and published their declaration of independence of the colonies on Great Britain, declaring them to be free and independent states, which appeared, and was announced by the public papers to the people of the grants, a few days before the meeting of the Convention.

In this Convention thirty-five towns were represented, and consisted of fifty-one members, who unanimously were opposed to any connection with the Committees or provincial Congress of New York, and drew up an association for the support of the rights and liberties of the people, considering any who formed an association with the Congress of New York, as enemies to the common cause, which association was signed by all the members of the Convention, and sent to the several towns for signatures. The Convention appointed Heman Allen, Jonas Fay, and William Marsh to be a Committee to visit each town in the counties of Cumberland and Gloucester, to invite the people to unite in forming a new State, and for that purpose to send members to the Convention to be convened at Dorset, in September. The Convention accordingly met, and were joined by several members from the aforementioned counties, when it was unanimously resolved, that the district of the New Hampshire Grants, ought, of right, to be a free and independent state; and that they had the same right so to be, as Congress had to declare the colonies independent of 78 the King and Parliament of Great Britain. They appointed William Marsh and Ira Allen their Committee to visit the counties of Cumberland and Gloucester, to point out to the people the advantages which would result from the district of the grants becoming a free state. They adjourned to meet at Westminster, in November,<sup>1</sup> who met at the time and place aforesaid, and it appeared that great part of the people were ripe for a *new state*, but an obstacle appeared in the way, occasioned by the influence

<sup>1</sup> [ The adjournment was to the 30th of October.]

of the Congress of New York. The Convention continued Marsh and Allen their Committee, and adjourned to January, 1777.

The Representatives from the several towns on both sides of the mountain, met in January at Westminster, and deliberately debated, for and against the formation of a new state. After mature deliberation, the members were of opinion, that the interest and safety of the people required the district of the New Hampshire Grants to be a free state. That the power of Government was vested in the people by the supreme arbiter of rights. That the people had not delegated their natural right of chusing what form of government they should be governed by, to any King, State, or Potentate on earth; and that they therefore had the right and power, and would henceforth use and exercise the right and power of government vested in them by the beneficent Creator. On the 15th of January, 1777, the Convention published the following declaration, "This Convention, whose members are duly  
79 "chosen by the free voice of their Constituents, in the several  
"towns on the New Hampshire Grants, in public meeting as-  
"sembled, in our names, and in behalf of our Constituents, do  
"hereby proclaim, and publicly declare, that the district of ter-  
"ritory, comprehending, and usually known by the name and  
"description of the New Hampshire Grants, of right ought to be,  
"and is hereby declared, forever hereafter to be considered as a  
"free and independent jurisdiction or state; to be forever here-  
"after called, known, and distinguished by the name of *New*  
"Connecticut, and that the inhabitants that are at present, or  
"that may hereafter become resident within said territory, shall  
"be entitled to the same privileges, immunities, and enfranchise-  
"ments, which are, or that may at any time hereafter be allowed  
"to the inhabitants of any of the free and independent states of  
"America; and that such privilege and immunities shall be reg-  
"ulated in a bill of rights, and by a form of government to be  
"established at the next sessions of this Convention." A Com-  
mittee to inform Congress of this declaration, was appointed, and repaired to Philadelphia, consisting of four persons, who presented the following *declaration* and *petition* to that body, stiled

80 " *The Declaration and Petition of the Inhabitants of the New  
Hampshire Grants, to Congress, announcing the District to  
be a Free and Independent State.*

"To the Honourable the CONTINENTAL CONGRESS.

"THE Declaration and Petition of that part of North America,  
situate south of Canada line, west of Connecticut river, north of  
the

the Massachusetts Bay, and east of a twenty-mile line from Hudson's river, containing about one hundred and forty-four townships, of the contents of six miles square, each granted your petitioners by the authority of New Hampshire, besides several grants made by the authority of New York, and a quantity of vacant land, humbly sheweth,

“That your petitioners, by virtue of several grants made them by the authority aforesaid, have many years since, with their families, become actual settlers and inhabitants of the said described premises, by which it is now become a respectable frontier to three neighboring states, and is of great importance to our common barrier Ticonderoga, as it has furnished the army there with much provisions, and can muster more than five thousand hardy soldiers, capable of bearing arms in defence of American liberty.

“That shortly after your petitioners began their settlements, a  
81 party of land-jobbers in the city and state of New York began to claim the lands, and took measures to have them declared to be within that jurisdiction.

“That on the 4th day of July, 1764, the King of Great Britain did pass an order in Council, extending the jurisdiction of the New York Government to Connecticut river, in consequence of a representation made by the late Lieutenant-Governor Colden; that for the convenience of trade, and administration of justice, the inhabitants were desirous of being annexed to that State.

“That on this alteration of jurisdiction, the said Lieutenant-Governor Colden did grant several tracts of land in the above described limits, to certain persons living in the State of New York, which were at that time in the actual possession of your petitioners; and under colour of the lawful authority of said State, did proceed against your petitioners, as lawless intruders upon the Crown lands in their province. This produced an application to the King of Great Britain, from your petitioners, setting forth their claims under the Government of New Hampshire, and the disturbance and interruption they had suffered from said post claimants, under New York. And on the 24th day of July, 1767, an order was passed at St. James's, prohibiting the Governors of New York, for the time being, from granting any part of the described premises, on pain of incurring his highest displeasure.

83 Nevertheless the same Lieutenant-Governor Colden, Governors Dunmore and Tryon, have each and every of them, in their respective



respective turns of administration, presumed to violate the said royal order, by making several grants of the prohibited premises, and countenancing an actual invasion of your petitioners, by force of arms, to drive them off from their possessions.

“Those violent proceedings, (with the solemn declaration of the supreme court of New York, that the charters, conveyances, &c. of your petitioners' lands, were utterly null and void, on which they were founded,) reduced your petitioners to the disagreeable necessity of taking up arms, as the only means left for the security of their possessions. The consequence of this step was the passing twelve acts of outlawry, by the legislature of New York, on the ninth day of March, 1774, which were not intended for the State in general, but only for part of the counties of Albany and Charlotte, viz. such parts thereof as are covered by the New Hampshire charters.

“Your petitioners having had no representative in that assembly, when these acts were passed, they first came to the knowledge of them by public newspapers, in which they were inserted. By these, they were informed, that if three or more of them assembled together to oppose what said assembly called legal authority, that  
83 such as should be found assembled, to the number of three or more, should be adjudged felons: And that in case they, or any of them, should not surrender himself or themselves, to certain officers appointed for the purpose of securing them, after a warning of seventy days, that then it should be lawful for the respective Judges of the Supreme Court of the province of New York, to award execution of *Death*, the same as though he or they had been attainted before a proper Court of Judicatory. These laws were evidently calculated to intimidate your petitioners into a tame surrender of their rights, and such a state of vassalage, as would entail misery on their latest posterity.

“It appears to your petitioners then, an infringement on their rights is still meditated by the state of New York; as we find in their general Convention at Harlem, the second day of August last, it was unanimously voted ‘That all quit-rents formerly due and owing to the crown of Great Britain within this State, are now due and owing to this Convention, or such future government as may hereafter be established in this state.’

“By a submission to the claims of New York, your petitioners would be subjected to the payment of two shillings and sixpence sterling on every hundred acres annually, which, compared with  
48 the

the quit-rents of Levingston's, Phillips's, and Ranslear's manors, and many other enormous tracts in the best situations in the State,

84 would lay the most disproportionate share of the public expence on your petitioners, in 'all respects the least able to bear it.

“The Convention of New York have now nearly completed a code of laws, for the future government of that State; which, should they be attempted to be put in execution, will subject your petitioners to the fatal necessity of opposing them by every means in their power.

“When the declaration of the honourable the Continental Congress of the fourth of July last past, reached your petitioners, they communicated it throughout the whole of their district; and being properly apprized of the proposed meeting, delegates from the several counties and towns in the district, described in the preamble to this petition, did meet at Westminster, in said district, and after several adjournments, for the purpose of forming themselves into a distinct and separate State, did make and publish a declaration, ‘that they would at all times hereafter consider themselves as a free and independent State, capable of regulating their own internal police, in all and every respect whatsoever; and that the people in the said described district, have the sole exclusive right of governing themselves in such a manner and form, as they in their wisdom should choose; not repugnant to any resolves of the honourable the Continental Congress:’ And for the mutual sup-

85 port of each other in the maintenance of the freedom and independence of the said district or separate State, the said delegates did jointly and severally pledge themselves to each other, by all the ties that are held sacred among men, and resolve and declare, that they were at all times ready, in conjunction with their brethren of the United States, to contribute their full proportion towards maintaining the present just war against the fleets and armies of Great Britain.

“To convey this declaration and resolution to your honourable body, the grand Representative of the United States, were we (your more immediate petitioners) delegated by the united and unanimous voice of the Representatives of the whole body of the settlers on the described premises, in whose name and behalf, We humbly pray, that the said declaration may be received, and the district described therein may be ranked by your Honours among the free and independent American States, and Delegates there-  
from

from admitted to seats in the grand Continental Congress, and your Petitioners, as in duty bound, shall ever pray.

“ *New Hampshire Grants, Westminster,*  
15th Jan. 1777.

“ Signed by order and in behalf of said inhabitants,

JONAS FAY.  
THOMAS CHITTENDEN.  
HEMAN ALLEN.  
REUBEN JONES.”

86 Fay, Chittenden, Allen, and Jones, returned from Congress, without the decision of that body upon their petition in behalf of the inhabitants, and brought with them Dr. Young's letter, printed and published at Philadelphia, addressed to the inhabitants of *Vermont*,\* and among others were these paragraphs: “ I have taken the minds of several leading members in the honourable the Continental Congress, and can assure you, that you have nothing to do but to send attested copies of the recommendation to take up Government to every township in your district, and invite all your freeholders and inhabitants to meet in their respective townships, and choose members for a General Convention, to meet at an early day, to choose delegates for the General Congress, a Committee of Safety, and to form a Constitution for your State. Your friends here tell me, that some are in doubt, whether delegates from your district would be admitted into Congress; I tell you to organize fairly, and make  
87 “ the experiment, and I will ensure you success, at the risk of my reputation as a man of honour or common sense; indeed, they can by no means refuse you; you have as good a right to choose how you will be governed, and by whom, as they had.” Previous to this, and a few days after the declaration of the independence of the State of Vermont, the Convention of the State of New York was then sitting; alarmed at the conse-

\* *Vermont*, this name was given to the district of the New Hampshire Grants, as an emblematical one, from the French of *Verd-mont*, green mountains, intended to perpetuate the name of the Green Mountain Boys, by Dr. Thomas Young, of Philadelphia, who greatly interested himself in behalf of the settlers of Vermont, by several publications; he was highly distinguished as a philosopher, philanthropist, and patriot, and for his erudition and brilliancy of imagination. His death was universally regretted by the friends of American Independence, as one of her warm supporters, and by the republic of letters as a brilliant ornament.

quences

quences which might result from such a measure, their President, by order of the Committee of Safety, wrote to Congress, January 20th, 1777, thus :

“ I am directed by the Committee of Safety of New York, to inform Congress, that by the arts and influence of certain designing men, a part of this State hath been prevailed on to revolt, and disavow the authority of its legislature. The various evidences and informations we have received would lead us to believe that persons of great influence in some of our sister States have fostered and fomented these divisions. But as these informations tend to accuse some members of your honourable body, of being concerned in this scheme, decency obliges us to suspend our belief. The Convention are sorry to observe, that by conferring a commission upon Colonel Warner, with authority to name the officers of a regiment, to be raised independently of the legislature of this State, and within that part of it, which hath lately declared an independence upon it, Congress hath given but too much weight

88 to the insinuations of those, who pretend that your honourable

body are determined to support these insurgents ; especially, as this Colonel Warner, hath been constantly and invariably opposed to the legislature of this State, and hath been, on that very account, proclaimed an outlaw by the late government thereof. It is absolutely necessary to recall the commissions given to Colonel Warner, and the officers under him, as nothing else will do justice to us, and convince those deluded people, that Congress have not been prevailed on to assist in dismembering a State, which of all others, has suffered the most in the common cause.\*”

The Convention of New York, on the 1st of March following, again attempted to engage Congress to take up the matter, well knowing that the people of Vermont were daily becoming more formidable against the State of New York, and that they, by being permitted to exercise the functions of Government, would soon form a regular body, and be lost to that State. In this the Convention of New York represent, that they depend upon the justice of that honourable house, to adopt every wise and salutary

89 expedient, to suppress the mischiefs which must ensue to that

State and to the general confederacy, from the unjust and pernicious projects of such of the inhabitants of New York, as merely from selfish and interested motives, have fomented the dangerous insurrection : That Congress might be assured that the spirit of defection, notwithstanding all the arts and violence of

\* Attested copy of a letter from the Honourable A. Ten Broek, President of the Convention of New York, dated January 20, 1777.

the seducers, was by no means general : That the county of Gloucester, and a very great part of Cumberland, and Charlotte counties, continued steadfast in their allegiance to the Government of New York ; and that there was not the least probability that Colonel Warner could raise such a number of men, as would be an object of public concern.\* The publications and interest which many persons seemed to take in behalf of the new State, was viewed with no less indignation than regret by the Convention of New York, and on the 28th of May, the Council of Safety of that State, directed their President again to write to Congress, complaining to that body that they had reasons to conclude that numbers of their body were concerned in an attempt to dismember the State, “ however unwilling we may be to entertain suspicions so disrespectful to any members of Congress, yet the truth is, that no “ inconsiderable numbers of the people of this State do believe the “ report to be well founded ; ” from this it appears that Vermont had a considerable number of friends in Congress, notwithstanding the unfavourable resolutions on their *declaration* and *petition* of the 15th of January, 1777, which was taken up by 90 Congress on the motion of a member from New York, who laid before that body, on the 23d of June, the publication of Dr. Young to the Inhabitants of Vermont ; and on the 30th of the same month passed the following resolves :

“ *Resolved*, That Congress is composed of delegates chosen by, and representing the communities respectively inhabiting the territories of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, as they respectively stood at the time of its first institution ; that it was instituted for the purpose of securing and defending the communities aforesaid, against the usurpations, oppressions, and hostile invasions of Great Britain ; and, therefore, it cannot be intended that Congress, by any of its proceedings, would do, or recommend, or countenance, any thing injurious to the rights and jurisdiction of the several communities, which it represents.

“ *Resolved*, That the independent Government attempted to be established by the people, stiling themselves inhabitants of the New Hampshire Grants, can derive no countenance or justification from the act of Congress, declaring the united colonies 91 to be independent of the crown of Great Britain, nor from any other act or resolution of Congress.

\* Letter from A. Ten Broek, of March 1, 1777.

“ *Resolved*,

“*Resolved*, That the petition of Jonas Fay, Thomas Chittenden, Heman Allen, and Reuben Jones, in the name and behalf of the people, stiling themselves as aforesaid, praying that ‘their declaration, that they would consider themselves as a free and independent State, may be received; that the district in the said petition described, may be ranked among the free and independent States; and that delegates therefrom may be admitted to seats in Congress,’ be dismissed.

“*Resolved*, That Congress, by raising and officering the regiment, commanded by Colonel Warner, never meant to give any encouragement to the claim of the people aforesaid, to be considered as an independent State; but that the reason which induced Congress to form that corps, was, that many officers of different States, who had served in Canada, and alledged that they could soon raise a regiment, but were then unprovided for, might be reinstated in the service of the United States.”

Having recited the paragraphs in the letter from Thomas Young, which have been quoted, they next resolve, “That the contents of the said paragraphs are derogatory to the honour of  
 92 Congress, are a gross misrepresentation of the resolution of Congress therein referred to, and tend to deceive and mislead the people to whom they are addressed.”

Soon after the return of the Commissioners from Congress, Ira Allen printed and published a pamphlet,<sup>1</sup> shewing the right the people had to form a Government, which, with Dr. Young’s Letter, were spread through the State, and measures taken to convene a Convention, which met at Windsor in June 1777, to form a constitution, and appointed a committee to make a draft of a constitution, and passed a resolution, recommending it to each town to elect and send Representatives to a Convention, to meet at Windsor in July following. William Marsh, James Mead, Ira Allen, and Captain Salisbury, were appointed a Committee to wait on the Commander of Ticondaroga Fort, and consult with him respecting the regulations and defence of the frontiers, then adjourned to the 4th<sup>2</sup> of July, 1777, to meet at the same place. While the Committee was at Ticondaroga, General Burgoyne, with his army, appeared on the lake, and resting at Crown Point, he sent a scout of about 300, mostly Indians, to land at the mouth

<sup>1</sup> [ For a copy of this pamphlet, see *ante* p. 139. ]

<sup>2</sup> [The adjournment to, and the meeting at Windsor were July 2, instead of the 4th.]

of Otter Creek, to annoy the frontiers of the State. General Poor refused to allow any troops to the Committee for the defence of the frontiers, but allowed Colonel Warner to go with the Committee, who soon raised men sufficient to repel the assailants. All who were members of the Convention left the militia, and repaired to Windsor on July 4th,<sup>1</sup> 1777. A draft of a constitution was  
93 laid before the Convention, and read. The business being new, and of great consequence, required serious deliberation. The Convention had it under consideration when the news of the evacuation of Ticondaroga arrived, which alarmed them very much, as thereby the frontiers of the State were exposed to the inroads of an enemy. The family of the President of the Convention, as well as those of many other members, were exposed to the foe. In this awful crisis the Convention was for leaving Windsor, but a severe thunder-storm came on, and gave them time to reflect, while other members, less alarmed at the news, called the attention of the whole to finish the Constitution, which was then reading paragraph by paragraph for the last time. This was done, and the Convention then appointed a Council of Safety to act during the recess, and the Convention adjourned.

The Council of Safety proceeded to Manchester and on their arrival found that to be Colonel Warner's head quarters, and that he had only part of his regiment with him, which was raised in Vermont. That Colonels Warner and Francis had brought up the rear of the army in the retreat from Ticondaroga, and were overtaken at Hubbardton by a party of the enemy, where a severe skirmish took place, and just as the enemy began to give way, Colonel Francis ordered a retreat of part of his regiment, to take a more advantageous position; his orders were mistook, and the re-  
94 treat was general; this encouraged the enemy, and Colonel Francis, in endeavouring to stop the retreat and confusion of his regiment, was killed; thus the enemy gained a battle, which a few moments before had been given over as a defeat. The loss in killed and wounded was considerable on both sides; in this dispute Colonel Warner's regiment suffered severely. Thus, in a few days, the inhabitants, for near a hundred miles on the west side of the Green Mountains, were left without protection by the American army. General Redhasle, with his Hessian troops, pushed on from Skeensborough to Castleton, where some of the inhabitants took protection under him, while others fled with their families, flocks and herds. The roads were, as well as the coun-

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<sup>1</sup> [The adjournment to, and the meeting at Windsor were July 2, instead of the 4th.]

try, a scene of confusion ; the inhabitants retiring southward, the army took a circuitous course more toward the west, and rendezvoused at Saratoga.

The Council of Safety adjourned to Sunderland, where Ira Allen, in behalf of the Council of Safety, wrote to Mr. Weare, President of New Hampshire, informing him of the evacuation of Ticondaroga, and the retreat and disastrous situation of the army, and the exposed situation of the inhabitants of Vermont, declaring, that unless speedily relieved, they would be obliged to evacuate great part of the State. A similar letter was sent to the Governor of Massachusetts, as it was discovered that the Generals of the army had not sent any expresses to either.

95 The Council of Safety then attended to the affairs of the Government, but their situation was very unpleasant, as the Convention had only declared the district to be a free State ; but the Government was not organized, as the Constitution was not fully completed, and near three quarters of the people on the west side of the Green Mountains were compelled to remove, and the rest were in great danger. It was they who principally supported the title of the New Hampshire Grants, against the unjust claims of New York, and their removal would expose the settlers on the east side of the Green Mountains to an invasive war, both from the Savages and the British ; besides, the late proceedings of Congress had been partial towards New York, and against Vermont ; the people of the new State had reason to expect no favour from the Committee of Safety of New York, as its members were in fact composed of the old sycophants of the late Government, which they prudently deserted. Gain and dominion were objects of the first consequence to some of the Committee of New York, and the citizens of the new State were conscious that they would take every sinister and possible step to divide the people, and would not be dissatisfied with any misfortune which befel them, even by the common enemy.

The Council of Safety had no money or revenue at command, their powers and credit were not extensive, and all expresses  
96 were supported at their private expence ; yet, in this situation, it became necessary to raise men for the defence of the frontiers, with bounties and wages ; ways and means were to be found out, and the day was spent in debating on the subject ; Nathan Clark, not convinced of the practicability of raising a regiment, moved in Council, that Mr. Ira Allen, the youngest member



member of Council, and who insisted on raising a regiment, while a majority of the Council were for only two companies, of sixty men each, might be requested to discover ways and means to raise and support a regiment, and to make his report at sun-rising on the morrow. The Council acquiesced, and Mr. Allen took the matter into consideration. Next morning, at sun-rising, the Council met, and he reported the ways and means to raise and support a regiment, viz. that the Council should appoint Commissioners of Sequestration, with authority to seize the goods and chattels of all persons who had or should join the common enemy; and that all property so seized should be sold at public vendue, and the proceeds paid to the Treasurer of the Council of Safety, for the purpose of paying the bounties and wages of a regiment forthwith to be raised for the defence of the State. The Council adopted the measure, and appointed officers for the regiment. Samuel Herrick, Esq; was appointed the Colonel, and the men enlisted, and the bounties paid in fifteen days, out of the confiscated property of the enemies of the new state. This was the first  
97 instance in America of seizing and selling the property of the enemies of American independence.

The Council adjourned to Bennington, and about the time this regiment was raising, a party of militia from Massachusetts arrived in the new State. General Schuyler, a citizen of the State of New York, and Commander in Chief of the northern army, no sooner heard of it, than he sent orders to the militia of Massachusetts, and to Colonel Herrick's regiment, to repair forthwith to Saratoga; the militia from Massachusetts were obliged to obey, according to the regulations of the Continental Congress; but the Council of Safety superceded General Schuyler's orders, and gave special directions to Colonel Herrick to remain within the State of Vermont. This occasioned some irascible letters between General Schuyler and the Council of Safety, which were terminated by a peremptory order of Council to Colonel Herrick not to put himself under the command of General Schuyler.

The General Court of New Hampshire, in consequence of the evacuation of Ticondaroga, appointed Colonel John Starks a Brigadier General, and instructed him to go with his troops and join the northern army for the defence of the frontiers. General Starks informed the General Court, that he was ready and willing to act  
98 in concert with the Green Mountain Boys in defence of the frontiers, but could not think it his duty to put himself under the command of General Schuyler, or any other continental officer. The President of New Hampshire in vain argued against

the reasons of General Starks, who offered to give up his commission; but finally, the President and Council left it optional with General Starks, whether to be commanded or not by any continental officer. General Starks received orders to "repair to Charlestown, on Connecticut River; there to consult with a Committee of the New Hampshire Grants, respecting his future operations, and the supply of his men with provisions; to take the command of the militia, and march into the Grants, to act in conjunction with the troops of that new State, or any other of the States, or of the United States\*." On his arrival at Charlestown, he wrote to Ira Allen, Esq. for advice and directions from the Council of Safety, respecting his future rout and stores. Mr. Allen, by order of the Council, advised General Starks to take the direct road to Manchester, and to hasten his march as much as possible, and join with Colonel Warner's regiment. Mr. Allen also informed General Starks, that Vermont had raised a regiment of Rangers, under Colonel Herrick, who would be ready to assist. General Starks, on his arrival at Manchester, met orders from General Schuyler, directing him to march and join the army at Saratoga. This order was rejected, and the express returned. General Schuyler then sent a positive order, and General Starks returned an absolute refusal, alledging his orders from the President and Council of New Hampshire to join or not under the command of a continental officer†. In the mean time,

\* Belknap's History of New Hampshire.

† The author of this History, in 1779, being at Exeter, was informed by Mr. Thompson, Member and Secretary of the Council of New Hampshire, that Generals Poor and Starks were Captains at the reduction of Canada in 1761, and that in 1775, they were on the same day appointed Colonels; that in 1776, Colonel Poor was appointed Brigadier General, at which Colonel Starks was offended, and declined service, observing *that in 1777, a powerful army would come from the north, which he, with the Green Mountain Boys, would cut off wing by wing.* After General Starks had refused to obey the orders of General Schuyler, and justified his conduct by his instructions, General Schuyler complained to Congress of the Orders of the Council of New Hampshire. A severe reprimand, of course, was sent to the Council. A Committee of the Council, (Mr. Thompson being one) was appointed to return an answer to Congress. They could not find at that time sufficient reasons to justify their instructions to General Starks, and therefore delayed their answer for a few days, when the news of General Starks's victories over two detachments of the royal army at Bennington arrived, the Committee were able to send a satisfactory answer to Congress for giving such optional instructions to General Starks, who had, with the Green Mountain Boys, laid a foundation to surround

Mr.

100 Mr. Chittenden, the President of the Council of Safety of Vermont, corresponded with General Starks, and had received information that a detachment from General Burgoyne's army was on its march to Bennington; they rested at Walloomscoick, near the line of that town, and in three days threw up a breastwork with logs and earth, on an advantageous height, nearly five feet high. During those three days, every possible preparation was made by the Council of Safety and General Starks for a battle with the detachment under Colonel *Bawn*. The 17th day of August, 1777, was fixed on for the attack by General Starks, and Colonel Warner was to remain at Manchester as long as he conveniently could, and be timely to the support of General Starks; it was concluded that too great movements would alarm Colonel Bawn, and cause him to retrograde. On the evening of the 15th, General Starks had under his command nearly the same number of undisciplined troops from New Hampshire and Vermont, including a few from Berkshire county, as Colonel Bawn had of disciplined troops in his breast-works, with four brass field-pieces. General Starks received information from the Council of Safety, that in another day, Colonel Bawn would be joined by a detachment on its way to reinforce him under the command of Colonel Skene, and thereby his numbers would be double, and his own could not be increased in the same proportion; he, therefore, resolved to make the assault on the 16th, and an express was  
101 sent to Colonel Warner with the determination; accordingly preparations were made, and the assault commenced on all sides of the breast-work at the same time. The firing was promiscuous by the marksmen at every man who appeared above the breast-work; this method proved efficacious, and terrified the enemy to such a degree, that the assailants soon became masters of the breast-work, and took a number of prisoners, their field-pieces, and baggage; those who escaped from the breast-work were pursued, 'till they met the detachment under Colonel Skene; Colonel Herrick then retreated before Colonel Skene. At this critical moment Colonel Warner arrived with his regiment,<sup>1</sup> and enabled General Starks to go forward with the four field-pieces just taken from Colonel Bawn, against Colonel Skene, who was

and capture General Burgoyne and his whole army, which soon followed, and Congress were content, and honoured General Starks with the commission of a Brigadier General in the army of the United States.

<sup>1</sup> [Col. Warner himself was with Stark before and during the first battle. His regiment arrived late as stated above. See Gen. Stark's letter to Gen. Gates, *ante* p. 206; also p. 209.]

soon defeated, made a precipitate retreat, and being favoured by the night, made their escape, and rejoined the royal army. Colonel Skene had his horse killed under him, and immediately mounted on another, and being hard pressed, retreated with the remains of two detachments from Burgoyne's army, (either of which were equal in number to General Starks's whole force.) In both battles the British lost in killed about 300 men, wounded and made prisoners about 750. General Starks had only about 50 killed, some wounded, who afterwards died of their wounds. Heman Allen, Esq. a member of the Council of Safety of Vermont, went to the field of battle; the weather being hot, and his fatigue great, 102 he caught a violent cold, and died of a decline on the 18th of May following.

Before this battle, heaviness and a dark cloud hung over the northern States. General Burgoyne's army was large, and had been victorious in every place, and his proclamations breathed forth many threatenings, and, in addition, the highest *confidence* was not placed by the people in General Scuyler. In verity, it was the time that tried the fortitude and spirits of all men, among whom none but the true-born sons of liberty and perseverance could brave the danger of taking arms in so critical a time. The Green Mountain Boys were deeply interested in the fate of the day; for the very existence of the infant State of Vermont, their families, and property, were all pending on the event. Colonel Bawm was killed in the first action, and orders from General Burgoyne were found in his pockets, which shew how the Government of Great Britain, and their officers, were deceived with respect to America. By those orders Colonel Bawm was to have proceeded to Bennington and burn the continental stores, thence take the road to Newbury, on Connecticut River, and down the river to Brattleboro', thence to return and rejoin the main army. To have fulfilled his orders he must, with his army, field-pieces, ammunition, and baggage, have travelled thirty miles a day, and have twice crossed the Green Mountains, in roads scarcely pass- 103 ble with a single horse, and find horses to mount his *cavalry* and beeves for his army, and, besides, traversing this part of New England, was truly taking the bull by the horns. The Assembly of Connecticut, at this time, was sitting at Hartford, and General Sir Henry Clinton was moving his army up the North River to join General Burgoyne. The Legislature of Connecticut was informed, that the continental stores and meeting-house at Bennington were burnt by the British, and the Green Mountain Boys had been defeated with great loss; in this consternation the Assembly knew not how to direct their militia, and ad-  
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journed 'till the afternoon. When they had met in the afternoon, they seemed not determined in any matter, until an express arrived that announced the two victories gained by General Starks, with an account of the killed and the prisoners, who were safely lodged in the meeting-house, which they were informed a few hours before, was burnt. The Assembly were no longer at a loss how to direct its militia. Colonel Willet soon after obtained a victory on the Mohock River over another detachment, under the command of Colonel St. Ledger, from Canada, and which intended to have formed a junction with General Burgoyne on the Hudson's River. These victories presaged the capture of General Burgoyne and his army. Soon after the battle of Bennington, a plan was laid to cut off General Burgoyne's communication with Canada, by means of Fort Ticondaroga. To effect this, General  
104 Lincoln ordered General Warner, with a detachment of militia from Massachusetts, to surprize and take Mount Independence. Colonel Brown, with Colonel Herrick's regiment of Rangers, and some militia and volunteers, were to cross the lake at the Narrows, and go through the woods and take Mount Defiance and the landing of Lake George; those three places were to be attacked each in the gray of the same morning. Captain Ebenezer Allen, with his rangers, was to leave Colonels Brown and Herrick at a certain place, and take Mount Defiance, and then rejoin Brown and Herrick to take Ticondaroga, in conjunction with General Warner. The plan thus fixed they set off from Pawlet. General Warner moved so extremely cautious against Mount Independence, that he saved his own men, and hurt none of the enemy, and his expedition failed. Colonel Brown had many difficulties to encounter; he had the lake to cross in the night, and fourteen miles to pass over rugged mountains, which he effected, and got within a few miles of the landing the day before the attack. Colonel Herrick took a few of his rangers, and went in sight of Lake George landing, and, from the mountains, made such discoveries as might be necessary; and, on his return to rejoin the main body, stationed sentinels at certain distances, and rejoined Colonel Brown, after leaving this countersign, *three hoots of an owl*, on hearing which they were to answer; Colonel Allen did the same on Mount Defiance, so that when they began their march, they were not in dan-  
105 ger of missing their way through the darkness of the night, or being discovered by lights or noise, for they mimicked the owl so completely, that few of the men, who were not in the secret, had any mistrust. Colonel Brown surprized and took the landing, recovered many prisoners, and seized all their boats. Captain Allen had the most difficult task, though spirits equal to the undertaking. Mount Defiance garrison was on the top of a high

high and rough mountain that overlooked Ticondaroga and Mount Independence, and had but one cut way to ascend to it, and that was well guarded. Allen and his men scaled the craggy rocks with much danger, and nearly reached the summit, when they found a cliff they could not climb in the ordinary way; therefore Allen ordered a man to stoop, and he stepped on his back, and in that way ascended, but found that when he was up he could only secret about eight men, until they must come out in sight of, and close to the parade, where were several cannon, and the garrison, alarmed in consequence of the firing at the landing at Lake George. He commenced the desperate assault with an hideous yell, and, to use his own expression, *his men came after him like a stream of hornets to the charge*, which terrified most of the garrison, yet one man was bold enough to attempt to fire off a field-piece at the assailants; Allen having discharged his musket, cried out to his men, *Kill the gunner, Godd—n him!* at which the gun-  
 106 ner turned from the field-piece, and ran off with the match in his hand. Allen and his men were soon in possession of the parade and garrison. Such men as were not killed or wounded, ran down the cut way towards Ticondaroga, and were taken by Major Wait and a party under him, stationed at the bridge for that purpose. Captain Allen had never discharged a cannon, but he levelled and fired a shot at the barrack on Mount Defiance, which killed one man; then, by a few shot, drove a ship in the lake from her moorings, and proclaimed himself Commandant of Mount Defiance. Colonel Brown, after his successes at Lake George landing, attempted to take Diamond Island, in Lake George, but without success; he, however, destroyed the boats at the landing, took a store of goods under the walls of Ticondaroga, put his booty into some boats he seized on Lake Champlain, and returned to Skeensboro' on his way back.

About this time General Schuyler was superceded, and General Gates took the command of the northern army. This change inspired the militia of New England with hope and confidence, and greatly cheered the drooping spirits of the army; and the militia of the neighbouring States, encouraged by the late successes of Generals Starks, Colonel Willet, &c. turned out with alacrity to assist General Gates.

The compliment paid to the troops of Vermont by General Burgoyne, in his letter to Lord George Germain, a little before his  
 107 capitulation, was to this effect, viz. That the district of the New Hampshire grants, a wilderness, little known in the last war, now abounds with the most active, rebellious, and hardy race  
 of

of men on the continent, who hang like a gathering storm ready to burst on my left.

By the united forces of America, on the plains of Saratoga, was witnessed the surrender of a British army, which was soon spread through America and Europe, and sealed the alliance between France and the United States of America, and secured to them independence, further guaranteed by the combined forces of the two nations in 1781, at York town, in Virginia, where Lord Cornwallis and his army were obliged to surrender themselves prisoners of *war*. After this digression, it is proper to return to the northern army. Soon after the convention at Saratoga, the garrisons of Ticondaroga, Mount Independence, and some other places on Lake Champlain, were demolished by the British troops, who retired into Canada for winter quarters, but they were followed by Colonel Herrick's rangers, and overtaken at Gilliland's Creek, where they took a number of prisoners, horses, and some baggage.

Now many of the citizens of Vermont returned to their habitations. The Council of Safety again paid attention to the constitution, and made a preamble, stating the reasons why the citizens  
108 had rejected all connections with New York; but as there was not time, before the day assigned for the election, to print and publish the constitution, therefore the Convention was summoned to meet at Windsor, in December, 1777; they met, revised the constitution, and appointed the first election to be on the 12th day of March, 1778. One difficulty was discovered by some members of the Convention, who concluded the best way to evade it was, to keep it in as small a circle as possible; the difficulty was, to establish the constitution without the voice of the people, further than was vested in the Convention by their credentials, that authorized them to form a constitution, but were silent as to its ratification, and they had no ancient government to predicate their claims upon; besides intestine divisions and different opinions prevailed among the people, and even in the Convention. To avoid discord, a large majority, in one instance, conformed to a minority, when deliberating on the articles of the constitution. As the people seemed inclined for a popular government, the constitution was so made, and for the better satisfying those who might choose any difference in the form of government, and as circumstances or increasing knowledge might make it necessary, a principle was established in the constitution, by which legal means might be taken to alter or amend the constitution once in seven years, agreeable to the will of the majority of  
the

109 the freemen of the State, which, if perpetuated, would transmit to posterity the same privileges of choosing how they would be governed, as the people of that day exercised from the inherent right of nature, without revolution or bloodshed. Had the constitution been then submitted to the consideration of the people for their revision, amendment, and ratification, it is very doubtful whether a majority would have confirmed it, considering the resolutions of Congress, and their influence at that time, as well as the intrigues and expence of the provincial Congress of New York, who endeavoured to divide and subdivide the people. Under these circumstances the Convention appointed Ira Allen to see the constitution printed and distributed before the election. Mr. Allen returned from Hartford, in Connecticut, a few days before the time of the general election, with the constitution printed, and dispersed it. There was one (or more) in each town who coveted the honour of being a member in the first general Assembly of the new State of Vermont. It was; therefore, their interest to induce their friends to attend the meeting, and take the freeman's oath. This was done, and representatives were elected, and attended the Assembly at Windsor, on the 12th of March, 1778, when and where the votes of the freeman for a Governor, a Lieutenant Governor, 12 Counsellors, and a Treasurer, were sorted and counted, and the persons who had the majority of votes  
 110 for the respective offices, were declared duly elected.\*—  
 Thus the constitution of the State of Vermont was put in

\* His Excellency THOMAS CHITTENDEN, Governor.  
 The Hon. JOSEPH MARSII, Lieutenant Governor.

*Counsellors.*

The Honourable	JOSEPH BOWKER, JACOB BAYLEY, JONAS FAY, TIMOTHY BROWNSON, PETER OLCOTT, PAUL SPOONER, BENJ. CARPENTER, JEREMIAH CLARK, IRA ALLEN, THOMAS MOREDOCK, JOHN TROOP, BENJAMIN EMMONDS,	}	Esquires.
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Treasurer, IRA ALLEN, Esq ;

The Members of the first Assembly of Vermont, the public will excuse the Author for not inserting their names, as his memory is not sufficient to retain them in due order in a foreign land.

force



force, and Bennington was the only town that objected against the constitution, for the want of a popular ratification of it. Only twenty-one freemen qualified in that town, who elected representatives for the first general Assembly, but as the people and the assembly approved of the constitution, which was subject to a revision and amendment every seven years, the Bennington objection died away, and universal content has prevailed in the State.

111 In June, 1778, Colonel Ethan Allen having been exchanged, arrived in Vermont, to the great joy of his family and friends, after enduring a cruel captivity of almost three years, and was soon after appointed to the command of the militia of the State. The General Assembly appointed the Governor and Council to be a Court of Sequestration, and invested them with power to confiscate the real and personal property of any citizen who had joined the enemies of the State, and to order the sale of the same for the use of the State. The situation of Vermont was peculiar: its enemies, besides the British at the north, were those of New York at the south, and also a number of people of good sense and large property in the south-east part, who had leagued with the junto of New York against the new State. In consequence of internal divisions, and to make government popular, it was thought good policy not to lay any taxes on the people, but to raise a sufficient revenue out of the property confiscated, and the ungranted lands. Hence it was found that those who joined the British were benefactors of the State, as they left their property to support a government they were striving to destroy. It is further to be observed, that not only the civil list was paid by the sale of the enemy's property, but new and firm friends were added to the government. While the States in New England were severely taxed to carry on the war, Vermont had no taxes to pay. This circumstance greatly promoted migration into Ver-  
112 mont, and those who came with that view, were staunch friends to the new government, and added to its strength and consequence both at home and abroad. The Legislature appointed Ira Allen, Esq; Surveyor General, and ordered him to procure, by his advertisement, all the grants, patents, or charters of land in the State, given out by the late Governors of New Hampshire and New York, and made his office a register for those grants, and, to encourage the proprietors of those grants, they were to be recorded at the expence of the State, although there was little attention paid to those of New York. Governor Wentworth, of New Hampshire, having carried the colonial records to England, rendered this measure necessary, in order to discover what lands had been granted, and to find out the ungranted lands, which undoubtedly

edly were the property of the State, and to be granted on such advantageous terms as would afford an immediate revenue to government, and prevent all kinds of taxes.

Since the acquiescence of the late government of New Hampshire to the change of jurisdiction in 1764, a good understanding subsisted between New Hampshire and the district of the New Hampshire grants; indeed, that State had gone further towards the admission of Vermont to sovereignty and independence than any other, as will appear from President Weare's letter of July, 1777, to Ira Allen, Secretary of the State of Vermont, announcing  
 113 the assistance that State was sending, under the command of General Starks, for the defence of the frontiers; the stile and expressions in his letter were addressed to Vermont as a new but sovereign free State. From these circumstances, it appeared that New Hampshire had virtually acknowledged the independence of Vermont, and it was expected that she would use her influence to have it acknowledged by Congress; but these prospects were soon clouded by the conduct of some people contiguous to Connecticut River, in New Hampshire, who attempting privately to concert measures to bring the seat of government to said river, called a Convention at Hanover to concert measures to unite all the New Hampshire grants in one entire State; to effect which, a pamphlet was printed in 1778, in which it was stated, that New Hampshire was granted as a province to John Mason, and to extend sixty miles from the sea, which formed the line called and known by the name of the Mason line; that the lands to the west of that were annexed to New Hampshire by force of royal authority, and the lands were granted in pursuance of instructions from the King and Privy Council; that the jurisdiction of New Hampshire, west of the Mason line, ceased with the power of the crown, as it was held by force of royal commission only; that therefore the people were at liberty to chuse what form of government they would establish, and they thought proper to unite with the people of the New Hampshire grants, west of Connecticut River, who were about  
 114 to establish a new State. These measures drew the attention of the people, so that a petition from sixteen towns (including Hanover and others on the east side of Connecticut River) was presented to the legislature of Vermont, at their first session, in March, 1778; in the course of said petition it was stated, that said sixteen towns were not connected with any State with respect to their internal police, and requested Vermont to receive them into union and confederation. The legislature was much perplexed with this petition; the most discerning men were apprehensive of difficulty from New Hampshire if they interfered with her internal  
 police

police; the dispute arose so high, that some members contiguous to Connecticut River threatened to withdraw from the legislature, and unite with the people east of the said river, and form a State. At length it was resolved, to refer said petition to the consideration of the freemen of the several towns, to accept or reject said petition, and to instruct their representatives accordingly; a majority were in favor of said sixteen towns, consequently, at the next session of the legislature, an act was passed, authorizing said sixteen towns to elect and send members to the legislature of Vermont at their next session; this also laid a foundation for more towns to unite as aforesaid.

The sixteen towns announced to the government of New Hampshire that they had withdrawn from their jurisdiction, and wished  
115 to have a boundary line settled between them, and a friendly intercourse continued.

Meshak Weare, Esq., was then President of that State, who wrote to Thomas Chittenden, Esq., Governor of Vermont, reclaiming said sixteen towns, predicating on the established bounds of the late province of New Hampshire; that said towns were represented in the provincial Congress in 1775; on their applying to that government for arms, &c., on their receiving commissions, and acting as a part of the State of New Hampshire; that a minority claimed protection; that the State felt it a duty to afford it. He also wrote to the delegates of that State in Congress, urging them to procure the interference of Congress; therefore President Weare recommended to Governor Chittenden to use his influence to dissolve so dangerous a connection.

On the receipt of these dispatches Governor Chittenden convened the Council, who appointed General Ethan Allen to repair to Congress in quality of agent to make such statements as might be consistent, and to learn how the conduct of Vermont was viewed by that body. General Ethan Allen reported to the legislature in October, 1778, that the members of Congress were unanimously opposed to Vermont's extending jurisdiction across Connecticut River; that if she dissolved her unions, they generally appeared in favour of her independence. At this time ten of said  
116 sixteen towns were represented in the legislature of Vermont, when it was proposed to form the towns that had united with that State into a county by themselves, which was rejected by this and some other votes. It appeared that the Assembly declined to do any thing more to extend their jurisdiction to the east of Connecticut River. The members from those towns withdrew from the Assembly, and were followed by the Lieutenant Governor  
nor

nor, three members of the Council, and fifteen members of the Assembly, who lived near Connecticut River. The object was, to break up the Assembly, as the constitution required two-thirds of the members elected to form a house for business, but there remained a quorum who proceeded to business. They referred the matter respecting said sixteen towns to the freemen to instruct their representatives; as the union was formed by the voice of the people, the legislature chose to dissolve it in the same way. Ira Allen, Esq., was appointed and instructed to repair to the court of New Hampshire, in order to settle any difficulties that might subsist in consequence of said sixteen towns; Mr. Allen attended the General Court of New Hampshire, stated the causes that had produced said union, and the embarrassments the legislature of Vermont laboured under; that it would be dissolved at the adjourned term in February, which appeared satisfactory to the General Court of that State. The dissenting members of the legislature convened by themselves, and invited all the towns 117 on the New Hampshire grants, on both sides of Connecticut River, to send members to form a convention at Cornish, on the 9th of December, 1778. When the convention met, they agreed to unite, without any regard to the boundary line established on the west bank of Connecticut River in 1764. The Convention then proceeded to make the following proposals to the Government of New Hampshire, viz.

“Either to agree with them on a divisional line, or to submit the dispute to Congress, or to arbitrators mutually chosen.” If neither of these proposals should be accepted, and they could agree with New Hampshire upon a plan of government, they resolved further, “We will consent that the whole of the grants connect with New Hampshire, and become with them one entire state, as it was limited and bounded, before the settling of the said line in 1764.” Until one of these proposals should be complied with, they resolved to trust in Providence, and defend themselves.\* There were but eight towns from Vermont which were represented in this convention, and some of them declined to act in making any overtures to New Hampshire, to extend their jurisdiction over the state of Vermont. But the proceedings of the Convention served to discover to the whole body of the people what had been the 118 views of the leading men, in proposing the union of the sixteen towns from New Hampshire: It was now manifest, that their whole aim had been to form a government, the center and seat of which should be upon Connecticut River. This would be

\* Allen's Vindication, p. 32, 33.

effected either by connecting a considerable part of New Hampshire with Vermont, or by breaking up the government of Vermont, and connecting the whole of it with New Hampshire; the one or the other of these measures they were earnest to effect, and either of them would probably have formed a state, the metropolis of which must have been upon the river which divides the two states.

On the meeting of the legislature of Vermont at Windsor, February 12, 1779, to get rid of a connexion which had occasioned so much trouble and danger, the Assembly passed an act, dissolving the union of the sixteen towns in New Hampshire. Mr. Ira Allen was again appointed to wait on the General Assembly of New Hampshire, then sitting at Exeter, with the act of dissolution, and to make such explanations respecting the whole transaction as might be conducive to a good understanding between the two states. After discharging the duties of his mission, and before he left Exeter, he found it was the intention of some members in the Assembly of New Hampshire to extend jurisdiction over the territory of Vermont, under the pretence of opposing the claim of New York, and the befriending the new State in Congress. Mr. 119 Ira Allen thanked them for their good intentions, and offered, as his opinion, that Vermont would receive more benefit by their disinterested vote in Congress than by being a party. Mr. Ira Allen discovered the true, though secret cause of this pretended friendship towards Vermont, by a conversation of Major Atkinson, a member from Portsmouth, with some other members in a coffee-house, in which he observed that "as the seat of government had been moved from Portsmouth to Exeter, and would soon be removed to Concord, the eastern members ought to contrive and sell the seat of government to the highest bidder, and so let it go to Connecticut River; and as Governor Wentworth and his Council had made fortunes by granting lands, we may do the like by extending our jurisdiction, and giving out grants of unlocated lands, which will be included in the new acquisition."

This conversation evidently showed what measures would be adopted by the Court of New Hampshire, to extend their claim. Mr. Ira Allen prudently kept the matter a secret, until he returned to Vermont, when he informed the Governor and Council thereof, who failed not to make proper use of the hints. They kept the matter a secret also, and, at the next session of the legislature (which was previous to the meeting of the General Court of New Hampshire,) Mr. Ira Allen was again appointed to go and concert 120 measures with the general Court of New Hampshire, with instructions to settle a boundary line between said States, to quiet quiet

quiet the minds of the people on both sides of Connecticut river, and to make them easy under their respective Governments.

Mr. Ira Allen attended the Court of New Hampshire, and made his mission known, but found they were pursuing measures to extend their jurisdiction over Vermont, from pretended friendship, and to overturn the claim of New York then before Congress; after which the Legislators of New Hampshire pretended they would withdraw their claim, and urge Congress to admit Vermont to be a State, and to have a seat in that venerable body. Upon such ostensible reasoning, Mr. Ira Allen was advised, as agent of Vermont, to assent to the plan and claim of New Hampshire, and was assured that the interest of Vermont as a separate State from New Hampshire, was the pledged principle on which they acted. Mr. Allen expressed no doubts of their sincerity, but replied, that he was convinced that it would be the opinion of the Governor and Council of Vermont, that the highest act of friendship to be shewn by the Legislature of New Hampshire to the State of Vermont, would be, not to become a party in the dispute, but to use her influence and vote in Congress in favour of Vermont, and to unite their mutual endeavours in quieting the people settled on both  
121 sides of Connecticut River, and rendering them contented under their respective States, by establishing a boundary line.

In the mean time Mr. Allen discovered the President's plan was, under pretence of friendship to Vermont, to lay before Congress a claim of jurisdiction over the State; and that New Hampshire would make interest to have Congress decide against New York in her favour, to settle a dispute, that otherwise might be injurious to the common cause of the United States. That when such decision was made in favour of New Hampshire, the people that had professed allegiance to New York, and those who had withdrawn from the Legislature of Vermont with their friends, would naturally be for uniting with New Hampshire. That the people contiguous to Connecticut River, would feel an interest in joining with New Hampshire, on account of the seat of Government coming there.

That a union with New Hampshire would secure the title of Lands under the New Hampshire Grants, in consequence of which those on the west side of the Green Mountains, &c. would follow the example of those contiguous to Connecticut river, rather than contend alone for independence.

That

That the State of New Hampshire would be benefited by the  
122 unlocated lands in the district of Vermont, and that, if possible, Mr. Allen should be persuaded to consent to such a claim.

That President Weare, supposing Mr. Allen unacquainted with the real object of the plan, fell in company with, and in conversation advised him to give his consent to the claim, as the means to defeat the claim of New York, and bring Vermont into a confederacy with the thirteen United States, as a proper acknowledgment of her great exertions in the common cause, as well as to quiet the minds of the people, and to settle the discord subsisting on both sides of Connecticut river, and declared on his honour that he had no secret design of overthrowing the present system of Government adopted in Vermont, or of uniting that State to New Hampshire, and called God to witness the truth of his assertions; several members of the Council and Assembly then present, declared themselves in like manner. Mr. Allen thanked them for their good intentions, and told them his present instructions and power did not authorize him to assent to their claim, which he opposed, and thought it very strange that the Legislature of New Hampshire should insist upon doing Vermont a favour, when her agent thought and contended that it would be an injury; he therefore requested in general Court, that the determination of the matter be referred to their next session, that the opinion of the Legislature of Vermont might be taken thereon. The question was moved and carried by a majority.

123 This procrastination was essential to Vermont, as it tended to unite the people contiguous to Connecticut river on the west, which was necessary at the next election, and to counteract the designs of the *Cornish* Convention, as well as to gain time to guard against the ill effects of such a claim, if extended, and which afterwards was accordingly done, so that the jurisdictional claim of New Hampshire extended as before the year 1764, including the whole of Vermont.

Accordingly that State put into Congress a claim to the whole territory of Vermont. As New Hampshire had not the least pretence, upon any principle whatever, to make such a claim, it was not doubted in Vermont, but that intrigues had been formed by the leading men in those two States, to divide Vermont between them. Massachusetts now interposed; whether aiming to disappoint the views of New Hampshire and New York, or in earnest to

to secure a part of the controverted lands, that State also put in a claim to a large part of Vermont.

While these controversies had been carried on with New Hampshire, the debate with New York had not at all subsided. In a letter of July 7th, 1778, Mr. *Clinton*, Governor of New York, wrote to one of his friends in Vermont, that he "would still, as on a former occasion, earnestly recommend a firm and prudent resistance to the drafting of men, raising taxes, and the exercise 124 of every act of Government, under the ideal Vermont State; and in such towns where our friends are sufficiently powerful for the purpose, I would advise the entering into association, for the mutual defence of their persons and estates against this usurpation."\* In a letter of July 8th, he warmly urged Congress to come to some decision on their controversy with Vermont; blamed the inhabitants for the violence of their proceedings, affirmed that it would soon bring on a civil war, and that all the grievances the people of Vermont had suffered, arose from the former Government of New York, and not from the present.†

In 1779, the controversy with New York bore a more hostile appearance. There were several persons in the south-east part of the State, then called the county of Cumberland, by New York, who were attached to the authority of that State, and opposed the Government of Vermont. To some of them Governor *Clinton* had given commissions. They asserted that they had a regiment of about five hundred men; and that a committee of the county was also opposed to the authority of Vermont.

In this situation of affairs, the friends of New York in Vermont 125 concluded something decisive was necessary and ought to be done, if the jurisdiction was retained by New York; therefore, a Mr. Patterson, who bore a Colonel's commission under the Government of New York, wrote to Governor *Clinton*, May 5, 1779, for directions how to proceed, and advising the necessity of calling out the militia of Albany county to enforce obedience to the State of New York; adding, that any information could be obtained respecting the proceedings of the disaffected to the Government of New York, by employing the enemies of the new State, to give information.‡

\* Copy of a letter from Governor *Clinton*, to Pelatiah Fitch, Esq.

† Attested copy.

‡ Patterson's letter to Governor *Clinton*, of May 5, 1779; and Minot's petition of May 4, 1779.



In answer to this application, the Governor of New York recommended in general, firmness and prudence, and in no instance to acknowledge the authority of Vermont, unless where there was no alternative left between submission and inevitable ruin: He assured them, at the same time, that if any attempt was made by Vermont to reduce them by force of arms, he would instantly issue his orders to the militia, who were properly equipped, and who would be led against the enemies of the State, wherever they might happen to be.\*

Alarmed with these prospects, Mr. *Clinton* wrote to the President of Congress, May the 18th, that matters were fast approaching to a very serious crisis, which nothing but the immediate  
126 interposition of Congress could possibly prevent; that he daily expected that he should be obliged to order out a force, for the defence of those who adhered to New York; that the wisdom of Congress would suggest to them, what would be the consequence of submitting the controversy, especially at that juncture, to the decision of the sword; but that justice, the faith of government, the peace and safety of society, would not permit them to continue any longer, passive spectators of the violence committed on their fellow Citizens.† These letters, and sundry other papers relating to the disputes with New Hampshire, were laid before Congress, May 29th, 1779, and were referred to a committee of the whole. On June 1st, Congress resolved, “that a committee be appointed to repair to the inhabitants of a certain district, known by the name of the New Hampshire Grants, and inquire into the reasons why they refuse to continue citizens of the respective States, which heretofore exercised jurisdiction over the said district. And that they take every prudent measure to promote an amicable settlement of all differences, and prevent divisions and animosities, so prejudicial to the United States.”‡

Governor Chittenden being duly informed of this, as well as of the intended preparations, took speedy and secret measures to counteract them. Allen marched with an armed force, and made  
127 prisoners of the Colonel and militia officers, who were acting under the authority of New York, but they were released without fine after a friendly admonition, as the object was to shew power and lenity at once, as the most effectual mode of uniting the inhabitants of Vermont in the cause of their own Government.

\* Clinton's letter to S. Minot, of May 14, 1779.

† Clinton's letter to Congress, of May 18, 1779.

‡ *Journal of Congress*, June 1, 1779, p. 237.

Governor Clinton, on hearing that the officers had been taken, on June 7th wrote again to Congress, informing them what had happened, disapproving of their measures, and particularly of the appointment of a committee to confer with the inhabitants; and wishing their journey might be postponed, until the Legislature of New York should be convened, and take the resolutions of Congress under consideration. On the 16th, Congress resolved that the officers who had been thus restrained of their liberty ought to be immediately liberated;\* and that their committee who were appointed to confer with the inhabitants, should be directed to make enquiry into the matters and things contained in Governor Clinton's letters; and that all further proceedings be postponed until they should report.†

The taking of the civil and military officers, acting in the south-east part of Vermont, under New York, unhappily did not reconcile parties; and the friends of New York in that district gave out that they were not apprized of the designs of the Green Mountain Boys, who would not again be able to do the like, as Governor Clinton would in future take care and protect them. Peace, order, and submission to the laws of Vermont were by no means established, which occasioned many difficulties to arise among the people, increased in consequence of their living mixed together. In some towns a majority was in favour of Vermont, and a minority in favour of New York; and in others it was *vice versa*; and it often happened that men of the most information and property were in the minority; in others a majority were in favour of New York, while the minority represented them in the Legislature of Vermont.

To establish Government in the minds of the people, and consolidate all parties, became necessary; policy, armed with power and lenity, were therefore resorted to, and a law was enacted, empowering the Supreme Court to mulct or inflict corporeal punishment on the opposers of the laws of Vermont, not exceeding *forty stripes*, save one. Soon after this law had been made and promulgated, some property was to be sold at vendue by an officer acting under the laws and authority of Vermont, when some principal people, in the interest of New York, met and opposed the officer in the execution of his duty; pains were taken to find out the strength and

\* It appears at this time, that Congress was not acquainted with the generous conduct of the Government of Vermont to their prisoners.

† Journal of Congress, June 16, 1779, p. 259, 260.

129 situation of the opposers, and the plan of a secret expedition was accordingly laid ; warrants were issued against the opposers in the several towns in the county of Cumberland, ( as called by New York ) who had been active in the interest of New York ; and General Ethan Allen called out the militia in support of the civil power of Vermont ; the oppositionists, widely scattered, were, notwithstanding, through the vigilance of the Green Mountain Boys, all taken by virtue of warrants issued against them, except one who was from home on a journey ; they were brought to Westminster, and confined in the prison ; many of them were Gentlemen of property and great respectability, and being in the power of the officers of Government, were liable to corporeal punishment, by laws they had never submitted or assented to. This occasioned much conversation, and their friends sought to raise the militia of New Hampshire to rescue them.

Matters became so serious, that General Bellows, of the New Hampshire militia, wrote to Colonel Ira Allen on the subject, and received an answer, *not to mind appearances, but to believe the characters of the gentlemen would be preserved as well as that of the State.* The delinquents were brought before the Court, and acknowledged its jurisdiction ; they were ordered to pay each a small fine, and dismissed. This lenient measure established the power and laws of Vermont in the hearts of the people, and made  
130 such an impression on the minds of the late prisoners, that within two years they filled some of the first offices of that State.

“ Five Commissioners were appointed to repair to Vermont : Of these but two, Dr. Witherspoon, and Mr. Atlee, attended. These gentlemen repaired to Bennington in June, made many inquiries, and had several conferences with the friends of Vermont, and with others who were in the interest of New York. They proposed several questions to the Governor of Vermont, to which he returned written answers. Their aim seems to have been, to bring about a reconciliation between the parties. Upon their return they made a report to Congress, July 13th ; but which evidently denoted, that no part of the business on which they were sent, had been effected\*.”

Four different claims were now before Congress, to the same tract of country ; and the controversy had become so intricate and warm, that very serious consequences were justly to be feared.

\* Account of the proceedings of Mr. Witherspoon, and Mr. Atlee.

It became necessary for Congress to interpose; and as all parties had appealed to that body, they could no longer avoid coming to some resolutions upon a matter which seemed essentially to concern the union of the States. Accordingly, on September 24, 1779, Congress, among other resolves, passed the following:

“Resolved unanimously, That it be, and hereby is most earnestly recommended, to the States of New Hampshire, Massachusetts’s Bay, and New York, forthwith to pass laws, expressly authorizing Congress to hear and determine all differences between them, relative to their respective boundaries.

“Resolved unanimously, That Congress will, on the first day of February next, proceed without delay, to hear and examine into the disputes and differences relative to jurisdiction aforesaid, between the said three States respectively, or such of them as shall pass the laws beforementioned, on the one part, and the people of the district aforesaid, who claim to be a separate jurisdiction on the other, and after a full and fair hearing, will decide and determine the same according to equity.

“Resolved unanimously, That it is the duty of the people of the district aforesaid, who deny the jurisdiction of all the aforementioned States, to abstain, in the mean time, from exercising any power over any of the inhabitants of the said district, who profess themselves to be citizens of, or to owe allegiance to any or either of the said States, but that none of the towns, either on the east or west side of Connecticut River, be considered as included within the said district, but such as have hitherto actually joined in denying the jurisdiction of either of said States, and have assumed a separate jurisdiction, which they call the State of Vermont.—And further, that in the opinion of Congress, the said three States aforementioned, ought in the mean time to suspend executing their laws over any of the inhabitants of the said district, except such of them, as shall profess allegiance to, and confess the jurisdiction of the same respectively.

“Resolved unanimously, That in the opinion of Congress, no unappropriated lands or estates, which are or may be adjudged forfeited, or confiscated, lying in said district, ought, until the final decision of Congress in the premises, to be granted or sold.”\*

\* Journal of Congress, September 24, 1779.

These resolves of Congress arrived in Vermont a little time before the session of the General Assembly in October, 1779. The influence of Congress at that time was great, being considered as the pillar of liberty; and their advice was deemed a law; the friends of New York exulted, and doubled their exertions against Vermont: When the Assembly convened, nine-tenths were for suspending the sale of confiscated property, and the granting of lands till after the 1st of Februray, the time assigned by Congress to examine into the disputes and differences, but a few saw the design of the New York junto was to cut off the resources, and to  
 133 prevent migrations of persons from other States, who became internal friends; they saw also, if they submitted to one decree of Congress against the interest of Vermont, the same influence of the junto would prevail on Congress to annihilate the existence of Vermont as a State. Moreover, they knew themselves not to be under the controul of Congress, having no representative in that body; and finally, by the union of the States, Congress was not authorized to interfere with the internal police of any State in the union; how then could they interfere with Vermont, which was out of the union? After fourteen days consideration, the Governor, Council, and General Assembly, in Grand Committee, recommended to the Legislature to grant the whole of their unlocated lands, and sell their confiscated estates, or such parts as might be thought proper; which recommendation was approved by unanimous resolves of the General Assembly, and copies thereof sent to Congress.

The Legislature next proceeded to establish a form of a charter, and the manner that should be used in granting lands. Each township was to be six miles square, and to be granted in seventy shares, to specific names, inserted in the charter. Five of those shares were for public use, (viz.) *one* right for the use of a seminary or college within the State, *one* right for the use and benefit of the first settled Minister of the Gospel in the township, *one* right for the use and support of the ministry in the town for ever, *one* right for the use and support of county grammar-schools through-  
 134 out the State, and *one* right for the use and support of an English school or schools in the township for ever. Under these regulations, several charters were issued at this session of the Legislature, regardless of the resolves of Congress. To discover the several interests and dispositions of each State south of New York, respecting the interest and independence of Vermont, and to shew the consequence of that State heretofore in the common cause, as well as to demonstrate the natural and divine right the people have to form a Government for themselves, the General  
 Assembly

Assembly appointed Ira Allen, Esq. to attend the Legislatures of New Jersey, Pennsylvania, Delaware, Maryland, and other States, if time permitted, before the 1st of February, 1780, and on that day to be at Philadelphia, and join Jonas Fay, Moses Robinson, and Stephen R. Bradley, as a committee, by the Assembly of Vermont appointed to wait on Congress, and shew the just claim the State had to be independent, and to hold the lands under New Hampshire Grants.

Mr. Allen, according to his appointment, attended the Legislatures of the fore-named States, and distributed sundry pamphlets written in vindication of the claims and doings of Vermont. Many questions arose respecting the local interest of Vermont, by a junction with the other States, and their views, touching the unlocated lands, and the confiscated property of the royalists. It is  
135 to be observed, that a question subsisted in Congress, respecting the unappropriated lands, and the property of the loyalists, who had joined the enemy against the independence of the United States. These four States were of opinion that all property wrested from the king of Great Britain and his adherents, by the efforts of the people of the United States, ought to be disposed of for defraying the expences of the war, and not for the emolument of any one State in which it was situated or was claimed. These States (Pennsylvania excepted) had no claims of consequence in the west; neither had Vermont; therefore, upon a similar interest, and on the assurance of Mr. Allen, that if Vermont was admitted to a seat in Congress, she would adhere to those principles, they seemed to wish to favour the interest of Vermont. Mr. Allen urged, that an account of the lands granted and confiscated in Vermont, should be accounted for as a small part of their unlocated lands and confiscated estates throughout the United States; that as partners in common and new beginners, it was necessary to make use of a part of their share for the common good, being very much exposed to the common enemy, from an extensive frontier contiguous to Champlain and Canada, and from whence eruptions might easily be made into the State of New York, and the New England States, in case of rendering Vermont of no importance in the union; further, that the disposal of such lands and property furnished money to defray the expences in part  
136 of the war, helped to alleviate, in a considerable degree, the burthens of the people, and to strengthen the frontiers against the common enemy. These reasons, with the political consequence of Vermont in the capture of Ticondaroga, Crown Point, &c. and the cutting off the first wing of General Burgoyne's army, operated in a two-fold degree, and had a salutary effect on Congress. On the

the 1st of February, 1780, the Commissioners from Vermont met at Philadelphia, but nothing conclusive was done, and the agents returned home, after having made official offers in behalf of the the State, to bear full and just proportion of the expences of the war, on their being admitted to a seat in Congress.

In the mean time the Governor and Council published an appeal to the candid and impartial world,\* in which they declare "that they could not view themselves as holden, either in the sight of God or man, to submit to the execution of a plan, which they had reason to believe was commenced by neighbouring States: That the liberties and privileges of the State of Vermont, by said resolutions, are to be suspended upon the arbitrament and final determination of Congress, when, in their opinion, they were things too sacred ever to be arbitrated upon at all; and what they were  
137 bound to defend, at every risk: That the Congress of the United States had no right to intermeddle in the internal police and government of Vermont: That the State existed independent of any of the thirteen United States, and was not accountable to them, or to their representatives, for liberty, the gift of the beneficent Creator: That the State of Vermont was not represented in Congress, and could not submit to resolutions passed without their consent, or even knowledge, and which put every thing that was valuable to them, at stake: That there appeared a manifest inequality, not to say predetermination, that Congress should request of their constituents power to judge and determine in the cause, and never ask the consent of thousands, whose all was at stake: They also declared that they were, and ever had been, ready to bear their proportion of the burden and expence of the war with Great Britain, from its first commencement, whenever they were admitted into the union with the other States: But they were not so lost to all sense, and honour, that after four years war with Britain, in which they had expended so much blood and treasure, that they should now give up every thing worth fighting for, the right of making their own laws, and choosing their own form of government, to the arbitrament and determination of any man, or body of men, under heaven."

On the 21st of March, 1780, it was ordered by Congress that the matter be postponed, nine States, (exclusive of those who  
138 were parties in the question) not being represented.† On June 2d, Congress resolved that the proceedings of the people of the

\* Drawn up by Stephen R. Bradley, Esq. published December 10, 1779.

† Journal of Congress, March 21, 1780, p. 47, 49.

New Hampshire Grants were highly unwarrantable, and subversive of the peace and welfare of the United States; and that they be strictly required to forbear from any acts of authority, civil or military, over those of the people who professed allegiance to other States: And on June the 9th, they resolved to defer the matter to the second Tuesday in September.\* Upon the receipt of these resolves, the Governor of Vermont, by the advice of his Council, replied, that “however Congress might view those resolutions, they were considered by the people of Vermont as being in their nature subversive of the natural right which they had to liberty and independence, as well as incompatible with the principles on which Congress grounded their own right to independence, and had a natural and direct tendency to endanger the liberties of America; that Vermont being a free and independent State, had denied the authority of Congress to judge of their jurisdiction; that as they were not included in the thirteen United States, if necessitated to it, they were at liberty to offer or accept terms of cessation of hostilities with Great Britain, without the approbation of any other man, or body of men; for, on proviso that neither Congress, nor the Legislatures of those States which  
139 they represent, will support Vermont in her independence, she had not the most distant motive to continue hostilities with Great Britain, and maintain an important frontier, for the benefit of the United States, and for no other reward than the ungrateful one, of being enslaved by them; but notwithstanding the usurpations and injustice of neighbouring governments towards Vermont, and the late resolutions of Congress, from a principle of virtue, and close attachment to the cause of liberty, as well as from a thorough examination of their own policy, they were induced once more to offer union with the United States of America, of which Congress were the legal representative body.”†

In August, 1780, Ira Allen and Stephen Bradley, Esquires, attended Congress, as agents from Vermont, in order to be prepared for the second Tuesday in September (to which time Congress had referred the determination of the cause of Vermont.) The people in the south-east part of the State who professed allegiance to the state of New York, sent their agent, Luke Knowlton, Esq; to attend Congress; and the people in the north-east part of the State, who were, in opinion and politics, with the revolting members of the Legislature of Vermont in 1778, also sent their agent, Peter

\* Journal of Congress, June 9th, 1780, p. 81, 82, 84.

† Governor Chittenden's letter to Congress, of July 25th, 1780.



Olcott, Esq; to Congress; thus, to that body, all parties appeared  
140 to be represented. The agents of Vermont had frequent inter-  
views with the members of Congress, in particular those  
from New York, with whom they spent several evenings in the  
most sociable manner. Very different views and objects seemed  
to be pursued by all parties; indeed, all parties seemed deter-  
mined to carry their point. Therefore, to gain as great an advan-  
tage as possible, the agents of Vermont requested in writing, that  
when any debates came before Congress which might affect the  
rights, the sovereignty, or independence of the State of Vermont,  
they might be present. On this request, the opponents to Vermont  
took courage, supposing that by getting the agents to attend in  
Congress, they would make some remarks on the evidence adduced  
against the independence of Vermont, or, in some way, put it in  
the power of that body to consider the cause to them submitted by  
the agents of Vermont.

On the 19th of September, 1780, they received a notification to  
attend Congress, to hear the question respecting the jurisdiction  
of the New Hampshire Grants. The claims of New Hampshire  
and New York were put in, and both of these States plead that  
Vermont had no pretensions to independence, but belonged to  
them. The agents of Vermont, though present, were not consid-  
ered or treated by Congress as the agents or representatives of any  
State or people invested with legislative authority. Part of two  
141 days were spent in hearing the evidence exhibited by New  
York, to shew that the people on the New Hampshire Grants  
belonged to, and of right were under the authority and jurisdic-  
tion of New York, and therefore had no right to a separate inde-  
pendent jurisdiction. A day being assigned to hear the claim and  
evidence of New Hampshire, during this time the Agents of Ver-  
mont retained minutes of the proceedings of Congress, and of the  
evidence exhibited by the Agents of New York, that they might  
the better be prepared to remonstrate against them, as they had  
no idea of submitting the independence of Vermont to the arbit-  
rament of Congress, or even of speaking on the matter in Con-  
gress, or of objecting in any way to the evidence adduced against  
Vermont, however irregular or provoking. The principles upon  
which the Agents of Vermont went, were to remain quiet, let the  
business be conducted as it would: the worse, the more advantage  
they would have in remonstrating; they concluded it not advis-  
able to attend and hear the claim and evidence of New Hampshire  
when it was taken up by Congress, therefore sent in their remon-  
strance to that body, and declined attending. Mr. Thompson,  
Secretary, (of Congress) called on and urged them to attend,

which they refused ; he then requested to know what report he should return to Congress ; when he received for answer, *that while Congress sat as a Court of Judicatory, authorized by the claiming States ex parte, and Vermont was not put on an equal footing, they should not again darken the doors of Congress ;*  
 142 the remonstrance was as follows.

“ To the Honourable CONGRESS of the UNITED STATES  
 of NORTH AMERICA.

“ The remonstrance of Ira Allen and Stephen R. Bradley, Commissioners from the free and independent State of Vermont, appointed for the time being to attend on Congress.

“ With pleasure they embrace this first opportunity to testify their thanks for the personal honour done them by Congress, in giving them an attendance, though in a private capacity, with their honourable body : At the same time they lament the necessity which obliges them to say, they can no longer sit as idle spectators, without betraying the trust reposed in them, and doing violence to their feelings, to see partial modes pursued, plans adopted, *ex parte* evidence exhibited, which derives all its authority from the attestation of the party ; passages of writings selected giving very false representations of facts, to answer no other end but to prejudice your honourable body against the *State of Vermont* ; thereby to intrigue and baffle a brave and meritorious people out of their rights and liberties. We can easily conceive the Secretary's office of the State of New York may be converted into an  
 143 inexhaustible source to furnish evidence to answer their purpose in the present dispute.

“ Needless would it be for us to inform Congress, that by the mode of trial now adopted, the State of Vermont can have no hearing without denying itself : And to close with those resolutions, which we conceive our enemies have extorted from your honourable body, and on which the trial is now placed, would be, in fact, taking upon ourselves that humility and self abasement, as to lose our political life, in order to find it.

“ We believe the wisdom of Congress sufficient to point out, that pursuing the present mode, is deviating from every principle of the laws of nature, or nations : For if the dispute is between the States claiming on the one part, and the State of Vermont on the other, whether the latter be a State *de jure*, or an independent  
 jurisdiction

jurisdiction *de facto*, they ought to be considered in the course of the dispute, until the powers interposing have determined whether the latter be an independent jurisdiction *de jure*; if not they of course ought to annihilate the jurisdiction *de facto*; but to annihilate the State *de facto*, in the first place, is summarily ending the dispute; to deny the latter any independent jurisdiction *de facto*, is to deny there is any longer parties in the dispute.

144 “Again, we conceive the means connected with the end, and upon no principle whatever can we justify, that either part should establish the modus, or rules to be pursued in determining disputes, without confounding every idea of right and wrong. In the present case, on the one part might the end as justly have been established as the way and means to effect the end.

“We are far from being willing those brave and strenuous efforts made by the State of Vermont, in the controversy with Great Britain, should be buried by our grasping adversaries (thirsting after domination and prey) in the specious pretext of riotously assuming Government; and we thereby lose all credit for the men and money we have expended.

“Thus, while we are necessitated to remonstrate against the proceedings of Congress on the present mode, we are willing, at the same time, any equitable enquiry should be made, the State of Vermont being allowed equal privileges with the other States in the dispute.

“And that the State of Vermont might stand justified to your honourable body, and to the world, both as to her present and future conduct, we are induced, as well from principles of attachment to the American cause, as a regard we have for peace  
145 and harmony among the states of America now at war with Great Britain, to make the following proposals, viz.

“1st. That the State of Vermont will, as soon as may be, forward to the Secretary of Congress, an attested return of all male persons, liable to do duty agreeable to a militia act heretofore exhibited to Congress in a code of laws, entitled, “The Laws of Vermont;” and the State of Vermont shall, for and during the present war with Great Britain, from year to year, furnish an equal number of troops in the field, in proportion to their numbers, as Congress shall estimate the quotas of the several United States, in proportion to their numbers; which troops shall be clothed, quartered, and paid by the State of Vermont. And, at the close  
of

of the war, the dispute shall be equitably settled by the mediation of sovereign powers ; and nothing herein contained, shall be construed to take away the right any of the United States claim to have in or over the State of Vermont : Or

“ 2dly, We are willing to agree upon some one or more of the Legislatures of the disinterested States to interpose as mediators, and settle the dispute : Or

“ 3dly, We are willing Congress, being possessed of sovereignty, should interpose to prevent the effusion of human blood ; at the same time, we reprobate every idea of Congress sitting as a Court of Judicature, to determine the dispute, by virtue of authority given them by the act or acts of the State or States that make but one party.

“ It gives us pungent grief that such an important cause at this juncture of affairs, on which our *all* depends, should be forced on by any gentlemen professing themselves friends to the cause of America, with such vehemence and spirit as appears on the part of the State of New York : And shall only add, that if the matter be thus pursued, we stand ready to appeal to God and the world, who must be accountable for the awful consequences that may ensue.

“ *Done at Philadelphia, this 22d day  
of September, A. D. 1780.*

“ IRA ALLEN,  
“ STEPHEN R. BRADLEY.”

Congress having heard the evidence on the part of New Hampshire, on the 27th of September, resolved that the further consideration of the subject should be postponed.

A plan was then laid between two persons at Philadelphia, to unite all parties in Vermont, in a way that would be honourable to those who had been in favour of New York, and said sixteen towns, that would also justify the Legislature of Vermont, to effect which, measures were taken to induce some of the western members of the Council and Assembly of New Hampshire, who had exerted themselves to extend the jurisdictional claim of New Hampshire over the territory of Vermont, to write circular letters to convene a Convention at Walpoole, which met in December

ber, 1780;<sup>1</sup> after some deliberation they issued new writs for a full Convention of Representatives from all the towns, granted by New Hampshire, on both sides of the Connecticut river, and adjourned that Convention to the 16th of January, 1781, to meet in Charlestown, upon information of which, the Governor and Council appointed Colonel Ira Allen to repair to Charlestown to meet that Convention, and to take such measures as his prudence should dictate, and which might be conducive to the interest of the State. Mr. Allen took credentials from Sunderland, as a member, to meet the Convention, from that town, agreeable to invitation; before he arrived, the Convention had been in session two days, and had appointed a Committee to state the business of their meeting. Forty-three towns were represented in the Convention; twelve of those representatives were members of the Council and Assembly of New Hampshire. Mr. Allen did not take a seat as a member of the Convention, nor produce his credentials; at length the Committee reported to unite all the New Hampshire grants to New Hampshire, which was adopted by a great majority, and went in fact to annihilate the State of Vermont. Mr. Allen informed some confidential persons, that the Governor, Council, 148 and some other leading characters, on the west side of the Green Mountains, were for extending their claim of jurisdiction to the Mason line; and that if the Convention would take proper measures the Legislature of Vermont would extend their claim at their adjourned term in February, 1781; and that he was authorized to give such assurance.

A motion was made and carried, to consider the report, and recommit it to the committee, to be corrected and fitted for the press, as it would be a matter of public notoriety, and to lay it again before the Convention next morning. The friends of New Hampshire were much pleased with their success, and well enjoyed the night; but the scene changed the next morning, and the committee reversed their report, and reported to unite all the territory of New Hampshire, west of Mason's east line, extending to Connecticut river, with the State of Vermont; and which report was accepted by a great majority of the Convention, it being principally opposed by twelve members of the Council and Assembly of New Hampshire, who, thereupon, withdrew to remonstrate against the proceeding.

This bare-faced conduct of the members of the Legislature disclosed their intention at once, and furnished Vermont with fair

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<sup>1</sup> [ This Convention met November 16th, 1780. *Slide*, p. 126-127.]  
pretensions

pretensions to extend her jurisdiction on grounds of similar policy and self-preservation.

149 The Convention then appointed a Committee to confer with the Legislature of Vermont at their next term, and adjourned to meet at Cornish (only three miles from Windsor, the place of session of the Legislature of Vermont, agreeable to adjournment) on the same day with them.

On February 10th, the Committee informed the Assembly, then sitting at Windsor, that "the Convention of the New Hampshire towns was desirous of being united with Vermont, in one separate independent Government, upon such principles as should be mutually thought the most equitable and beneficial to the whole." In consequence of this application, the Legislature resolved, on February 14th, that "in order to quiet the present disturbances on the two sides of the river (Connecticut) and the better to enable the inhabitants on the two sides of said river to defend their frontier, the Legislature of this State do lay a *jurisdictional claim* to all the lands whatever, east of Connecticut river, north of Massachusetts, west of the Mason line, and south of latitude 45°; and that they do not exercise jurisdiction for the time being." The Convention of the New Hampshire towns was then sitting at Cornish, on the opposite side of the river; and on February 22d, the articles of union were agreed upon, and confirmed; nevertheless, the right of dissolving the union of the district was retained by the State of Vermont.

150 The first information that the people of Vermont heard, that the British Generals in America thought to avail themselves of an advantage in the disputes that subsisted between the claiming States and Congress, on the one part, and Vermont on the other, was contained in a letter from Colonel Beverley Robinson, dated New York, March 30th, 1780, directed to Colonel Ethan Allen, which was delivered to him in July in the street in Arlington. Mr. Allen perused the letter, then told the bearer that he should consider of it, and that he might return.

Colonel Robinson begins his letter thus: "I am now undertaking a task, which I hope you will receive with the same good intention that inclines me to make it. I have often been informed that you, and most of the inhabitants of Vermont, are opposed to the wild and chimerical scheme of the Americans, in attempting to separate this continent from Great Britain, and to establish an independent state of their own; and that you would willingly assist

sist in uniting America again to Great Britain, and restoring that happy constitution we have so wantonly and unadvisedly destroyed. If I have been rightly informed, and these should be your sentiments and inclination, I beg you will communicate to me, without reserve, whatever proposals you would wish to make to the Commander in Chief; and I hereby promise that I will faithfully lay them before him, according to your directions, and  
151 flatter myself I can do it to as good effect as any person whatever. I can make no proposals to you, until I know your sentiments, but think upon your taking an active part, and embodying the inhabitants of Vermont in favour of the crown of England, to act as the Commander in Chief shall direct, that you may obtain a separate government, under the King and constitution of England, and the men, formed into regiments under such officers as you shall recommend, be on the same footing as all the provincial corps are. If you should think proper to send a friend of your own here with proposals to the General, he shall be protected, and well treated here, and allowed to return whenever he pleases."

General Allen immediately communicated the contents of it to the Governor and some confidential persons, who agreed in opinion that it was best not to return any answer; but it was agreed, that in consequence of application to the Governor of the friends of some persons that had been taken at Royaltown, who were prisoners in Canada, that the Governor should address a letter to the Commander in Chief, General Haldiman, on the subject of a cartel for the exchange of prisoners, and send a flag with it to the first British ship stationed on the Lake, which was accomplished; in October the British appeared in great force on the Lake; such was the alarm, that the Legislature, who were then in session at  
152 Bennington, adjourned, and many of its members took arms, and repaired to the frontiers.

General Ethan Allen received a flag from Major Carlton, with an answer to Governor Chittenden's letter, also proposing a truce with Vermont, for the settlement of a cartel for the exchange of prisoners. General Allen agreed to the truce, on condition that the frontiers of New York should be included to Hudson's River. This additional territory produced some altercation; for, on the part of Major Carlton, it disappointed his expedition; on the part of General Allen, it would have been exposing Vermont to many difficulties, had her General consented to a truce, and left the frontiers of a neighbouring State exposed. However, in consideration of future prospects, General Allen's proposition was admitted

mitted, and a truce was settled, including the frontiers of the State of New York to Hudson's River. This stipulation was not publicly known; the militia of Vermont were immediately disbanded, and permitted to return home. A few days then were very material to the farmer in putting his winter wheat into the ground. The militia of the district to Hudson's River were also on their frontiers, and were much surprised to find that the militia of Vermont were returning home, and that the British troops were retiring to Canada to winter quarters. It was further agreed, that commissioners should meet on the subject of said cartel.

153 Justus Sherwood, and George Smith, Esquires, were appointed on the part of the British, Colonel Ira Allen and Major Joseph Fay on the part of Vermont, who met, and all agreed to go into Canada together. When they arrived at East Bay, an early and severe frost had obstructed their way in consequence of the ice. While their men were breaking through the ice, much political conversation and exhibits of papers took place. After contending several days with the elements, it was agreed that the British commissioners should take the stores of both parties, and make their way into Canada, and that Allen and Fay should return to Vermont, and to see that commissioners should repair to Canada as soon as circumstances would admit. In the winter, the honourable Jonas Fay, Esq. was commissioned to accomplish the same object, and went as far as Split Rock, on Lake Champlain, where he found the ice insufficient, and with difficulty got off, and made his return.

On February 2, 1781, Colonel Robinson wrote again to General Ethan Allen, inclosing a copy of the former, in which he writes—  
 “The frequent accounts we have had for three months past, from your part of the country, confirms me in the opinion I had of your inclination to join the King's cause, and to assist in restoring America to her former peaceable and happy constitution. This induces me to make another trial, in sending this to you; especially as I can now write with more authority, and assure you,  
 154 that you may obtain the terms mentioned in the above letter, provided you and the people of Vermont take a decisive and active part with us.”\* He requests an answer, and that some method might be pointed out for carrying on a correspondence for the future, and information in what manner the people of Vermont could be the most serviceable to the British government, “either by acting with the northern army, or to meet and join an army from New York.”

\* Copy of Robinson's letter of Feb. 2, 1781, to E. Allen.



Allen returned no answer to either of these letters; but on March 9th, 1781, inclosed them in a letter to Congress. In his letter to that body, he made observations, justifying Vermont in asserting her right to independence; in which he observed, conscious of his own integrity, and sensible that his activity and sufferings in the cause of his country were known to all America—  
“I am confident that Congress will not dispute my sincere attachment to the cause of my country, though I do not hesitate to say, I am fully grounded in opinion that Vermont has an indubitable right to agree on terms of a cessation of hostilities with Great Britain, provided the United States persist in rejecting her application for an union with them: for Vermont, of all people would be the most miserable, were she obliged to defend the independence of the United claiming States, and they, at the same time, 155 at full liberty to overturn, and ruin the independence of Vermont. I am persuaded, when Congress consider the circumstances of this state, they will be more surprized that I have transmitted them the inclosed letters, than that I have kept them in custody so long; for I am as resolutely determined to defend the independence of Vermont, as Congress are that of the United States; and rather than fail, will retire with hardy Green Mountain Boys, into the desolate caverns of the mountains, and wage war with human nature at large.”

In October, 1780, General Ethan Allen, by his truce with the British at Castleton, included all the territory lying between Vermont and the Hudson's River. The people in that district felt grateful for such unexpected protection from a powerful invading army, and having recently suffered so much from General Burgoyne's army, they could more readily realize the benefits than account for the cause. It appeared to them like a text of scripture, “And the Lord put a hook in their nose, and turned them about the way they came.” The people of this district had great confidence in General Allen, many of whom were personally acquainted with him when he commanded the Green Mountain Boys against the late colony of New York; they knew of his taking Ticondaroga, Crown Point, &c. as well as of his long and severe captivity, from which, and knowing the decided part the people 156 of Vermont had generally taken in the common cause of America, those of this description would unite with Vermont for common defence. Those friendly to the British interest and politics were influenced by an idea that Vermont was about to join Great Britain; others supposed that she did not mean to act for either Congress or Great Britain, which, with the assurance of some leading people in Vermont, that the Legislature would ex- 53 tend

tend their jurisdiction over them, induced a number of the inhabitants to present a petition to the assembly of Vermont, praying protection, and to be received into union.

Accordingly, on February 14th, it was resolved, "that the Legislature of this State do lay a jurisdictional claim to all the land situate north of the north line of the State of Massachusetts, and extending the same to Hudson's River, east of the center of the deepest channel of said river, to the head thereof; from thence east of a north line, being extended to latitude 45°; and south of the same line, including all the lands and waters to the place where this State now exercise jurisdiction.—And not to exercise jurisdiction for the time being."\*

Thus, while New Hampshire and New York were extending their claims over the whole territory of Vermont, Vermont 157 adopted the same policy; and in conformity to the petition of the inhabitants, extended her claim over a large part of the territory of both these States.

Great success attended this policy; Not only the sixteen towns in New Hampshire which had formerly joined, but those in Vermont, which had been disaffected upon the dissolution of the former union, and those that had been attached to New York, immediately joined in the measure. Most of the towns in the adjacent counties of Cheshire, and Grafton, in New Hampshire, declared for the union: And at a session of the Assembly of Vermont in April, thirty-five towns in the western parts of New Hampshire were represented.—The adjacent settlements in New York generally embraced the same measures, and several petitions were received from their inhabitants at this session of the Assembly, requesting the Legislature of Vermont to exercise jurisdiction over them without any further delay. A Committee was appointed by the Assembly, to confer with a Convention of those districts; and on May 15th, articles of union were agreed to, by the representatives of twelve districts in New York, and the Committee from Vermont. On the 16th of June, these articles were confirmed by the Legislature, and representatives from ten of the districts took their seats in the Assembly of Vermont.†

158 The Legislature of Vermont, the better to restore peace, order, and submission to its government, to consolidate the affections of the people, and add to her internal strength at the

\* Journal of the Assembly of Vermont, Vol. I. Feb. 14, 1781.

† Journal of the Assembly of Vermont, Vol. I. June 16, 1781.

time of extending her jurisdictional claims as aforesaid, wisely passed a general act of amnesty in favour of all those who had opposed her laws. This liberal act of lenity had its desired effect, and all opposition within the ancient territory of Vermont ceased for a considerable time.

At the time of projecting these unions, and laying the basis for the first in Philadelphia, which also united the people contiguous to Connecticut River, the State of Vermont was in a forlorn situation, torn by intestine divisions and the intrigues of her enemies in Congress; all the cannon, nay, every spade and pickaxe taken by her valiant sons at Ticondaroga and Crown Point, were removed out of the State to Fort George, together with Colonel Warner's regiment, raised in and for the protection of Vermont, but put into continental service, were thus stationed to defend the frontiers of New York, not half so much exposed as Vermont, and, to add to the distress, New York re-called, at the same time, all her state troops from Skeenesborough; in either case, the enemy must come up Lake Champlain, and it would be impossible, then, to reach Fort George without light boats, which they must bring with them, and then they would be obliged to carry them over a  
159 neck of land, two miles and a half in length, which connected the two lakes (Champlain and George) where neither cattle nor horses could be found to assist them, and if they even should conquer these difficulties, and lose their boats by any accident, a defeat would be fatal; for it would be almost impossible to secure a retreat, as the mountains on both sides Lake George were extremely difficult to pass; when the enemy might come into Lake Champlain, within twelve miles of Castleton, or, in one day's march through a pleasant country, from opposite to Ticondaroga to Pitsford or Castleton, at each of which places the troops of Vermont were stationed, and, to the south of them, the inhabitants of Vermont remained on their farms. [The reader is referred to the Map of Vermont and said lakes, annexed to this book, for a more clear idea of these facts.]

Thus Vermont was left to take care of itself, when a frontier to those claiming States, viz. New Hampshire, Massachusetts, and New York, and they using every method to divide its citizens. Congress had also interfered with the internal politics of Vermont, in favour of the claiming States, to cut off her ways and means of raising men and money for self-defence, as will appear from the following resolution of Congress, viz. "Resolved unanimously, That in the opinion of Congress, no unappropriated lands or estates, which are or may be adjudged forfeited, or confiscated, lying  
in

160 in said district, ought, until the final decision of Congress in the premises, be granted or sold."

The inhabitants of Vermont had rendered themselves obnoxious to the British by the capture of Forts Ticondaroga, Crown Point, and St. John's, the battle of Bennington, cutting off the left wing of General Burgoyne's army, &c. and in Canada there were more British troops than the whole militia and troops in Vermont amounted to altogether.

Thus left, as she had reason to suppose, by the intrigues of those who claimed and coveted her fertile soil, to be a prey to the common enemy, similar to the fate of their brethren, descendants from Connecticut, settled at Wyoming and Susquehannah, who were mostly killed by Colonel Butler and a party of Indians; their towns, villages, &c. burnt, and their country depopulated (supposed to be through the intrigues of the Pennsylvania land-jobbers) which has since become a prey to the Pennsylvania claimants, a junto similar to the New York monopolists, who were then taking every measure that the malignancy and avarice of human nature could suggest, for the destruction of the people of Vermont. But her sons were not to be dismayed by dangers, or depressed in adversity; that in such a crisis their breasts glowed with the real fire of patriotism. The genius of Vermont was fruitful in re-  
161 sources; even in the gulph of difficulties, and on the verge of ruin, she waxed strong, extended her wings, and made herself known amongst the nations of the earth.

In April, 1781, Colonel Ira Allen was appointed by the Governor and Council to settle a cartel with the British in Canada for an exchange of prisoners, and also to procure an armistice between Vermont and the British, which most of the Cabinet Council thought impracticable, at least, for any length of time, as the British had 10,000 troops in Canada, who would in that case, be idle, not being able to annoy the other States without first annoying Vermont. An armistice was necessary for Vermont, as their whole militia did not exceed 7000 men able to bear arms, (her unions excepted) and who could not contend with 10,000 British troops, be maintained and paid, for any length of time, if called out to action; therefore an armistice must be obtained, or the frontiers must be evacuated, until assistance could come from those very States whose influence had rendered Vermont defenceless, which, perhaps, had been contemplated, that they might more easily divide the spoil under a ratification of Congress, and have their troops ready to guarantee such division.

The

The business was necessarily of a private nature ; nothing could be written with safety to Vermont ; one person was better than  
162 more, as cross questions might arise, and no one could divine what questions and propositions might come from the British, respecting the past and future conduct and intentions of the principal characters of Vermont. Besides, there was much danger in the negociation to the Governor, Council, and especially their agent, from the spies of the claiming States and Congress, who would labour hard for proof of a criminal correspondence, to expose life and property ; but it was considered, that unless this measure was pursued, there was danger of being annihilated as a State, and being subjected by a power greatly promoted by the exertions of the people of Vermont. Under these circumstances, perseverance in an attempt to obtain an armistice was resolved on, at every possible hazard. At this time only eight persons were in the secret, but more were added as circumstances required. Colonel Allen preferred the first day of May (it being the anniversary of his birth) for his departure on this important business ; he took with him one subaltern\*, two serjeants, and sixteen privates, and, with a fair wind, soon arrived at *l'Isle aux Noix*, and was kindly and politely received by Major Dundas, Commandant at that place, who provided convenient apartments for Colonel Allen and his suite, and he daily dined with him at the mess. The next day the commissioners met to settle a cartel for the exchange  
163 of prisoners ; Major Dundas, Captain Sherwood, and George Smyth, Esq ; produced their credentials, as also Colonel Allen, and they adjourned to the following day. Captain Sherwood walking next morning with Colonel Allen, told him that Major Dundas had no knowledge of any business, except the exchange of prisoners, and that he and Mr. Smyth were the commissioners to settle the armistice, and to concert with him measures to establish Vermont a colony under the crown of Great Britain. Whether Major Dundas was or not unacquainted with the main business, he conducted himself as if he was not, for which reason the papers respecting the exchange of prisoners were kept by themselves for public inspection. What concerned the armistice was more verbal than written. In the conferences respecting the temper and disposition of the inhabitants of Vermont, and their extreme hatred to the system and government of New York, it was observed, that Congress was making use of every art to bring Vermont in subjection to New York, and that the people of Vermont would, rather than yield to it, see Congress subjected to the British government, provided Vermont could be a distinct colony

\* Lieutenant Simeon Lyman.

under the crown on safe and honourable terms; that the people of Vermont were not disposed any longer to assist in establishing a government in America which might subject them and their posterity to New York, whose government was more detested than any in the known world, and under which the people of Vermont 164 could never be safe, in person or property, therefore they would not submit to be subjected to the jurisdiction of New York on any terms; that the most discerning part of the citizens were weary of the war, and turning their attention to retirement and safety, but how to effect their objects was the question.

The replication to the foregoing observations was, that the territory of Vermont could be a colony under the Crown, with privileges equal to those enjoyed by any other colony, and that those who assisted in effecting such an event, would be duly honoured and rewarded. Both parties joined in opinion, that Vermont must become a British colony, but the methods to effect it, consistent with the interests of both, were to be discovered. Much conversation passed on the subject, and Captain Sherwood wrote to General Haldimand, and stated matters, but nothing was decisively done for some time. The negociations caused the army to remain inactive, which gave Colonel Allen reason to persevere with hopes.

Colonel Allen asked leave to go and wait on General Haldimand at Quebec, but was refused; when he wrote General Haldimand, in abstruse terms, on the subject of his mission. General Haldimand answered his letter, and sent Major Lunno, Adjutant General of the army, to join the Commissioners at Isle aux Noix. 165 On his arrival, he had a long conference with the two other Commissioners, after which a private interview took place between the parties in a bye part of the island, unknown to Major Dundas, respecting the armistice, and the motives which induced the people of Vermont to consent to become a British colony. The next day Colonel Allen and Major Lunno met at the same place, and the Major requested Colonel Allen to put down in writing the most important matters for the consideration of the Commander in Chief, who would then come to a final conclusion. Colonel Allen declined writing any thing on the subject, lest his writings should be exposed (which would be dangerous to him in the States, and destroy his influence there) as he had wrote to General Haldiman, and, by accident, the copy of his letter, which was couched in very ambiguous terms, was enclosed to Major Dundas, who was angry to think Colonel Allen had wrote off the island without his consent, and declared to the officers that he would confine Colonel Allen in irons; the impropriety of which was urged by the officers,  
as

as there could be and was no harm in it, as it was to the Commander in Chief, who had duly answered it. Colonel Allen said, he would verbally state the business, which Major Lunno might write and communicate to the Commander in Chief with perfect safety and secrecy, on which the whole business depended, as the zealous Whigs would listen to no proposals until they saw and felt the benefits of an armistice; and the loyal subjects, who were scattered through the State, must be employed to change the minds of the Whigs by degrees. Major Lunno at once adopted Colonel Allen's mode to inform the Commander in Chief, and proceeded in the following manner:—

*Question.*—Did not the people of Vermont take an early and active part in the rebellion?

*Answer.*—The people of Vermont were informed that hostilities had commenced at Lexington, by an express from the Governor and Council of Connecticut to Colonel Ethan Allen, who requested him immediately to raise the Green Mountain Boys, and, without loss of time, to march and take the forts Tycondaroga and Crown Point, which Colonel Allen complied with, and also took the King's sloop of war with 16 guns, then lying off Fort St. John's.<sup>1</sup>

*Question.*—Have the people of Vermont continued their exertions in the course of the war?

*Answer.*—No people in America have exerted themselves more than those of Vermont; they, with the assistance of the militia from the State of New Hampshire, and from the county of Berkshire, gave the first check to General Burgoyne's army by the victory at Bennington, and by other exertions, greatly contributed to the capture of his whole army at Saratoga.

167 *Question.*—What were the motives which stimulated the people of Vermont to such violent measures?

*Answer.*—The inhabitants of Vermont principally came from Connecticut and the other New England States, and, as brethren, felt for them in a high degree when hostilities first commenced; besides, they were of the same opinion as entertained by their brethren in New England, that the Parliament of Great Britain

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<sup>1</sup> [Benedict Arnold was in the immediate command of the party that captured the king's sloop.]

had no right to bind and control the colonies in all cases whatsoever, and that representation ought to precede taxation.

*Question.*—On what principles do the people of Vermont act by endeavouring to obtain an armistice, and the privilege of being a colony under the crown, after taking so decided a part as you say, on similar principles to those of their brethren in New England?

*Answer.*—When the people of Vermont first took an active part against Great Britain: they were in principles agreed with their brethren in the other colonies to oppose the claims of the Parliament on America, and fought in their country's cause, expecting to enjoy equal privileges with their neighbours in choosing and establishing their own form of government, and in sharing with them all the advantages which might result from their united efforts in the common cause. But after all, they have found to their  
168 sorrow, by acts and resolutions of Congress, and proceedings of other States, that they intend to annihilate the new State of Vermont, and annex its territory to New York, whose government is perfectly hated and detested by the people of Vermont. To effect this plan, the frontiers of Vermont have been left naked and exposed to the wasting sword of the British troops, with a view to depopulate the country, and give the New York monopolists possession. This usage being too much for human nature to bear, the citizens of Vermont think themselves justifiable, before God and man, in seeking an armistice with the British, and ceasing further to support a power that has too soon attempted to enslave a brave and generous people.

*Question.*—Should the Commander in Chief consent to an armistice with Vermont for the time being, and admit it to be a British colony, with as extensive privileges as any colony ever had, what would be an adequate compensation for the inactivity of the army? and how soon can Vermont furnish a regiment to be put on the establishment, and march with the army against Albany, and what other assistance can Vermont give in such an expedition?

*Answer.*—The advantages to Great Britain by making an armistice, and receiving Vermont as a colony, will be great. After the propositions of Colonel Beverly Robinson, in his letter of  
169 March 30, 1780, to General Ethan Allen, the Cabinet Council of Vermont have not been inattentive to a peace and union with the British government. Governor Chittenden last July sent a flag to the British Commodore on Lake Champlain, with a letter to General Haldimand, requesting the exchange of some prisoners,  
which



which produced a truce last autumn. General Ethan Allen included the frontiers of New York to Hudson's River with Vermont, which produced very good effects, and made the people, among whom are many loyalists, on that district, friendly and anxious to come under the jurisdiction of Vermont. The Legislature of Vermont, on their petition, and in consequence of measures New York, &c., were pursuing against her, extended her jurisdictional claim over that part of New York; the territory thus added to the State of Vermont is bounded south by a line due west from the south-west corner of Vermont to the Hudson's River, thence up the said river to its source, and by a line due north to the south line of Canada, thence east to the north-east corner of Vermont. Articles of union are forming, and no doubt but that district will be duly represented in the next session of the Legislature of Vermont. In like manner has been added to the jurisdiction of the State, on petition of the inhabitants, all the territory lying east of Connecticut River, and west of Mason's patent, which takes away, at least, one-third part of the State of New Hampshire. These additional territories will give strength to Vermont and weaken Congress. The extent of country and the return of such a body of people to their allegiance, with the effects it may have on the people in the other States, many of whom are sick of the dispute, in consequence of the taxes and hardships already experienced, most likely will be of greater consequence than the operation of an army of ten thousand men. As to an army marching against Albany, it will operate against the union of the New York district, and that of New Hampshire, now forming with Vermont. This business requires time and moderation, with the address of some discreet loyalists now in Canada, who may visit their friends in those districts, and let them know that Vermont is on good terms with the British.

In Vermont are plenty of men who would be fond of commissions on the British establishment, and could raise a regiment in a few weeks; but this, with sundry other things, can be better ascertained after the session of the general Assembly, at Bennington, next June.

A cartel for an exchange of prisoners was completed. Thus terminated this negotiation in May, 1781, after seventeen days, on a verbal agreement, that hostilities should cease between the British and those under the jurisdiction of Vermont, until after the session of the Legislature of Vermont, and until a reasonable time after, for a commissary of prisoners to come on board the

- 171 Royal George in Lake Champlain, and even longer, if prospects were satisfactory to the Commander in Chief.

In the mean time Vermont was to consolidate her unions to weaken Congress, permit letters to pass through Vermont, to and from Canada, and take prudent measures to prepare the people for a change of Government.

The Commissioners parted in high friendship, and Major Dundas furnished Colonel Allen and his suite with ample stores to return home. On Colonel Allen's return to Castletown, Captain Hurlbert and others waited on him, and desired to be advised whether to remain or move to the interior parts of the country; the Colonel advised them to remain quiet on their farms; that the Governor and Council would provide the best means for their safety; that they must not be surprised if there was not a powerful army to protect the frontiers; should any event make it necessary, for the safety of their families, to move, they might depend on seasonable information: he had a similar interview with Major Hebar Allen, the Rev. Mr. Hibbard, &c. in Poultney.

The Colonel went to Sunderland, and made his report to the Governor and Council, who took measures to carry into effect the stipulations he had made. In June, the Assembly met at Bennington, and received the Representatives from the east and west unions.

- 172 Many jealousies having arose amongst the zealous whigs in the United States and Vermont, that some negociations were carrying on between the British in Canada and Vermont, which occasioned several men of discernment to be sent from the neighbouring States, as well as many in Vermont, to collect and see, if, at the sessions of the Legislature, they could find any measures were pursuing that might eventually be injurious to the United States, or the common cause of America.

On the other hand, the British in Canada were anxious to know whether Colonel Allen and his friends would be faithful, and conduct matters so as to give a reasonable prospect of success, that might be adequate to a further suspension of hostilities; with these views, two opposite parties attended the Legislature; as the Assembly convened in the Meeting-House, the spectators sat in the galleries.

In a few days after their meeting, the Assembly sent a message to the Governor and Council, requesting them to join in committee of both Houses on the subject of Colonel Allen's mission to the British in Canada, &c. The Governor and Council attended in the Assembly, and resolved both Houses into a Committee of the whole, when the Governor proceeded to state the facts; that in consequence of application from several persons, praying that some measures might be taken to procure the exchange of their  
173 friends, who were prisoners in Canada, in the recess of the Legislature, he had, with the advice of Council, appointed and authorized Colonel Ira Allen to go to Isle-aux-Noix to settle a cartel for the exchange of prisoners, in behalf of the State. That Colonel Allen went to the Isle-aux-Noix, where he met the British Commissioners, and with difficulty had completed the business, in behalf of Vermont, though no such exchange had taken place with the United States, or any other State in the northern department; that if the grand Committee wished for further particulars, respecting the mission and conduct of Colonel Allen, he was then present and could best inform, to whom he referred them.

The Committee then requested Colonel Allen to inform them respecting his commission, and what effects it had produced. Colonel Allen rose, and observed to the Committee, that he had received an appointment and commission from the Governor and Council, to go and settle a cartel with the British, in Canada, for an exchange of prisoners; that he had very happily succeeded in his mission, and made his report to the Governor and Council; but not expecting to be called on by the Committee, had left the commission and all the papers at home; nevertheless, was ready to give a verbal statement of the whole transactions, or, if more agreeable to the Committee, he would, by leave of the Governor and Council, go home, and produce the writings for the inspection of the Committee next day. The Committee desired Colonel Allen would  
174 lay the papers before them the next day.

Accordingly he attended the Committee with the papers, and made a short verbal statement, that the papers might be the better understood; they were read, and on the whole it appeared, that the British had shewn great generosity in the business. Colonel Allen then rose and stated sundry things, which occurred while he was in Canada, and mentioned that he had discovered among the British officers a fervent wish for peace; and that the English Government was as tired of the war, as the United States; then concluded with a desire, that if any Member of the Committee  
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tee or auditor in the gallery, wished to ask any further questions respecting the business, he was ready to answer them.

All seemed satisfied that nothing had been done inconsistent to the interest of the States; and those who were in the interest of the United States paid their compliments to Colonel Allen, for his open and candid conduct. In the evening he had a conference with the Canadian spectators on the business of the day, and they appeared to be as well satisfied as those from the neighboring States and Vermont. Is it not curious to see opposite parties perfectly satisfied with one statement, and each believing what they wished to believe, and thereby deceiving themselves! Major Joseph Fay was then appointed Commissary of prisoners, and  
175 after the session of the Assembly, went in July on board the Royal George in Lake Champlain, obtained the exchange of prisoners, and a further extension of the armistice.

In July 1781, General Ethan Allen was informed by one of his neighbors, that some of his friends from Canada wished to speak with him in the dusk of the evening of that day; that he would shew him the place if he chose to see them; at the time appointed, General Allen, with his cane only in his hand, cheerfully went to a British guard under arms, and received a packet from the British in Canada. In the twilight of the next day he met them again, and returned an answer; this mode of correspondence was continued, and whenever dispatches came in this way, General Ethan Allen or Colonel Ira Allen (as they both lived in one house) went and received them and returned an answer, not trusting any other person with these dispatches. It is worthy of remark, that Sunderland, where they lived, was more than sixty miles from the frontiers; yet a serjeant and six or eight men frequently passed with their arms, in 1781 and 1782, without being discovered by any that would inform against them.

In these times party spirit ran so high against tories, or any correspondence with the British, that a person in Arlington, who  
176 had, on these occasions, rendered himself obnoxious to some brave and spirited people in Manchester, &c. a party collected and set out to pull his house down; their plan was discovered by Colonel Gideon Brownson and Captain Eli Brownson, who met said party in Sunderland, interposed by their advice, to prevent so rash a procedure. Colonel Ira Allen soon came to their assistance; by their united influence, with difficulty they persuaded said party quietly to return home. That the same evening, Colonel Ira Allen crossing the same ground, where said party

party were persuaded to return back, met a British guard under arms, received a packet, and returned an answer next evening.

This shews the vicissitudes of human affairs, and the dangers individuals are frequently exposed to, for the best good of the whole.

The Assembly, during their June session, appointed Jonas Fay, Ira Allen, and Bezaleel Woodward, Esquires, agents to Congress. On their way to Philadelphia, and on the same day of their arrival, they, at an inn, saw in a newspaper, a letter from Lord George Germain to Sir Henry Clinton, dated Whitehall, February 7th, 1781, which had been taken by the French and carried to Paris, and by Dr. Franklin forwarded to Congress, who had ordered it to be printed, containing, among other things, the following: "The return of the people of Vermont to their allegiance is an event of the utmost importance to the King's affairs; and at 177 this time, if the French and Washington really meditate an irruption into Canada, may be considered as opposing an insurmountable bar to the attempt. General Haldimand, who has the same instructions with you to draw over those people, and give them support, will, I doubt not, push up a body of troops, to act in conjunction with them, to secure all the avenues through their country into Canada; and when the season admits, take possession of the upper parts of the Hudson's and Connecticut rivers, and cut off the communication between Albany and the Mohawk's country. How far they may be able to extend themselves southward or eastward must depend on their numbers, and the disposition of the inhabitants."

This information had greater influence on the wisdom and virtue of Congress, than all the exertions of Vermont in taking Ticondaroga, Crown Point, and the two divisions from General Burgoyne's army, or their petition to be admitted as a State in the general confederation, and offers to pay their proportion of the expenses of the war; the following resolution will demonstrate it:

"By the United States in Congress assembled, August 7, 1781: Whereas, the States of New Hampshire and New York have submitted to Congress the decision of the disputes between them, and the people inhabiting the New Hampshire grants, on the west side 178 of Connecticut river, called the State of Vermont, concerning their respective claims of jurisdiction over the said territory, and have been heard thereon; and whereas the people aforesaid claim and exercise the powers of a sovereign independent  
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dent State, and have requested to be admitted into the federal union of the United States in America ; in order thereto, and that they may have an opportunity to be heard in vindication of their said claim, Resolved, That a Committee of five be appointed to confer with such person or persons as may be appointed by the people residing on the New Hampshire Grants, on the west side of Connecticut river, or by their representative body, respecting their claim to be an independent State ; and on what terms it may be proper to admit them into the federal union of these States, in case the United States in Congress assembled shall determine to recognize their independence, and thereon to make report. And it is hereby further recommended to the people of the territory aforesaid, or their representative body, to appoint an agent or agents to repair immediately to Philadelphia, with full powers and instructions to confer with the said Committee on the matters aforesaid, and on behalf of the said people, to agree upon, and ratify terms and articles of union and confederation with the United States of America, in case they shall be admitted into the union. And the said Committee are hereby instructed to give notice to the Agents of the States of New Hampshire and New York, to be present at the conference aforesaid."

179 The said agents arrived in Philadelphia ; saw the preceding resolve of Congress, announced their arrival and mission to Congress, who appointed a Committee of one member from each State ; the Committee and Agents had several interviews, in the course of which the Committee, amongst other things, were inquisitive to learn what overtures had been made by the British to Vermont. On the 18th of August, the following questions and answers passed in writing between them, viz.

*Question 1st.* Are the boundaries set forth in the written propositions delivered in by the said Agents at this time, claimed by the State of Vermont as the lines of jurisdiction, the same as contained in the resolution of Congress of the 7th of August instant ?

*Answer.* They are the same, with the addition of part of the waters of Lake Champlain, for the benefit of trade.

*Q. 2d.* What part do the people of Vermont mean to take as to the past expences of the present war, and what aid do they propose to afford as to men and money to the common defence ?

*A.* Such proportion as shall be mutually judged equitable after their admission to a seat in Congress, which has been at several

several different times officially proposed by Agents on the part of Vermont.

180 *Q. 3d.* What are the ideas of the people of Vermont relative to the claim of private property, under grants or patents from New Hampshire, or New York, previous to the present revolution?

*A.* Although the State of Vermont have not hitherto authorized any Courts to take cognizance of such causes as respect titles of lands, nevertheless they have had, and still have it in contemplation to adopt such modes as the circumstances arising out of each case may justify, without adhering to the strict rules of law.

*Q. 4th.* What are the intentions of your constituents in regard to the patents that were granted on conditions of settlement within a given time, and which have been prevented by the claims of the people of Vermont, and the present revolution?

*A.* No forfeitures have been taken by the State of Vermont on any such grants for non-performance of conditions of settlement, and we conceive it to be the intention of our constituents to grant a further reasonable time for fulfilling such conditions.

*Q. 5th.* What are the number of inhabitants within the lines mentioned in the propositions above mentioned?

181 *A.* As the citizens of Vermont have not been lately numbered, we can therefore only estimate them at thirty thousand, which we conceive to be nearly a true estimate.

*Q. 6th.* What quantity of lands is contained within the said bounds?

*A.* There has been no accurate survey of the State of Vermont, but we conceive it to contain about five millions of acres.

*Q. 7th.* What applications have been made, either publicly or privately, by the enemies of the United States, or their adherents, to draw off the people of Vermont from their affection to the United States of America?

*A.* The honourable Committee are possessed of copies of Bev. Robinson's letters, inclosed in Brigadier General Allen's letter of  
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of 9th of March last, to the then President of Congress, and any private offers we cannot avouch for.

*Q. 8th.* In case the enemy should attempt an invasion of the northern frontiers, what aid as to men and provisions could be raised in the State of Vermont for the public defence, (you can suppose the invasion made in different quarters) and in what time ?

182 *A.* The number of militia within the lines herein limited, we suppose to be about seven thousand, are in general well armed and accoutred, and have ever shown themselves spirited in case of alarms, &c. In regard to provisions, the country is fertile, but new, and considerable emigrations from other States to Vermont.—The Legislature, at their session in October last, levied a tax on the inhabitants sufficient for victualling one thousand five hundred troops in the field for twelve months, and we are of opinion a larger store may be in the same manner collected the ensuing autumn.

Congress then proposed to admit Vermont to be a State, and to have a seat in the union, provided they would relinquish their jurisdiction over lands out of lines to be agreed on and approved in Congress. A Committee of Congress was appointed to meet and agree with the Agents of Vermont, respecting lines and boundaries ; they accordingly met. The eastern boundary line proposed by the Committee of Congress was not disputed, but the western boundary afforded a tedious dispute. Mr. James Duane, and Colonel Allen, managed the controversy, both being greatly interested in the lands liable to be affected by the boundary line. Different proposals had been made, without producing any effect, and the Committee often adjourned for deliberation, and went out of the Committee-room in Congress. At length Colonel Allen drew  
183 an abstruse line that would answer Vermont ; gave it to the late Roger Shearman, Esq. member for Connecticut, just as Congress were impatient to adjourn, praying him to redraft it, and propose it as his own, which he complied with, and laid it before Congress, which was immediately received and passed into a resolve, and Congress adjourned, before Mr. Duane properly understood the motion, or rather, the operation of such proposed line, which added to Vermont beyond the original claim of New Hampshire, (which was a line from the north-west corner of the Massachusetts's north, ten degree east, in the west line of the towns of Pownal, Bennington, Shaftsbury, &c.) the towns of Fairhaven, Benson, South Hero, North Hero, and isle of Mott, and several other Islands, and put out of dispute Alburg, and some other lands



lands, as also the navigation of Lake Champlain. Had the Legislature of Vermont described Powlet River, instead of Poultney River, in their act of relinquishment of jurisdiction, they would have held a much larger tract, and been equally consistent with the resolve of Congress, and if disputes arose respecting said line, they could not have been used against Vermont, as her Agents did not consent to them.

“August 20, 1781.—Resolved, That it be an indispensable preliminary to the recognition of the independence of the people, inhabiting the territory called Vermont, and their admission into the federal union, that they explicitly relinquish all demands of 184 lands, or jurisdiction, on the east side of the west bank of Connecticut River, and on the west side of a line beginning at the north-west corner of the State of Massachusetts’s thence running twenty miles east of Hudson’s River, so far as said river runs north-easterly in its general course, then by the west bounds of the townships granted by the late Government of New Hampshire, to the river running from South Bay to Lake Champlain, thence along the said river to Lake Champlain, thence along the waters of Lake Champlain to the latitude forty-five degrees north, excepting a neck of land, between Missisqui Bay, and the waters of Lake Champlain.\*”

During the time the Agents of Vermont were at Philadelphia, they procured the copy of a letter from the Governor of New Hampshire to the President of Congress, informing that body, that the State could not furnish its quota of men, or money, in support of the war, as a third part of the State had revolted and joined with Vermont, and more towns were expected to follow that example.

In September following, Colonel Allen and Major Fay met the British Commissioners at Skeensborough, to exchange prisoners, when they gave them the copy of the questions and answers of the 185 Committee of Congress and Agents of Vermont on the 18th of August, and also a copy of the letter of the Governor of New Hampshire to the President of Congress.

The Commissioners from Canada were well pleased, and laughed heartily with the Agents from Vermont, who had double the reason to be pleased.

\* Journal of Congress, August 20th, 1781, p. 170.

The plan of Government for the colony of Vermont was taken into consideration, which was for some time debated, when it was agreed that his Majesty in Council should appoint the Governor, but it was expected to be a subject in the colony; that the people should appoint a Lieutenant Governor and twelve counsellors, who should form one branch of the Legislature, and the other should consist of one member from each town, who were to be annually elected by the people, similar to the present form, who should have a right to enact provincial laws, &c. similar to the colony of Connecticut.

The British Commissioners suggested an instruction from the Commander in Chief, to send scouts and make prisoners of several persons in Vermont, that were most violently opposed to negotiations with the British Government.

This, the Agents of Vermont opposed, reprimanding the conduct of the officer, who presumed to send a scout to and wound 186 Major Younglove, within Vermont, as being a violation of the armistice agreed on; that every measure of that kind would stimulate a spirit that must be conciliated before a completion of the object wished for.

The object was then relinquished by the Commissioners, as being discretionary with them after a conference with the Agents of Vermont.

The British Commissioners insisted that Vermont should declare itself a British colony, offering to put on the British establishment one Brigadier General, two Colonels, and other officers, for two regiments, all to be named by certain men in Vermont, with other advantageous and lucrative offers, proposing an expedition against Albany; that by uniting the British troops and the Vermontese, they would form a strong barrier, and be able to defend themselves against the States; that the Commander in Chief was determined not to lose the campaign inactively; that something effectual must be determined on before they parted, or the armistice must cease.

The Agents of Vermont treated this proposition with candour and deliberation, stating the local situation of Vermont, and the extent of frontier opposed to the United States to be about two hundred and fifty miles, including her unions bounding on as thick settlements as any in the United States; that amongst the body of the

187 the people were as staunch whigs as any part of America ; that the ties of consanguinity, neighbourly and personal friendship, &c. were opposed to fighting each other ; that in the ancient district, as also the unions of Vermont, were some of the most zealous supporters of the independence of America ; that to change the temper and disposition of such men, heated with a revolutionary frenzy, must be a work of time and moderation ; in the time of an armistice, shewing them the blessings of repose under a permanent Government.

That considering the extent of the frontiers of Vermont, that a range of green mountains divides it near the centre, through which roads were almost impossible ; under these considerations, it might not be in the power of his Majesty's troops to defend the said frontiers, especially in the winter, and should they be compelled to retire to Canada, for winter quarters, it would ruin their friends in Vermont, and spoil their best services. The question therefore was, whether, considering the said letter from President Weare to Congress, in which he acknowledges that the State of New Hampshire cannot furnish her quota of men and money for the service of the United States, in consequence of one third part of the State having revolted and joined the new State, and more he expected would follow their example ; that another union, to include Berkshire county, in the Massachusetts's, might in the 188 course of events take place ; that such measures, with their effects on the people through the States, might be of more service to the King's cause than any other thing in the power of Vermont to accomplish.

The British Commissioners took down in writing the heads of those objections, for the information of the Commander in Chief. They then suggested an instruction, which they said they were not at liberty to deviate from without putting an end to the armistice, which was, that his Excellency General Haldimand should, in pursuance of full powers vested in him by his Majesty and Privy Council, to issue his proclamation, offering to confirm Vermont as a colony under the crown, with the full extent of her claims, confirming the principles of Government as aforesaid, provided the people would return to their allegiance ; that an army should come up the lake in October, with said proclamations, during the session of the Legislature, and distribute them, when the Legislature must accept the same, and with the British take measures for their common defence, &c.

The Agents of Vermont were unpleasantly situated on these proposals ; they reinforced the preceding arguments, with these remarks,

remarks, that the season was too far advanced for such important operations, considering the climate, badness of roads, that no fortifications or preparations were made on the frontiers for defence, that one winter would have great effect in changing the minds of the 189 people for a new order of things, &c. and that the Commander in Chief, on full consideration of these matters, might be of a different opinion; but should he not, they hoped the General who brought forward such proclamations, would learn the temper and disposition of the people before he distributed them; on these principles they consented to have the proclamations brought up the lake, rather than break the armistice.<sup>1</sup>

The Commissioners and Agents then separated, on terms of mutual friendship.

In October, 1781, the Legislature met at Charlestown, in the East Unions, when the Government of New Hampshire sent a Major Reynolds, with two hundred men, as was supposed, to stop the election and session of the Legislature; the friends of Vermont advised the Major, if he had any instructions from New Hampshire, which were hostile to Vermont and the East Union, that it would be for the sake of humanity advisable for him to keep them to himself, as his force would not avail: this he prudently did, and the Assembly convened and proceeded to business without opposition. In the mean time, General St. Leger, at the head of the British army from Canada, ascended the Lake Champlain, and rested at Ticondaroga; while General Enos had the command of the troops of Vermont on the frontiers, and his head quarters at Castleton; the General, and a number of officers under 190 him, were fully acquainted with the negotiations with the British in Canada, in particular Colonels Fletcher and Walbridge. Notwithstanding, it became necessary to keep up appearances, by sending frequently small scouts to Champlain to observe the movements of the enemy. One of these scouts fell in with a party of General St. Leger's; some shots were exchanged; Serjeant Tupper, who commanded the scout from Vermont, was killed on the spot, and his men retreated: the body was decently buried, and General St. Leger sent all his cloaths, with an open letter, to

<sup>1</sup> [It seems from the *Haldimand Papers* of Sept. 20 and 30 and Oct. 1, 1781, that the author is not quite correct in relation to the origin of the proposal about the proclamations. It appears to have been made and urged upon the British Commissioners by the Vermont agents, as the only means left them of prolonging the negotiation, and thereby preventing an immediate invasion of the state. See *H. Hall's Vt.*, p. 367-369.]

General Enos, informing him of his regret for the fate of the serjeant, and made an apology for his death. Perhaps this was done to try the spirit and disposition of the inhabitants, previous to the publication of the proclamation as conceded to at Skeensborough the September before. The dispatch and apparel were publicly delivered to General Enos, which made considerable noise among the troops : many of them were not acquainted with the subject of the negotiation and armistice ; and some that were, had no objection to raise difficulties, in hopes of gaining popularity.

General Enos, Colonels Fletcher and Walbridge, wrote letters, and sent immediately an express to Governor Chittenden at Charlestown, announcing the arrival at Ticondaroga of the British army ; wherein they blended public matters and private negotiation ; Mr. Hathaway, the messenger, not being in the secret, 191 failed not to proclaim the extraordinary message of General St. Leger through the streets of Charlestown, till he came to the Governor, which happened in the recess of the Legislature, and occasioned crowds of people to follow, to hear the news ; the Governor and others were sitting in a large room, amongst whom were some persons that were eager to learn the negotiations that were generally supposed to be carried on between the British in Canada and Vermont, to make an ill use thereof. The Governor opened one of the letters ; he thought it prudent to peruse it himself before he allowed it to be publicly read. These letters were found to contain both public and private information, which occasioned some change of letters between the Governor, Messrs. Brownson and Fassett, who were in the secret, and next to the Governor. In this confused moment, Major Runnals came in, and enquired of Colonel Ira Allen what was the reason that General St. Leger was sorry that Serjeant Tupper was killed ? Mr. Allen said that he could not tell. Mr. Runnals repeated the question ; and Mr. Allen observed, that good men were sorry when good men were killed, or met with misfortune, which might be the case with General St. Leger. This answer enraged Mr. Runnals ; and he again loudly enquired what reasons could possibly induce a British General to be sorry when his enemies were killed, and to 192 send his cloaths to the widow ? Colonel Allen then requested Major Runnals to go at the head of his regiment, and demand the reasons of his sorrow, and not stay there asking impertinent questions, eating up the country's provisions, doing nothing when the frontiers were invaded. Very high words passed between the Major and Colonel Allen, till Mr. Runnals left the room. This manœuvre drew all the attention from said letters ; it was then proposed that the Board of War should be convened ; and the Governor

Governor then summoned the members of the Board of War to appear as soon as possible in his chamber, leaving Mr. Hathaway to detail the news to the populace, the Board of War being all in the secret. New letters were made out from General Enos, Colonels Fletcher and Walbridge's letters, and, for the information and satisfaction of the public, read in council and assembly for the originals, and then returned to the Governor. Those letters contained every thing but the existing negotiations which prudence and policy dictated to be separated from the other part of said letters.

In the mean time, Colonel Allen and Major Fay wrote to the British Commissioners, who were with General St. Leger, on the subject of their former negotiations, in which they gave a list of the names of the members of the Legislature, with marks, denoting the new members, from which the change appeared great. They suggested the capture of Lord Cornwallis and his army, and  
 193 added that, whether true or not, it had the same effect upon the people, who soon hoped for better news. In this critical situation, they thought it improper to publish the proposed proclamation, as several changes and circumstances seemed to presage more happy events, that should soon make all right. The packet containing Colonel Allen and Major Fay's letter was delivered at Ticondaroga about ten o'clock in the morning. About an hour after, an express arrived from the southward, which was supposed to contain the news of the capture of Lord Cornwallis and his army; for before evening, the troops, stores, &c. were embarked, and with a fair wind returned to Canada. Thus ended the campaign of 1781, with the accidental loss of only one man, on the extensive frontiers of Vermont, exposed to an army of ten thousand men; yet she did not incur any considerable debt. Such were the happy effects of these negotiations.

During the session of the Legislature the resolves of Congress of the 7th and 20th of August, 1781, were laid before them, but that body was composed of men of very different interests, and more widely opposed in politics; these resolves were viewed by the several parties according to their objects, which rendered it difficult to come to any determination. However, the Assembly resolved that they could not comply with the resolves of Congress of the 7th and 20th of August, without destroying the foundation  
 194 of the universal harmony and agreement that subsisted in the State, and a violation of solemn compact entered into by articles of union and confederation; that they would remain firm in the principles on which the State had first assumed Government,  
 and

and hold the articles of union, which connected each part of the State with the other, inviolate; that they would not submit the question of their independence to the arbitrament of any power; but that they were willing and ready to refer the question of their jurisdictional boundary with New Hampshire and New York, to Commissioners mutually chosen; and when they should be admitted into the American union, they would submit any such disputes to Congress.

The Legislature then proceeded to pass an act, appointing Commissioners with full powers to agree with like Commissioners from the State of New Hampshire, and these to appoint three or more Commissioners, who, after hearing all parties, were fully authorized, on the part of Vermont, to establish a boundary line between said States.

A similar law was passed respecting a boundary line between the States of New York and Vermont. A question arose concerning the manner of informing the General Court of New Hampshire of it. Some urged to have it sent by two agents, to be 195 appointed for the purpose, and for them further to negotiate with the Court of New Hampshire, by stating the difficulties the Legislature labored under in complying with the resolves of Congress; that the claims of Vermont were necessary to repel the claims of New Hampshire; that a line settled by Commissioners, duly authorized by all parties, as all were represented in the Legislatures of New Hampshire and Vermont, would, in fact, be the act of all concerned, and where every argument might be publicly discussed before such Commissioners, in vindication of the rights of all interested; that a line settled in this manner would be more agreeable to the people, wherever it might be established, than any mode that could be devised; that a line established by such Commissioners would be satisfactory to the respective States and Congress; that it would have good effects on the pending cause of all America, by the settlement of boundaries and internal discord. This mode of reasoning equally applied to the settlement of a boundary line with New York as New Hampshire, yet a majority in the Legislature of Vermont decided against any agency in the business, and the acts were sent to New Hampshire and New York by private conveyance.

The neglect in not sending one or more agents to the General Court of New Hampshire at this time, was extreme bad policy in 196 Vermont; had she sent agents to have explained matters as aforesaid, it would have had the appearance of a more serious

ous

ous desire to settle with New Hampshire, and this was then the more necessary, as there were more than suspicions that Vermont was carrying on some negotiations with the Government of Great Britain. Under these circumstances, had discreet agents attended the Court of New Hampshire, there cannot be any reasonable doubt but that the Court would have passed a similar law, and proceeded to a settlement on the principles aforesaid.

Had an agent been sent to New York to effect the same object with that State, there is not the least probability that the Legislature would have complied with such measures, in consequence of their extensive claim to lands in the State of Vermont: Indeed, if the author had been the agent, he would not have pressed a compliance very hard, for he would have considered a refusal on the part of that State advantageous to Vermont. In this case, Vermont would have complied with the spirit of the resolves of Congress, so far as existing circumstances would admit, and New York would have been in fault, for not complying with an offer so fair and reasonable, and which had produced an amicable settlement with New Hampshire and Vermont. The consequence would have undoubtedly been, that Vermont would have retained her west union to the present day, if not extended her claims further west, for a settlement with New Hampshire would have made friendship with the States of Massachusetts, Rhode Island, and Connecticut; that the States of New Jersey, Pennsylvania, Delaware and Maryland, would also, in that case, have been friendly to Vermont. Indeed, the four last-mentioned States, from local circumstances and interest in gaining a share in unlocated lands and confiscated estates, obtained by the united efforts of the United States, and which they held, ought to be appropriated to defray the expence of the war, and not for the emolument of any particular State in whose jurisdiction or claim such property was situate.\* It is to be observed, that the States of New Jersey, Delaware, and Maryland, had no vacant lands, and that Pennsylvania was limited and proprietary; that an agent from Vermont had assured the Legislators of these States that the people of Vermont were in opinion with them in regard to unlocated lands and confiscated estates; that the Government of New York had contended with all the neighbouring colonies, then States, to extend her boundaries, and her claims to the west were then considered exorbitant. From these interested motives, and the exertions of the people of Vermont in the common cause of America, those

\* Unlocated lands and confiscated estates were then in question before Congress.



States felt a friendship for Vermont. The same interested motives  
198 operated in New Hampshire and Rhode Island respecting  
vacant lands, &c. The people of Massachusetts, Connecticut,  
and all the New England or neighbouring States, were deeply in-  
terested in the new lands of Vermont, both by grants from New  
Hampshire and Vermont: Indeed, members of Congress, and  
men of the first honor and influence in these States, were interested  
in said lands, especially in the grants of Vermont. The ties of  
consanguinity, neighbourly and personal friendship, had formed a  
good understanding, and it may be said, with propriety, that this  
addition to Vermont on the ancient territorial jurisdiction of New  
York, would have been a satisfactory retaliation to the old opposers  
of the claims of New York, not only in Vermont, but in the States  
of Massachusetts, Connecticut, and New Jersey. Under all these  
circumstances, with the prospects of peace, Vermont would have  
had but little to fear from Congress or New York, in consequence  
of her western territory.

The said resolves of Congress of the 7th and 20th of August  
were taken up in the Legislature of New York; on the 15th and  
19th of November they passed a number of resolutions, and a solemn  
protest against the proceedings of Congress. Having stated their  
claims, and related some of the former proceedings of Congress re-  
lative to the controversy, they resolved, "That the Legislature of  
that State was greatly alarmed at the evident intention of Congress,  
199 from *political expedience*, to establish an *arbitrary* boundary,  
which excluded from that State a great part of its territory;  
that it was the sense of the Legislature, that Congress had not any  
authority, by the articles of confederation, to intermeddle with the  
former territorial extent of jurisdiction or property, of either of the  
United States, except in cases of dispute between two or more of  
the States in the union, nor to admit into the union even any British  
colony, except Canada, without the consent of nine States, nor  
any other State whatsoever, nor, above all, to create a new State  
by dismembering one of the thirteen United States, without their  
universal consent; that in case of any attempt of Congress to  
carry into execution their acts of the 7th and 20th of August, the  
Legislature were bound in duty to their constituents to declare the  
same an assumption of power, and a manifest infraction of the ar-  
ticles of confederation, and do, therefore, solemnly *protest* against  
the same; that a copy of their resolutions be transmitted to Con-  
gress, and their delegates expressly directed and required to  
enter

enter their dissent on every step, which may be taken in and towards carrying the said acts of Congress into execution.”\*

In the preceding resolves of the Legislature of New York are 200 these words, viz. “from *political expedience* to establish an *arbitrary* boundary.” By this it appears to have been the sense of that Legislature, that the resolves of Congress were the illegitimate offspring of Lord George Germain’s orders, dated Whitehall, February 7, 1781, and directed to Sir Henry Clinton, at New York.

In December new scenes of difficulty and danger presented themselves, and the affairs of Vermont appeared fast approaching to an alarming crisis, assailed as she was, at the same time, and threatened by an armed force from New York and New Hampshire.

General Gansevoort, in pursuance of a law of the State of New York, and conformable to the orders of Governor Clinton, was detached with a part of his brigade of militia to assist the Sheriff of the county of Albany to suppress an insurrection in said county, alias the west union of Vermont; Colonel Abbot collected the militia in the union to oppose him; they encamped against each other, and remained in this situation for some time; the horrors of civil war seemed to moderate both parties.

In the mean time Governor Chittenden tried to reconcile both parties by writing, and he also appointed General Safford and Colonel Walbridge to repair there, and, if possible, to settle the controversy in some way, and by all means prevent the shedding 201 of blood. They repaired to the contending parties, and were the means of keeping them more quiet, but could not effect any accommodation.

The Governor then directed Colonel Allen to see if he could devise any means to accommodate matters; for, said the Governor, a civil war is much to be dreaded. Colonel Allen repaired to Colonel Abbot’s camp, held a conference with him and his officers, admonishing them against any rash measures; that some way would be found to settle the dispute without an appeal to arms, engaging them not to commence hostilities till the further order of the Governor. He then proceeded to General Gansevoort’s camp, had an interview with him and his officers, endeavoured to settle the controversy, observing, that the measures

\* Journal of Congress, April 4, 1782, p. 329, 334.

pursued

pursued by New York had necessitated Vermont to extend her claims, that in time of peace the dispute might be adjusted, &c.

General Gansevoort was very much opposed to a civil war, yet thought it a duty incumbent on the State of New York to protect her inhabitants, who owed and professed allegiance to that Government. Colonel Allen observed, that the State of Vermont had an equal right to protect those who had acknowledged her jurisdiction, which was a great majority of the people; that it would be adviseable to use lenient measures on both sides, till a boundary line could be settled by Congress between the States, thereby to 202 prevent the horrors of a civil war, when the united efforts of all were necessary in the common cause against Great Britain; but no measures could be suggested to induce General Gansevoort to withdraw from said union.

Colonel Allen returned to the Governor and Council, advised that the Governor, as Captain General, should direct a sufficient military force to march, from within the old bounds of Vermont against General Gansevoort, as the only means to restore tranquility without bloodshed; for in that case General Gansevoort would, in his opinion, retreat, and not otherwise. The plan was adopted; and while the Governor was making out his orders, directing Colonel Ira Allen, with a detachment of militia, to prosecute said plan, an express arrived from William Page, Esq; Sheriff of the county of Washington, announcing the prospects of hostilities in the east union from New Hampshire. This intelligence made a serious impression on the minds of the Governor and Council for a few moments (as it appeared like an agreement between the claiming States to commence hostilities at one and the same time.) When they resumed business, Colonel Walbridge was directed to march with a detachment of militia against General Gansevoort. In his way he received a letter from General Gansevoort.

203 At the same time the troops of New York were in motion to suppress the proceedings of their citizens, who had formed an union with Vermont. On December 18, their Commander, Brigadier General Gansevoort, wrote to the commanding officer of the troops from Vermont, that in pursuance of a law of New York, he had been detached with a part of his brigade to suppress an insurrection of some of the inhabitants of Schaticook and Housac; that he was arrived to aid the Sheriff of the County, to apprehend the insurgents; and was informed that a large body of troops from the grants, were marching in force, with artillery; but before he proceeded any further, he wished to be informed what

what was the object of their movement into the interior parts of that State, and by what authority.\* Colonel Walbridge, commandant of the troops from Vermont, wrote in answer, that the object of their movement, was to protect those of the inhabitants, who, in consequence of the union, professed allegiance to the State of Vermont; that he wished conciliatory methods might be adopted, but if those persons who professed to be citizens of Vermont should be imprisoned, and their property destroyed, he was not to be answerable for the consequences.† General Gansevoort retreated, and peace was restored.

204 The Governor and Council attended to the said dispatches from William Page, Esq; and appointed Colonel Ira Allen, and instructed him to repair to the General Court of New Hampshire, then in session at Exeter, with full powers to concert measures for an amicable adjustment of all disputes with that State. On the 14th Governor Chittenden issued orders to Lieutenant Governor Payne (who lived in the east union) to raise the militia east of the Green Mountains to protect the civil authority and inhabitants against the menacing insults of New Hampshire, and if attacked, to repel force by force.

Colonel Allen took these orders, and proceeded to Charlestown, and on conferring with William Page, Esq; found a prospect of hostilities on the eve of commencement, on the part of New Hampshire, for the protection of some persons who professed allegiance to that State. Col. Allen immediately made out several copies of said orders to Governor Payne, ostensibly to encourage the people in the east union to remain firm to Vermont, but found means for one copy to fall into the hands of a staunch friend to New Hampshire, who eagerly seized the prize, and sent it by express night and day to the Governor of New Hampshire. Col. Allen then proceeded to Exeter. On his way through the State, he found the people extremely enraged against Vermont, both on account of her supposed connexions with the British in Canada, 205 and for extending her claims, so much to the injury of that State, that, in fact, very little stimulus would raise the people to a civil war, which was his duty and inclination, if possible, to prevent. These circumstances made him apprehensive it might be difficult to gain the necessary information. When he arrived, and being acquainted with the late Major General Fulsom, who was Commandant of all the militia of that State, and had been friendly

\* P. Gansevoort's letter of December 18, 1781.

† E. Walbridge's letter of December 19, 1781.

to Vermont, Col. Allen, on his arrival, found means immediately to have a private interview with him, by which he learnt, that two days before the Court had determined to raise a sufficient military force to assist the civil power to carry into effect the laws of the State to Connecticut River; that the day before a copy of Governor Chittenden's orders to Lieutenant Governor Payne had been delivered to Mr. Weare, purporting a determination to repel force by force; this had occasioned a delay in issuing said orders; for if the militia to the west of Connecticut River were to cross and oppose the authority of New Hampshire, it would provoke a civil war. Under these circumstances, what further order the Court would take was yet undetermined. This interview was agreed to be kept a profound secret till all disputes were settled between the contending States.

Col. Allen waited on the President and Council, and delivered his credentials, but the President and Council received him coolly, 206 appeared not inclined to make any stipulations whatever respecting Vermont. Indeed their countenance, &c. seemed to whisper, this is the man that has carried on the negotiations with the British in Canada, that produced Lord George Germain's instructions to Sir Henry Clinton, &c. purporting an intention of Vermont's being a British colony; he has before learned our secrets and profited thereby; he is a dangerous man, and we must unite and guard against him. No information could be obtained from any member of the Legislature, notwithstanding Mr. Allen was intimately acquainted with many of them.

While Colonel Allen was thus endeavouring to reconcile matters, General Enos and William Page, Esq; arrived with a letter from Lieutenant Governor Payne to President Weare, inclosing the copy of Governor Chittenden's orders to him, informing Mr. Weare that it was his wish to avoid the horrors of civil war, but before the people who had united with Vermont, and were under her protection, should be subjected by any hostile operation of New Hampshire, they would spiritedly oppose her, and that New Hampshire must be responsible for the consequences.

These gentlemen were authorized to assist Colonel Allen in his laudable endeavours to restore harmony. Mr. Page, who had been active in opposing the laws of New Hampshire, and lived on 207 the east side of Connecticut river, was immediately arrested and confined in gaol, as might have been reasonably expected; thus, spirited measures were pursuing on all sides, while no negotiation could be entered into by the united exertion of the Agents  
of

of Vermont, nor could they learn what determination the Court had, or would probably come to : all was a profound secret.

In this situation, Colonel Allen engaged a lady to gain for him the requisite information, which she effected, and informed him of the time when the business would finally be discussed and determined in the general Court, by both houses in grand Committee.

When the Court convened on this subject, Colonel Allen went into the lobby, and began to write a memorial to the Legislature of New Hampshire. In the mean time he heard the debates, and that the Court determined on appointing an Agent to take the advice of Congress previous to any hostile measures. Colonel Allen took his leave of General Enos and Mr. Page ; on his return he wrote to Lieutenant-Governor Payne and the Members of Council on the east side of the mountain, requesting them to attend in Council at Arlington, to hear his report, and take such further steps as might be thought proper.

When the Council had convened, and heard Colonel Allen's report, they appointed Jonas Fay, Ira Allen, and Israel Curtis, 208 Esqrs. agents, to attend Congress, who arrived in Philadelphia the next day after the Agent from New Hampshire, in February, 1782.

The Agents of Vermont exhibited their credentials to Congress, and had repeated interviews with Committees and Members of that body, who appeared very much dissatisfied with the Legislature of Vermont, in not complying with their resolves of the 7th and 20th of August. The Agents of Vermont represented, in justification, that having been deprived of continental aid, while acts and resolutions of Congress were passed in favour of the claiming and neighbouring States ; and those States assisted by said acts and resolves, were taking every measure in their power to divide and sub-divide her citizens ; that the Legislature of New Hampshire had, against the will of Vermont, laid a jurisdictional claim, prefaced with friendship, when subsequent transactions shewed that the object was to overturn her jurisdiction, and connect the whole territory of Vermont to New Hampshire, for the members of her General Court had, by circular letters, convened a Convention for the ostensible purpose of connecting the New Hampshire Grants on both sides of Connecticut river, into one entire State ; then, on the 16th day of January, 1781, at Charlestown, where forty-three towns were represented, procured a vote to unite the  
whole

whole to New Hampshire ; that this was, in fact, to annihilate the existence of Vermont.

209 In this Convention were twelve Members of the Council and Assembly of New Hampshire ; surely Congress could not blame the friends of Vermont, who had been silent spectators of these bare-faced intrigues, in exerting themselves next day, and obtaining a resolution of the Convention to unite that part of New Hampshire, west of the Mason line, to Vermont ; this was turning the same trouble on New Hampshire that she had contemplated for Vermont, and was the more justifiable, as it united her citizens, and made her more formidable against her enemies, which was essential, considering the extent of her frontiers. That the claims and intrigues of New York, and self-preservation, had induced the Legislature of Vermont to claim a part of the State of New York ; that the people of these territories had, by articles of union, confederated with Vermont, and became citizens thereof ; her conduct might be further justified by the articles of union with said districts ; in them it was stipulated, that whenever Vermont was acknowledged as a State by Congress, and admitted to a seat in that body, any dispute that might exist respecting boundary lines should be submitted to Congress for decision ; that Vermont then was, and ever had been ready and willing to comply with the aforesaid principles, or any other equitable mode that might be agreed upon to settle boundary lines with either of the claiming States ; but that she will not, under existing circumstances, dissolve her unions, agreeable to the late resolves of Congress, thereby weakening her  
210 strength without gaining an equivalent by a confederation ; that if the United States were serious in admitting Vermont into the union, they could not see why it might not be done in the first instance, and then settle the boundary lines on principles that might be equitable and consistent with the articles of the confederacy of the United States, and articles of the unions which necessity had compelled her to make ; and further that the Legislature of Vermont, in October last, passed an act, appointing Commissioners, with full powers to agree with like Commissioners from New Hampshire and New York, and they to appoint three or more Commissioners, to hear and determine on boundary lines between the respective States, which line or lines so determined on, should be boundaries between said States, which act was sent to the Legislatures of New Hampshire and New York, with a request that they would respectively pass similar acts, and attend to a settlement of boundary lines. Now had either of these States seriously wished for a settlement of boundary lines, and to admit Vermont into the confederacy, why did they not pass  
acts

acts similar to that of Vermont, or, at least, withdraw their jurisdictional claim from the ancient territory of Vermont, instead of menacing a State with military operations, who, of all others, were most exposed to the common enemy, and recently deprived of continental aid.

With respect to a civil war, at a time when the liberty of America would thereby be endangered, no people were or could be more  
 211 averse to it than those of Vermont, who had been eight years longer struggling for their liberties than their brethren of the United States. As to Governor Chittenden's orders to Lieutenant Governor Payne and Colonel Walbridge, so much complained of, extraordinary cases required extraordinary remedies, and these orders, like sovereign balsams, had a salutary effect, as the consequences evince; for at least they prevented the effusion of blood and civil war, as they caused General Gansevoort to retreat, when he saw a force was advancing to reinforce those he was menacing; and the Government of New Hampshire suspended their military operations on discovering the determination of Vermont, while peace was restored without bloodshed, which otherwise, in all probability, would not have taken place. This also evinces the sagacity and independence of the Governor; and unquestionably such a suggestion of facts and cogent arguments had a very powerful effect upon Congress; for on March 1st it was proposed in Congress to pass a resolve, that if within one month from the time in which the resolve should be communicated to Thomas Chittenden, the inhabitants of Vermont should comply with the resolves of August 7th and 20th, 1781, they should be immediately admitted into the union; but if they should refuse this, and did not desist from attempting to exercise jurisdiction over the lands guaranteed to New Hampshire and New York, Congress would consider such neglect or refusal, as a manifest in-  
 212 dication of designs hostile to the United States, and that all the pretensions and applications of the said inhabitants, heretofore made for admission into the federal union, were fallacious and delusive; and that thereupon the forces of the United States should be employed against the inhabitants, and Congress would consider all the lands within the territory to the eastward of the ridge of mountains as guaranteed to New Hampshire; and all the lands to the westward of said line, as guaranteed to New York; and that the Commander in Chief of the armies of the United States do without delay or further order carry these resolutions into full execution. But after warm debates, and repeated trials, a vote could not be obtained to adopt these resolutions, and the matter subsided.

By



By these proceedings, it is easy to discover that they were the vindictive efforts of an almost exhausted political adversary, who found few supporters in Congress. Vermont had then become strong and consequential in her unions, numbers, and unanimity of her citizens.

By her exertions in the common cause of America.

By the liberal offers she had made to Congress to bear her proportion in the expence of men and money in the prosecution of the war.

213 By her equitable offers for the settlement of boundary lines, &c. with the claiming States.

By ties of consanguinity in the neighbouring States.

By the disposal of certain proportions of her fertile soil to many respectable and influential citizens of the United States.

By her *more than supposed* negociation with Great Britain and northern key.

With these advantages she held of herself a Congress, or a political balance against Congress and the claiming States, that hostilities could not be commenced against her by them, without endangering the very existence and independence of the United States.

The Agents of Vermont having negotiated so far as they supposed necessary for her safety, being fully convinced that no decision under existing circumstances would pass in Congress against her; and feeling an anxiety to learn the proceedings of the Legislature, took their leave of Congress about the 22d of February, 1782, and set out for Bennington with all possible speed. At Colonel Griffing's in the Fish-kills, in the State of New York, they met the unwelcome tidings that the Legislature had dissolved her unions; and proceeding to Bennington, found that the Legislature was adjourned, and the members left town the day  
214 before; that the Governor and Council were attending to business at Shaftsbury, to which place they repaired, and found them making out credentials and instructions to the Delegates appointed by the Legislature to negotiate the admission of Vermont into the federal union, &c. A question then arose, and the opinion of said Agents was required by the Governor and Council, whether Ver-

mont would, after complying with the resolves of Congress, be admitted into the federal union? The Agents answered, that in their opinion Vermont would not be admitted; that she had, by dissolving her union, weakened her strength, lessened her consequence, and exposed herself to the sport of state politicians; and her safety much depended on the events of peace or war.

Thus while the preceding measures were carrying on in Philadelphia, the Legislature of Vermont, without waiting the advice or arrival of their Agents from Congress, became the dupes of state politicians, precipitately dissolved their unions, lessened their strength, real and political consequence.<sup>1</sup>

The following were the legislative proceedings on that occasion:—

STATE OF VERMONT, IN GENERAL ASSEMBLY,  
*Feb. 22, 1782.*

“The recommendation of the grand Committee, consisting of his Excellency the Governor, the Honourable the Council, and the  
215 Representatives of the People, on taking into consideration the resolutions of Congress respecting this State, in the month of August last (being read) is as follows: That in the sense of this Committee, Congress, by their resolutions of August last, in guaranteeing to the States of New York and New Hampshire respectively, all the territory, without certain limits therein expressed, has eventually determined the boundaries of this State.—And whereas it appears to this Committee consistent with the spirit, true intent, and meaning of the articles of union entered into by this State with the inhabitants of a certain district of country on the east side of the west banks of Connecticut river, and on the west side of a line twenty miles east of Hudson’s

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<sup>1</sup> [Although the legislature and people of Vermont were disappointed in their expectations that their compliance with the terms proposed by Congress would secure their speedy admission into the federal union, yet few of their number probably concurred with Mr. Allen in regretting the measure. By it they had retained all the territory they had originally claimed, had averted the danger of civil war with New Hampshire and New York, and having done all that had been required of them by Congress, the justice of their claim to independence could not thereafter be successfully controverted before the world, by either Congress or New York,—the legislature of that State having voluntarily submitted the decision of the controversy to that body.]

river,

river, which articles of union were executed on the 25th day of February, and the 15th day of June last, that Congress should consider and determine the boundary lines of the State: It is recommended to the Legislature of this State to pass resolutions declaring their acquiescence in, and accession to the determination made by Congress of the boundary lines between the States of New Hampshire and New York respectively, and this State, as they are in said resolutions defined and described. And also, expressly relinquishing all claims to, and jurisdiction over, the said districts of territory without said boundary lines, and the inhabitants thereon residing.

216 “Confiding in the faith and wisdom of Congress, that they will immediately enter on measures to carry into effect the other matters in the said resolution contained, and settle the same on equitable terms, whereby this State may be received into, and have and enjoy all the protection, rights, and advantages of a federal union with the United States of America, as a free, independent, and sovereign State, as is held forth to us in and by the said resolutions :

“And that the Legislature cause official information of their resolutions to be immediately transmitted to the Congress of the United States, and to the States of New Hampshire and New York respectively.

“Whereupon resolved,

“That the foregoing recommendation be complied with, and that the west banks of Connecticut river, and a line beginning at the north-west corner of the State of Massachusetts, from thence northward twenty miles east of Hudson’s river, as specified in the resolutions of Congress in August last, be considered as the east and west boundaries of this State. That this Assembly do hereby relinquish all claims and demands to, and right of jurisdiction in and over any and every district of territory, without said boundary lines. That authentic copies of this resolution be forthwith officially transmitted to Congress, and to the States of New Hampshire and New York respectively.”

217 The Legislature of Vermont having fully complied with the resolves of Congress, proceeded to appoint Agents and Delegates to Congress, and requested the Governor to commission them with plenary powers to negotiate the admission of Vermont into the confederacy of the United States, and to sign articles of perpetual

perpetual union and confederation; and when completed, two of them were to take their seats and represent Vermont in Congress.

The Agents and Delegates were accordingly commissioned by the Governor in Council for the purposes aforesaid, and proceeded to Philadelphia; and on the 31st of March, 1782, exhibited to Congress their credentials, with the act of the Legislature of Vermont, dissolving her unions, and fully complying with the resolves of Congress of the 7th and 20th of August, 1781. These matters were referred to a Committee of Congress, who reported, on the 17th of April, 1782, that "In the sense of your Committee, the people of the said district, by the last recited act, have fully complied with the stipulation made and required of them, in the resolutions of the 7th and 20th of August, as preliminary to a recognition of their sovereignty and independence, and admission into the federal union of the States. And that the *conditional* promise and engagement of Congress of such recognition, and admission, is thereby become *absolute* and *necessary* to be performed. Your Committee therefore submit the following resolution:

218 "That the district or territory called Vermont, as defined and limited in the resolutions of Congress of the 7th and 20th of August, 1781, be, and it is hereby recognized, and acknowledged by the name of the State of Vermont, as free, sovereign, and independent; and that a Committee be appointed to treat and confer with the Agents and Delegates from said State, upon the terms and mode of the admission of the said State into the federal union."—When this report was read in Congress, a motion was made and seconded, that the first Tuesday in October next be assigned for the consideration of the report: The vote passed in the negative. A motion was then made and seconded, that the third Tuesday in June next be assigned for the consideration of the report. The vote was again in the negative. A motion was then made and seconded, that Monday next be assigned for the consideration of the report; and the vote was also found in the negative, for the third time.

From these proceedings of Congress, and other information which the Agents of Vermont had obtained, they found that Congress had adopted their old policy and procrastination; they therefore closed their business on the 19th of April, in a letter to the President of Congress, representing that Vermont, in consequence of the faith which Congress had pledged to them, had been prevailed upon to comply with their resolutions, in the most ample manner

manner ; that they were disappointed by the unexpected delay of  
219 Congress, in not executing, on their part, the intent and  
spirit of the resolve ; that Vermont was now reduced to  
a critical situation, by casting off a considerable part of her  
strength, in being exposed, as a forlorn hope, to the main force of  
the enemy in Canada, and destitute of the aid of the United  
States ; which made them urgent that unnecessary delay might not  
deprive them of the benefit of the confederation ; and that they  
should expect to be officially acquainted when their attendance  
would be necessary.

It may not be improper to revert to and trace the principal  
causes that induced the Legislature of Vermont to dissolve her  
unions, and in the first place to consider the principles upon which  
her members justified their conduct in the act of dissolving said  
unions. Different considerations induced the Legislature to ex-  
tend her jurisdictional claims, as have been already stated ; but  
the unions consisted of a number of articles between the Leg-  
islature of Vermont on the one part, and the Representatives  
of the people of the respective districts in Convention on the  
other, amongst which were two articles of the following import :  
that the Legislature reserved a right to dissolve such union, in  
case any event should endanger the existence of the State of Ver-  
mont in consequence of such union. That the final arbitrament  
and settlement of boundary lines should be submitted to the  
final discussion of Congress.

220 The Legislature considered the resolves of Congress of the  
7th and 20th of August, as coming within the spirit and  
meaning of said articles, that Congress had settled her bound-  
aries, and that a longer refusal to comply with said resolves  
might endanger the existence of the State.

The resolve of the 7th of August was delivered to Governor  
Chittenden by Ezra Hecock, Esq. with a verbal message from  
General Washington, to know whether the people of Vermont  
would be satisfied with the independence proposed by Congress,  
or whether they had seriously contemplated to join the enemy,  
and become a British colony ? By this it appears that the instruc-  
tions of Lord George Germain to Sir Henry Clinton had awak-  
ened the attention of Congress and the General to the cause of  
Vermont, and that there was an understanding between them for  
the interference of General Washington, as also appeared in the  
course of the conference between Messrs. Chittenden and He-  
cock, who being intimate acquaintances, conversed freely on the  
subject ;

subject ; in the course of which, Governor Chittenden described the situation and necessities Vermont had been reduced to by the claims of the neighbouring States and Congress ; the defenceless State of the frontiers ; the power of the British in Canada ; that the people of Vermont had been zealous supporters of the independence of America ; but since deserted by them, were at liberty 221 to form such connections as self-preservation might dictate, and were at liberty to, and desirous of, becoming one of the United States. Notwithstanding all that had passed between the agents of Vermont and the British agents in Canada, giving a short state of these matters, as being necessary for the defence of the frontiers, &c. Governor Chittenden then requested Mr. Hecock to make a verbal statement thereof to General Washington on his return.

On further consideration of these matters, and the refusal of the Legislature in October to comply with the resolves of Congress of the 7th and the 20th of August, Governor Chittenden, on the 14th of November, wrote a letter to General Washington on the subject, in unequivocal terms—That there were no people on the continent more attached to the cause of America than the people of Vermont, but that they were fully determined not to be put under the government of New York, and would oppose it by force of arms, and join with the British in Canada, rather than submit to that government ; for they had as good a right to choose what form of government they would establish for the government of their internal police, as the United States had to assume and establish government for themselves, on the principles of the revolution of America.

The danger of a civil war between New York and Vermont, also between New Hampshire and Vermont, with the effects such 222 measures might have on the pending cause of the United States, gave great concern to Congress, and the Commander in Chief was induced to interfere, for the accommodation of a controversy dangerous to the existence of the independence of the United States. On the first of January, 1782, the General answered Governor Chittenden's letter, in the course of which are these words, viz.

“ It is not my business, neither do I think it necessary now, to discuss the origin of the right of a number of inhabitants to that tract of country, formerly distinguished by the name of the New Hampshire grants, and now known by that of Vermont. I will take it for granted that their right was good, because Congress,  
by

by their resolve of the 7th of August, imply it; and by that of the 20th, are willing fully to confirm it, provided the new State is confined to certain described bounds. It appears, therefore, to me, that the dispute of boundary is the only one that exists, and that being removed, all other difficulties would be removed also, and the matter terminated to the satisfaction of all parties. You have nothing to do but withdraw your jurisdiction to the confines of your old limits, and obtain an acknowledgement of independence and sovereignty, under the resolve of the 20th of August, for so much territory as does not interfere with the ancient established bounds of New York, New Hampshire, and Massachusetts. In my private opinion, while it behooves the delegates to do ample  
223 justice to a body of people, sufficiently respectable by their numbers, and entitled by other claims to be admitted into that confederation, it becomes them also to attend to the interests of their constituents, and see, that under the appearance of justice to one, they do not materially injure the rights of others. I am apt to think this is the prevailing opinion of Congress."

The universal confidence that the people of America placed in their Commander in Chief, from the firm, steady, persevering, and able manner he had conducted the war; his known integrity, wisdom, and virtue gave him more influence over the Legislature of Vermont than any other man in existence.

The additional population, and consequence of some persons in the Unions tended to distribute public offices, and affect the popularity of more than one. Some prejudices remained that were imbibed by the presiding [preceding] union of sixteen towns, the Cornish convention of the 9th of December, 1778, &c. Some were precipitately ambitious to gain seats in Congress. Many wished to put an end to a controversy that seemed to threaten the utmost danger, considering these measures consistent with the articles of union as aforesaid. Placing unlimited confidence in the Commander in Chief, they were induced to rely on the resolves of Congress, which they had before treated as the effects of the in-  
224 trigues of their cruel adversaries, who had caused the frontiers of Vermont to be left defenceless.

On these principles two unions were dissolved, which were formed through necessity and retaliation; in which Vermont shewed a superior policy, by drawing in the people to unite under the government; which, from their formation, had been adding numbers, strength, popularity, &c.; hence procrastination weakened the resources and strength of Congress; added proportionate  
power

power and consequence to Vermont; prevented a division of the State, and contributed much towards its establishment; protected the frontiers of the west Union from invasion, which may in some measure compensate the people there for the disappointment of dissolving it; these unions were not dissolved without severe struggles and resentment from those who were thereby debarred a seat in the Legislature.

The neglect of Congress in admitting Vermont into the federal union, agreeable to their plighted faith in their resolves of the 7th and 20th of August, enforced by the weight of the character of the Commander in Chief of their armies, was a deviation from that candour and honour that ever ought to influence the Representatives of a free people: they also sacrificed the honour of their General, so far as in them lay; for it is to be supposed he had been consulted by them, as the bearer of the resolve of Congress of 225 the 7th of August had also a verbal message from him, as before stated; this also gave great reason to suppose, that said resolves were passed through fear, and that the completion of the matters and engagements therein contained, were procrastinated through resentment, party intrigues, Jesuitical cunning, and littleness; for there could be no necessity of evasive policy, at a time when the public sentiment called for the discussion of a question which had already occasioned so much trouble, anxiety, and danger to the United States, and the right of the people of Vermont to be admitted a sister State into the union was acknowledged by a great majority of the citizens; consequently, every thing was prepared for the admission of Vermont into the federal union, but the interest of the New York land-jobbers; and they made a most egregious blunder, that they did not seize the opportunity of popular divisions in the Legislature of Vermont, and induce her delegates to have signed the confederacy of the United States; thereby to have extended the laws of the United States over Vermont, without any stipulation respecting the grants of land made by the late colony of New York; in which case they would have probably saved to themselves about 2,500,000 acres of land, that were granted by the late colony of New York on Crown lands, and afterwards granted by the Legislature of Vermont; for, in a legal sense, suppose a Court, under the same circumstances as the present 226 Circuit Court of the United States, then suppose a cause on the title of lands, where a grant is made in 1768 by the late colony of New York, by express authority from his Majesty and Privy Council; then, a subsequent grant from the Legislature of Vermont. If the Court would decide in favour of the first grant on Crown lands, then the precipitate act of the Legislature in dissolving



solving her unions, dissolved most of the grants of land that she had made; but a blind fate, in hardening the hearts of Congress, (and not the wisdom of the Legislature) saved her citizens from the loss of these lands, and joining the confederacy, at a time when it would have involved them in a share of the continental debt. Nevertheless, she lost a great part of the retaliation on her old adversary, New York, (which was dear to some) the west union, and with that extensive tract of vacant lands and confiscated estates, that might have been preserved to enrich her citizens.

That the reader may have full information of the measures made use of to render null and void all the grants of land made by the late colony of New York, within the State of Vermont, it is necessary to make a concise statement of the proceedings.—The Legislature early appointed Mr. Ira Allen Surveyor General, in order to ascertain their vacant lands; measures were taken to grant lands as early as 1779; as the original object of some of the founders of the State was to overturn all the titles of lands 227 granted by New York. The Surveyor General entered no grants on his chart but those made by the province of New Hampshire and the State of Vermont, and appeared to have little knowledge of the grants made by New York, till it was found some grants interfered with those made by New York: in one or two instances a deduction was made on that account, in the granting fees; but the current of opposition was so great to New York, that but little attention was paid to the claims of New York: the repeated applications for grants of land from the citizens of Vermont and the neighbouring States were such, that soon after the close of the war, all the lands in the State, except those granted by New Hampshire, were granted by Vermont, and measures were taken to settle the same, in order to which, the Legislature proceeded to enact laws to ascertain and establish town-lines; this became essentially necessary, to prevent settlement on grants made under New York. Every exertion was made to carry these matters into effect. Different interests, parties, intrigues for popularity, &c. obstructed these measures, and prevented the Surveyor General from collecting taxes for running town-lines; but, by advice of the Governor and Council, he continued the survey, by advancing the necessary supplies till the claimants under Vermont could find all their lands that were attempted to be settled under New-York titles. By these exertions, and the spirit of the people, in opposition to the claims of New York, there were no claims of 228 people settled on lands in Vermont, under titles from New York, to prevent a settlement between the Commissioners of New York and Vermont in 1790, when it was stipulated, that the

State of Vermont should pay to the State of New York 30,000 dollars, as an equivalent and extirpation for all the titles of land derived from the late colony of New York within the State of Vermont, amounting to about 5,000,000 acres of land, near one half of which was made on Crown lands, never granted by the late province of New Hampshire, and might probably have been considered legal titles, had not the settlement aforesaid rendered them null and void.

The founders of Vermont are justified by the following statement, to some who may feel themselves aggrieved by the loss of property, in setting aside said grants from New York, which in one sense might have been considered legal, so far as they did not interfere with the grants from New Hampshire; but when it is considered that the original object of the Cabinet Council in the colony of New York, in obtaining the order of his Majesty and Privy Council, on the 20th day of July, 1764, extending the colony of New York to the west banks of Connecticut River, was to overturn the titles of land granted by the province of New Hampshire, and subject the inhabitants to be tenants to the land monopolists of New York, which fully appears in the preceding part of this history, and a few remarks in this place will evince 229 the Governor and Council of New York, in issuing their grants, paid no deference to the ancient grants from the province of New Hampshire, which was also a Royal Government. Great part of the grants made by the Governor and Council were illegal, as being opposed to an express prohibition of the King and Privy Council. The supreme Court of New York, in case of a writ of ejectment, would not allow a charter under the great seal of the province of New Hampshire to be read in court, as evidence of title to lands; gave judgment and writs of possession against the proprietors and settlers under New Hampshire. Mr. Kemp, King's Attorney for the colony of New York, on obtaining said judgment, observed to the agent of the people of the district of the New Hampshire Grants, that "might often overcomes right;" he therefore advised the people on the New Hampshire Grants to make the best terms they could with their landlords under New York. That this was an unprovoked attack on the part of the New-York claimants against an innocent people, to take from them that which they had acquired by the sweat of their brow, who resisted, and after a spirited controversy of 26 years, wrested from the claimants under New York about the same number of acres of lands as the New-York claimants had in cold blood, without the least provocation, sought occasion and attempted to take from the New Hampshire claimants; that, after all this, the people of Vermont,

mont, for the sake of good neighbourhood, paid, for the benefit of  
230 the New York claimants, 30,000 dollars. This conduct of the  
citizens of Vermont (when properly understood) will be jus-  
tified both in heaven and on earth, yet it may be hard on some indi-  
viduals, claiming under New York; but the blame must rest on  
the late colony of New York.

In the spring of 1782, a loyalist officer, out of Canada, having  
raised seventeen recruits in the county of Albany, State of New  
York, set out to conduct them to Canada; he supposed it was  
safer to pass through Vermont than to continue in the State of  
New York; they were furnished with some stores at the roaring  
branch in Arlington. As they were putting them into their knap-  
sacks in the silent watches of the night, Lieutenant William Blan-  
chard passing that way, fell in amongst them; they made a prisoner  
of him. On their march to Canada, they fell in also with Serjeant  
Ormsbury, who shared the same fate with Blanchard. To prevent  
alarm, they struck off the road immediately, and took to the woods.  
The next morning early, Major Ormsbury was apprized of the situ-  
ation of his son and his fellow-prisoner, and the route the enemy  
had taken. The Major dispatched an express to Colonel Ira  
Allen, to inform him of this circumstance, as the Colonel at that  
time commanded a regiment of militia in that neighbourhood. In  
the mean time, the Major directed Captain Sunderland to pursue  
the enemy with a party of men. The Captain took his hounds  
231 with him, who, by their scent followed the tracks of the  
enemy, and thus proved faithful guides to the party.

Colonel Allen, on the receipt of this intelligence, posted full  
speed to Manchester, sent to Captain Eastman, of Ruport, direct-  
ing him to raise a party of men, and way-lay in a certain pass in  
the mountain, where he took the said recruiting party, and released  
Lieutenant Blanchard. Captain Sunderland came up in a few mo-  
ments after, when the sagacity of his hounds was amazingly per-  
ceptible, by going up and smelling to the feet of the prisoners, who  
were brought to Sunderland; the Governor, General Ethan Allen,  
&c. attended their examination. A simple, honest-looking fellow  
was the first examined, and whilst the attention of the populace  
was drawn to hear it, an officer, that was in the secret, found  
means to let the prisoners know, that they must call themselves  
British soldiers, in a loyalist corps, when it was discovered that  
the recruiting officer had his recruiting orders, enlistments, &c.  
with him, which he was directed immediately to destroy, as the  
price

price of their lives; they were examined, considered as prisoners, of war, and sent to Bennington gaol.

Colonel Ira Allen wrote to the British Commissioners in Canada, informing them of these matters, requiring about double the number of prisoners in exchange; that such measures might give satisfaction to the people of Vermont, and this requisition was complied with.

In the mean time a strong party, in and about Bennington, who were opposed to any negotiation with the British, threatened to oppose the said prisoners being sent to Canada in exchange. The Governor being informed of this, and that the party was gaining strength, directed a spirited officer, with a number of men, to repair to Bennington, to take the prisoners out of confinement, and march them to the frontiers, for the purpose of being carteled, which he did.

Colonel Warner, and a Committee, came from Bennington to Governor Chittenden's, where a warm altercation took place, as the gentlemen from Bennington disputed the propriety of the conduct of the Governor, in sending the prisoners to the northward, and threatened to raise a regiment of men to bring them back. Governor Chittenden answered, that he had not taken this step 'till he had consulted the Council, and so done what he thought proper, and should not recall the orders he had given respecting said prisoners, and did not doubt but Colonel Allen's regiment, who had taken said prisoners; were sufficient to support his orders in opposition to any measure they could take; that they might depend that the northern part of the State united in opinion with him and the Council; he therefore coolly advised them to return to Bennington, and persuade the people to be quiet; that they would soon see a generous return of prisoners from Canada; the dispute subsided, and in a short time forty prisoners were returned, part of whom were citizens of the United States. Nevertheless, Major Fay, as Commissary of prisoners, receipted them; when these matters were known, opposition ceased, and the conduct of the Governor was approved by all parties.

Early in 1782, men were directed to be raised for the defence of the frontiers of Vermont, and each town to furnish its quota; opposition was made to these measures in the south east part of the State, through the intrigues of New York; indeed that State went so far as to issue commissions, which, with other measures, produced an armed force within Vermont, to oppose her laws; five  
of

of the principal offenders were taken, and brought before the supreme Court; the laws of Vermont were established on wisdom and moderation, which admitted acts of treasonable offences to be punished by banishment and confiscation of estates; sentences to this effect were passed, and executed on the offenders; complaint was made by the Government of New York to Congress, predicated on the resolves of that body, Sept. 24, 1779, and June 2d, 1780. Congress took up the complaint, and referred it to a Committee, who, on the 14th of November, reported, "that the measures complained of were probably occasioned by the State of New York 234 having lately issued commissions, both civil and military, to persons resident in the district called Vermont:" And that it be recommended to New York, to revoke all the commissions which they had issued since the month of May; that it be recommended to the inhabitants to make full satisfaction to the persons who had suffered damages; and that it be recommended to New York, and to the people exercising Government in Vermont, to adhere to the resolutions of Congress, of September 24th, until a decision should be had upon their affairs. But after several attempts, a vote could not be obtained in favor of these resolves, and the matter was adjourned.\*

On December 5th, 1782, these matters were again attended to by Congress, in violation of solemn faith, pledged to Vermont in their resolves of the 7th and 20th of August, assuming a power not vested in them, by attempting to controul the internal police of Vermont, as by the following resolves will appear.

"By the United States in Congress assembled, December 5, 1782: Whereas it appears to Congress, by authentic documents, that the people inhabiting the district of country, on the west side of Connecticut River, commonly called the New Hampshire Grants, and claiming to be an independent State, in contempt of the authority of Congress, and in direct violation of their resolutions 235 of the 24th of September, 1779, and of the 2d of June, 1780, did, in the month of September last, proceed to exercise jurisdiction over the persons and properties of sundry inhabitants of the said district, professing themselves to be the subjects of, and to owe allegiance to the State of New York; by means whereof divers of them have been condemned to banishment, not to return on pain of death and confiscation of estate, and others have been fined in large sums, and otherwise deprived of property. Therefore, resolved, that the said acts and proceedings of the said people, being highly derogatory to the authority of the United States,

\* Journal of Congress, November 14, 1782.

and dangerous to the confederacy, require the immediate and decided interposition of Congress, for the protection and relief of such as have suffered by them, and for preserving peace in the said district, until a decision shall be had of the controversy relative to the jurisdiction of the same.

“That the people inhabiting the said district claiming to be independent, be, and they are hereby required without delay to make full and ample restitution to Timothy Church, Timothy Phelps, Henry Evans, William Shattuck, and such others, as have been condemned to banishment and confiscation of estates, or have otherwise been deprived of property, since the first day of September last, for the damages they have sustained by the acts and proceedings aforesaid, and that they be not molested in their  
236 persons or properties, on their return to their habitations in the said district.

“That the United States will take effectual measures to enforce a compliance with the aforesaid resolutions, in case the same shall be disobeyed by the people of the said district.”

The people of Vermont were already prejudiced against the proceedings of Congress; these resolutions could not fail to impair all that remained of reverence and respect. The Governor and Council sent a spirited remonstrance to Congress against these resolutions.\* In this remonstrance Congress was reminded of their solemn engagements to the State of Vermont, in their public acts of August 7th, and 20th, 1781, which had been fully complied with on the part of the State, but which Congress had refused or neglected to fulfil: They were told that by their own articles of confederation, they had no right to interfere or meddle with the internal police of any of the United States; and least of all with that of Vermont, from which they had not received any delegated authority whatever: That Vermont had as good a right to independence as Congress; and as much authority to pass resolutions prescribing measures to Congress, as Congress had to pre-  
237 scribe measures, directing them to receive the banished, and make restitution to criminals of the property which had been taken from them by due course of law, for their crimes against the laws and authority of the State: They were reminded that they were pursuing the same measures against Vermont, which Britain had used against the American colonies, and which it had been judged necessary to oppose at every risk and hazard: That their

\* January 9, 1783.

proceedings tended to make the liberty and natural rights of mankind a mere bubble, and the sport of state politicians: That it was of no importance to America to pull down arbitrary power in one form, that they might establish it in another: That the inhabitants of Vermont had lived in a state of independence from the first settlement of the country, and could not now submit to be resolved out of it by the influence which New York, their old adversary, had in Congress: That they were in full possession of freedom, and would remain independent, notwithstanding all the power and artifice of New York: That they had no controversy with the United States, complexly considered; but were at all times ready and able to vindicate their rights and liberties, against the usurpations of the State of New York.

With regard to that part of the resolves, which declared “the proceedings of Vermont to be derogatory to the authority of the United States, and dangerous to the confederacy, and such as required the immediate interposition of Congress to relieve the sufferers, and preserve peace,” they answer, that it appears like a paradox to assert that the exercise of civil law in Vermont should be derogatory to the authority or dangerous to the confederacy of the United States; or that the interposition of Congress would be the means of establishing peace in the State. Law, justice, and order, they assert, were established in Vermont, before Congress passed their late resolutions; what discord they would occasion, time would determine: But that it was the general opinion that a ratification of their stipulated agreement, would have had a more salutary tendency to promote peace, than their late resolutions.

As to the requisition that “the State without delay make full and ample restitution to those who had been condemned to banishment and confiscation of estate,” they observe, that Congress has been so mutable in their resolutions respecting Vermont, that it is impossible to know on what ground to find them, or what they design next. At one time they guarantee to the States of New Hampshire and New York, their lands to certain described limits, leaving a place for the existence of the State of Vermont; the next thing Vermont hears from them, is, they are within these limits controlling the internal Government of the State. Again, they prescribe preliminaries of confederation, and when complied with on the part of the State, they unreasonably procrastinate the ratification.

239 To that part of the resolves in which the State was threatened, "that the United States would take effectual measures to enforce a compliance with their resolutions, in case they should be disobeyed by the people of said district," they return for answer that the State would appeal to the justice of his Excellency General Washington; and as the General and most of the inhabitants of the contiguous States, were in favour of the independence of Vermont, it would be more prudent for Congress to refer the settlement of this dispute to the States of New York and Vermont, than to embroil the confederacy with it. But supposing Congress had a judicial authority to controul the internal police of the State, the State had a right to be heard in its defence. That the proceedings of Congress were wholly unjustifiable, upon their own principles; and that coming to a decision of so important a matter, *ex parte*, and without any notice to the State, was illegal, and contrary to the law of nature and nations. The remonstrance was concluded with soliciting a federal union with the United States, agreeable to their preliminary agreement, which their Committee had reported was "become *absolute* and *necessary* on their part to be performed;" and from which, they were assured, Vermont would not recede.

The Assembly met in the month of February, and sent their remonstrance to Congress. Like that of the Governor and Council, this was also plain, spirited, and decisive; announcing  
240 to Congress, in the plainest terms, that they should not intermeddle in the internal affairs of Government; and that they were fully resolved to maintain their independence.

These resolves, instead of intimidating the people of Vermont, united them in a spirited opposition; the Legislature annually appointed agents and delegates to Congress, but took no further pains to join the confederacy; indeed they found themselves in better circumstances than those of the neighbouring States, on account of taxes, and were content with the measures of Government.

In the winter of 1782, the British in Canada were impatient to learn what effect the capture of Lord Cornwallis had produced. Their anxiety and confidence in the people of Vermont, will best appear from the stile in the extract of the following letter from the British agent, dated February 28th, 1782. "My anxiety to hear from you, induced me to apply to his Excellency (General Haldimand) for leave to send the bearer with this; which having obtained, I earnestly request you to send me, in the most candid, unreserved



unreserved manner, the present wishes and intentions of the people, and leading men of your State, respecting our former negotiations; and what effect the late catastrophe of Lord Cornwallis has on them. Will it not be well to consider the many chances 241 and vicissitudes of war? However brilliant the last campaign may appear, the next may wear a very different aspect: Add to this, the great probability of your being ruined by your haughty neighbours, elated by (what they call) a signal victory; and I hope you will see, as I do, that it is more than ever your interest, to unite yourselves with those who wish to make you a happy and free Government. Will there be a proper time to send the proclamations? I repeat my request, that you will tell me, without reserve, what may be expected in future."

April 22d, 1782, the British agents wrote, "in confidence, we take this opportunity to acquaint you, by the authority of his Excellency General Haldimand, that he is still inclined to treat amicably with the people of Vermont; and these his generous and humane inclinations, are now seconded by much stronger powers from his Majesty, than he has hitherto enjoyed for that purpose. We do, in confidence, officially assure you, that every article proposed to you in his Excellency's former offer, as well as the confirmation of the east and west unions, in their utmost limits, will be amply and punctually complied with. We hope your answer may be such, as to unburden our anxious minds." Extremely fearful about the event, and impatient at not receiving an answer, on April 30th they wrote again, and carried their offers and promises to a still greater extent: "His Excellency has never lost 242 sight of his first object; and I am happy to be able in this, to inform you, that the General has lately received, by way of Halifax, full powers from the King to establish Vermont Government, including the full extent of the east and west unions, with every privilege and immunity, formerly proffered to you; and he is likewise fully authorized, as well as sincerely inclined, to provide amply for \*\*\*\*\*, and to make \*\*\*\*\* Brigadier General in the line, \*\*\*\*\* field officers, with such other rewards, as your sincerity, and good services in bringing about the revolution, may in future merit. In short, the General is vested with full powers to make such rewards, as he shall judge proper, to all those who distinguish themselves in promoting the happy union: And as his Excellency has the greatest confidence in you, and \*\*\*\*\* , much will depend on your recommendations."

*Extract*

*Extract from General Haldimand's Letter in the Summer of 1782.*

“ You may rest assured that I shall give such orders, as will effectually prevent hostilities of any kind being exercised in the district of Vermont, until such time as a breach on your part, or some general event, may make the contrary my duty. And you have my authority to promulgate, in such manner as you shall think fit, this my intention to the people of the said district, that they may, without any apprehension, continue to encourage and  
243 promote the settlement and cultivation of that new country, to the interest and happiness of themselves, and their posterity.” \*

One of the British agents wrote, March 25th, 1783, after some reports of peace, and before officially made known, in this stile :

“ I am commanded to acquaint you, that actuated from the beginning, by a sincere desire of serving you, and your people, as well as of promoting the royal cause, by re-uniting you with the mother country, his Excellency never lost an opportunity of representing every circumstance that could be advanced in your favour, to the King's Ministers, in the hope of accomplishing a reconciliation. His Excellency will continue by such representations, to do all in his power to serve you, but what effect it may have, at this late period, is very uncertain. While his Excellency sincerely regrets the happy moment, which it is much to be feared, cannot be recalled, of restoring to you the blessings of the British Government, and views with concern the fatal consequences approaching, which he has so long, and so frequently predicted, from your procrastination, he derives some satisfaction from a consciousness of not having omitted a circumstance, which could  
244 tend to your persuasion, and adoption of his desired purpose. In the present uncertain state of affairs, uninformed as his Excellency is, of what is doing, or perhaps done, in a general accommodation, he does not think fit, until the result shall be known, to give any opinion, which may influence you, perhaps, to the prejudice of your interests, or that might interfere with the views of Government. If the report now prevailing has any foundation, a very short time will determine the fate of Vermont. Should any thing favourable present, you may still depend on his Excellency's utmost endeavours, for your salvation.”

\* Haldimand's letter to Governor Chittenden, dated Quebec, 8th August, 1782.

The preceding letter, under the circumstances it was written, shews the generous conduct of General Haldimand, in the course of these negociations, and a friendly liberality in cautioning the people of Vermont to be on their guard for new events. The facts are, that these negociations, on the part of Vermont, were from necessity, as has been already shewn; on the part of the British, they were to carry into effect the object of the war; from different motives those measures were carried on in such ways as the parties could agree for their mutual interest, on the strictest principles of honor; and when peace was proclaimed, impressions of friendship remained between the parties, as several interviews between General Haldimand and Colonel Ira Allen afterwards fully evinced.

245 In January, 1783, the late Colonel Samuel Wells, of Brattleborough, being engaged in transmitting letters from Canada to New York, one of his packets was intercepted, and fell into the hands of some of the officers of the continental troops. In consequence of which, a Captain, with a company from Albany, were dispatched to seize the Colonel; who, on being informed of this circumstance, left his house, to take shelter in Canada. In his flight he put up at Captain Oty's, at Bromley, in the Green Mountains; while at supper the Captain and his men came to the house, and put up for the night. Notwithstanding Colonel Wells was fully apprized of the Captain's business, reflecting that there was no dwelling at hand to which he could escape, such an attempt, besides, might awaken suspicions in the Captain, who was about to retire to rest, the Colonel went to bed, and remained there till his pursuers set out to Brattleborough, in hopes to find him there. Colonel Wells proceeded to Sunderland, to consult with General and Colonel Allen, who advised him to set out for New York about twelve o'clock at night; a sleigh was accordingly provided for that purpose, which was brought to General Allen's door at the appointed hour; he set out in it, and having pursued his instructions, in the course of a few nights he arrived at New York in safety.

On the news of peace in 1783, between Great Britain and the  
246 United States, finding that the territory of Vermont was included within the boundaries of the latter as relinquished by the former, the Governor and Council appointed Colonel Ira Allen their Commissioner, to concert measures with the Legislative Council of Canada for opening a free commercial intercourse with that province; but the most essential part of his mission was to confer with the Commander in Chief, General Haldimand, with  
respect

respect to the views of the British Government, as applied to Vermont in particular, and the United States in general. It is to be observed, that many propositions had passed between the agents of Great Britain and Vermont, respecting Vermont's being a colony under the crown of England; that by the preliminaries of peace Vermont was within the territory conceded to the United States as aforesaid; that she had dissolved her unions with them, a part of her consequence, and was not received into the confederacy of the United States. In this situation, completely independent, and not in alliance or connexion with any power on earth, she had cautiously avoided contracting much debt; therefore wisdom dictated moderation, that she might take advantage of whatever circumstances should arise from the new order of things; that considering the multiplied debts the United States had contracted, in the course of their struggles for independence; that their constitution had not sufficient energy to govern an extensive country in time of peace; consequently a new constitution would be  
 247 necessary in the United States, the formation and ratification of which, the liquidation and settlement of the public accounts, providing ways and means for discharging the same, were respectively arduous tasks; and the more so, when it was considered that the sense of danger from without gave rise to new discords within, and between the States a difference in political sentiments and interests might be difficult to reconcile. What influence British agents would have, or what their objects might be, in the United States, under these circumstances, was also a question. Under these impressions, the Governor and Council of Vermont instructed Colonel Ira Allen, at different times, to repair to Quebec, to confer with Governor Haldimand, his successor, &c. on the preceding matters, and to advise for the best good of Vermont; the result of which was, that it was advisable for Vermont to consolidate the interest of her citizens, on one common principle, and admit of no titles to lands, but those derived from New Hampshire, their subsequent confirmations, on the same grounds, from New York, that were in some instances made near Connecticut River, and the Grants made by Vermont; and to form no connexions with the United States for the time being, or until the United States should establish a more permanent constitution, liquidate and provide ways and means for the discharge of their debts. This policy being adopted by certain persons in Vermont, was steadily pursued by them. When the insurrection arose in the neighbouring State of Massachusetts, headed by Mr. Shays, some  
 248 time before the insurgents attempted to take the arsenal of the United States at Springfield, Mr. Shays sent Luke Day and Eli Parsons, two of his officers, to General Ethan Allen, Com-  
 mandant

mandant of the militia of Vermont, offering him (General Allen) the command of the revolutionary army, or insurgents of the Massachusett's; which General Ethan Allen contemptuously refused, directing said men to leave the State of Vermont. General Allen then wrote to the Governor of Massachusett's, stating the circumstance, assuring him that no asylum would be given in the State of Vermont to the insurgents of the State of Massachusett's. General Lincoln sent Major Royal Tylor, one of his aid-du-camps, to the Legislature of Vermont, the October following, to further confirm these measures, and to cultivate a good understanding between the States of Massachusett's and Vermont, who received every satisfaction he could have expected from the Legislature.

After the ratification of the Constitution of the United States, in 1788, Congress convened in New York. Federal Hall was dedicated to the use of Congress, at a great expence of the citizens, and measures were taking to remove Congress to Philadelphia. The citizens of New York, considering Vermont to be too firmly established to expect to overturn the government, or get possession of the lands granted by the late colony of New York, proposed the admission of Vermont into the federal government, in order to which the Legislature of the State of New York <sup>249</sup> passed an act, appointing Commissioners, with full powers to settle boundary lines, and all disputes respecting lands, between the States of New York and Vermont. The Legislature of Vermont passed an act, appointing Commissioners with similar powers, to settle boundary lines, &c.

The aforesaid Commissioners, after several meetings, established the boundaries of jurisdiction, as they then were exercised by said States. All titles to lands within the bounds of Vermont, that derived from the late colony of New York, were annulled, except some in confirmation of the New Hampshire Grants, contiguous to Connecticut River. As compensation for the loss of these lands, the State of Vermont stipulated and paid to the State of New York 30,000 Spanish milled dollars. These acts of said Commissioners were ratified and confirmed by the Legislature of the States of New York and Vermont; in virtue of which, writs of election were then issued by the Governor, directing the freemen of each town to elect members for a Convention, who were to convene for the purpose of first determining whether they would resolve to come into the confederacy of the United States, and if so, to approve, disapprove, or make proposed amendments to the Constitution of the United States. In three days after the convening of such Convention, they resolved to come into the confederacy

federacy of the United States, and approved of their Constitution by an almost unanimous vote.

250 The Legislature of Vermont passed an act, appointing Nathaniel Chipman and Lewis R. Morris, Esquires, with full powers to negotiate the admission of Vermont into the federal union, and sign the confederation of the United States, which was done, making the settlement with New York the basis of the admission of Vermont into the federal government; so that 30,000 dollars, with good management, cancelled grants from the late colony of New York, for about 5,000,000 acres of land, after a spirited dispute of twenty-six years.

In 1791, the Honorable Moses Robinson and Stephen R. Bradley, Esquires, as senators, Nathaniel Niles and Israel Smith, Esquires, as representatives of Vermont, took their seats in Congress.

The first settlers of Vermont laboured under great disadvantages in educating their children, for want of proper schools; yet, nevertheless, care was taken to instruct them to read and write in the English language, and so much in arithmetic as to do any common business, and keep accounts. There is scarcely a man in the State that cannot do this, or a female that cannot read and write. These difficulties have in a great measure subsided, except in the new settlements.

In the townships granted by the Governor of New Hampshire, one right of land, containing about 340 acres, was reserved for  
251 the use of schools in each township; one right was reserved for the propagation of the Gospel in foreign parts, which, by an act of the Legislature in October, 1794, was also appropriated to the use of town schools.

In the townships granted by Vermont, there was one right reserved for town schools, and one right for county grammar schools. It has been proposed to appropriate the right from grammar schools to town schools, which would make two rights in each township through the State for town schools. From the avails of these lands, and other measures, a sufficient number of schools will be erected to give early instruction to the youth of Vermont. Several academies are established in different parts of the State, with handsome funds for their support, by benefactions of their founders.

Dartmouth College, established by the late reverend and learned Doctor Eleazer Wheelock, took its name from the liberal benefaction of the Earl of Dartmouth, is situated in Hanover, in the State of New Hampshire, near the east bank of Connecticut River, to which the Legislature of Vermont gave a township of land, six miles square; which College is well endowed and organized, and is one of the most flourishing in the United States, under the presidency of the Honourable John Wheelock, LL. D.

252 Williams College, so called in commemoration of its founder and benefactor, Colonel Williams, is established in Williamstown, near the south-west corner of Vermont, which has been lately organized, and is in respectable circumstances, increasing fast in its numbers of students and reputation, under the presidency of the Honourable Doctor Fitch.

The university of Vermont was established at Burlington Bay, on the east bank of Lake Champlain, in 1791, in pursuance of a memorial of Ira Allen, Esq; to the Legislature in 1789, and on the following benefactions:—

By Ira Allen, Esq;	-	£4,000 0 0
By his Excellency Governor Chittenden	-	300 0 0
By General Spafford	- - - - -	200 0 0
By William Coit, Esq;	- - - - -	200 0 0

Which, with donations of gentlemen in and near Burlington, increased the benefactions to nearly £10,000. Besides the gifts of the above individuals, the Legislature endowed the university with a right of land in each township, granted by them, the total amount of which is about fifty thousand acres.

The trustees appointed by the Legislature are gentlemen of different religious sentiments, to prevent any kind of preference being given to religious or political parties. They have cordially 253 united in promoting the true interest of the university, by leasing out the lands, in the first place, rather than appropriate the capital in buildings, and organizing said university, except that part of the donations, consisting of materials, which have been employed in erecting public buildings.

From the funds appropriated to schools, academies, colleges, and universities, in and contiguous to Vermont; from the disposition of the people to contribute further to support those institutions, and desire to extend knowledge amongst all orders, great benefits may be expected to rising generations.

The

The Legislature of Vermont, in October, 1794, passed an act, authorising the select men of each town to lease the glebe right, and annually to apply the avails in support of the minister or ministers of the respective towns, in proportion to their hearers, without giving preference to any religious denomination, as all sects are equally countenanced by the laws of Vermont.

The liberal grants of land in the several towns within the State to support religious worship, will, no doubt, highly advance society, and be the means of teaching people to pay the tribute of adoration due to the Author of Nature, which ought to be regarded by all communities for present and future benefits.

254 The situation of Vermont for commerce may be judged of by Captain Twist's estimate of the expence of a canal sufficient for a ship of 200 tons to pass from the River St. Lawrence into Lake Champlain for £27,000 sterling, as noted in page 4, and a canal that is now nearly completed from navigable waters in Hudson's River, sufficient to pass boats of 25 tons burthen into said lake, which is further elucidated by the prefixed map. The inland canals, which may be extended through most of Vermont, the fertility of the country, the variety of raw materials and uncultivated lands for want of inhabitants, point out mutual advantages, with a manufacturing nation to supply many articles for convenience and luxury; that by the treaty of 1794, British ships are allowed to navigate the waters of Lake Champlain for the purpose of commerce, and to render said waters useful and interesting to both nations, the canal ought to be completed, and the shipping of Vermont permitted to pass Quebec, on paying a trifling acknowledgment; or, as an equivalent for British ships navigating the waters of said lake. Were these plans accomplished, they would be more interesting to Great Britain than to the United States, and the merchants need not be further told how to take the advantage thereof.

The Government of Vermont admits not of hereditary powers, nor democracy, nor aristocracy, but is founded on the principle of  
255 representation. By its constitution, the people retain the right of annually convening in their respective towns, to give their votes for a Governor, Deputy Governor, 12 Counsellors, and to chuse a representative for each town, who afterwards meet and form "The General Assembly of the State of Vermont," which Assembly so convened enact laws by the power derived from the people, to whom the Assembly is responsible. This system of Government seems to be founded in nature and true policy; and  
most



most likely will be supported by reason and self-preservation, because every man has equal rights to lose and defend with his neighbours, and expects safety, wealth, and preferment, according to his virtues, abilities, and talents.

The General Assembly is impowered to appoint Judges, Sheriffs, and Magistrates, as well as Major Generals and Brigadier Generals; but the Governor and Council commission them and all other military officers.

The General Assembly have, by their delegated power, divided the State into eleven counties, and appointed Judges, Sheriffs, and Justices of the Peace. The militia have been formed into companies of infantry, artillery, cavalry, regiments, brigades, and four divisions. Their numbers in 1781 were estimated to be 7,000; in 1792 they were computed to be 18,500; and in 1798 they may be near 30,000.

256 The annual expences of the Government of Vermont, from October 1, 1791, to October 1, 1792, amounted to £3,219 9s. 9d. currency, that is, reckoning a guinea at 28s. and the expences have not generally differed since.

The revenue of the State depends not on commerce, but on taxation of real and personal property. In 1791, the whole list of the taxable property of the State amounted to £324,796 18s. 10d; when the sum of expence, in 1791 was divided between the inhabitants of the State, according to the census, it was found that each person paid only six-pence three farthings to Government for the protection of his *person, liberty, and property*.

It may be difficult to find any part of the civilized world, where the inhabitants enjoy the protection and blessings of Government at so little expence as the people of Vermont.

The population of Vermont, taken by the census in 1792, amounted to 85,589, which number has been greatly enlarged since from migrations and births. It appears that the climate of Vermont is salubrious and healthy, from the bills of mortality inserted in the history written by *Dr. Williams*, page 367, for the years 1789, 1790, 1791: the number of inhabitants then in Rutland was 1407—Deaths 47—Births 223; and in other towns the ratio of deaths and births were similar; it thence appears, 257 that deaths in Vermont, compared with the births, were in proportion of 1 to 4; therefore, without including the mi-  
60 grations

grations into the State, the people will naturally double their numbers in nineteen years and five months, "While in Great Britain and most other countries in Europe, they are not supposed to double in less time than five hundred years."\* From this comparative natural increase of the human race in Vermont, with that of most parts of Europe, we are apt to inquire for the causes, which are, either the climates, the civil forms of Government, the luxury of the rich, the extreme poverty of the poor, long bloody wars, large fleets and numerous armies, the servitude of the peasants, the impious law of celibacy, or a feudal system pervading the old world, where the natural increase of mankind is uncertain and very slow.

Machiavelian policy has been long celebrated, though it has been as long destroying the noblest productions of nature, the rapid increase of people, the strength, prosperity, and wealth of nations.

\* Smith's *Wealth of Nations*, Vol. 1, page 94.

## APPENDIX.

S I R ,

258 I received your queries, and am glad to have it in my power to answer them, and I hope to your satisfaction, for I know you are one of the few that looks for nothing beyond truth and plain language. As I sent you an accurate map of Vermont, it is needless to repeat the situation of it; a map, it is true, may be dressed out in gaudy colours, and a writer, of a warm imagination, may embellish the most barren country; but there is no occasion for any aids of this kind in treating of the present subject, it will be sufficient to state things as they are, and I promise you that I will not exceed the limits of truth.—I need not tell you that I have travelled through some of the finest countries of Europe, and paused with rapture on some of the most picturesque views, and I do not hesitate to say that Vermont vies with many of them even in her present state. Pere Martini,\* who lived many years in Canada, and visited this country, says that Vermont may be called one of the daughters of Columbia; but what would he say if he saw it at present, abounding with scenes that would charm the eye and gladden the heart? for what can be more pleasing to a benevolent mind, than to see a hardy race, with nerves strong by labour and complexions ruddy with industry, cultivating the grateful soil, tending their flocks, or employed at intervals in the discharge of domestic duties, sensible of the blessings of rational liberty, and the sweets of seasonable repose.

You see by the map that a chain of lofty mountains extends from the north to the south, and divides the State nearly in the middle, hence it has obtained its name from the French word *Verdmont*, and never was a name more applicable, for even in winter they are clothed with verdure, and crowned with lofty woods. The contrast betwixt the cultivated and uncultivated grounds is exceedingly pleasing, and even inviting to the labour of the husbandman. In this contrast he sees the effect of his own powers, aided by the goodness of providence; he sees that he can embellish the most rude spot, the stagnant air vanishes with the woods, the rank vegetation feels the purifying influence of the sun; he drains the swamp, putrid exhalations flit off on lazy wing, and fevers and agues accompany them. It is true, there is not much occasion for all those efforts in this State, for the climate is healthy, and for the truth of this assertion, I might appeal to the longevity of the inhabitants, many of

\* See Martini's Letters, vol. . Paris, 1744,

whom

whom enjoy what the Physicians call the *Youth of Old Age* ; I would not have said this much if many of the Europeans did not affect to talk of the sudden transitions of the seasons in this quarter of the globe, and a long string of attendant diseases, the offspring rather of luxury and debauchery, which I hope will be the last and most unwelcome  
 260 visitants in the state. Your third query puzzles me a little, for I am really at a loss in the classification of the inhabitants—they are all farmers, and again every farmer is a mechanic in some line or other, as inclination leads or necessity requires. The hand that guides the plough frequently constructs it, and the labours of the axe and the plane often evince a degree of genius and dexterity that would really amaze you. As to what you call day-labourers the number is few, and if industrious they can soon emerge from that situation, the farmer does not look down on them with an eye of severity or contempt, on the contrary he holds out his hand to them, and assists to raise them on a level with himself. When a new settler arrives, it is not material from what part of the world he came, industry and a good character are the best recommendations, and if he brings these with him, he is received with hospitality and kindness. A large family is considered as a blessing, for there is employment and encouragement enough for all. The first thing to be considered perhaps is a dwelling-house ; this is cheaply and easily reared, it is composed of timber, as there is plenty of wood ; convenience is chiefly consulted, the number of rooms is proportioned to the family, they are well lighted, shingled and airy, though snug and remarkably clean ; though the furniture is not sumptuous it is useful, and every article is found in its place ; the labours of the family are divided and pro-  
 261 portioned according to their strength, ingenuity, and sex. Their diet is wholesome, and the stranger finds a hearty welcome in every countenance. The little cookery may be said to be hereditary, for there is scarce a family that has attempted to introduce any luxury in that line, which their ancestors would be ashamed to see on their table except tea, on which many now breakfast. Time is divided into labour and rest intermingled with innocent amusements, that render the one light and the other refreshing and sweet ; that the stranger and the traveller may partake of their hospitality, the hours of repast are in general fixed and certain ; they breakfast at eight, dine at twelve, and sup at eight. As you seem to dwell on the day-labourer, I assure you that you would find it difficult to distinguish betwixt his humble board and the table of the farmer ; if the former chuses, he can dine on fish, flesh or fowl. What is the language then that Vermont holds out to persons of this class ? let us suppose that she addressed them in this manner—“ I do not ask whence you came, nor your religious opinion, you are welcome to enjoy it ; if you are honest and industrious that is all I ask ; if you can till the ground, there is a certain portion of it, it will repay your labours ten fold ; if you want a cottage there is wood at the mere expense of cutting  
 it

it down, and abundance of fuel. If you want fish, look round, you see rivers running in every direction, put in your net ; if you want wild fowl repair to the woods, they'll only cost you powder and shot, there is none  
262 to hinder you ; you may rear swine and other domestic animals at an easy expence. If you are contented with the fleece in its native colour, your wife can spin and weave it, and after a few years labour you can purchase a farm in fee simple, and enjoy the sweets of it ; if your family is large you can provide for all ; the fruits of your industry is guarded by wholesome laws, and if you pay a proper respect to them you will be respected in your turn ; thus you see you can plant a tree, and your children's children can repose under the shade of it. If such is the state and prospect of the peasant, what is the situation of the farmer—the Lord of his own soil, remote from the thunder of power, the false blandishments of luxury, the glare of unwieldy wealth ; if he knows how to appreciate the real blessings of life, I know of none that may be called happier. With respect to the face of the country, if you ask me merely with regard to rural views, I can say that the landscape painter would be highly charmed, as I know of no country that abounds in a greater diversity of hill and dale, but I must add that those hills are in general capable of being converted into arable ground, and that the most craggy mountain if cleared, would produce tolerable pasturage ; some parts may be compared to the sea in a storm, and others in a gentle breeze ; the plains in some places extend several miles, particularly along the banks of Lake Champlain, as you may see by the name. You ask me if the Vermontese  
263 are good agriculturists ? I answer that putting everything together they have made a rapid progress in that useful branch of science ; time and opportunity it is true, have not enabled them to make many Georgical experiments, nor have they occasion, as the soil, with a little cultivation, furnishes them with all the necessaries of life in abundance, such as wheat, oats, rye, beans, barley, &c. ; they have no necessity to introduce foreign grasses, where every hill and valley affords abundance of herbage spontaneously, and every plain permitted to remain a few months untouched becomes a meadow.

I need only give you one instance of the fertility of soil, namely, that it produces excellent potatoes without manure ; wild hops and grape vines flourish spontaneously, and arise to such a degree of maturity that I am persuaded, with the assistance of a little art, they might be brought to great perfection ; at present the wild grape is only used as a desert, or to allay thirst, as the taste on that occasion is very agreeable. The woods also produce other fruits in great plenty, some of which you are obliged to pamper in your hot-houses in England. If you cast your eye over the map, you will easily perceive that the country is extremely well watered. Lake Champlain is a noble chart, and so deep that ships of war have sailed on it. It is sprinkled with many beautiful, fertile, and  
well

well inhabited isles, but it is to be lamented that the wealth of its waves should be merely confined to the fisherman, when they might be converted to the noblest purposes of trade and useful navigation, for the mutual benefit of millions, by a navigable cut to the river St. Lawrence.

In consequence of an application made by Ira Allen, Esq; of this State, to General Haldiman, Governor of Canada, in 1784 and 1785, the General thought so highly of the proposition, that he appointed Captain Twist, the engineer of that province, to make a survey and estimate the expence of a canal from the river St. Lawrence to Lake Champlain, which was executed in 1785. The Captain began his survey at the rapids of St. John's, and carried it on along the side of the river Sorel to Chamblee, &c. The estimate of the expence of this cut, sufficient to bear vessels of two hundred tons burthen, was calculated at £27,000 sterling. The canal which I now propose is to extend from St. Therese to the river St. Lawrence, as laid down in the map annexed to this book. The expence may exceed the preceding estimate; but the excess will be amply compensated as the difficulties of a narrow winding river, upwards of thirty miles, would be avoided. It may be necessary to make several surveys to ascertain the best, as the face of the country is level, and the soil marly. The waters of Lake Champlain are higher than the river St. Lawrence, which demonstrate the probability of the measure. It is impossible to calculate the advantages of this undertaking in a commercial point of view; such an undertaking would promote agriculture, population, arts, manufactures, handicrafts, and all the business of a civilized state, regulated by wise laws, sound policy, a deep sense of religious duty and morality.

To this I shall subjoin the following abstract, taken from General Allen's memorials on this subject, to his Grace the Duke of Portland, &c.—Page 104, Vol. I. of the ship Olive Branch capture.<sup>1</sup>

In an interview with his Grace, General Allen laid down the advantages that would mutually result to the two countries, if such a communication should be carried into effect. His Grace objected to any share of the expence on the part of the British Government, but expressed his readiness to receive, and to consider of proposals for carrying the same into execution on other principles. General Allen, in his Memorials, &c. offered to cut the Canal at his own expence, on condition that he should be secured in a interest of his money, by an order from Government, assigning a tonnage on vessels &c. navigating this Lake, to the amount of said interest; and that shipping built in said Lake, by the citizens of Vermont, should be permitted to pass to and from the open

<sup>1</sup> [See preliminary note *ante*.]

seas, paying such tonnage as should be deemed reasonable on passing Quebec ; that the manufactures, raw materials, and produce of Vermont, should be permitted to pass to the open sea ; that the manufactures, goods, &c. of Great Britain, should be permitted to be imported in  
266 the shipping of Vermont into the said State, without paying any duty on such exports or imports, by Act or Acts of the Parliament of Great Britain, or the Legislature of Lower Canada. That contiguous to said Lake was a fertile country, abounding in lumber, iron ore, marble, &c. that the soil produced wheat, Indian corn, peas, barley, hemp, grass, &c. in great abundance ; that the country was erected into a settlement after the conquest of Canada, by the late Lord Amherst, in 1761, and is now estimated at a population of 150,000 souls. That Great Britain, through the medium of the said Canal and Navigation, would, in fact, reap the advantage of the trade of Vermont, and of the northern part of the State of New York, which parts, contiguous to Lake Champlain and Iroquois, would then find it their interest to become a part of the State of Vermont. That such reciprocal navigation and interest in the Canal, would cement and promote friendship betwixt the people of the two Canadas, and those near the Lake and the Iroquois, and would tend very much to strengthen the Treaty made betwixt Great Britain and the United States of America in 1794, under which Treaty British ships are permitted to navigate Lake Champlain for commercial purposes. That in case of war betwixt any powers, except those of Great Britain and America, the commerce of said Lake might be conveyed to Europe in  
267 Vermont or British bottoms, free from capture, high insurance, or expence of convoy. Hence the enterprizing inhabitants of Vermont would find it their interest to support the government of Great Britain in Canada, whilst the remainder would be satisfied with the Canal and commerce. In peace or war, it would render the price of salt, English goods, &c. cheap, and in time of war, the exports of Vermont would bear a high price, in consequence of the ease and safety of transportation. The people of Vermont thus situated, would be averse to war ; they would, in fact, be a neutral body betwixt two great nations ; whilst their Representatives in the Legislature of the United States would oppose every idea of hostilities between Great Britain and the United States, on principles of mutual interest ; thus the most permanent contracts are established, and the blessings of peace and prosperity the rewards.

The said canal would extend navigation 180 miles into a fertile country, abounding in all kinds of iron ore, suitable to make pig-iron, bar-iron and steel, marble, white and clouded, copper and lead-mines, fir-trees\* ash, white and red oaks, cedar, and various other trees. There are also a variety of rivers, with proper falls to erect iron-founderies, refineries, saw-mills, &c. where pig and bar-iron are made ; deal boards, marble

\* Pine-trees in America.

268 slabs, &c. may be sawed by water. Masts, spars, staves, &c. furnished in abundance ; of the preceding articles but little use is made for exportation. Wheat, rye, barley, Indian corn, oats, beans, pease, hemp, flax, beef, pork, butter, and cheese, are produced, in great abundance. The farmer, in clearing the timber from his lands, can furnish great supplies of charcoal to serve furnaces, refineries, &c. and furnish large quantities of ashes to make pot and pearl ashes ; these articles may be furnished cheap by the farmer, which would pay him, in many instances, for clearing his lands, instead of burning the timber on the ground to clear his lands.

A ship canal would be the means of importing salt, and exporting the preceding articles cheap ; the remittances that would be made on these raw materials would enable the merchant to make punctual remittances ; it would draw commerce from the east, that now centers at Boston, Newbury Port, Portsmouth, &c. and add to the population of Lake Champlain. These measures would almost, beyond calculation, increase the commerce at both ends of said Lake, admit that heavy articles would principally pass the ship canal, yet when the reader takes into consideration the length of the river St. Lawrence, the frozen season, that goods are seldom imported but once a year to Quebec, that spring and fall shipments are seasonably made to New York, the necessity of making early  
269 remittances, &c. the proprietors of the canal from Hudson's River would be benefited by said ship canal, in consequence of the extension of business ; one circumstance that would tend much to draw commerce from the east to said Lake is, that it is customary for the merchant and farmer to move most of their heavy goods and produce by sleighs, in the frozen season ; that the changeable weather on the sea coast at Boston, &c. spoils the sleigh path, so that about one journey in three are lost, while the more temperate and healthy climate of Vermont insures good sleighing for about two months.

The British merchants and manufacturers know their capitals and connexions, and that the treaty of 1794 permits them to navigate said Lake, and need not be further informed how to take the advantage of that extensive business, which is better policy than confining commerce in a narrow channel, badly calculated for the present day.

You ask me with regard to timbers ? I answer, a great variety, so great that the mere catalogue would exceed the limits of a letter. You call the oak the patriarch of the wood, and I assure you we have different species of that hardy race, the white, the black, red and swamp, all useful in civil and nautical architecture. The white pine is applied to so many uses that I can scarcely enumerate them, it may be applied to every use  
270 of the deal, and the turpentine which it produces might be made a useful article of exportation. In short the trees and plants of this country



country would enrich even the Linnæan system, but that must be the work of a future day ; as yet we have not discovered any gold or silver ore in this state, but if it does not boast such precious metals, it contains much more useful, such as iron, lead, copper, &c. The mineralogist would find it well worth his while to explore the very bowels of our mountains, and I am persuaded that the chymist and natural philosopher would not be disappointed in making experiments on many of the native productions in the mineral and vegetable kingdoms, and that many things which now contribute to the pride and luxury of the European countries, in colour and formation would find a rival in plants trod under foot, or minerals buried in unfrequented spots, such as red and yellow ochre, &c. putty, which even in its native state, equals in tenacity and induration the composite material of that article in your country, and employed in similar purposes.

As to your query relative to domestic animals, I feel myself able to answer you on that important head, to begin with that which is universally acknowledged to be the most useful, I mean the sheep. The breed is good, but the crossing is not studied as in England. They are remarkably prolific, the mutton sweet, and the wool generally fine and good, every farmer has a flock more or less. The breed of black cattle is daily  
271 improving, butter is good, and so is the cheese, but a few English farmers, from what I have seen, would, in a short time, bring about a surprizing change for the better in these articles ; we want a Bakewell and a Colley, and I think, if we had a few of them, in a few years we could equal the sheep walks of Lincolnshire, and the bulls of Lord Egremont, as our vegetation is at least as luxuriant and nutritious as any county in England. As to the breed of horses, it is also improving in this State, from the laudable exertion of individuals, who have learned to place a due estimate on this generous animal, either for the saddle or agriculture. I could name individuals, with pleasure, in the southern part, who have turned their attention to this article, but I do not wish to pay any personal compliment to one part, at the expence of another ; competition produces emulation, and emulation always finds its level.

I cannot help saying that it distresses me a little to think that a man of your information should seem to treat Vermont as a little sucking State, I assure you that you will find on a correct information, that even the mechanic arts are not in their infancy in this quarter, new roads are every day extending, bridges erecting, population advancing, agriculture improving, towns multiplying, and rivers marked out as objects worthy of inland navigation. We contracted no debt during the American war ;  
272 our taxes, if they can be called taxes, are light, our climate is mild, our soil fertile, our inhabitants industrious, our provisions abundant and cheap, and it is our determination to avail ourselves of these blessings, and to hand them down at least unimpaired to our children. I

know that roads are a very important article in any country, either for pleasure, safety, or use, the one through the medium by which neighborhood and communication are kept alive and improved ; they are laid out in as good a manner as the circumstances of the country will admit, and as it abounds with stone, gravel, and sand, they may be rendered equal to any in Europe ; and even in the present state, they are passable for carriages, &c. especially in the oldest settlements. Licensed inns are erected on all the public roads, with good beds, a plentiful larder, and moderate bills.

Post towns are distributed over all the country, and weights and measures, leather sealers, &c. are regulated according to law, and inspected by proper officers.

The greatest legislators from Lycurgus down to John Lock, have laid down a moral and scientific system of education as the very foundation and cement of a State ; the Vermontese are sensible of this, and for this purpose they have planted several public schools, and have established a university, and endowed it with funds, and academic rewards, to draw forth and foster talents. The effects of these institutions are al-  
273 ready experienced, and I trust that in a few years the rising generation will evince that these useful institutions were not laid in vain ; remember, however, that our maxim is rather to make good men than great scholars : let us hope for the union, for that makes the man, and the useful citizen.

You see I have followed your queries in the order in which you arranged them ; with regard to the succession of seasons, they are by no means sudden, as you suppose ; spring pays its welcome visit in April, and is soon followed by summer, October and November are pleasant, and the rest of the year is resigned to the rigid reign of winter ; too forward a spring is unfavourable, particularly if attended with a north-easterly wind, south and south-west are the rainy points ; these observations are founded on experience and accurate meteorological observations. The weather, however, is sometimes capricious, a fall of snow serves as a covering to inhale the radical moisture of the earth, and as it is replete with nitre, it supplies the place of manure, and when it is gradually dissolved, vegetation shoots forth in the highest luxuriance. With respect to seed time and harvest, spring wheat and spring rye may be sown in April, or in May. Indian corn is planted in May, as well as barley, oats, peas, beans, &c. Winter wheat and winter rye are sown in September and October. These are the regular seed months, but sometimes  
274 they are later or earlier. Red and white clover, Timothy and other grasses are generally sown in May and September, but not always confined to these months. Winter wheat and winter rye are the earliest harvest ; spring wheat, and spring rye, if sown in the last of April or beginning

beginning of May, are cut in July or August ; Indian corn is the latest harvest, and all the rest that I have mentioned are intermediate crops.

Flax and hemp answer well in many parts. The hay harvest usually begins in July and generally ends in August, but the season is commonly favourable in that period. The produce is not gathered in with all the neatness and attention that it is in England, for to use a scripture phrase, "the harvest is great but the labourers are few," I say few comparatively speaking ; nor are the lands carried to that height of cultivation for the same reason.

The price of labour is thus raised in consequence of the scarcity of labourers ; and to use another scripture phrase, "the labourer is worthy of his hire," so that you see there is one part of the world where the reaper and the binder are held in proper degree of estimation.

You ask about the succession of crops, I shall endeavour to answer you presently on that head ; but in the first place, I must beg that you will cast your eye over the political history of the country, to which this is annexed, you will find the struggles that we were engaged in for years 275 to attain our independence. When war draws the sword, the plough-share is left to rust. When our independence was gained, our first care was to repair the devastations of war ; under these circumstances, it is not to be expected that agriculture was studied as a science. Bread, figuratively speaking, is called the staff of life ; our first care was to raise such crops as best suited with the nature of the soil, in its rude state almost ; our winter crops are rye and wheat ; our summer crops are white beans, Indian corn, summer rye and wheat, buck wheat, oats, barley, peas, flax, hemp, turnips, &c. I have touched on these things already, but my wish to give you every information, may lead me to repeat some particulars, which I hope you will excuse, for the reasons I have just mentioned ; I shall only add, that such is the certainty of the seasons, that all these crops, if sown and planted in due time, seldom fail to repay the toil and expence of the husbandman.

As to gardening, it has been attended to pretty much of late, but I cannot say that it is in that advanced state which you wish, and of which it is certainly capable, from climate, situation and soil. There is a garden, however, annexed to every house, always well stored with pulse and roots for the supply of the table ; parsnips, carrots, turnips, cabbage, potatoes, pumpkins, &c. grow in such abundance, that we begin to fatten 276 swine with them. A swine is said to be the only animal that is found from pole to pole, capable of contending with rattle-snakes, and their poison free of danger. As soon as the acorns, beech-nuts, &c. begin to fall, they are driven to the woods, in large herds, to feed on them. The delicacy, taste, and nutrition of these nuts are particularly suited

sued to the palate of these animals, so that in a short time they grow to a great size. The hog prefers the beech nut to any other, and the effect of that preference is visible in growth and fat, hence a good beech nut year may be called a good swine year. At a proper period they are prepared for the knife, this is done by giving them a certain quantity of sulphur, and when it has sufficiently operated, they are then fed with Indian corn or meal, which render their flesh firmer than any other food. We have no windmills, nor is there any occasion for them in a country so well watered. Corn or grist mills are every day erecting, a proof of the advancement of agriculture. Mill stones are found in almost every part of the country. Sumach grows in great plenty over all the state, and of the finest quality too. It is hoped that one day it will be turned to more use than it is at present.

I have abstained from entering into the natural history of Vermont, as it would lead into a wide field. The butter nut tree, however, should be mentioned, I think it may be classed as a species of the walnut; it bears an immense quantity of nuts, in clusters, the size of a hen's-egg each. 277 They make excellent pickle, and when pressed or boiled, produce great quantities of oil, which is of a sanative quality, in rheumatism, &c. The bark of this tree is used in dyeing black, which preserves a fine jetty gloss for a long time; wainscotting are sometimes formed of the wood. The cows in winter are fed with hay, clover, turnips, pumpkins, &c. Those that give milk in that season are fed with oats, Indian corn, ground together and mixed with wheat bran.

Marl is found in many parts of Vermont, but as the ground is fertile and in good heart, it is not used as a manure, but it is probable that it will be found very useful in that line hereafter, when on sandy grounds, &c. as sand is good on marly ground. Lime stone is also abundant, and I need not tell you that it is an excellent manure. Maple sugar forms a great article of domestic consumption, the material is plenty, the preparation is easy, the taste agreeable, it seldom cloyes the stomach, it is an excellent anti-scorbutic, and so innocent, that it may be taken in almost any quantity by infants.

I cannot say that we have any birds that are not common to the other States, such as the swallow, woodcock, quail, &c.

Notwithstanding I have said that every farmer is in some respect a mechanic, you should take it as I intended it, rather a general expression, for there are handicrafts who find encouragement enough to apply 278 to particular trades, without so much as scarce ever putting the hand to the plough, such as smiths, taylors, carpenters, shoemakers, &c. they find employment enough, and in a few years I am persuaded that the

the manual arts will become more visible and distinct, and that one man will not be found to trench on the business of another, but at the same time that all will be thrown open to merit, industry, and perseverance ; and that the State, like a well regulated machine, will be composed of different members, and every one in it's place.

You wish to know which is the usual and best mode of travelling, I have told you already that our roads are rather indifferent. The usual mode is on horse back, but of late stage coaches are established, and the fare is moderate, the inn-keepers civil, and the entertainment good. In winter, when the roads are rendered good by the frost, we travel in sleighs, as in Sweden, Denmark, &c.

I scarce know of any nation that pays a greater deference to the fair sex than the Americans, and very deservedly too, for it is but justice to my fair country-women to say, that they are highly worthy of it in every situation, maid, wife and widow. Their education is virtuous, and suited to the line in which fortune has destined they should move, thus every woman thinks it sufficient to shine in her own domestic sphere. The men willingly assume all the toils of the field, and every species of ser-  
279 vile labour. Women are employed in the concerns of the house, such as preparing the frugal repast, spinning, weaving, knitting, &c. sometimes they assist in binding the sheaves, or other light labours in the harvest. Every mother generally nurses her own child, unless through bodily infirmity. The winter nights are passed in reading rustic jokes and tales. Dancing is a favourite amusement in this season.

I know you will be pleased to hear that that art, which is the conservatrix of all others, printing, is encouraged and protected ; four or five newspapers are printed in this State, and have a circulation ; several useful books are also printed, as the laudable passion for reading is daily increasing. You seem to be very much alarmed at the bare mention of the rattle-snake, and I am not surprized at it, from the frightful accounts of modern travellers, permit me to say a word or two on this reptile. The rattle-snakes, in the early frosts about the month of October, retire to craggy rocks, where they find some subterraneous cavity, in which they remain in a state of torpor till the return of spring, when they crawl forth ; at this season they are not poisonous, as they are too feeble, and their venom is not sufficiently concocted till they drink water, which ferments and increases the virus. Their dens or haunts are sought for the purpose of destroying them, as their grease is valuable in many medical cases, which is an incentive to trace and destroy them, so that they  
280 are diminished in proportion as the country is cultivated and cleared.

And

And as it seems to be a dictate in nature that there is no bane for which there is not a remedy, the Indians are in possession of one, and can effectually cure their bite ; nor is the secret confined to them alone. The swine eat or feed on them, this also tends to lessen their number, so that at present they are to be found in very few places in Vermont; these plain facts I hope will quiet your fears.

Pot and pearl ash form at present no inconsiderable article of export and home consumption.

Our Vermontese house-wives are not a little vain of their knowledge in making home-made wines, such as gooseberry, raspberry, &c. these native productions are exceedingly pleasing, refreshing, and healthy.

Cyder is a favorite beverage, the flavor is fine, of a proper age it sparkles and mantles in the glass ; it is found to be an excellent anti-scorbutic, and if used for a certain period, corrects impurities of the blood.

Some lead-mines have been discovered of late, and I doubt not, when the naturalists and mineralogists explore those regions, that they will  
281 discover many treasures in their respective lines highly estimable at this day in Europe in the materia medica, dying, building, ornament and use.

Hats are composed of beaver, and manufactured by the inhabitants. Felt hats are also worn and manufactured in the State.

Inoculation has been introduced with great success, and by this means thousands of lives are preserved to the community. The meazles are not so dangerous as heretofore, as the treatment of this disorder has deprived it in a great degree of its malignity.

You ask what manufactures would thrive best in Vermont? I am persuaded the difficulty would be to point out the manufactory that would not flourish in it.

Thus I have attempted to give you a short but faithful answer to your queries ; if you favour this country with a visit, you will find that I have only failed in one thing, and that is, that my descriptive powers cannot do justice to the fertility and beauty of the country, to the hospitality of its inhabitants, to the plenty that is found in every house, and the content that is pictured in every countenance, and that reigns in every heart—would that all mankind were as happy this minute as the Vermontese.

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