

VERMONT HISTORY

THE VERMONT HISTORICAL SOCIETY • VOL. 64, NO. 3 • SUMMER 1996

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VERMONT The Proceedings of the Vermont Historical Society HISTORY



SUMMER 1996

VOL. 64, No. 3

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(ISSN 0042-4161)

Articles appearing in this journal are abstracted and indexed in *Historical Abstracts* and *America: History and Life*.

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Vermont History: The Proceedings of the Vermont Historical Society, published four times a year, in January, April, July, and October, by the Vermont Historical Society, whose offices, library, and museum are located in the Pavilion Building, Montpelier, Vermont. Second-class postage paid at Montpelier, Vermont.

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Karen Stites Campbell is reference specialist for the Wilbur Collection of Vermontiana at the Bailey/Howe Library, University of Vermont. She previously served as editor and trustee for the Chittenden County Historical Society and is active with the Lake Champlain Maritime Museum and the Ethan Allen Homestead. She has delivered a number of lectures on the impact of the War of 1812 in Vermont.

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Director of the Vermont Historical Society from 1940 to 1942 and editor of the State Papers of Vermont from 1950 to 1955, **Edward A. Hoyt** has written extensively on Vermont in the period of independence and early statehood.

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Bruce P. Shields studied modern and medieval English literature and language at Harvard, Edinburgh, and Rutgers, receiving his doctorate in 1970. A tree farmer and a trustee of Orleans County Historical Society, he is now working on an extended history of Craftsbury.

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Correction: In the previous issue of *Vermont History*, we incorrectly listed the academic credits for author Clara Merritt DeBoer. She holds a B.A. and an M.A. in history from the University of Vermont and a Ph.D. in American history from Rutgers University. We regret the error.



Propaganda, Pestilence, and Prosperity: Burlington's Camptown Days During the War of 1812

The arrival of the U.S. Army first doubled then tripled Burlington's population. The presence of 3,000–4,000 troops simultaneously boosted the local economy and created a number of social problems.

By KAREN STITES CAMPBELL

Colonel Isaac Clark surveyed the scene before him on the morning of June 21, 1813. The crowd gathering at the U.S. Army encampment along the Burlington waterfront expected to witness the execution of eight deserters, four condemned to die by the gallows, four to face the firing squad. To the solemn beat of regimental drums, the troops marched into the parade grounds and formed a square. The doomed soldiers were led into the center of the square and faced Colonel Clark, resplendent astride a white horse, his commander's sword hanging by his side. The prisoners fell to their knees and begged for mercy: "We have offended and broken the laws of our country, and by them, we are condemned to suffer the most ignominious punishment. . . . We do as our only hope cling to the belief we shall be spared." All eyes turned to Colonel Clark when he responded: "Soldiers—You whose lives have become forfeited for the crime of desertion . . . know, that the government, through me . . . has permitted you to return to duty, graciously *pardoned you*." Clark warned the assembled troops never to expect such clemency again, for in the future "retributive justice will be as exemplary and terrible as its mercy has been conspicuous." For the benefit of the anxious townspeople, Clark stressed that the compassionate pardon by the U.S. Army demonstrated "that we are slow to punish, and do not delight in unnecessary severity."¹ The army successfully averted

a public relations disaster; with the drama concluded, the crowd quietly dispersed.

This event illustrates the history of Burlington during the War of 1812. Drama and anticipation, followed by abrupt, about-face change of plans by the army and tensions between the townspeople and the troops. The weekly *Burlington Centinel*, the only newspaper in Chittenden County, attempted to shape public opinion in favor of the war cause espoused by the Democratic-Republican faction. Case in point: the *Centinel* printed only a brief notice of the execution of Peter Bailey for desertion in Burlington on June 11, 1813. The public pardon, just ten days later, elicited a great deal of coverage. The *Centinel* reprinted the entire text of the soldiers' petition for clemency and Clark's speech granting a full pardon. Throughout the war years, the Burlington newspaper never wavered from reporting favorably about the progress of the war, the actions of the Champlain District troops, and the local Democratic-Republican Party.

Besides shedding light on the times in its role as a propaganda machine for the pro-war faction, the *Centinel* provides a wealth of information for the study of Burlington's camptown days during the War of 1812. Most accounts of the war in the Champlain Valley have focused on the decisive victory of Commodore Thomas Macdonough and General Alexander Macomb over superior British naval and land forces at the Battle of Plattsburgh on September 11, 1814. The impact of the presence of thousands of troops on the near-frontier town of Burlington and the surrounding area deserves greater study. The scant attention Burlington receives in histories of the War of 1812 concentrates on three subjects: the takeover of the University of Vermont's main building by the army, the devastation of the 1813 epidemic, and the bombardment of Burlington that same year. The first is inaccurate, the second misunderstood, and the third overstated.

The arrival of the U.S. Army first doubled then tripled Burlington's population. The presence of 3,000–4,000 troops simultaneously boosted the local economy and created a number of social problems. While there is a paucity of manuscript material for this period, what does survive helps to illuminate the local response to the war and the socioeconomic impact of Burlington's camptown years. The *Centinel* provides excellent insight into Burlington's reaction to the crisis at hand, as well as the newspaper's attempts to shape public opinion.

BURLINGTON'S CAMPTOWN DAYS

The village of Burlington was rife with rumors throughout the spring of 1812. Tempers ran high and speculation rose among the townsfolk on the possibility of war with Great Britain. Democratic-Republicans clamored for the annexation of British Canada in the name of national

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honor and sovereignty, loudly denouncing antiwar Federalists as Tories and traitors. Federalists called for neutrality, accusing the Democratic-Republicans of favoring dictatorship by supporting Napoleon. Families divided on the issues, neighbors quarreled, and farmers argued with merchants in Burlington's Court House Square while trading their produce for goods. Only one thing seemed certain: if war came, the Champlain Valley's strategic location for an invasion of Canada placed Burlington squarely in the center of any action.

Nestled along the eastern shore of Lake Champlain, Burlington enjoyed its position as the leading commercial center in the Champlain Valley at the start of the nineteenth century. The earlier efforts of the Allen family, continued by shipping entrepreneurs such as Guy Catlin and Gideon King, had established the village as a lively trading post for transporting lumber, potash, and produce to Montreal and Quebec City in exchange for manufactured goods. The Champlain Valley formed an almost exclusive economic dependence on Canada for both the export and import trade. Fortunes were made and livelihoods depended upon this commerce.

President Thomas Jefferson's first embargo in 1807 did not include inland trade. However, the Second Supplementary Act the following year made trade between Vermont and Canada illegal, and Vermonters in the Champlain Valley and along the northern border reacted with frustrated rage. Vermont congressman Martin Chittenden, the son of Vermont's first governor and a confirmed Federalist, contended that these measures were meant to "frighten the people into an acquiescence . . . to schrew [*sic*] up their courage & feelings to a war tone." Embargo or not, profits prevailed over patriotism, and trade actually increased during the embargo years, either through clever circumvention of the laws or by outright smuggling.²

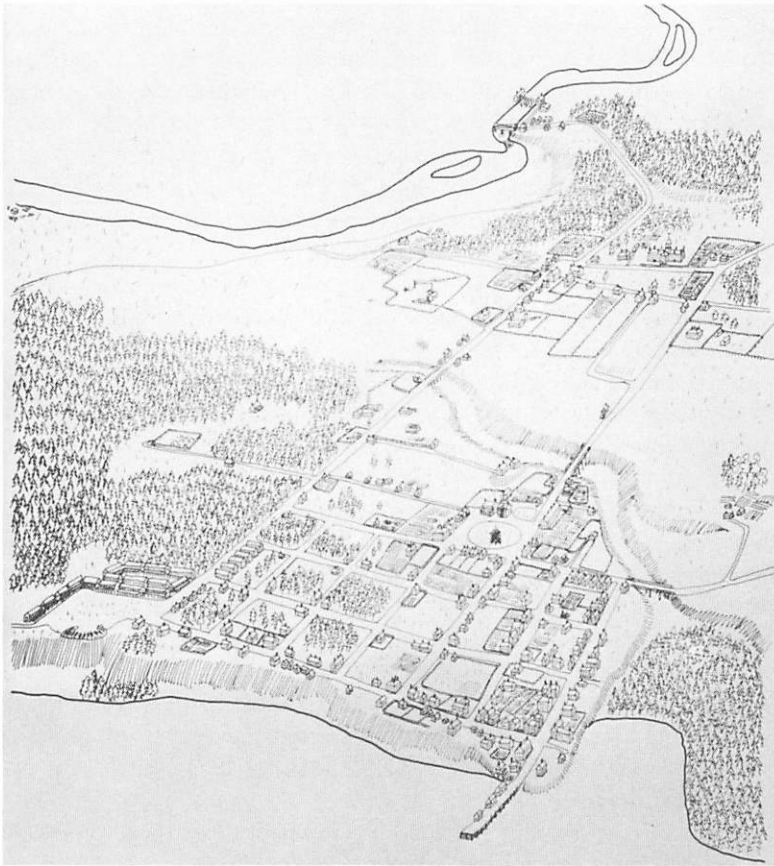
The embargo polarized Vermont politics as never before. The Federalist Party gained popularity throughout the embargo years as Vermonters grew increasingly disgruntled over the interruption of trade with Canada. Federalist Isaac Tichenor's election as governor in 1808 reflected the dissatisfaction with the embargo. Yet in the election for Congress that same year, Vermont divided its votes and sent two Federalists and two Democratic-Republicans to the U.S. House of Representatives. Clearly, the people of the state were split on the issue of national policy versus local economy. Vermonters lost some of their confidence in the national Federalist Party as it underwent a transition from the ideology of Alexander Hamilton and John Adams, who advocated for a strong, centralized government, toward a radical movement for New England's outright secession from the young nation.

Vermonters' desire for unrestricted commerce with Canada was one thing, but with the hard-won struggle for statehood still a fresh memory, secession was quite another. Vermont elected Democratic-Republican Jonas Galusha governor in 1809, a position he held until 1813. Nevertheless, Vermont's Democratic-Republican Party leaders expected that a decision to declare war on Great Britain would stimulate vigorous opposition by Vermont Federalists. For Vermont, as for the nation, the War of 1812 was characterized as much by the internal struggle for political ideology and party power as by a drive for national goals.³

In 1809 Lake Champlain's first steamer, the *Vermont*, sputtered its way through the waters alongside the fleets of sailing ships and lumber rafts. Burlington's population doubled between 1800 and 1810 to 1,690 inhabitants. Although the largest community in Chittenden County, Burlington lagged well behind the older towns in the southern parts of the state. By 1812 a thriving commerce defined the town. Taverns, shops, and dwellings crowded along the waterfront area near the busy wharf. Shops of all sorts—an apothecary, hattery, goldsmith, bookstore, saddle shop, and numerous general stores—lined Court House Square in the commercial center of town. North of College Street, Church Street was “little more than a foot path.” More shops and inns were located higher up the hill near the college green. Daniel Staniford, the town sheriff, operated a successful brewery and distillery of “excellent gin.” Two more distilleries contributed to Burlington's production of 1,000 gallons of spirits in 1811. Horace Loomis's tannery led the county in its annual production of 2,000 tanned hides. A few textile factories, already established near Winooski Falls, annually wove 10,000 yards of linen, wool, and cotton cloth. A wool-carding business and a nail factory operated with equal success.⁴

Burlington boasted the most magistrates in the state: eleven justices of the peace and fourteen lawyers, compared to six lawyers for the rest of Chittenden County. But other social institutions developed more slowly. Religion came late to town; although organized in 1805, the Congregational Society did not construct its church building until 1812, and even then the membership numbered a mere 100 souls. The fledgling University of Vermont consisted of only one building with an entire student body of fewer than fifty scholars guided by a handful of faculty. With entrepreneurs and professionals providing their services, shopkeepers offering a wide array of imported goods, and stately homes beginning to dot the hillside, Burlington was the center of sophistication in a predominately agricultural county.⁵

Into this scene rode Isaac Clark of Castleton, Vermont, as the newly appointed colonel of the Eleventh U.S. Infantry. Called to duty on June 9,



Map of Burlington during the War of 1812. The U.S. Army established an encampment in Burlington on the bluffs overlooking Lake Champlain (lower left). Barracks, an arsenal, and a hospital outlined the parade grounds and six 24-pound cannons mounted on an earthen embankment guarded the town. Map by David Blow. Courtesy of Special Collections, University of Vermont.

1812, Clark readily responded to the task of preparing Burlington for the likelihood of war. Vermont's U.S. senator Jonathan Robinson wrote to Clark warning him of the inevitable declaration of war and advised him to "whet up your sword but say nothing at Present." Clark tried to maintain discretion by buying in his own name two 5-acre lots overlooking the lake for the military headquarters, then selling the land to the government.⁶

However, Burlingtonians knew war was imminent when 550 U.S. infantry and artillery troops marched into town a few days later. Under the direction of Lieutenant Sylvester Churchill, a native Vermonter, they fortified the bluff overlooking the lake with an earthen embankment cut with thirteen embrasures. Six big guns, fitted to fire 24-pound cannonballs, guarded the town and served as a warning to the British fleet. Five hundred more troops arrived on June 16. The *Centinel* promised to keep the citizens informed, as important events “will in all probability, take place not far distant from this place.” Little doubt of impending conflict remained when 700 additional soldiers, under the command of Brigadier General John Chandler, marched from Boston to join the camp by the end of the month.⁷

Indeed, the official declaration of war on June 18 came as little surprise — although the local response seems somewhat surprising in that a good number of Burlingtonians supported the vote for war. Almost 40 percent voted Democratic-Republican in the hotly contested gubernatorial election in September. Considering the disruption of normal trade activities, what prompted any citizen (even a good Democratic-Republican) dependent upon commerce to favor the war? The *Centinel* hired a new editor to express its pro-war stance and keep the Federalists at bay. Ignatius Thomson, formerly of Pomfret, stated the case: “The cause in which I am about to engage . . . is the cause of my country against the abuses and aggressions of foreign nations. . . . To support the government in its endeavors to avenge these injuries . . . and slanders of unprincipled men and disorganized factions, I shall consider at all times to be my first and greatest duty.”⁸

Vermonters were not affected by the causes of the war, these “abuses and aggressions”: not by impressment of American sailors or violations of maritime rights or Indian troubles in the West. More mercenary reasons prompted many Vermonters to support what became known as Mr. Madison’s war. A faction of Southern Democratic-Republicans eager for war and pro-expansionists, known in Congress as the War Hawks, swayed some New England politicians with the prospects of acquiring Canada and of local profits from supplying the war effort. As Virginia’s John Randolph noted, “The upper country on the Hudson and the Lakes would be enriched by the supplies for the troops, which they alone could furnish. They would have the exclusive market; to say nothing of the increased preponderance from the acquisition of Canada.”⁹

Royall Tyler, chief justice of the Vermont Supreme Court, wrote to Congressman James Fisk, a fellow Democratic-Republican Vermonter, urging him to vote for war to ensure the supremacy of the party. Tyler deemed the war vote of paramount importance, as the singular issue ulti-

mately determining the fate of the two national parties. The patriotic spirit of wartime spelled the ruin of the Federalists, he argued, and the Democratic-Republican Party would emerge triumphant.

A declaration of war will confound the Federalists; it will derange their present plans which are calculated only for political campaigns . . . invite many Federalists into the army—and soldiers are always patriotic in time of war; it will relieve commerce from the embargo, and by opening new sources of risk or gain will break the mercantile phalanx; and above all it will place the opposition on slippery ground, and drive them to silence or rebellion. I do not fear the latter.¹⁰

The majority of Vermont's congressional delegates voted for declaring war on Great Britain. Vermont and New Hampshire cast the only yes ballots from New England and New York when the U.S. House voted on the declaration of war. Three of the four Vermont congressmen endorsed the declaration (Federalist Martin Chittenden casting the one negative vote). When the Senate called its roll, although Senator Stephen R. Bradley abstained from voting, Vermont stood out as the lone New England state to side with the War Hawks.¹¹

News of the official declaration of war reached Burlington on July 2, 1812, in time for the Independence Day celebrations. The *Centinel* called for a "return to the Spirit of '76." The local Democratic-Republican Party recognized the advantageous timing and called a countywide meeting in Williston for July 4. In his address to the assembly, Burlington lawyer (and future governor) Cornelius Van Ness justified the proposed conquest of Canada with the explanation that since the United States initiated the war, therefore "it must be a war of offense . . . it must certainly be a war of conquest." He closed with an appeal to both political parties to "throw away their party animosities, and unite their strength in this great contest" and pleaded with Vermont Federalists not to demonstrate their opposition by aiding the enemy.¹²

Van Ness's appeal for the conquest of Canada tantalized pro-war Vermonsters. Colonel Clark's son, Satterlee, a lieutenant at Annapolis, pledged to leave his appointment at the word of invasion: "There is nothing which would give me greater pleasure than to march through Vermont on my route to Canada and to witness the chagrin & mortification of tories."¹³ As Royall Tyler predicted, strong anti-Federal Party sentiments proved a powerful motive for Vermont Democratic-Republicans to support the war cause.

Chittenden County Federalists had their say the following month with a public speech by George Robinson of Burlington, candidate for a seat in the Vermont legislature. According to Robinson, true patriots understood that the dispute between the United States and Great Britain did



Masthead of the Northern Sentinel, Burlington, April 1, 1814. The pro-war newspaper advocated the politics of the Democratic-Republicans throughout the war. The weekly added this drawing of a U.S. soldier to its masthead in 1814. Courtesy of Special Collections, University of Vermont.

not warrant war; negotiation would repair the injuries as “demanded by the interest or honor” of the nation. The Madison government showed disastrous judgment in meddling in the Napoleonic wars and promoting “the cause of the Tyrant of France.” Robinson agreed with Martin Chittenden’s warning to Congress about the dangers of waging war to annex Canada: “When we visit the peaceable, and, as to us innocent, colonies of G. Britain with the horrors of war can we be assured that our own coast will not be visited with like horrors?” Robinson dismissed the idea of annexing Quebec as “a province which we do not want and which would be a curse to us did we possess it.” He summed up the general attitude of the antiwar faction: “We were born Americans, and Americans we would be—as a neutral nation.”¹⁴

The *Centinel* played an active role in the contest for luring votes away from the Federalist faction. Editorials espousing the virtue of the Democratic-Republican cause dominated the August 1812 papers. One such plea, addressed to the Congregational clergy in Franklin and Chittenden Counties, warned them not to serve as “the dupes of a political party” by supporting the Federalist opposition:

It seems, Gentlemen, you have nearly to a man united with a political party, and are using all your influence to give that party aid and comfort . . . Do you, Gentlemen, feel willing to wound the feelings of your republican brethren, of your respective churches or societies, by uniting with their enemies? Does your religion warrant your attending the midnight meetings of a society, the most obnoxious to the friends of the American government, of any ever set on foot by the enemies of the constitution of the United States?

The editorial concluded with a final warning for the ministers to consider that “a large proportion of the people of your charge are firm supporters of our republican government,” not inclined to make contributions to support “political preachers.”¹⁵

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“NOT FIT FOR SOLDIERS”

While the local political parties waged their war of words, the U.S. Army hurriedly set up recruiting stations in Burlington, Montpelier, Middlebury, and Swanton. The government called for able-bodied males aged fourteen to forty-five to enlist for a five-year period and offered an enlistment bonus of \$16 with 160 acres of land upon discharge. According to one officer, Colonel Clark's son, recruiting efforts fell on deaf ears in Montpelier: “there is no patriotism in this place it is the damdest [*sic*] federal hole that I ever saw.” Recruitment proceeded slowly as well in Burlington—and in fact throughout the state. Alarmed by the lack of patriotic response, the *Centinel* published an editorial calling for more volunteers: “Let not the recording pen of the historian announce to posterity, that Vermont is so lost to a love of country . . . she would not vigorously step forth.”¹⁶

Although a roster of Vermonters who served in the war lists more than 10,000 soldiers, most enlisted for short periods with local militia companies. Sample records indicate that service ranged from a few days to a few months. Moreover, one in five recruits volunteered just for the march to Plattsburgh to defend the Champlain Valley during that famous battle near the end of the war.¹⁷

When the troops first arrived in Burlington, the *Centinel* reported that they were “likely ambitious young men, and generally of good families, their behavior . . . worthy of Americans.”¹⁸ Throughout the war years, the *Centinel* praised the quality of the recruits and the good care and attention their officers gave them. Those same officers, however, left behind records that contradict this favorable opinion. Dr. James Mann, chief army hospital surgeon for the Champlain District, accused recruiting officers of “filling up their rolls with numbers” rather than with “able-bodied men.” Mann described many recruits as “not fit for soldiers . . . habitually intemperate . . . whose bloated countenances exhibited false and insidious marks of health”; he deemed nearly half of the newly enlisted men not “capable of active duty.” Also allowed to pass muster were many old and unfit men, “who in consequence of bad habits, and infirm constitutions, could find no other employment.”¹⁹

After the war, Major Orsamus Merrill, stationed in Burlington with the Twenty-sixth Infantry, explained the problem of finding proper recruits: “The hardihood of the laborer was not that species of hardihood essential to the soldier.” Merrill asserted that the local civilians, “fondled in the lap of plenty and its indulgencies,” lacked the fortitude to endure the “fatigue and privations incidental to military life.”²⁰

Nor did the government offer much monetary incentive to entice enlistments. Privates received a mere \$5 monthly pay, increased to \$8 in

December 1812. In contrast the average Vermont farm laborer in 1812 earned \$11.67 per month plus board.²¹ Considering the choices—decent pay, warm food and board, and the relative safety of farm life versus low pay, army rations, long marches, and the high risks of war—it seems no surprise that after the first flush of patriotic fervor the call to arms generated little response.

PROSPERITY AND OPPORTUNITY

With the arrival of the troops, the population of Burlington doubled almost overnight, creating an instant market and new opportunities. Several prominent Burlingtonians received government appointments. John Johnson, architect, surveyor, and county clerk, served as inspector general to oversee conditions at the camp facilities.²² Nathan B. Haswell, former customs inspector, ran the commissary for distributing army rations from his cellar-turned-storehouse. Farmers interested in selling their livestock to the army went through Haswell. He also operated the “auction store” on Court House Square—a clearinghouse to resell government-seized goods smuggled into Vermont from Canada. Local merchants bought these confiscated wares then resold them to the general public with the government’s sanction. Otherwise illegal, imported luxury goods ranging from St. Croix rum to chocolate and spices thus continued to be available to the local community.²³

The real boon for the area’s economy centered on feeding the Champlain District troops. Because of the lack of an easy transportation system and refrigeration, all the produce, meat, and bread to satisfy a hungry army had to come from local sources. Each soldier’s daily rations consisted of 1 pound of beef or pork, 1 pound of bread, and 4 ounces of rum, whiskey, or brandy. Area farmers and distilleries prospered as Burlingtonians seized the opportunities at hand. Two enterprising brothers, Henry and Nathan Mayo, won the contract for baking all the bread for the troops. With an average of 1,000 soldiers stationed in the Burlington camp at any one time, the Mayo ovens baked day and night to meet the demand. No wonder that Catlin’s Mill frequently advertised “Cash for Wheat—500 bushels needed.” Cheap boardinghouses and taverns sprang up along the waterfront near the encampment. One tavern, “kept by one Chandonette, a Parisian,” was especially popular with the soldiers.²⁴

Many merchants stocked their stores with goods designed to catch the eyes of soldiers with a little loose change to spend. Samuel Mills’s bookstore advertised *The Soldier’s Drill*, *The Rules and Articles of War*, and maps of “every probable seat of war” in lower and upper Canada. The local tailor now specialized in military uniforms “in the most fashion-

able mode on reasonable terms." Assorted "military and dry goods" were offered for sale at L. and F. Curtis's store. And all the general stores stocked ample supplies of spirits.²⁵

The presence of troops created numerous job possibilities for local residents. The *Centinel* carried advertisements seeking journeymen shoemakers, printers, blacksmiths, druggists, weavers, and hatters. Army provisions were stored in barrels and transported by boats and wagons for regiments on the move to the northern frontiers and the rendezvous at Sacketts Harbor, New York. Burlington's lone cooper soon found the job too much to handle and hired ten extra journeymen to "work at trimming [the] government provisions in this place." Locally hired teamsters drove wagons and sleighs filled with supplies, and small sloops sailed between the two headquarters at Burlington and Plattsburgh.²⁶

There were other, more subtle changes in Burlington as well. Advertisements appeared in the *Centinel* for ladies and gentlemen to have their hair "Cut and Dressed in the latest style." A dressmaker recently arrived from New York announced her skill at designing "fancy goods." Harmon's general store placed a notice regarding the recent receipt of an "assortment of paper hangings" (previously scarce wallpaper). A Mr. Nichols came to town to instruct local youths on the finer points of cotillion and contra dances. *Fashionable* and *elegant* were the key words of the day, reflecting Burlingtonians' pride as the town became a center of refinement and prosperity. But trouble lay ahead.²⁷

THE OPENING CAMPAIGN

The first troops to arrive in the Burlington camp found little more than a parade ground waiting to be cleared. After declaring war, Congress adjourned before appropriating funds for provisions and arms. Colonel Clark complained, "There is not a single musket . . . to take care of the public property" nor even so much as "a single Camp kettle." There were no horses for the officers, no uniforms for the troops, not even drums for the drummer boys. Addressing the most pressing concern first, Clark quickly procured houses for the officers and authorized construction of wooden barracks overlooking the bluff between Pearl and North Streets.²⁸

In late July 1812, General Henry Dearborn finally sent 1,000 muskets for the Champlain District army. Perhaps this is what *Centinel* editor Thomson had in mind when he wrote: "Our land forces begin to have the appearance of an army." Soon thereafter companies of the regiment marched to the northern border for stations in Swanton, Troy, and Derby.²⁹

Initial relations between the soldiers and townsfolk seemed cordial. Colonel Clark expressed his thanks in the *Centinel* for "the polite and

hospitable treatment which I have received from the Inhabitants of Burlington." He praised local residents for their patriotism, for "that love of Country which prefers their own to any government on Earth."³⁰ Despite Clark's flattery, not everyone agreed, and a report from one British officer, Lieutenant Colonel Edward Baynes, thoroughly contradicts this opinion. Baynes traveled through Burlington and western Vermont in August 1812 on a mission from Sir George Prevost to see General Dearborn in Albany about a temporary truce while both sides prepared their recruits. The British commanders in Canada faced the same problems as did the Americans in turning farmers and laborers into soldiers. Prevost sincerely offered a temporary peace out of necessity yet urged Baynes to keep his eyes open while in enemy territory. Dearborn spent four days considering the offer, hesitating about his authority to accept it but finally agreeing to the three-month truce.

Baynes returned to Montreal and reported that the aging Dearborn lacked the "energy of mind or activity of body requisite for the important station he fills." He also told Prevost that he "did not hear a single individual [among the general populace] express a wish but for the speedy accommodation of existing differences. . . . The universal sentiment of this part of the country appears decidedly adverse to war." He noted that the militia appeared completely unprepared, without arms and proper uniforms, and possessed no respect for their officers. Although the militia lacked discipline, the regular army showed no shortage of confidence, "conceiving it to be in their power to pillage Montreal and to march to Quebec whenever they think proper." Despite the army's "high and overrated opinion of their military prowess," Baynes correctly observed: "From the actual state of the American forces assembled on Lake Champlain, I do not think there exists any intention of invading this part of the province."³¹

As Baynes predicted, despite the rhetoric of an intended invasion, the opening campaign passed without a march on Montreal. The Champlain District army was in shambles. General Dearborn procrastinated to the point of inertia. Morale sank when word arrived in mid-September of General William Hull's surrender to an inferior British force at Detroit on August 16. News of the defeat, especially the information that the British had employed Indian troops in the Detroit campaign, heightened fears of an enemy offensive in the Champlain Valley. The *Centinel* voiced the worry: "The towns on the Lake are exposed to invasion especially. . . . We expect to hear of Savage cruelties in some of our towns." Governor Galusha ordered out the militia in the northern towns, expressing "the greatest anxiety for the safety of the frontier inhabitants" yet ad-

mitting the state had no "means of procuring arms" for the militia. Although Lieutenant Thomas Macdonough arrived in September to command a navy, he found at his disposal only two gunboats, both badly in need of repair. Luckily for the Americans, the unorganized enemy forces mobilizing at the southern end of the Richelieu River remained too weak to mount an attack.³²

Democratic-Republican politicians in Vermont worried that the inaction of the army might affect the upcoming state elections in September. Senator Robinson wrote of his chagrin over the botched noncampaign: "the deranged Situation of our Armies & their having done nothing has destroyed the politics of Vermont, disgraced our country. . . . These things will ruin us." He need not have worried; at least for the time being, Vermont stayed true to the Democratic-Republican cause and reelected Governor Galusha. Eight of the fourteen towns in Chittenden County voted for the Democratic-Republican candidate. Federalist Martin Chittenden won a small majority in Burlington, with 170 votes to 112 for Galusha. Dismissing this minor defeat, the *Centinel* confidently affirmed, "Vermont is not so easily cheated out of her constituted liberties by designing men; even secret societies and dark designs only awaken their sense of danger and call forth their exertions."³³

Royall Tyler and the Democratic-Republicans counted on the patriotic enlisted men's vote to help defeat the Federalists on election day. Current voting laws, however, which retained a residency requirement, nullified the potential impact of the soldiers' vote in Burlington, and nonresident soldiers were turned away from the polls. William Harrington, despite his standing as chairman of the local Democratic-Republican Committee, "refused to receive the votes of a part of those freemen in the town whom they did not consider inhabitants of the town." The Vermont legislature quickly passed a law barring a residence restriction for soldiers in future elections. Any Vermont serviceman could now cast his vote "in any town in this state, wherever he may happen to be."³⁴

The General Assembly also enacted a series of laws designed to bolster recruiting efforts. Special volunteer corps raised for a limited period of service and attached to units of the regular army (called detached militia) received a pay incentive of \$10 per month for their service. Moreover, during their tour of duty with either the regular army or the detached militia, Vermont enlisted men enjoyed suspension of all civil processing for debts. And minor debtors currently languishing in jail received exoneration and release upon enlisting. They were perhaps effective ways to attract recruits, but these measures give credence to Dr. Mann's claim about the undesirable character of many enlistees.³⁵

"NOT A COMMON EPIDEMICK"

At the close of 1812, some of the troops moved to quarters in Plattsburgh, and the 1,600 left behind in Burlington endured the long winter's wait. As so often happens when soldiers are crowded together in unsanitary conditions, disease plagued the Northern Army. Over the summer the troops suffered from fevers and—the bane of any army—diarrhea. Autumn brought measles to nearly one-third of the Champlain District soldiers. Although sometimes fatal, the disease was not as deadly as the spotted fever that had afflicted the region the previous year.³⁶

The Champlain District faced a terrible ordeal during the winter of 1812–1813. A deadly epidemic struck, beginning in the camps in Burlington and Plattsburgh and spreading throughout northern Vermont to the middle and finally the southern sections of the state. *Peripneumony notha*—a violent and highly contagious form of pneumonia—filled the lungs with blood and was accompanied by high fever and chills. Death often came within days or even hours after the onset of the first symptoms. Fatalities peaked in December with 150 deaths in the Burlington camp; by Mann's calculations a total of 200–250 soldiers, at least one in eight, died over the winter.³⁷

The first reference to the epidemic did not appear in the *Centinel* until mid-December: "We are happy to have it in our power to state, that the sickness among the Soldiers in this town has abated." Federalist newspapers from Windsor to Maine printed exaggerated accounts about the extent of the fatalities in the Burlington camp, which the *Centinel* adamantly rejected: "From the public prints you would be induced to believe that the troops [here] have been intirely [*sic*] destroyed by sickness, disease, etc. . . . Their wants have been innumerable [*sic*] and of the most distressing nature. The fact is they have wanted for nothing. . . . While they were sick for a time, health is now perfectly restored."³⁸

The citizens reacted to the tragedy first with concern and generosity, then with fear and outrage, and finally by turning to their God for comfort. Reports circulated around the state that the sick soldiers suffered from hunger and inadequate medical care. The towns of Jericho, Richmond, and Monkton organized relief efforts, delivering sleighloads of fresh dairy products, vegetables, and poultry for the camp hospitals. Presenting the gifts from Richmond to General Chandler, the driver carefully stated that the donation was given as a gesture of the "patriotism of the citizens," not because "the wants of the army are not attended to." Chandler assured the public that the extent of illness had been "wantonly exaggerated" and that the sick received "every attention."³⁹

When rumors spread about bodies of deceased soldiers spirited off into the night and buried in mass graves, the *Centinel* rebutted the charges.

In the Christmas Eve issue, Dr. Mann wrote: "The dead have in all cases been interred in Coffins," sometimes two to a coffin "but never more," and with proper "burials and honors due the brave." Captain John Johnson inspected conditions at the hospitals and reported to the press that both the general and regimental hospitals were "in the highest order . . . perfectly clean and neat; good nurses . . . and well supplied." The army invited a citizens' group to review the hospitals as well, and they came away "perfectly satisfied."⁴⁰

For the people of Burlington, however, the worst was yet to come. As the soldiers were recovering, the townspeople were dying. The *Centinel* listed more and more residents' deaths as the winter progressed, although the obituaries did not indicate the cause of death in most cases. Mann reported that the civilian death rate climaxed in February 1813 at seventy-three fatalities. Over the winter an estimated 100 Burlington residents, nearly one in twenty, died from the pneumonia, leaving behind many grieving friends and relatives.⁴¹

The generally accepted methods for care often proved far more deadly than the symptoms of the disease. Medical practices were somewhat barbaric by today's standards; at that time physicians lacked even the simple understanding of the benefits of hygiene and the correlation between the spread of germs and disease. Burlington physician John Pomeroy treated both the troops and the general public and corresponded with Dr. Mann on his progress. When the standard practices of "liberal bloodletting" and administering large doses of opiates and alcoholic "stimulants" resulted in "the unfortunate conclusion of these cases," Pomeroy was ready to try the innovative methods Mann advocated. Mann prescribed expectorants to relieve congestion, minimal amounts of opium to ease discomfort, followed by sweat baths and warm teas. Pomeroy tried these methods and reported success; patients responded to the cure almost overnight. Finally, by the end of February, the epidemic slowed, and it was brought under control by winter's end.⁴²

Contemporary estimates of the extent of the epidemic vary widely. Dr. Joseph Gallup, reporting on the "most severe epidemic disease that has ever afflicted the inhabitants of Vermont," lamented the lack of proper public accounts from the physicians in Burlington. Gallup unsuccessfully attempted to ascertain the state's total losses but did gather accounts from several towns: Woodstock, 54; Pomfret, 4; Sharon, 40; Arlington, 10; Sandgate, 20; Manchester, 60 or 70; both Rupert and Dorset, 40 to 50; Bennington, 70; Castleton, 60; Clarendon, 80. Gallup calculated an average of twenty-five deaths per town for an estimated civilian loss of 5,650, or one death per thirty-eight inhabitants, plus 750 soldiers, for a statewide total of 6,400 deaths to "lung fever."⁴³ Mann lambasted

Gallup's estimate that over half the soldiers in Burlington died of the disease and blamed the inaccuracy on exaggerated Federalist propaganda. Mann's own estimate of 200–250 is corroborated by a statement from a soldier in the Eleventh Regiment stationed in Burlington: A. S. Cogswell reported that from November 1812 to July 1813 a total of 295 soldiers died.⁴⁴

Numbers alone do not tell the story of the devastating impact of the tragedy. University of Vermont president Reverend Daniel Sanders lost his youngest child that winter. Dr. Pomeroy's son, Cassius, a promising young doctor who had returned home to assist his father in caring for the troops, also died. Reverend Sanders's sense of the emotional damage of the epidemic is evident in his funeral speech for the young doctor:

A large portion of our county has, of late, been made familiar with the scenes of death. . . . It has employed much of the conversation, as well as carried distresses into the hearts of every class of men. . . . It was not a common epidemick, not the pestilence in its usual form, but every where was terrour, and dissolution . . . husbands and wives expired in the sight of each other. . . . Scarcely too could friends return from the deary grave, before a fresh victim was ready for another solemn visit there.

Sanders likened the victims to saints who “die only in order to live forever,” and said of their loss, “If one of you be brought to think religiously, your friends will not have died in vain.”⁴⁵

THE CAMPAIGNS OF 1813

News of the capitulation of York (present-day Toronto) on April 27, 1813, sparked great celebration in the Champlain District. The *Centinel* splashed the news over the pages of the paper for several weeks, supplementing its reports with eyewitness accounts and editorials on the heroic actions of the U.S. troops. Here at last was a bonafide, successful invasion, and the *Centinel* played it up for all it was worth.⁴⁶

Conversely, defeats received only brief mention. On June 3, 1813, the editor announced, “We stop the press” to report a heavy cannonade from the US *Eagle* and *Growler* seeking out the British fleet at the northern end of Lake Champlain. The American ships, the wind against them, fell to the enemy, and the British navy now ruled the lake. This potentially devastating news received little press: a mere mention of the facts, along with expressions of outrage that the British publicly exhibited the American captives in Montreal, Quebec City, and Halifax.⁴⁷

The U.S. campaign strategy for 1813 planned an attack on Canada from the Champlain District. By July 3,000 U.S. troops and 800 militia poured into Burlington. When the Thirtieth Infantry marched into town, Cap-

tain David Sanford wrote home to Castleton, "I do not like our encampment at this place. We are very much troubled for wood and water. . . . When the 30th Regiment will be ordered from this place is unknown, but I hope soon." (Sanford served in Burlington for the duration of the war.) The troops complained about bad food as well. General Chandler admonished Nathan Haswell for issuing horse meat to the troops. Haswell emphatically denied the charge: "no Horse flesh has ever been dealt out . . . and if there is a Speculation or fraud, it lays at some Other Door."⁴⁸ A. S. Cogswell, of the Eleventh Regiment, blamed his officers for the poor conditions: "We have some very good officers, but a large part of them are the most Ignorant and ugly parcel of rascals that I ever saw. . . . There is three of our officers appointed to inspect the flour, but they do not know good flour from Lime, therefore our Bread has been for some time (to speak politely about it) most damnable poor stuff. . . . Even the whiskey is bad!"⁴⁹

While restless soldiers complained about poor food and whiskey, the waiting meant worry and loneliness for the wives and families left at home. "My heart is distressed for you. I don't wish to discourage you from doing your duty as a man of honor, but that I had wings that I could fly to you once more," wrote Colonel Clark's wife, Amie, from their home in Castleton.⁵⁰

In late July 1813, General Wade Hampton assumed Dearborn's command and arrived in Burlington to lead a campaign across the border. Before operations got off the ground, British forces went on the offensive. On July 31 the enemy fleet landed at Plattsburgh, bombed and burned public and private buildings, then turned their attention toward Burlington. According to one eyewitness account, the British "shot a number of 24 lb. balls into the village. . . . One struck the roof of a house & lodged in the lower room, which was about all the damage that was done."⁵¹ The British sailed south to Shelburne and Charlotte, capturing a number of private vessels before returning to Isle aux Noix.

Although the British attack (Burlington's only military action) "excited great alarm," what became known as Murray's Raid caused little damage, merely destroying some of the army's storehouses. Express reports from Burlington the day following the raid reveal embarrassment over the enemy's use of the captured *Eagle* and *Growler* against the American installations. Commodore Macdonough returned the shots from the Burlington harbor under the battery, but with his new fleet still in the final stages of construction, he dared not chase the enemy into open water. In a day or two, the reports promised, Macdonough's fleet "shall again have the command of the lake," and the navy on Lake Champlain will prove "the honor of the American flag."⁵²

General Hampton hesitated to move against the British, fearing he lacked an adequate force to counterattack successfully. Hampton waited until late September before he finally ordered Colonel Clark's company north to make a "petty war" by "kicking up a dust on the lines." Clark marched over the border on October 11 and surprised a small British force under Major Joseph Powell at St. Armand, near Missisquoi Bay. After a ten-minute battle, Clark's forces emerged victorious capturing 101 of the enemy without a single loss to the Americans.⁵³ Despite the 3,000–4,000 men at his disposal, Hampton worried about facing the superior British force, failed to pursue the advantage, vacillated, then did nothing more. So ended the military campaign of 1813.

THE POLITICAL CAMPAIGN

"The war is very troublesom [*sic*] in this part of the country and what the event will be god only knows it appears that america is in a lamentable situation the party spirit runs high the people are devided [*sic*] about half in favour of the war and the rest oppose it. . . . Here is more politicks than religion," wrote Jedediah Lane of Jericho to his brother in late August 1813.⁵⁴ Lane spoke the truth about the political battle then waging; the only fighting that season occurred in the governor's race. The *Centinel* entered the fray, calling on Federalists to "pause and reflect" upon their "sworn allegiance" to their country. Editor Thomson predicted that Galusha would win again in September. The *Centinel* announced on September 24, with 169 towns reporting, "Gov. Galusha will undoubtedly be elected, as will the republican Council."⁵⁵

Thomson's confidence proved correct, yet controversy over the votes cast by 200 U.S. troops proved the undoing of the Democratic-Republican slate and cost Galusha the election. Major John McNeil marched the soldiers under his command to the polls in Colchester, ostensibly to avoid the crowds waiting to vote in Burlington. The Democratic-Republicans won a stunning victory in Colchester—258 to 38. However, a number of Colchester citizens complained to the canvassing committee about numerous infractions related to the soldiers' vote. In addition to taking the Freeman's Oath en masse without providing individual proof of Vermont residency, the soldiers allegedly had received large rations of rum beforehand from their officers, who coerced their companies to vote for the Democratic-Republican candidates or suffer punishment. The secretary of state collected depositions, and a committee appointed to review the matter ultimately nullified the entire Colchester vote.⁵⁶

With the votes from Colchester disallowed, Galusha lost his slight majority of 50.3 percent of the popular vote. The new count gave Galusha only 49.5 percent, to Federalist Martin Chittenden's 48.7 percent. With

neither candidate holding a majority, the General Assembly convened on October 14 to decide the vote by joint ballot. Despite a heated debate and the ensuing controversy over a disputed ballot for Galusha, the legislature elected Chittenden by a margin of one vote. Members of the General Assembly, equally divided between Federalists and Democratic-Republicans, accused each other of bribery and wrongdoing. Galusha's backers contended that one Democratic-Republican vote had been palmed by the ardent Federalist Josiah Dunham, secretary of state.⁵⁷

Despite the presence of the troops, Burlingtonians split their vote nearly fifty-fifty between the two parties, with 296 to 253 to reelect Galusha. But the local victory for the Democratic-Republicans, easily attributed to Vermont soldiers, did not accurately reflect public opinion in Burlington, which shifted away from the pro-war party, no doubt hampered by the army's failure to achieve a significant victory. Perhaps because of this shift in the public's mood, the *Centinel* stopped printing anti-Federalist editorials for the duration of the war. For the moment, the newspaper turned its attention to the "brilliant naval victory on Lake Erie," Oliver Perry's decisive rout of the British fleet on the Great Lakes on September 10, 1813. For the first two weeks of October, the newspaper ignored the lost election and glorified the military victory and the quote that made Perry famous: "We have met the Enemy; and they are ours!"⁵⁸

The season ended far less auspiciously in the Champlain Valley. Governor Chittenden openly opposed the war, and in his inaugural address he denounced the primary objective of the war party: "the conquest of the Canadas, of which so much has been said, if desirable under any circumstances, must be considered a poor compensation for the sacrifices which are, and must be made." Chittenden worried about the constitutionality of sending militia troops outside the state.⁵⁹

The governor soon acted on his concern. As commander in chief of the militia, Chittenden issued a proclamation on November 10, 1813, recalling the Third Brigade of Vermont militia stationed in Plattsburgh. Sanford Gadcomb drafted the response on behalf of his brigade, refusing to obey the governor's orders: "An invitation or order to desert the standard of our country will never be obeyed by us."⁶⁰ Democratic-Republicans throughout Vermont expressed outrage at Chittenden's actions. A motion introduced in the U.S. Congress but later tabled called for his prosecution as a traitor, guilty of enticing "soldiers in the service of the United States to desert."⁶¹

With winter's approach the militia went home and the regular army again retired to their barracks for the season. Disease returned over the winter of 1813-1814, but with less ferocity than the previous year. Dr.

Mann reported a total of sixty-six fatalities among the 3,000 troops from January to April. There were far fewer deaths among the local inhabitants as well (one or two listed each week), in part because the army set up a quarantine camp south of Burlington, away from the populated areas of town. William D. Farnsworth, a young boy during the war, later recalled: "The change helped the boys but the farmers around there complained some and said their chickens and roasting ears of corn would vanish."⁶²

TENSIONS BUILD

Around this time the *Centinel* started to hint at problems between the townspeople and the soldiers. Editorials encouraged the army officers to instruct their companies on "the necessity of appearing always cleanly and handsomely dressed" and urged the troops to "conduct themselves at all times with decency and circumspection." With 3,000 soldiers already crowding the waterfront encampment and more troops expected for the next season, the *Centinel* noted the need for more comfortable quarters in order "to make men look and feel as Soldiers ought."⁶³

The army entered into negotiations with the University of Vermont trustees to rent the college building to accommodate the overflow. The trustees happily obliged the government; the university was heavily in debt and saw this as an opportunity to stave off bankruptcy. The two parties agreed upon a rental fee of \$5,000 and the university hastily arranged an early commencement at the end of March 1814, dismissing the students and faculty. President Sanders, due nearly \$2,000 in back pay, resigned. U.S. Army troops "ranged without constraint [*sic*] thro' the halls," complained the governor. Nevertheless, Chittenden admitted that considering the university's fiscal problems, the rental fee "was a strong consideration for them to resort to some expedient for pecuniary relief."⁶⁴

"Great complaint is made by the Inhabitants of the Town in consequence of depredations committed by the soldiers," General Macomb warned Colonel Elias Fassett, commander of the College Cantonment. Fassett ordered the officers to stop their men from "the abominable practice of stealing. The benevalence of the Inhabitants of this Village toward the Soldiers, and Quantities of all [necessities] being for sale at a fair price makes the crime of theft unpardonable."⁶⁵

Fassett initiated garrison courts-martial to deal with the "malconduct of the soldiers." His orderly books for the Thirteenth Infantry note a series of disorderly conduct and petty theft charges, with punishments ranging from fines and confinement to quarters to orders to "wear a ball & chain for one month." More serious crimes involved striking a civil officer in town, stealing government property (muskets, tents, axes) and selling

the stolen goods to the townspeople, and horse theft. The worst offenders faced imprisonment for up to sixty days and suffered the loss of their daily rum rations.⁶⁶

Thieves and drunkards in the Eleventh and Twenty-ninth Regiments received harsh punishments as well. Garrison orders reveal a common sentence of "twelve bats on his naked posteriors." Disobeying orders resulted in hard labor. If these measures failed to reform rowdy conduct, public humiliation was called for: soldiers were forced to "ride a wooden horse . . . with a hangmans cap and a 4 lb. shot tied to each foot and a label placed upon him designating his crime." Nor were officers exempt from discipline. A charge of "ungentlemanlike & unofficerlike conduct" for repeated public intoxication resulted in Lieutenant Jackson Durant's expulsion from the services of the U.S. Army.⁶⁷

The *Centinel* published an article attesting to serious tensions between the restless troops and the citizens. General Macomb admitted that the soldiers caused some problems, and "many of them [were] drunk, and it was difficult to controul them," but he promised "no further mischief," as he had issued "very strict orders and taken proper measures to prevent any." At its worst, this "mischief" included arson; some disgruntled soldiers burned the house of John P. Wiswall for an unnamed grievance and threatened other residences as well. The general responded by stationing army guards to protect private homes and reassured the public that security had been restored.⁶⁸

Tensions between the political parties grew to a fever pitch. Josiah Dunham, editor of the vitriolic *Windsor Washingtonian*, led the opposition attack. Dunham had organized the Windsor chapter of the Washington Benevolent Society in 1812 and insisted that U.S. military failures were a sign of "the hand of retributive justice, of a highly offended and avenging God." He pointed out a number of sure indications of God's wrath: "he has subjected us to the control of an intolerant party spirit, to the horrors and calamities of an unnecessary, unjust, and ruinous war. . . . Our old men and maidens, our wives and our little ones, are wasting by the pestilence, that walketh in darkness." Since the government had violated the "inalienable rights" of its citizens by imposing harsh commercial restrictions that strangled their livelihoods, "they are no longer free. . . . They are SLAVES." Despite Dunham's position as Vermont secretary of state, he openly advocated for secession: "There are two things dearer to the true Whigs of the North, than the Union—COMMERCE, and FREEDOM!"⁶⁹

While some radical Federalists called for dissolving the Union, the Democratic-Republicans fervently argued for unanimity to save the nation from "the total subjugation of America" by Great Britain. The Sons

of Liberty, a Democratic-Republican society organized in Bennington by Hiland Hall, spoke out against "the poisonous gall of party spirit" and called for reconciliation. "Internal broils and commotions" endangered the very liberties so hard won in the Revolution. Should the parties fail to unite against the common cause, the ghosts of those ancestral heroes would "haunt our dwellings." The Union, weakened by its own factions, faced its greatest challenge: "the fate of our republic, and the destiny of unborn millions, hangs on the passing moment!" The people must put an end to the "storm of party rage" and with God's blessing "preserve the temple of American Liberty . . . till the Heavens and the earth shall be no more."⁷⁰

THE CONCLUSION OF THE WAR

The 1814 campaign opened with the same high expectations as in preceding years. In late March Brigadier General James Wilkinson gathered 4,000 men at Champlain, New York, to move against the British garrisoned at nearby La Colle Mill, Quebec. The U.S. forces outnumbered the enemy, but they failed to take the post and turned back after a two-hour battle.⁷¹

For most of 1814, the *Centinel* turned its attention to the war between Great Britain and Napoleon. Napoleon's preoccupation with the Russian front enabled the British to concentrate on the North American war. The Americans stepped up their offensives and captured key positions along the Niagara peninsula. The British retaliated by bombing Washington, D.C., in August.

With the arrival of 11,000 British regulars in Montreal, the 1814 American campaign in the Champlain Valley shifted to defensive actions. Sir George Prevost planned to invade the Champlain Valley along the western shore, not wishing to offend those Vermonters who had continued to smuggle "the whole of the Cattle required for the use of the Troops." In September Prevost moved south, and on September 11, 1814, the two sides met near Plattsburgh in a bloody clash. Macdonough's navy defeated the seasoned British invaders in an astonishing victory, celebrated as the Battle of Lake Champlain. Volunteers from throughout Vermont and eastern New York rushed to assist General Macomb's outnumbered army. Upon learning of the naval defeat and with the land battle turning against him, Prevost withdrew his army to Canada.⁷²

The *Centinel* rushed an extra edition into print announcing the "glorious news" to the Champlain Valley. All of Vermont celebrated this important victory, and newspapers and broadsides throughout the state carried reprints of the Burlington reports. Vermont Democratic-Republicans urged the Federalists to reconcile and "unite and prosecute the war vigorously."



Commodore Thomas Macdonough led the American fleet to victory against superior British ships at the Battle of Lake Champlain, September 11, 1814. Courtesy of Special Collections, University of Vermont.

Even Governor Chittenden softened his antiwar stance after the victory, issuing a proclamation printed in the September 23 issue of the *Centinel*:

Whereas it appears, that the war, in which our country is unfortunately engaged, has assumed an entirely different character, since its first commencement . . . and, whereas, the conflict has become a common, and not a party concern, the time has now arrived when all degrading party distinctions and animosities be set aside . . . that every heart may be stimulated, and every arm nerved, for the protection of our common country, our liberty, our altars, and our firesides.

Chittenden won the gubernatorial contest again in 1814.⁷³

Macdonough's victory on Lake Champlain, along with the repulse of the British at Baltimore, Maryland, proved excellent bargaining chips for the U.S. commissioners negotiating for peace. The British dropped their demands for territorial gains and conceded to the American terms for antebellum status quo. The Treaty of Ghent, signed on Christmas Eve, ended the unpopular war and heralded an era of swelling patriotic sentiment and the demise of the Federalist opposition party.

Over the next six months, the troops in Burlington received dismissal orders and marched home. Part of the barracks became Burlington's first public housing—used as a workhouse for the poor. In 1840 the town of Burlington bought the old battery for “a public common and highway forever and for no other purpose.”⁷⁴

Vermonters were tired of war, especially this war that had brought more internal struggle than external victories. Politicians and veterans alike called for an end to party conflict: "it remains for the freemen to complete the pledge—by the peaceful triumphs of union, over the fallen depravity of faction." The University of Vermont reopened with a new president, Samuel Austin. In his inaugural address on July 26, 1815, Austin asserted, "Prejudice, and party jealousies and aversions, ought certainly to be put to sleep." The war over and the hated embargo lifted, the Democratic-Republican Party and Governor Galusha easily won the 1815 elections.⁷⁵

With the return to peacetime, Burlington once again looked northward, setting aside the thought that Canadians had recently been the enemy and reestablishing trade with the Province of Quebec. Cornelius Van Ness formed a group of traders into the Champlain Transportation Company and won exclusive rights to steamboat navigation on Lake Champlain, heralding the prosperous steamer era. Perhaps UVM president Austin summed up the public's hopes for Burlington's future as well when he declared in his inaugural address that it was time for the university to rise above the "ruins which war has produced, GO ON AND PROSPER."⁷⁶

NOTES

¹ *Centinel*, 24 June 1813. The newspaper changed its name several times during the war years. From its inception in 1801, the Burlington weekly went by the name of the *Vermont Centinel* then in 1810 changed to *Northern Centinel*. In December 1812 a new volume started under the name of the *Centinel*, then briefly modernized the spelling to *Sentinel* before finally settling on *Northern Sentinel* (a title it retained until its demise in 1849). For the sake of continuity, I refer to the *Centinel* in the body of the text, but in the notes I cite the specific title.

² Martin Chittenden to Joseph Farnsworth, 3 January 1809, Joseph D. Farnsworth Papers, Vermont Historical Society (hereafter VHS). (The Farnsworth Papers are a rich source for the Federalist position containing correspondence from Isaac Tichenor and Martin Chittenden throughout the embargo and war years.) H. Nicholas Muller, "Smuggling into Canada: How the Champlain Valley Defied Jefferson's Embargo," *Vermont History* 38 (winter 1970): 5–21.

³ William Doyle, *The Vermont Political Tradition: And Those Who Helped Make It* (Barre, Vt.: Northlight Studio Press, 1990), 80–85; William A. Robinson, *Jeffersonian Democracy in New England* (New York: Greenwood Press, 1968), 82–84, 91.

⁴ Thomas W. Arnold, comp., *Two Hundred Years and Counting: Vermont Community Census Totals, 1791 to 1980* (University of Vermont: Center for Rural Studies, 1980), 18; W. S. Rann, *History of Chittenden County, Vermont* (Syracuse, N.Y.: Mason & Co., 1886), 404, 411, 461, 486; *The Vermont Register and Almanac for the Year 1811* (Burlington: Samuel Mills, 1811), 101.

⁵ *Swift's Vermont Register and Almanac, 1812* (Middlebury, Vt.: Samuel Swift, 1812), 54; *First Congregational Church, Burlington, Vermont: Sesquicentennial Celebration, 1805–1955* (Burlington: n.p., 1955).

⁶ Jonathan Robinson to Isaac Clark, 9 June 1812, Colonel Isaac Clark Papers, Special Collections, Bailey/Howe Library, University of Vermont (hereafter UVM Spec. Coll.), box 1, folder 11.

⁷ Walter Hill Crockett, *Vermont: The Green Mountain State*, vol. 3 (New York: Century History, 1921), 61; *Northern Centinel*, 4 June 1812.

⁸ *Northern Centinel*, 4 June 1812, 15 October 1812.

⁹ Roger H. Brown, *The Republic in Peril: 1812* (New York: Norton, 1971), 152–153.

- ¹⁰ "Memoirs of Hon. Royall Tyler," manuscript, vol. 2, 301-304, VHS.
- ¹¹ George F. G. Stanley, *The War of 1812: Land Operations* (Toronto: Macmillan, 1983), 40-41.
- ¹² Cornelius P. Van Ness, *An Oration Delivered at Williston, July 4th, 1812, to a General and Very Numerous Meeting of the Republicans of Chittenden County* (Burlington: Samuel Mills, 1812), 12, 47-48. Already a presidential appointee as the U.S. district attorney for Vermont, Van Ness received the important appointment as customs collector for the port of Burlington in 1813. See Rann, *History of Chittenden County*, 228-229.
- ¹³ Lieutenant Satterlee Clark to Isaac Clark, 7 February 1812, Clark Papers, UVM Spec. Coll., box 1, folder 9.
- ¹⁴ "Union, Peace & Commerce. The results of the meeting at Williston, August 27, 1812 . . . Milo Cook, Secretary," broadside, UVM Spec. Coll.; *An Address of Members of the [U.S.] House of Representatives . . . to Their Constituents, on the Subject of the War with Great Britain* (Bennington, Vt.: S. Williams & Co., 1812), 29.
- ¹⁵ *Northern Centinel*, 27 August 1812.
- ¹⁶ Isaac Clark Jr. to Colonel Isaac Clark, June 1812. Clark Papers, UVM Spec. Coll., box 1, folder 9; *Northern Centinel*, 8 October 1812.
- ¹⁷ Herbert T. Johnson, comp., *State of Vermont: Roster of Soldiers in the War of 1812-14* (Montpelier, Vt.: Adjutant and Inspector General's Office, 1933).
- ¹⁸ *Northern Centinel*, 18 June 1812.
- ¹⁹ James Mann, *Medical Sketches of the Campaigns of 1812, 1813, 1814* (Dedham, Mass.: H. Mann & Co., 1816), 122.
- ²⁰ Orsamus C. Merrill, *An Oration Delivered at the Meeting House in Bennington, Vermont, on the Sixteenth of August, 1815* (Bennington, Vt.: Darius Clark, 1815), 15.
- ²¹ T. M. Adams, *Prices Paid by Vermont Farmers for Goods and Services and Received by Them . . . 1790-1940* (Burlington: Vermont Agricultural Experiment Station, 1944), bulletin 507, table 45, 87.
- ²² *Centinel*, 21 January 1813.
- ²³ Rann, *History of Chittenden County*, 407; H. Nicholas Muller, "A 'Traitorous and Diabolical Traffic': The Commerce of the Champlain-Richelieu Corridor During the War of 1812," *Vermont History* 44 (spring 1976): 78-96. See examples in the *Northern Centinel*, 23 July 1812; *Centinel*, 17 December 1812.
- ²⁴ Rann, *History of Chittenden County*, 404; Crockett, *Vermont*, vol. 3, 77; *Northern Centinel*, 24 September 1812.
- ²⁵ *Northern Centinel*, 4 June 1812, 12 November 1812; *Centinel*, 11 February 1813, 3 June 1813.
- ²⁶ *Centinel*, 17 and 31 December 1812, 15 April 1813, 20 May 1813, 24 June 1813, and 8 October 1813.
- ²⁷ *Northern Centinel*, 9, 16, and 23 July 1812; *Centinel*, 15 April 1813.
- ²⁸ Colonel Isaac Clark to the Military Agent, Albany, 23 June 1812, Clark Papers, UVM Spec. Coll., box 1, folder 23; Crockett, *Vermont*, vol. 3, 62.
- ²⁹ *Northern Centinel*, 23 July 1812.
- ³⁰ *Ibid.*, 9 July 1812.
- ³¹ Pierre Berton, *The Invasion of Canada: 1812-1813* (Markham, Ont.: Penguin Books, 1988), 153-158.
- ³² *Northern Centinel*, 17 September 1812; Jonas Galusha to the Town of Vineyard [Isle La Motte], 4 July 1812, Jonas Galusha Papers, VHS.
- ³³ Senator Jonathan Robinson to Colonel Isaac Clark, 22 December 1812, Clark Papers, UVM Spec. Coll., box 1, folder 41; *Northern Centinel*, 3 and 10 September 1812.
- ³⁴ *Northern Centinel*, 3 September 1812; *Acts and Laws of the Legislature of the State of Vermont . . . October 1812* (Danville, Vt.: Secretary of State, 1812), chap. 99.
- ³⁵ *Acts and Laws . . . 1812*, chaps. 102, 116, 144.
- ³⁶ Mann, *Medical Sketches*, 19.
- ³⁷ *Ibid.*, 20-21, 44-45, 199-200. See also *Centinel*, 24 December 1812.
- ³⁸ *Centinel*, 17 December 1812, 21 January 1813.
- ³⁹ *Ibid.*, 24 and 31 December 1812.
- ⁴⁰ *Ibid.*, 24 December 1812, 21 January 1813, 4 February 1813.
- ⁴¹ Mann, *Medical Sketches*, 199-200.
- ⁴² Letter to [Dr. James Mann] from Dr. John Pomeroy, 10 February 1813, John Norton Pomeroy Papers, UVM Spec. Coll., box 1, folder 28.
- ⁴³ Joseph A. Gallup, *Sketches of Epidemic Diseases in the State of Vermont . . . to the Year 1815* (Boston: Wait & Sons, 1815), 69-75.
- ⁴⁴ Wilmond W. Parker, ed., "Letters of the War of 1812 in the Champlain Valley," *Vermont Quarterly* 12 (January 1944): 109-110.
- ⁴⁵ Daniel Clarke Sanders, *A Discourse, Pronounced in the Chapel of the University of Vermont, 29th April, 1813 Occasioned by the Death of Doct. Cassius F. Pomeroy, A.M. and Mr. Ebenezer Gil-*

bert, *Member of the Sophomore Class* (Burlington: Samuel Mills, 1813), 3–7, 12.

⁴⁶ *Centinel*, 6, 13, and 20 May 1813; 3 June 1813.

⁴⁷ *Ibid.*, 10 June 1813.

⁴⁸ James Sanford, "Capt. David Sanford—His Relation to the War of 1812 Pertaining to the Town of Castleton, Vt.," *Proceedings of the Rutland County Historical Society* 2 (1882–1885): 21; letter from Brigadier General John Chandler to Haswell and reply on same, 8 March 1813, Nathan B. Haswell Papers, UVM Spec. Coll., carton 1, folder 226.

⁴⁹ Parker, "Letters of the War of 1812," 109.

⁵⁰ Mrs. Clark to Isaac Clark, 20 September 1813, Clark Papers, UVM Spec. Coll., box 1, folder 51.

⁵¹ Dr. Daniel Coit to Captain William Eastman, July 31, 1813, in Francis Davis McTeer and Frederick C. Warner, eds., "The British Attack on Burlington," *Vermont History* 29 (January 1961): 83.

⁵² *War*, 10 and 17 August 1813. Published in New York City, the *War* was a weekly chronicle of military actions during the war years.

⁵³ *Centinel*, 15 October 1813.

⁵⁴ Letter from Jedediah Lane to his brother, 28 August 1813, Jedediah Lane mss., UVM Spec. Coll.

⁵⁵ *Centinel*, 22 April 1813 and 13 May 1813.

⁵⁶ Affidavits of citizens of Colchester and Burlington, 11 October 1813, *Vermont State Papers*, vol. 72, 18–19, Vermont State Archives; E. P. Walton, ed., *Records of the Governor and Council of the State of Vermont*, vol. 6 (Montpelier, Vt.: Steam Press, 1878), 4–5, 39–50.

⁵⁷ Christie Carter, ed., *Vermont Elections, 1789–1989 in State Papers of Vermont*, vol. 21 (Montpelier: Secretary of State, 1989), 236, 361. See also "His Smuggled Excellency—or No Gov. in Vermont," a political poem about malfeasance in the election, *Northern Sentinel*, 28 January 1814.

⁵⁸ *Centinel*, 1 and 8 October 1813.

⁵⁹ *Journals of the General Assembly of the State of Vermont* (Rutland, Vt.: Fay & Davison, 1813), 45–47.

⁶⁰ Remarks on Chittenden's proclamation, November 1813, Sanford Gadcomb Papers, box 1, folder 10, UVM Spec. Coll.; Walton, *Governor and Council*, vol. 6, 421, 492.

⁶¹ *Mr. Sharp's Motion, Relating to the Conduct of Martin Chittenden . . . Ordering the Militia of That State, Engaged in the Service of the United States, to Withdraw from Their Service* (Washington, D.C.: A. & G. Way, 1814). Copy in the VHS collections.

⁶² Mann, *Medical Sketches*, 144; *Burlington Free Press and Times*, 18 June 1895.

⁶³ *Northern Sentinel*, 4 March 1814.

⁶⁴ University of Vermont, "Minutes of the Corporation," 23 and 24 March 1814, University of Vermont Archives; Martin Chittenden to the General Assembly, 22 October 1814, *Vermont State Papers*, vol. 74, 48, Vermont State Archives. Repairs for the building caused by extensive damage during the occupation amounted to \$5,000, eventually repaid by the government. After settling back salaries, UVM's profit totaled less than \$3,000 for its trouble. See "Report of UVM Corporation to the General Assembly," 23 October 1815, *Vermont State Papers*, vol. 67, 35, Vermont State Archives.

⁶⁵ U.S. Army, Thirtieth Infantry, "Orderly Book, War of 1812, Burlington, Vt., Nov. 2–Dec. 31, 1814," UVM Spec. Coll., vol. 1, entries for 3 and 7 November 1814.

⁶⁶ *Ibid.*, 14, 15, and 24 November 1814. See also vol. 2, 10 March–14 June 1815, entries for 23 and 27 May 1815.

⁶⁷ "Garrison Orders, Burlington, Vermont, July 13–Aug. 4, 1813," *Moorsfield Antiquarian* 1 (August 1937): 83, 87–88, 98–99.

⁶⁸ *Northern Sentinel*, 3 June 1814.

⁶⁹ Josiah Dunham, *An Oration . . . at Windsor, February 12, 1814 . . . at the Request of the Washington Benevolent Society* (Windsor, Vt.: Thomas Pomroy, 1814), 5–6, 12–13, 30.

⁷⁰ Elon Galusha, *An Address, Delivered by Request of the Association of the Sons of Liberty in Bennington, Vermont on the Fourth of July, 1814* (Bennington, Vt.: Darius Clark, 1814), 6, 13–15. Copy in the VHS collections.

⁷¹ Walton, *Governor and Council*, vol. 6, 496–502.

⁷² Sir George Prevost to Lord Bathurst, 5 August 1814, in William Wood, ed., *Select British Documents of the Canadian War of 1812* (Toronto: Champlain Society, 1926), 3: 345–346. For an in-depth study of the Battle of Lake Champlain, see Kevin J. Crisman, *The Eagle: An American Brig on Lake Champlain During the War of 1812* (Shelburne, Vt.: New England Press, 1987).

⁷³ James Fisk to Joseph Farnsworth, 12 October 1814, Farnsworth Papers, VHS; *Northern Sentinel*, 23 September 1814.

⁷⁴ Rann, *History of Chittenden County*, 449–450; George Grenville Benedict, "The Battery and Battery Park," *Proceedings of the Vermont Antiquarian Society* 1 (December 1898): 73.

⁷⁵ Merrill, *Oration*, 26; Samuel Austin, *An Inaugural Address, Pronounced in Burlington, July 26, 1815 by Samuel Austin, D.D. President of UVM* (Burlington: Francis G. Fish, 1815), 14.

⁷⁶ Austin, *Inaugural Address*, 15.



Adoption and the Law in Vermont, 1804–1863: An Introductory Essay

[Between 1804 and 1863] the Vermont legislature wrote laws and the state courts delivered judgments that steadily brought adoption under the law; more fully defined the procedures, obligations, and expectations of adoption; and finally transformed it from an informal, spontaneous act into a deliberate, contractual arrangement.

By EDWARD A. HOYT, WITH MICHAEL SHERMAN

In 1804 William Fisher of Orwell, his wife, Betsy, and their privately adopted son, Abraham Wilson, presented a petition to the Vermont General Assembly requesting the legislature to legalize Abraham's adoption.¹ Fisher and his wife settled in Orwell in 1784. He became a farmer and with his fellow citizens took the freeman's oath in 1787.² He joined the Baptist church, and from the tone of his petition it seems that he was a devout and active member.³ Fisher was twenty-seven and his wife twenty-four years old when they arrived in Orwell.⁴ After four or more years of marriage, in about 1788, they were still childless. In those days this would doubtless have led them to wonder, if not worry, about permanent childlessness. About that time a young woman brought a baby boy to their door.

Fisher's language and even its crude and phonetic misspelling add power and depth to his message, which conveys a sense of genuine decency. After the formal address customary in a petition, Fisher informed the General Assembly that "your petitioner has been married upwards of Twenty years but has not had the fortune to have an heir Spring from his own Lines [loins]" and "that about Sixteen years agoe things wors soe ordred in the Corse of providence that there Came a young woman

to your petetioners hows with a yong Child about a yeare And a half old." The young woman informed him that her husband, Abraham Wilson of Bennington, the father of her child, had deserted her, that she had not heard from him and did not expect to hear from him, and, further, "that hur fortune wors low in the world and that she wors obliged to Work out for her living which made it very bad for hur[;] therefore she wished to give the yong Child to your petetioner for his own son and wished likewise to have his name Calld Abraham Fisher instead of Abraham Wilson."

The petition continued the story:

therefore your Petetioner Did take the above mentioned Child and as faroes [pharaoh's] Daughter brought up moses And nursed him up for her own son soe your petetioner has brought up this yong Child And nursed him up for his own son and now your petetioner feeling him self under the strongest obligations to bee a faithfull parent (as the Child has noe other Parents to Depend on for his mother Died in a short time after she left the Child with your petetioner[]) and now he is about eighteen years of age and allways has gone by the name of Abraham Fisher Ever sen he lived with your petetioner.

In conclusion Fisher asked that the child's name be changed by law to Abraham Fisher and "that he shall Bee as lawful an heir to the Estate of your petetioner as any Child what Ever is to his own fathers Estate unless Cut off by Will."

The General Assembly granted these requests and thereby passed its first special act concerning adoption. It provided that Abraham Wilson be known as Abraham Fisher "as tho' his name had been originally Abraham Fisher" and that he be the heir at law of William Fisher as though he had been his legitimate child, "any law, usage or custom to the contrary notwithstanding."⁵

There are in William Fisher's petition glimpses of the spontaneities and informalities of adoption in the early years of statehood. Only a deep desire for children could have allowed him to take in as "his own son" a stranger's infant without regard to the boy's origins. The little that Fisher knew about those origins as well as inevitable suspicions about them made no difference, though he was an elder in the Baptist church. He and his wife had no child and wanted one. Providence offered him this one, and he took him in. That his desire for a child was originally a matter of profound feeling was also evident from his determination to be a faithful parent by giving the child his name and making him his heir.

This petition also expresses a genuine compassion for those in trouble. The mother and infant were helpless. Disaster, illness, and early death were the common lot in the days of the early settlements. They

created a community of trouble. William and Betsy Fisher spoke for that sense of community by giving shelter to mother and child and adopting the child.

William Fisher's petition is the first document of its kind in Vermont. It shows us the procedures and expectations of adoption arranged between individuals with little involvement of law or government. It also shows us the limitations of such arrangements and the issues that remained unresolved so long as the state remained uninvolved in the contract.

ORIGINS OF ADOPTION, TO 1853

Adoption by and large arose out of the spontaneities of American life. English common law and consequently colonial law failed to treat it; therefore the independent states had no tradition to follow in the matter. Of course the Greeks and Romans in ancient times employed adoption on a considerable scale; Roman emperors even adopted sons to be their successors.⁶ Modern continental Europe practiced adoption in accordance with the Code of Justinian, which prevailed long after the fall of the Roman Empire. But the English were not heirs of Justinian's Code and substituted for its provision no action of their own. In fact, there was no general adoption law in England until 1926.

Vermont, in contrast, passed its first general adoption law in 1853, only two years after Massachusetts passed the first such law enacted by any American state.⁷ By that time Vermont had been passing acts completing private adoptions for almost half a century and doing so at an accelerating pace. When William Fisher presented his petition, a natural parent could transfer to another person both authority over and responsibility for his or her child, without legislative or judicial sanction. But this private process could not give children the names of their adoptive parents or grant them inheritance rights in case of intestacy. These two alterations came about only by private act legislation.

Over the next sixty years, the Vermont legislature wrote laws and the state courts delivered judgments that steadily brought adoption under the law; more fully defined the procedures, obligations, and expectations of adoption; and finally transformed it from an informal, spontaneous act into a deliberate, contractual arrangement. In 1853 the legislature established an alternative method of complete adoption within the law, although it retained the still largely preferred private process with private act legislation. Ten years later, however, the legislature made the general adoption procedure described in the act of 1853 obligatory, and private procedure and legislation ceased.

ADOPTION LAW AND PROCEDURES BEFORE 1853

The first legislative act altering the name of an adopted child and constituting him or her heir at law—thus completing the adoption, as it were—was passed in 1804.⁸ This and similar future acts were introduced in response to petitions from foster parents to the General Assembly. Many of these documents up to 1835 have been preserved among the *Manuscript Vermont State Papers*.⁹ Like William Fisher's document, petitions for adoption usually contained a brief history of the child involved, thus constituting, with the special acts themselves, the major sources for any consideration of adoption during the early years. These documents leave no doubt that apart from change of name and inheritance rights, adoption was a private arrangement. Indeed the petitioners often specifically applied the very term *adoption* to such arrangements, even though the agreement itself did not constitute complete adoption as it is now understood.

One of the earliest petitions, presented in 1810, makes these aspects evident. It sought a change of name and inheritance rights for one Hiram Bigelow and related his history as follows: "while an infant being deprived of his mother by death his father gave him to said [Ephraim] Strong who having no children adopted him as his own son."¹⁰ A petition to the legislature in 1824 is similarly revealing. It declared that about seventeen years previous, Francis and Sally Kidder "took into their family and adopted as their own son an infant child . . . Norman Randolph Kidder whom they have ever since kept, supported and educated as their own son."¹¹ In 1834 Silas and Mary Earl appealed to the General Assembly along the same lines. Their petition reported that "they have adopted in their family and under their care a child by the name of Aaron Aldrich which was given them by his parents when an infant as their own child."¹²

From these and other documents, it is clear that at this period the first phase of adoption was a private matter. Custody of a child could be transferred by an agreement between the natural and the adopting parents without public sanction or supervision and without even public record. Nor was there any provision in the law that such an agreement be put into writing. It seems probable that some of them were set down on paper, although extensive if not exhaustive search has not so far discovered any such document. Yet this is understandable in view of the delicacy of the matter and the reticence of the times.

That these private agreements were not brought into question by the legislature in the years before 1853 appears certain. During this period, with only one exception—and that early, in 1815¹³—the special acts of legislation altering names and granting inheritance rights made no pro-

vision at all for custody of the child or for the rights and obligations that accompanied it. Indeed, on one later occasion the legislature ignored the request contained in another petition that sought confirmation of custody and its authority and duties.¹⁴ The legislature thus clearly confined itself at this time to the completion of the adoption process and by implication accepted as valid the essentially private undertaking that always preceded its complementary action.¹⁵

The Supreme Court of Vermont affirmed the lawfulness of such a private proceeding. In a case decided in 1866 but concerned with an adoption that took place in 1848, the court set forth the basic assumptions that sanctioned this private procedure. It cited a Massachusetts case as precedent and endorsed its declaration that as to children the "father . . . has the legal control of their persons and the right to their services." He thus could, in the words of the court, "emancipate" his child from his own control by consenting to the child's underage marriage as well as to his or her adoption. In the case of adoption, although the court did not use that term, it declared that "the new relation may be contracted by his parents for the infant." In other words, the father, who had legal control of the child, could by emancipation transfer that control to others. In ruling that this transfer must be total, the court revealed the nature of adoption: "in order to constitute emancipation of an infant it must appear that his parents have absolutely transferred all their right to the care and control of the infant: and all their right to his services, and that the person to whom such rights are transferred has accepted the infant as his own and agreed to stand in loco parentis."¹⁶

TERMS OF ADOPTION, RIGHTS, AND DUTIES, 1804-1853

There is no ground to doubt that under the private agreements the foster parents viewed the child as already fully and permanently belonging to them. The petition ordinarily did not describe their obligations in detail but simply mentioned such arrangements as making the child "their own." A few, however, spelled out the meaning. For example, in his 1831 petition seeking a change of name and inheritance rights for Curtis Flint, a minor, Harry Cary declared that Curtis had been given to him and "Holly Cary his Wifie to bring up as their own child; to be dieted, clothed, Scholed, nursed and Doctored as if the said Curtis was the legitimate child of the said Cary and his Wifie; in bringing to the age of twenty one years if the said Curtis shall live so long."¹⁷

The petitions indicate—no doubt accurately so—that natural parents gave their children up for adoption mainly because of poverty. One parent might desert the family or die and the remaining one would lack the means of caring for and supporting a child. On occasion a couple

would produce more children than they could support and would arrange for the adoption of one of them.¹⁸ Although conclusive evidence is usually lacking, it seems more than probable that mothers frequently gave up their illegitimate children.¹⁹ Special legislation dealt early with the adoption of illegitimate children by their natural fathers. In 1817 the legislature passed a private act legitimizing a son already possessed of his father's name, entitling him "to all the rights and privileges of nurture and heirship . . . as though he had been born in lawful wedlock."²⁰ In other words, this act brought about the complete adoption of the child by his natural father.

Five years later, in 1822, the legislature passed a general law greatly facilitating the procedure in such cases. It enabled the fathers of illegitimate children to adopt and legitimize them without special act of the legislature. This law was the first general statute with respect to adoption and was, of course, permanent. It provided that any such father "with the consent of such child or its guardian if under age" might "make an instrument in writing . . . attested by three credible witnesses and by him acknowledged before the judge of probate of the district in which he resides, declaring that he adopts, legitimates, and renders such child capable of inheritance." Once the clerk registered this instrument in probate court, "such child shall, thereafter, be considered, as respects such father legitimate and capable of inheritance; and the same rights, duties and obligations shall exist between such father and child, as if born to him in lawful matrimony; unless such child shall within one year after coming of full age, enter, in the probate office aforesaid, his or her dissent to said adoption, and in case such dissent be entered, said adoption shall be void."²¹

As early as 1822 the special acts for public registration required the consent of the foster parents. At first the consent pertained only to the granting of inheritance rights, not to the change of name, and was recorded in the probate court. From 1828 through 1840 no inheritance rights were granted. Consequently, of course, no question of registration of consent to such a grant could arise in those years. In 1841 the grant of inheritance rights was restored, and the special act of that year contained a requirement that consent be registered in the probate court.²² Following that year, however, the special acts included provision for the registration of the consent of the foster parents to the whole act—change of name as well as inheritance rights. Such registration was to occur at the town clerk's office of their place of residence. In some cases the registration of consent, upon which the validity of the special act depended, was required within one year of its passage in the legislature, while in others there was no time limitation at all. This system of registration

continued through 1862, even though the general act of 1853 established an alternative adoption procedure that was to take place before the probate court.²³

Although provision was thus made in the special acts for the consent of the adoptive parents, none was made for the consent of the child.²⁴ Nor indeed was there at this time any provision in the law requiring the child's consent to the private aspect of adoption—the original transfer of the child from the natural to the foster parents.

From 1828 through 1840 no inheritance rights were granted by the Vermont legislature under special act. In the former year the governor and council suddenly and unaccountably made a volte-face and rejected a special bill from the assembly. In doing so, they declared that "the Constitutional powers of the Gen'l Assembly do not authorize the passage of a law making one individual the heir at law to another."²⁵ This was an extraordinary decision in view of the fact that the governor and council had approved the granting of inheritance rights for almost twenty-five years. The General Assembly, though it possessed and had on occasion used the power to override the governor and council, failed to do so on this occasion. From the earliest days the assembly showed a tendency to defer to the governor and council, particularly in matters of law.

The 1836 amendment to the Vermont Constitution, which abolished the council and established the Senate, eventually paved the way for the renewal of special acts granting inheritance rights. In 1841 the assembly passed an act including such a grant. The Senate at first rejected it, as the old council had done. But this time it was the House that insisted and the other body that receded from its position.²⁶ Thereafter the legislature continued to pass such special acts until it put the whole matter of adoption completely out of its own hands by the passage of the general laws of 1853 and 1863.

THE GENERAL ADOPTION LAW OF 1853

In 1853 the Vermont legislature passed a general adoption law.²⁷ This was not a substitute for the old system of private adoption completed by special act but an alternative to it. Both the old and new procedures operated at the same time. Not until ten years later did the legislature definitively abandon the old procedure and establish the general law as the sole method of adoption.

The major innovation under the new system was that adoption could be performed and completed without the passage of any special act of the legislature. If certain simple conditions were met, including statements sworn and recorded before the probate court, the adoption became automatic. This eliminated the obstacles involved in obtaining the passage of a private bill as well as any discretion that might refuse such passage.

Although the first section of this law applied to the adoption of adults, I consider here only the provisions concerning the adoption of children. The adoption of adults, apparently not uncommon in the middle of the nineteenth century, has since become relatively more rare and certainly of much less interest and concern. It is now an idiosyncrasy, not an institution.

The qualifications for foster parents were simple. Any single person, man or woman, and any married couple were free to adopt a child, provided he, she, or they were of full age and sound mind. A married man could adopt a child on his own and apart from his wife, but a married woman could not do so on her own and apart from her husband. Foster parents were, as would be expected, most often married couples, generally without children of their own.²⁸ But there were also instances of men alone adopting children and a few cases of women doing so.²⁹

The law also described in detail the procedure involved for the prospective foster parent or parents. Any qualified person wishing to adopt a child was required to declare "by an instrument in writing . . . attested by three credible witnesses, and by him acknowledged before the judge of probate of the district in which the minor shall reside, . . . that he adopts such minor as his child and heir at law . . . and such person shall, in the said instrument designate the name which he wishes such minor thereafter to bear, and shall cause such writing to be recorded in such court." Despite the language, this procedure of course applied not only to men but to married couples and single women as well.

The new law also made innovation in establishing orderly consent in behalf of the child. As mentioned earlier in this article, the system of private adoption completed by special legislative act included no provision for such consent. The act passed in 1822 establishing procedure for the adoption of illegitimate children by their natural fathers did make such provisions,³⁰ but there was none otherwise. The function and procedure of the act of 1822 was similar to those of the general law of 1853 and may well have supplied the precedent for it. The general law clearly sets forth the procedure for consent.

The parents or parent, or guardian of such minor, together with such minor, if of the age of fourteen years, shall, by a like instrument of writing, . . . attested by three credible witnesses, and by them respectively acknowledged before the same judge [i.e., of probate] and recorded in the same office, declare their consent to such adoption and change of name. If the said minor has no parent living and no guardian, the probate court shall appoint some suitable person to act as guardian of said minor in the matter of said adoption.

There was here provision not only for consent in behalf of the children, then, but also for the consent of the children themselves if fourteen years

or over. This requirement represented an even more significant step than consent in the children's behalf. The children's own feelings had in principle been recognized for the first time as relevant to the adoption and a matter of law. The new statute also changed the way foster parents formally established a new relationship with their adopted child. Whereas formerly this was done by private and extralegal agreements between the natural parents and the foster parents, now it became public and a matter of law. The 1853 statute thus not only declared that a child adopted under its terms would be known by the new name thereby designated and be heir at law of the adopter but also that the adoptee would be the adoptive parent's "child" and that "the same rights, duties and obligations shall exist between the parties as if the minor so adopted had been the legitimate child of the person so adopting" the child.³¹

Other incidental provisions deserve brief mention. The law enjoined a judge of probate to require the adopting parent to publish notice of the adoption for three successive weeks in a local newspaper. The judge was also required to make annual reports to the secretary of state of all adoptions and changes of name under the act, these reports to be published in tabular form with the legislative acts of each year.

In later years there was also a liberalization of the procedure for completing adoption. Thus by enacting the general law in 1853, the legislature made it possible for complete adoption to be obtained by proceedings before the probate court without the passage of private act legislation. Doubtless this enactment was in considerable measure due to the legislature's desire to be free of the burden of such legislation and to end its responsibility for what was in reality an administrative or judicial matter and not a legislative one. Be that as it may, the probate court proceedings avoided the problems and obstacles inherent in all private act legislation. Furthermore, the law avoided the possibility of a legislative failure or refusal to act in any particular case for any or no reason.³² Under the new law the probate court could not fail to act and could not refuse to act except on certain limited grounds. In later years the legislature went further to liberalize the procedures for completing adoption.

NUMBER OF ADOPTIONS BEFORE 1863

We cannot obtain an exact number of private adoptive agreements that took place prior to 1863, as no public records for these had to be kept. We can assume that there were more of them (probably a good many more) than the acts of special legislation granting a change of name and inheritance rights, which completed the process.³³ The desire for secrecy must have deterred some Vermonters from seeking the passage of special

legislation. The social and political influence necessary for procurement of an act of the legislature, as well as the need to know the law, must have deterred some foster parents, and those who adopted children may not have wanted to complete the process to the point of identity of name or inheritance rights. In several cases many years passed between the original adoption and the petition by foster parents for its completion. This strongly implies a reservation of judgment on their part as to how the relationship would work out.³⁴ Moreover, the completion of adoption was not required by law. Some parents doubtless had no desire for it in the face of an unhappy relationship with the child as the years had passed.

Indeed, not even the number of adoptions of children completed by special legislative acts can be precisely determined. Similar acts were passed in behalf of adults. After 1835, when the petitions are lacking, these acts cannot be distinguished in the records from those in behalf of children. Furthermore, for a time the special acts completing adoptions cannot be separated from those for simple change of name.³⁵

We may, however, hazard an educated estimate of the figures. From 1804 through 1835 about twenty-five adoptions were completed.³⁶ For the years 1835 to 1841, the number can only be estimated as between five and ten. From the latter year through 1852, there were possibly 115 and for the next ten years, up to 1863, about 185.³⁷ If a necessary discount for adult adoptions is taken into account, there were thus in the general vicinity of 300 adoptions of children completed by special act between 1804 and 1863. The general public system of complete adoption established in 1853 doubtless added many more to this figure, but we can know these only by consulting probate court records.³⁸

It may properly be noted here that the reports for just two adoptions were published with the legislative acts during the years 1853 to 1863.³⁹ It seems the secretary of state received these reports and no others, since the two alone remain on record.⁴⁰ It is, of course, possible that only two adoptions took place. But it is equally possible (and more likely) that others were simply not reported. If so, it would not be a unique occurrence in the history of the relations of the county and local officials with the state. Without searching the records of all the probate courts, the historian can make no conclusive statement, and even such a search might be open to question in view of the possible loss or destruction of records.

It seems safe to assume that whatever the final figure might prove to be for adoption under the general law of 1853, it did not constitute the major share of the adoptions completed in 1853-1862. As already noted, 185 were brought to fulfillment during these years by special act in accordance with the alternative method of private adoption. Furthermore,

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this was a substantial increase over the previous twelve years, during which only about 115 were completed.⁴¹ The old procedure certainly provided a purely private arrangement as far as custody was concerned and was free from public attention and scrutiny. Doubtless some foster parents preferred such a system, while others were reluctant to put a child through a public procedure in their own general vicinity. The private legislation was a more distant process and could be accomplished at a later and possibly more appropriate time.

ADOPTION LAW OF 1863: THE END OF PRIVATE ADOPTION

As the number of adoptions increased, the need for further refinement of the law became more obvious. In each of the three years prior to 1863, the General Assembly passed private acts of legislation in behalf of about twenty foster children—a total of about sixty adoptions completed in this relatively brief time. Adoption had thus ceased to be a rare and incidental matter and had become a practice of such proportion as to call for public consideration. In short, it had become a public issue—surely not a major one or one in great controversy, but an issue nevertheless.

A fundamental change in the matter of adoption came about in 1863, when the legislature passed the General Statutes of the State of Vermont and included verbatim the provisions of the general adoption law of 1853, with the addition of two amendments.⁴² One allowed adopters to choose whether or not they would change a child's name.⁴³ The other—and this was far more significant—declared that "all adoption, with or without such change of name, shall hereafter be made agreeably to and under the provisions of this chapter." In other words, the legislature abolished the old system of private adoption completed by special legislation, which had prevailed for over half a century. All adoptions would in future be in accordance with statutory provision.

There were other developments. The statute finally established the right of foster parents to make their adopted children their heirs at law. For almost a decade and a half, as we have already seen, the opportunity to do so had been denied. By the 1840s it had been reaffirmed, and an essential element in full adoption was put beyond question. In all cases of intestacy, the adopted child was henceforth the equal of the natural legitimate child.

In addition to these liberalizations, the law of 1863 made obligatory some conditions and requirements for adoption first introduced in 1853. Among these was the requirement of explicit and written consent to adoption by children fourteen years of age or older. In principle, this placed a limit on the power of the father to dispose of a child. Furthermore, the legislation gave new thought to the protection of orphans. If the child

to be adopted had no parent or guardian, the probate court was directed to appoint a suitable person to act as guardian in the matter.

The law of 1863 inaugurated certain conditions and restrictions for adoption. The early procedure had imposed no restrictions at all concerning who might adopt a child and prescribed no limits as to age or mental condition; persons under age and under par mentally could be given a child in adoption. The new procedure prevented this for the future, providing that only a person of "full age and sound mind" could adopt. Although for the most part birth records or other evidence could determine the age of an adopter, the judge of probate would presumably have to decide the question of soundness of mind. It was on this limited ground alone that a probate judge could refuse to sanction a proposed adoption.⁴⁴ And it was on this ground, too, that the discretion of the probate court in matters of adoption first emerged.

Other new requirements established in 1853 and confirmed in 1863 had more profound implications. Before 1853, full adoption included two steps: the arrangement of custody by private agreement and then at a later time (often much later) the grant of change of name and inheritance rights by special act. Under the general laws of 1853 and 1863, however, custody, name, and inheritance rights came together in a single procedure. In other words, adoption became a single act. Custody of a child could no longer be obtained alone. To be sure, the general law of 1863 allowed foster parents to omit the change of name for the child, but inheritance rights had to be included.⁴⁵ In order to have custody, foster parents had to make children their heirs at law; they could no longer fail to act at all or wait ten or more years before committing themselves to the children in this fundamental regard.

Furthermore, for the first time adoption was given legal status and definition. Custody was no longer left to private agreement or contract. Both the act of 1853 and that of 1863 declared that "the same rights, duties and obligations shall exist between the parties as if the minor so adopted had been the legitimate child of the person so adopting him."⁴⁶ A written instrument of adoption was required that bound the foster parent—and the child—to the terms of this definition. That instrument was, in contrast with previous practice, executed before a witness and made a public record. Adoption, once largely private, thus became more subject to public scrutiny and more directly subject to public authority. As a great legal reference work has expressed it, it became in this way "a statutory status rather than a contractual relation."⁴⁷

By the end of 1863, adoption in Vermont, once a private agreement, had become an institution. The spontaneous acts of charity and community glimpsed in William Fisher's petition had in good measure mi-

grated from the private to the public realm. In so doing, adoption freed itself from some arbitrary restrictions and, most important, from the discretion of legislators or executives who could act or refuse to act for reasons known only to themselves. As it came into more frequent use, adoption came under increasing public scrutiny. In the end, to free themselves of the tedious and burdensome task of deliberating and acting on each case, the legislature gradually developed uniform standards for limits, restrictions, protections, and obligations. By the end of the period under study, adoption had been legally defined—publicly established—and could be legally redefined. The procedures and safeguards written into law over sixty years after 1804 made adoption a free and responsible expression of the public will to protect the unprotected and a public way to guarantee the safety and security of adopted children and their new parents.

NOTES

¹ For the full text of this document, see *Manuscript Vermont State Papers*, vol. 45, 77.

² See Doris S. Bishop, comp., *A History of the Town of Orwell, Vermont* (Orwell, Vt.: Town of Orwell, 1963), 13, 19–21, 36.

³ Abby Maria Hemenway, ed., *The Vermont Historical Gazetteer*, vol. 1 (Burlington, 1868), 74, indicates that either William Fisher or his brother Ephraim was an elder in the church and at times served in turn with other elders as minister when no regular one was available. But other sources do not confirm this.

⁴ Vital Records Office, Public Records Division, Middlesex. The death cards for William and Betsy Fisher give his age at death in 1829 as seventy-two and hers in 1820 as sixty.

⁵ For the full text of this act, see *Laws of Vermont*, 1804, 74–75 (2 November 1804).

⁶ For a brief discussion of adoption in ancient Greece and Rome, see Numa Denis Fustel De Coulanges, *The Ancient City: A Study on the Religion, Laws and Institutions of Greece and Rome* (New York: Doubleday Anchor, 1956), 54–56. For reference to an adoption among the Vikings in the eleventh or twelfth century, see H. R. Lyon, *The Vikings in Britain* (New York: St. Martin's Press, 1977), 116.

⁷ See Lorenzo D'Agostino, *The History of Public Welfare in Vermont* (Washington, D.C.: Catholic University of America Press, 1948), 164.

⁸ *Laws of Vermont*, 1804, 74–75 (2 November 1804).

⁹ Secretary of State's Office, Montpelier, Vermont.

¹⁰ *Manuscript Vermont State Papers*, vol. 48, 37.

¹¹ *Ibid.*, vol. 57, 177.

¹² *Ibid.*, vol. 63, 187.

¹³ See *Laws of Vermont*, 1815, 164–165.

¹⁴ For this petition, see *Manuscript Vermont State Papers*, vol. 61, 27. At the time and after the passage of the general adoption law of 1853, three of the special acts—one passed in 1853, one in 1856, and the last in 1861—established between the parties in whole or in part the authority, duties, and obligations that in other cases were constituted by private agreement. The general law of 1853, as will be seen, simply provided a public alternative to the old private system of adoption. These three special acts—for only five out of the 185 persons favored by such action during 1853–1862—were in all probability simply in imitation of the provisions of the general law for public supervision on the whole matter of adoption. In any case they constituted no substantial denial of the validity of the private agreements. For these acts, see *Laws of Vermont*, 1853, 196; 1856, 202–204; 1861, 167–168.

¹⁵ In one special act the legislature referred to the person for whose benefit it was passed as an "adopted son." The inference is clear as to the validity of the previous private agreement. For this act, see *Laws of Vermont*, 1832 (Act No. 64, Miscellaneous), 118. For similar references to "adopted son and adopted daughter" in later acts, see *ibid.*, 1860, 178; 1861, 173; 1862, 149.

¹⁶ For this case, *Town of Tunbridge v. Town of Eden*, see *Reports of Cases Argued and Determined*

in the *Supreme Court of the State Vermont: March Term 1866*, vol. 39, n.s., 17–24. The first quotation is found on p. 20 and the other two on p. 21. The court gave no explanation for its assertion on the one hand that the father had legal control over the child and its assumption on the other that the parents were to execute the child's transfer in case of adoption. Reference to this case is in D'Agostino, *The History of Public Welfare in Vermont*, 168. I have searched in vain under *adoption* in both the *Vermont Key Number Digest*, vol. 1 (1968), and *Corpus Juris Secundum*, vol. 2 (1972), which prevailed before 1863. The absence of references to the case may well be because that procedure has historical rather than practical relevance to present law.

¹⁷ See *Manuscript Vermont State Papers*, vol. 62, 31.

¹⁸ For specific instances of these several situations, see petitions in *Manuscript Vermont State Papers*, vol. 45, 77; vol. 55, 118, 184; vol. 56, 272.

¹⁹ For a specific case, see *Manuscript Vermont State Papers*, vol. 59, 32, and for a probable one see *ibid.*, vol. 55, 175. When the petitions are silent on the origins of the child, it seems likely, in view of specific mention of such origins in most of these documents, that illegitimacy was involved in at least some of those instances.

The phrases "as if . . . the legitimate child of" or "as if born in lawful wedlock" employed in some of the petitions and private acts concerned with granting change of name and inheritance rights must not be taken to imply that the child was illegitimate. They are to be understood in this context as only descriptive of the total rights sought or granted. Indeed, the first phrase is employed in the provisions of the general adoption laws of both 1853 and 1863 and clearly and only indicates the total nature of the rights and obligations of the adopted child. These acts applied, of course, to all adopted children and not merely to illegitimate ones.

²⁰ *Laws of Vermont*, 1817, chap. 108.

²¹ *Ibid.*, 1822, chap. 9.

²² *Ibid.*, 1841, no. 86.

²³ See *ibid.*, 1842–1862, *passim*.

²⁴ For a single instance of an adoptee's being required to record her consent to a special act, see *Laws of Vermont*, 1849, no. 99. It seems likely, however, that she was an adult at the time of the completion of her adoption.

²⁵ See *Records of the Governor and Council*, vol. 7, 342. For a manuscript record of the same, see *Manuscript Vermont State Papers*, vol. 75, 26 (30 October 1828).

²⁶ See *Senate Journal*, 1841, 51, 57.

²⁷ *Laws of Vermont*, 1853, no. 50, 42–44. The law was entitled "An act to provide for the adoption of persons and changes of name."

²⁸ For specific mention of this in two petitions, see *Manuscript Vermont State Papers*, vol. 48, 37; vol. 56, 272.

²⁹ For three instances of adoption by women alone, see *Laws of Vermont*, 1843, no. 67; 1850, no. 141; 1860, no. 146 (sec. 1, subpar. 5). It may be noted here that although more boys were adopted than girls in 1804–1863, the difference in numbers grew smaller during the period and in the last decade became insignificant.

³⁰ *Laws of Vermont*, 1822, no. 9.

³¹ *Ibid.*, 1853, no. 50, 43.

³² I have found no record of any refusal of a petition for change of name and/or inheritance rights. However, I have not searched the journals of the legislative bodies page by page, and such search alone would allow a conclusive statement. In any case, the lack of any refusal would not mean that the possibility did not act as a deterrent.

³³ For an instance of an adoption prior to 1804 that was not later completed, see Randolph Probate District Records (Windsor County), vol. 1: Will of Ezra Egerton, Randolph, 1793, 320. This information was kindly supplied by Betty Bandel, professor emeritus, University of Vermont. There is no ground to doubt that there were others prior to 1804.

³⁴ For examples of delays of sixteen and seventeen years, respectively, between adoption and petition for change of name and inheritance rights for the child, see *Manuscript Vermont State Papers*, vol. 45, 77; vol. 57, 177. Several other petitions suggest by their language, though they do not specifically so state, that there was a delay. Still others, in contrast, by stating the age of the child or by other signs, indicate comparative promptness.

³⁵ From 1828 to 1841 the legislature refused to pass any act "making one individual heir at law to another" (see *Manuscript Vermont State Papers*, vol. 75, 26). Thus for these years the acts for completing adoption were confined only to change of name and cannot be distinguished from those for a change of name unrelated to adoption. From 1828 through 1835, however, the original petitions survive, and their texts allow a determination of the act pertaining to adoption. But thereafter these documents are lacking. In consequence, it can only be surmised that for the next five years the number of acts completing adoption, insofar as it could be completed during this period, probably ran

between five and ten. This estimate is based on the number passed immediately before and after this half decade.

³⁶ See *Laws of Vermont*, 1804–1835, passim. See also card index to *Manuscript Vermont State Papers*, compiled by Mary G. Nye. Search must be made in this invaluable scholarly aid by name as supplied in the laws, as Nye did not index under adoption, change of name, or inheritance rights.

³⁷ For substantiation, see *Laws of Vermont*, 1841–1862. In the first period twenty-five and during the second sixteen of the adoptions completed granted only inheritance rights and no change of name. These are included in the figures given above, even though some of them probably concerned adults. That the general law of 1863 (see *Laws of Vermont*, 1863, 416–417) allowed the adoption of both children and adults without change of name argues for their inclusion.

³⁸ See *Laws of Vermont*, 1853, Public Act No. 50, 42–44.

³⁹ For these returns, see *ibid.*, 1855, 222; 1859, 181.

⁴⁰ The records of the Secretary of State's Office on adoption, including those for 1853–1863, were originally located in its state papers division and later in its vital records division. Robert L. Hagerman, assistant editor of the *State Papers of Vermont*, compiled from these records and from the laws of Vermont 1801–1870 a card file of changes of name, including those involved in adoptions. The original set of cards is in the State Archives, Secretary of State's Office. These cards also, of course, show only two adoptions under the law of 1853.

⁴¹ For substantiation of these figures, see *Laws of Vermont*, 1841–1862. For previous mention of these and other figures on the number of adoptions, see n. 36 above.

⁴² For the text of this statutory provision, see *General Statutes of the State of Vermont* (1863), 415–417.

⁴³ That some foster parents—and possibly some adopted children as well—desired to leave the child's name unchanged is at least suggested by the fact that about thirty of the 150 or so special acts passed in the previous decade and concerned with adoption did not include change of name but only inheritance rights.

⁴⁴ The Vermont Supreme Court in a decision in 1866, which has already been discussed here as concerned with a case of adoption in about 1848, clearly implied that the courts might question whether a particular foster parent was a "suitable person" to undertake an adoption. As there were no provisions in either the common law or statute law to sanction such intervention by the courts in matters of adoption, the Supreme Court must have found authority for it in the general principles of the law. See *Reports of Cases Argued and Determined in the Supreme Court of the State of Vermont: March Term, 1866*, vol. 39, n.s. 21 (*Town of Tunbridge v. Town of Eden*). The Supreme Court also took the occasion to give high praise to the social advantages of adoption. See *ibid.*, 23.

⁴⁵ For the provision with respect to the change of name, see *General Statutes of the State of Vermont* (1863), 416–417.

⁴⁶ For this provision, see *Laws of Vermont*, 1853, no. 50, 43, and *General Statutes of the State of Vermont*, chap. 56, 416.

⁴⁷ See *Corpus Juris Secundum*, vol. 2, p. 420.



Scots Among the Yankees: The Settlement of Craftsbury East Hill

The East Hill migration was an unplanned association that nevertheless created one of the largest ethnic enclaves to be found in Vermont a century ago.

By BRUCE P. SHIELDS

Vermont's ethnic composition during the nineteenth century was predominantly old-line Yankee. Scots were rare.¹ Three substantial groups of Scots did exist, at Barnet, at Ryegate, and on the East Hill, where the towns of Craftsbury, Glover, and Greensboro corner. The Barnet and Ryegate settlements, which predate Vermont statehood, are well documented in the published histories of those towns and in later articles. The origin of the East Hill settlement, partly because it lies in three towns, has never been thoroughly reported.

Vermont, in contrast to many other parts of the United States in the 1800s, had few foreign settlements where a new community retained an Old World identification. Most newcomers to Vermont from 1775 to 1825 came from the older parts of New England rather than from Europe. Elsewhere in the United States individual factories imported European labor or transplanted an entire manufacturing operation to American soil, including transfers from Scotland. The carpet mills at Lowell, Massachusetts (1820s), and at Thompsonville (in the town of Enfield), Connecticut (1840s), came from Paisley and Kilmarnock, respectively, both in Scotland.

Industrial recruiting did bring to Vermont such ethnic communities as the Welsh slate workers of Fair Haven and the Italian and Scots granite workers of Barre, but not the East Hill Scots. The East Hill settlement had no distinct organization. Behind the other Scottish communities, Ryegate and Barnet, were formal joint-stock companies created in Scotland

expressly to finance emigration to the United States. No such company ever existed for East Hill.

The East Hill migration was an unplanned association that nevertheless created one of the largest ethnic enclaves to be found in Vermont a century ago. During thirty-five active years of immigration, some sixty families from a compact area of Scotland came to form a close-knit and related community in Vermont. At the high point of the settlement, as shown by the 1860 federal census, almost 10 percent of the combined population of Greensboro, Craftsbury, and West Glover was of Scots birth. In that same year, by contrast, only three Scots-born individuals (from a combined population of about 5,000) lived in the nearby towns of Hyde Park, Johnson, and Cambridge. In Stowe, a typical mid-nineteenth-century Vermont town, the only Scot in the 1850 census was one Edward Lothian, tailor. Brownington's one Scot was also a tailor. Had the East Hill Scots lived all in one town, the effect would have been similar to that of Barnet. But because of their dispersion among three towns, as well as for some religious and political reasons I discuss below, the distinctively Scottish features of their culture were dissipated rather than reinforced by town government.

The East Hill Scottish settlement was predominantly agricultural. The first Scots settler in East Hill, Robert Trumbull, was one of the first four settlers of Craftsbury. Born at Cambuslang, he enlisted in the Royal Marines about 1774.² He jumped ship (literally) at Newport, Rhode Island, in 1779 and joined the Connecticut Volunteers. He retired in 1786 as a veteran on the American side of the Revolution. Trumbull and Ebenezer Crafts were the only Revolutionary pensioners resident in Craftsbury. Congress and state legislatures had promised land to all veterans who continued in service to the conclusion of peace. Possibly a beneficiary of bounty land, Trumbull joined a community of veterans both of the Revolution and of the government side of Shays's Rebellion. All other early settlers of Craftsbury were Yankees from the area of Sturbridge, Massachusetts.

Robert was joined by his brother, Thomas, who dwelled briefly at Wilbraham, Massachusetts. They jointly farmed at East Craftsbury Four Corners, where they built the first frame house in town. The Trumbulls helped organize a Reformed Presbyterian (commonly called Covenanter) church around 1813. This denomination had very strong ties to Scotland. The Trumbulls accumulated capital by a combination of farming and commerce, including the operation of a sawmill and possibly a gristmill on Whetstone Brook. From 1790 to 1820, the Trumbulls were the only Scots in the East Hill area. About 1820 Robert's son John King Trumbull returned to Cambuslang, then a country village east of Paisley in Scotland, to collect a legacy.³ The Trumbulls maintained strong ties to Scots in the

Barnet and Ryegate communities and Canada and to family in Scotland. The Trumbulls were willing to venture their capital to aid other Scots; they wrote mortgages in Craftsbury and Greensboro for some twenty-five years after 1820, helping nearly a dozen Scots families to buy farms.

Scots migrants overwhelmingly settled in Pennsylvania, Ohio, or other destinations in the American Midwest. The Trumbull family is almost certainly responsible for attracting the East Hill band of migrants to Vermont. In about 1800 John K. Trumbull's cousin Agnes married into the Barnet family of Somers, which (like the Trumbulls) originated in Cambuslang.⁴ During his trip to Scotland, John K. Trumbull surely visited relatives, probably including Somers in-laws.

New Scots emigrants appear in the East Hill area almost immediately after John K. Trumbull's journey. According to the *History of Greensboro*, the first Scots settler in that town was John Patterson in 1821; his town of origin is not stated.⁵ In 1825 the first group of Scots immigrants appears: Robert Boyd of Kilmarnock (who came to Greensboro), Alexander Shields of Galston, and William Woodburn of Darvel (both to Glover), all with roots in the Irvine Valley of Ayrshire. The earliest Scots settlers regularly traveled in groups consisting of extended family.

We can only speculate why thirty years passed from 1790 before other Scots joined the Trumbulls. Two general conditions inhibited Scottish immigration during that period. First, in the United States from 1788 to about 1800 a profound recession blocked economic development. Records in the Vermont State Archives demonstrate the issues: bitter petitions for money to build roads and bridges in the towns in the northeast and town meetings dominated by wrangling over the ratio of cash and kind in the payment of taxes. Second, in Britain before 1825 no person who had served an apprenticeship could emigrate without permission of the Crown. Skilled tradesmen therefore could not legally emigrate with their families and household goods, especially if their landlords were reluctant to lose them.⁶ Scots become numerous in East Hill soon after the 1825 amendments to the British Statutes of Apprentices. Scots craftsmen had traditionally lived on subsistence farms of less than 5 acres variously called "crofts" or "cotts," a style of life the new Scots settlers at first emulated. But they rapidly found that a farm of 60 acres or more could be acquired in East Hill for the value of a bare house in Scotland. Availability of land made America very attractive.

The pull of America reinforced a twofold push from Scotland: the industrial and agricultural revolutions. The spread of factories with power looms created unemployment throughout Scotland from 1790 on. During the initial slow increments of the industrial revolution, many self-employed contractors such as weavers, shoemakers, and coopers had enough assets to emigrate when their opportunity for work diminished at home.

Step by step with the industrial revolution, an equally remarkable agricultural revolution was taking place in Scotland. The large landowners who dominated British agriculture began consolidating farms especially rapidly after 1800 to eliminate leaseholds they considered too small to support a family. Displaced peasants (analogous to American sharecroppers) moved into towns, competing there as weavers or lace makers for jobs in small factories or as pieceworkers who worked at home. Simultaneously, therefore, economic pressure squeezed Scots out of handicrafts and off their farms. Sometimes called the Clearances, this rural depopulation is celebrated in melancholy songs such as Robert Burns's "My Heart Is in the Highlands."

By 1850 Scotland was the most urbanized country in the world.⁷ Rapid social change created political upheaval, marked by the great Reform Bill of 1832. Ensuing social turmoil inflamed the young Karl Marx, who made several tours of Scottish factories at this time. Popular opposition to both the agricultural and mechanical revolutions crystallized about 1840 into the Chartist movement, whose growth was characterized by riots and insurrections. Scots rural artisans were forced at an accelerating pace to choose between a move to a Scottish city to continue in their trade of weaving or a move to America to enable them to own a farm. Those who went to the great city slums became by the end of the nineteenth century the radical or communist backbone of the British Socialist Party. The East Hill Scots all preferred to leave their homeland rather than become proletarians in a city such as Glasgow.⁸

Nowhere in Scotland were the changes greater than in the Irvine Valley of Ayrshire, some 30 miles south of Glasgow, on the estates of the Campbell family of Loudoun, from which many East Hill migrants originated. Vermont may have been attractive because its geography and climate closely resemble Loudoun Parish. The Irvine Water flows in a deep valley among the fertile and rainy (60 inches annually) sandstone hills of eastern Ayrshire, providing many mill sites in the 15 miles from Loudoun Hill to Kilmarnock. An ancient borough (incorporated town), Kilmarnock was a center of trade and education from about the year 1200.

Between Kilmarnock and the watershed at Loudoun Hill lie the villages of Galston, New Milns, and Darvel. Galston was the castle village for the Campbells of Loudoun (closely allied to the Campbells of Argyll), whose estate of more than 100,000 acres reached from the suburbs of Kilmarnock to Loudoun Hill. Loudoun Parish roughly traces the traditional boundaries of the Loudoun estate. The earls of Loudoun and their cadets at Cessnock, just south of Galston, were among the wealthiest families in Scotland.⁹ In the 1820s Galston was an important economic center in Scotland.

Three miles east of Galston is New Milns, the market town of the

Loudoun estates. Two miles east of New Milns lies the village of Darvel, its main street dominated by a towering volcanic plug called the Hill of Loudoun. In 1825 Darvel had just begun to grow from a monthly farmers' market to a bustling manufacturing town. East of Darvel is the parish of Strathaven, on the Avon River in Lanarkshire. On the heights near Loudoun Hill is Stobbieside, site of the battle of Drumclog (1646), a key locale in the Covenanter martyrology.¹⁰ The religious link between East Hill and Loudoun Parish probably nearly equaled the link of kinship.

The Irvine Valley was a strong center of the Covenanter wing of the Scots Presbyterian Church. During the "killing times" of the English civil wars, from 1645 to 1688, the earls of Loudoun had led Covenanter armies, and members of the Loudoun family, along with many of their tenants, were executed by the invading English. The entire upper Irvine Valley constituted a nearly homogeneous social unit, with one laird (landlord), one kirk (the Presbyterian Church), and close kinship. That social unit was a clan—not in the nostalgic sense promoted at Highland Games but as a simple matter of fact—with the family at Loudoun Castle head of the clan. Later in the nineteenth century, the discovery of coal, introduction of railways, and social changes mentioned above eroded the clan relationship in the Irvine Valley as elsewhere in Scotland.

The Campbells of Loudoun were leaders in the "agricultural improvement" movement. As landlords they sought greater income by consolidating fields and siting factories and housing tracts on their lands. Yet linked by blood and church to their tenants and farmers, they resisted such harsh depopulation as resulted in the Highland Clearances. The gradualist "improving" philosophy of the Loudoun family encouraged tenants to "go out" (emigrate) with their families intact. Instead of simply evicting renters and demolishing their cottages, Loudoun estate would detach the old cottage with its kailyard (garden) so that the house could still be inhabited. For instance, in Darvel the farm anciently called Lilyloan contained about 60 acres. When the lands of Lilyloan (now known as Lee-loan) were consolidated with those of Henryton (occupied by kin of the Findlay family of Greensboro), title to the cottage with 1.3 acres of land was granted to the family actually living on Lilyloan at the time. Henryton in time was lumped with the lands of Quarterhouse, Newhouse, and other steadings to create a tract of more than 400 acres, which can profitably be worked as a modern farm.¹¹ As the land-based rural population of Loudoun Parish declined through the nineteenth century, families had to leave: their choice was Glasgow or America.

Some Irvine Valley Scots who came to East Hill brought enough cash to Vermont to buy their farms; some borrowed funds from family in Scotland; others relied on the friendly aid of kin like the Trumbulls already in Vermont. They hoped simply to recreate their Ayrshire lives in Ver-

*The Craftsbury
Reformed Presbyterian
Church, built ca. 1835
and torn down 1910.
Courtesy of John
Woodruff, Simpson
Memorial Library,
Craftsbury, Vermont.*



mont, with less disruption than they would have experienced by moving to the factories of Darvel, Kilmarnock, or, worst of all, Glasgow. They found at East Hill a Presbyterian church and farms where they could also ply a variety of skilled trades, including weaving (wool and linen), cooperage, fine joinery, housebuilding, shoemaking, and knitting, for a diversified income. Almost all the Scots settlers of East Hill derived from the upper Irvine Valley and adjacent parts of Fenwick, Avondale, and East Kilbride Parishes and were connected to Loudoun Parish.

James Trumbull, elder son of Thomas Trumbull (the first Robert's brother), was referred to both in Craftsbury and Ayr as "Captain." A captain in the Craftsbury militia troop, he was apparently engaged in trade, for which purpose he traveled extensively. He is placed six times between 1828 and 1840 at the Galston home of Robert Shields, whose brother John was forester for Loudoun Castle and whose nephew ran the mains (home farm) for the Loudoun estates.¹² A second brother to Robert Shields was Alexander Shields, who moved to West Glover, Vermont, from Darvel in 1827. James Trumbull may have had commercial dealing with the estates of Loudoun.

The Andersons, five families of them, also came from Darvel and were known tenants of Loudoun. James Anderson's name appears on a Loudoun estate list from 1835.¹³ The MacLaren, Boyd, and Smith families came from Kilmarnock. From the Irvine Valley came Barclay, Calderwood, Black, Esden, Kendrick, Macomber, Young, Moodie, Findlay, Shields, Patterson, and Gilmour. From Paisley came John Urie, and from Pollockshaw (7 miles north of Kilmarnock) came the Simpson and perhaps Mitchell and Salmon families. The first wave of families who moved to East Hill were interrelated, though the details are obscure.

Some local Vermont place-names arose from the Scots settlement. The northwest corner of Greensboro and adjacent West Glover, now almost depopulated, was long known as the MacLaren district; Barr Hill,

Gebbie Corner, and Mitchell Hill, all in Greensboro, commemorate Scots settlers. The area from Beach Hill in West Glover along the East Craftsbury road to the village of East Craftsbury is still known as Andersonville.

While their Vermont destination is known, the route by which these Scots entered the United States is uncertain. Naturalization documents do not exist for most because of the Covenanter heritage of much of the group. The Covenanter Church derived from the Reformation in Scotland. For fifty years during the civil wars, the Long Parliament, and the Restoration, armed forces of the Episcopalian governments both of Scotland and England ravaged the glens of eastern Ayrshire, leaving a legacy of antigovernment feeling. Partly in revulsion to government persecution, Covenanters refused on scriptural authority to take any kind of oath and refused to pledge allegiance to a government not founded on Scripture.¹⁴ A confessional church, the Covenanters held to a detailed set of published standards for both faith and social behavior.

Covenanter refusal to take oaths complicated their U.S. citizenship. Without oaths, they could not be naturalized in the usual way by swearing allegiance to the U.S. Constitution before a justice.¹⁵ East Hill Scots who arrived before 1850 simply never made naturalization declarations, and consequently their port of entry cannot be discovered, except by oral tradition. Some Andersons entered via Montreal, as did the Youngs. The Calderwoods landed at New York City and moved to Schenectady, from which place part of the family came to Craftsbury and Greensboro. Alexander Shields, according to tradition, landed first at Albany, New York, took a barge to Vergennes, Vermont, and then traveled by oxcart to Craftsbury. A Gebbie in transit found the situation at Montreal so pleasant that he never joined his relative in Greensboro. Isabelle Anderson's 1853 diary records a protracted voyage from Glasgow to New York.¹⁶ A narrative printed in the *History of Greensboro* describes a large party including Simpsons, Mitchells, Barclays, and Smiths landing at Montreal.¹⁷ Apparently, the choice of migration route was opportunistic, perhaps dictated by what shipping was available from Greenock (dredging of the Clyde to permit navigation directly from Glasgow was not complete until the East Hill migration had ended).

Lack of naturalization led to a civil rights problem for the Covenanters, as found in a petition addressed by the Reverend James Milligan, Covenanter minister at Ryegate and Craftsbury, to the Vermont legislature in approximately 1833.¹⁸ The legislature was perplexed by the case and first tried to postpone action indefinitely. The petition begins by stating that the Covenanters were a people who for 150 years acknowledged no earthly sovereign. Milligan prays relief from taking the oath of loyalty, stating that the right of his parishioners to own property was being questioned

and that they stood to lose their farms. From his petition it is unclear whether he meant the oath of naturalization or the Vermont Freeman's Oath,¹⁹ but because of his objection to swearing allegiance to a system that recognized slavery, he was doubtless referring to the oath of naturalization. The legislature, deadlocked at the same time in the anti-Masonic controversy, eventually supplied an enigmatic law designed to ease the situation for the Masons and the Covenanters alike.

Because Covenanters refused to take oaths, they also never served in political offices outside their towns. Their relatives who were members of the United Presbyterian Church in Greensboro, however, were not bound by this stricture; John Smith, for instance, represented Greensboro in the General Assembly. Covenanters were also elected to govern district schools: the Reverend John Taylor, the last Covenanter minister in East Craftsbury, was superintendent of the village school. The Freeman's Oath was not made prerequisite for attendance at town meeting until the twentieth century. Covenanters scrupulously obeyed all civil laws and, according to Reverend Milligan, made certain that none of their own people ever became a burden to the town.²⁰ Orphans and widows were provided succor among the more prosperous members of the community. Covenanters did much of their own road work and, following old provisions of Vermont law, laid taxes upon property of members to support their church. This tax was collected by their own tithingmen up to about 1850.²¹ The East Hill folk assimilated slowly to the Yankee ways of the Northeast Kingdom, marrying primarily among themselves for at least two generations, until after World War I.

Their settlement has no special architectural mark. Because they were not the original settlers in the area, they customarily bought existing farmsteads from Yankees who had migrated west. The simple New England gable or Cape house so closely resembles the lowland Scots farmhouse that no distinct architectural signature marks even the buildings the Scots immigrants designed.

Contrary to what we might expect from seemingly rigid religious principles, their Reformed view of learning prompted many Scots to aspire to a higher level of education than did their Yankee neighbors. The first generation attended Dartmouth and Union Colleges, among others. Robert Trumbull Jr. was a college professor. His cousin, son of Reverend Milligan by Robert Trumbull's daughter, in 1840 founded Geneva College in Northwood, Ohio. A number of the East Hill people attended Geneva, both in Northwood and after its move to Beaver Falls, Pennsylvania. A Calderwood went to India as a missionary, and Dunbars who moved to Michigan were also college teachers. With their family connections to Scotland and church connections to Covenanter commu-

nities throughout North America, they maintained a broad worldview. Their cosmopolitan intellectual outlook contrasted with a "clannish" personal style and strict adherence to detailed standards of behavior and belief.²²

Prior to the Civil War, Covenanters worked with the Garrisonite radical abolitionists and supported John Brown's group in Kansas. They strongly advocated educating blacks and pushed for full political and economic emancipation. Despite their horror of oaths, Covenanters served in the Civil War, though apparently because of the demographics few names from the East Hill community are recorded. The Ryegate and Topsham Covenanter churches, however, contributed their share. Following the Civil War, a number of young people from East Hill families taught at the Freedmen's School in Washington, D.C., which became Howard University. They also joined the great westward move following the opening of the railroads, still tending to emigrate in kinship groups.

East Hill women were well educated, possibly because in Scottish law women were accorded more parity with men than in Anglo-Saxon law. By the end of the nineteenth century, the East Hill emphasis on education and sexual equality produced women of great talent. To take just two instances, Margaret Calderwood Shields was one of the first U.S. women to receive a Ph.D. in physics; Mary Jean Simpson was a commander of the Women's Army Corps and later dean at the University of Vermont.

Personal diffidence, aversion to secular politics, and a continuing strong commitment to farming have kept the East Hill people relatively little known inside Vermont. At the same time, members of those families made their marks in church and intellectual affairs throughout the nation. Eventually, some of the social changes they left Scotland to avoid overtook northern Vermont. The Covenanter Church in East Craftsbury reorganized as United Presbyterian in 1906, soon after the counterpart church in Scotland reunited with the Kirk of Scotland. Since then consolidation of farms, out-migration, and demographic shifts have diluted the community. A few remain on farms that have been in the family since the 1830s. Correspondence with the Scots cousins died out, but a stay in rural Ayrshire will suggest that much of the culture remains on East Hill.

NOTES

¹ Harold A. Meeks, *Time and Change in Vermont: A Human Geography* (Chester, Conn.: Globe Pequot Press, 1986), 17 and passim.

² Letter dated 23 January 1926 from Winfield Scott, commissioner of the U.S. Bureau of Pensions, to Penelope Smith, a descendant of Robert Trumbull. Second-generation photocopy in possession of the author. The name in Scotland was Turnbull; while a metathesized *r* is common in lowland

Scots speech, the name was surely assimilated to that of the famous Connecticut family. Cambuslang is now an urban neighborhood in the city of Paisley.

³ Narrative, no date, written by Anna Green of Cincinnati, Ohio (granddaughter of Robert Trumbull), among the papers of Hannah Babcock of Craftsbury Common.

⁴ Frederic P. Wells, *History of Barnet, Vermont* (Burlington: Free Press, 1923), 615.

⁵ Susan Bartlett Weber, ed., *The History of Greensboro: The First Two Hundred Years* (Greensboro, Vt.: Greensboro Historical Society, 1990), 39.

⁶ Edward Miller and Frederic P. Wells, *History of Ryegate, Vermont* (St. Johnsbury, Vt.: Caledonian Company, 1913), 49, details efforts of Lord Blantyre to restrain emigration of some valued tenants.

⁷ T. C. Smout, *A History of the Scottish People, 1560-1830* (Glasgow: William Collins, 1969), passim; and T. C. Smout, *A Century of the Scottish People, 1830-1950* (Glasgow: William Collins, 1972), 49 ff.

⁸ Striking visual documentation of what the East Hill settlers were avoiding is to be found in Thomas Annan, *Photographs of the Old Closes and Streets of Glasgow, 1868/1877* (New York: Dover, 1977).

⁹ For general information, see John Strawhorn, *The History of Irvine* (Edinburgh: John Donald, 1986). See also James Mair, *Pictorial History of Galston* (Darvel, Scotland: Alloway, 1988).

¹⁰ Good information on these villages is currently available in *Historical Aspects of New Milns* (Newmilns and Greenholm Community Council, 1990) and in James Mair, *Pictorial History of Darvel* (Darvel, Scotland: Alloway, 1990). A decidedly unsympathetic view of the Covenanters, with a very flattering picture of their tormentor, James Graham of Claverhouse, is given by Sir Walter Scott in *Heart of Midlothian*. Because of that novel, it was rare to find any work by Scott in a Covenanter home. Burns, though he also lampooned the Covenanters in "Holy Willie," was, as a Kilmarnock poet, much beloved by the East Hill Covenanters. A sentimentally friendly portrait of the people of the Irvine Valley is in John Galt's novel *Annals of the Parish*, first published in *Blackwood's Magazine* in 1821, which details many customs still observed by the East Hill Scots some generations later. A current reprint of Galt is *Annals of the Parish*, illustrated by Charles E. Brock (Edinburgh: James Thin, Mercat Press, 1980).

¹¹ Information from present owners of Lilyloan.

¹² Letters written by various hands to Alexander Shields of West Glover, Vermont, between 1827 and 1855. A transcription of these letters by Isabel D. Shields done in the 1960s is in possession of the author; the holographs have been dispersed.

¹³ Mair, *Darvel*, 70.

¹⁴ *The Scots Worthies* by John Howie of Lochgoin, first published as *Biographia Scotiana* in 1775 and reprinted many times since, has numerous short and inflammatory biographies of people killed for their faith by the government forces from 1645 to 1688. Probably every East Hill family owned a copy, which was used in devotions. Most of the families were descended from martyrs listed in this book. For a modern edition, see John Howie, *Lives of the Scottish Covenanters* (Greenville, S.C.: A Press, 1981).

¹⁵ Frank George Franklin, *The Legislative History of Naturalization in the U.S. . . . to 1861* (1906; reprint, New York: Augustus M. Kelley, 1971), 167-178.

¹⁶ Edna Berryman and Marion Anderson Wakefield, "Remember the Days . . ." (typescript, Lyndonville, Vt., 1984).

¹⁷ Weber, *Greensboro*, 37.

¹⁸ The holograph petition may be found in the manuscript Vermont state papers, vol. 63, p. 171, located in the Vermont State Archives, Secretary of State's Office, Montpelier.

¹⁹ Vermont Constitution, part 2, sec. 66: "Every person of good character, who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land." Apparently, sharp operators deduced that the Covenanters, never having taken the oaths, could not "acquire, hold and transfer" land and therefore could be dispossessed expeditiously.

²⁰ Reverend Nathan Robinson Johnston, formerly Covenanter pastor at Topsham, Vermont, in his memoir *Looking Backward from the Sunset Land* (Oakland, Calif., 1898), 176, has a detailed discussion of the rationale behind the prohibition of voting. He explains that the proslavery clauses of the U.S. Constitution make allegiance to it unthinkable but that participation at the town level required no oath.

²¹ Records of the Reformed Presbyterian Church of Craftsbury, 1833-1855. A microfilm copy is deposited in the repository of Vital Records in Middlesex, Vermont.

²² A disciplinary incident previously cited by Herbert C. McArthur of the University of Vermont in "Craftsbury Session Books," *VHS Proceedings* 22 (1954): 10-20, involved a young man who not only walked home from St. Johnsbury on the Sabbath but who was distinctly heard to *whistle* in the process. To this seemingly trivial discipline, contrast a man - no doubt a copperhead - excluded from church for maintaining that slavery was acceptable so long as it continued where it already was practiced.

BOOK REVIEWS



Arlington Along the Battenkill: Its Pictured Past

By Hugh Henry (Arlington, Vt.: Arlington Townscape Association, 1993, pp. 152, paper, \$19.95).

Within the genre of Vermont town histories, the photo history has become the choice of many local historians over the past forty years. Photographs are usually loosely grouped by topic, with captions relating dates and observations about the people, buildings, and scenes pictured. Depending on the available photographs, these histories tell diverse stories united only by some relation to a place defined by a political boundary. Confronted with such a smorgasbord, *Vermont History* reviewers tend to praise the quality of the photographs, their captions, and even the layout and reproduction.

Judged in this vein, *Arlington Along the Battenkill: Its Pictured Past* is certainly one of the best Vermont photo histories published. It excels at presenting a remarkable body of photographs with substantial captions that identify subjects and comment on some aspect of life or change in Arlington. The variety of photographic subjects is noteworthy, ranging from landscapes to social group and building portraits to scenes of industrial and farm labor to a sewing bee, a steamship launch, and the Smith's Cash Store Chicken Catch! For such diversity, we are in large measure indebted to George Russell of Arlington, who began collecting historical material and photographs early in this century, eventually establishing one of the foremost Vermont history collections (now preserved as the Russell Collection of Vermontiana at the Martha Canfield Library

in Arlington). But the strictly local sources, especially the Hayden collection of photos, are also remarkable.

The well-reproduced photos are grouped under the headings "Landscapes and Streetscapes," "Churches," "Schools," "Agriculture," "Commerce," "Transportation," "Industry," "Houses," and "Community Groups and Events." The captions often provide a good, concise history of their subject, with relevant names, dates, and references to related buildings, businesses, and families in town. The author, Hugh Henry, displays an in-depth knowledge of local social and material history, not to mention welcome flashes of wit, and the design of the volume is both handsome and legible.

Among minor cavils, local geographic and family references in the captions are at times obscure to the nonresident reader. Some consistencies in captioning, such as dating each photo and keying locations to maps, might have improved the presentation. The index could have benefited from more topical listings, and a note on sources used in compiling the volume would have aided future researchers. Perhaps most notable, an incongruous introduction provides little context for what it introduces, proclaiming that "at the end of the Revolution, the most exciting part of Arlington's history had come to a conclusion" yet justifying the volume's *raison d'être* with the remark, "The second half of the 19th century . . . saw the advent of photography, which made possible this pictorial record of Arlington" (p. 3).

So what is the historical value of pictorial compendiums like *Arlington Along the Battenkill*? What are we invited to see in the way a village street appeared one hot afternoon in August 1891 or in the 1908 Old Home Days horse-drawn float with bunting, dressed-up girls, and a bald man with his hat off? To state the obvious, whatever snippets of historical insight captions may offer, the history in most photo histories is latent in the images themselves. First, the implicit comparison with the way things look today generates a sense of comparative historical difference and gives these volumes a popular appeal, much akin to a family album (one can almost hear the commonplace reaction: "How things have changed yet somehow stayed the same"). Of course the value of this response is greatest for residents and observant visitors to a town, although any reader might make "then-and-now" comparisons of dress and other evidence of material culture.

Second, the photograph establishes the existence and particular appearance of what it pictures, adding a material reality to the subject explained in some detail in the captions. For example, the photograph of a farmhouse long ago demolished establishes the "event" that the building once existed and looked a particular way; a later photo may show

how the farmhouse changed (another “event”). Similarly, the photo of the 1937 high school basketball team establishes that there was such a team and they dressed in such a way. But compilers of these collections rarely ask questions such as why the people are sitting on the porch in the building photograph, why the occupants remodeled the house, or why the basketball team posed for a picture (was it the first year they raised money for uniforms?). In many cases, of course, the why may be unknown, but that does not put it beyond scrutiny.

This why of photos themselves, the context of people’s taking and saving photographs, is perhaps the greatest latent historical value in photo histories—one too infrequently explored in their text and captions. From our own experience, we may think we understand the conventions involved in taking a photograph, but as with so many historical or even contemporary artifacts, our assumptions are not necessarily correct. For example, consider the important body of photographic work developed by women in rural Vermont in the first third of the twentieth century. Is the why of their portraits, candids, and scenics necessarily the same as those we take today, given the roles of men and women of that time? Page 136 of *Arlington Along the Battenkill* shows Halley Phillips on July 4, 1906, photographing the Ft. Ethan Allen cavalry parading on Main Street. I wonder how often she took photographs and whether anyone saved them.

CURTIS B. JOHNSON

Curtis B. Johnson is a historian with the Vermont Division for Historic Preservation and a regularly published photographer.

Wonders of the Invisible World: 1600–1900

Edited by Peter Benes and Jane Montague Benes. The Dublin Seminar for New England Folklife Annual Proceedings 1992 (Boston: Boston University, 1995, pp. 160, paper, \$12.00).

Fascination with the supernatural, divination, fortunetelling, magical healing, and other occult matters has waxed and waned over the centuries but has probably always been part of our human curiosity about the “invisible world” beyond the veil of commonly accepted notions of reality. This volume awakens us to the diverse, intense, and recent (past two or three) decades of historical probing into the acts and passions

of occult practitioners during the early modern world of New England. However, although each of the authors "takes seriously the beliefs and practices that other students of the period have shunted to the periphery" (p. 12), they (perhaps wisely) do not attempt to cope with the difficult problem of the efficacy or truth of the claims and work of these "technicians" of the world of wonders.

The meeting of the seventeenth annual Dublin Seminar occurred in Deerfield, Massachusetts, in June 1992. Professional actor and magician Robert Olson presented a costumed reenactment of the sleight-of-hand routines of Massachusetts-born Richard Potter, and thirteen scholars presented papers, nine of which editors Peter Benes, director of the Dublin Seminar, and Jane Montague Benes have included in this splendid little volume. There are also some instructive illustrations, especially the schematic faces marked with signs useful for locating astrological influences from *The Book of Knowledge: Treating the Wisdom of the Antients in Four Parts* (1787), included with Peter Benes's contribution to the volume, "Fortune Tellers, Wise Men, and Magical Healers in New England, 1644-1850."

Topics range from Iroquois shamans to African American spiritual beliefs to witchcraft in both New England and New France. Evidence for arcane practices turns up in "crystals, a horn ring, pierced coins, a star-decorated polygonal counter, and a cowrie shell" from the slave-occupied Mulberry Row excavation at Monticello (p. 46); in all manner of written testimony from witch trials, diaries, handbooks of fortunetelling and divination, letters, and other documents; even in the providential occurrence of an earthquake in Westborough, Massachusetts, on October 29, 1727, interpreted by the town's minister, Ebenezer Parkman, as a "sign" from the "great and terrible operation of the Divine Hand" (p. 87).

Wonders of the Invisible World: 1600-1900 provides a diverse picture of the scope of "a magical world of 'miracles,' 'remarkables,' and 'wonders'" (p. 11), coupled with an excellent "Bibliography of Studies of Witchcraft, Fortunetelling, and Popular Religious and Spiritual Practices" compiled by Richard Godbeer, William D. Piersen, W. R. Jones, and John L. Brooke. Other contributors to the volume are Robert Moss, M. Drake Patten, Hervé Gagnon, Ross W. Beales Jr., Peter Benes, and David D. Hall.

The essays in this volume demonstrate a wide and rich variety of methodology for studying the occult, from lists of practitioners to descriptions of practices to wrestling with the formidable problems of interpreting the role of the occult in the mental, spiritual, and physical worlds of New England. In the conclusion to his "'Hill-Diggers' and 'Hell-Raisers': Treasure Hunting and the Supernatural in Old and New England," W. R.

Jones emphasizes the importance of placing the study of the esoteric and magical activity of New England within the context of the relation between the Old World and the New:

The magical constituent of American popular culture was no mere “survival” from a distant and different past, but an element of a complex and composite common tradition shared among peoples of the Old World and the New in the early modern era. Its usefulness as a subject of humanist research is in the insight it offers concerning how such traditions arise, change, and endure across time and space. (p. 106)

In saying this, Jones joins others (see especially Godbeer and Patten) who point out how necessary it is to have a knowledge of comparable information on both sides of the Atlantic. In fact, Gagnon reveals in his “Witchcraft in Montreal and Quebec During the French Regime, 1600–1760: An Essay on the Survival of French *Mentalité* in Colonial Canada” that historians seem to have been ignoring this matter in their study of colonial witchcraft in New France: “Scholarly study of the phenomenon must go beyond the spectacular and the morbid and instead serve as a means to evaluate the evolution of French *mentalité* in seventeenth- and eighteenth-century Canada and lead to a fuller understanding of the cultural origins of French-Canadian society” (p. 85).

Complementary to considering context across the seas is the problem of reconsidering what Peter Benes calls “the suspect nature of the early sources”: “The most articulate informants on cunning incidents during the seventeenth and eighteenth centuries were the same individuals whose careers and mind set may have been best served by not recording them” (p. 138). As a result of this deliberate silence, “fortunetellers, diviners, and cunning persons may have enjoyed a much richer and more complex history in this region than has so far been recognized” (p. 139).

There is no disputing that a very wide range of “invisible practices” existed in the early modern era in New England, deeply embedded in traditions from England, Europe, Africa—indeed from whatever origins the immigrants represented. More difficult to assess is the effectiveness of any of these relatively obscure professions. The divining rod is a case in point, for its adoption “gave treasure hunters a craft tool with a record of success” (p. 101).

In his study of shamanic practices among the Woodland Indians, “Missionaries and Magicians: The Jesuit Encounter with Native American Shamans on New England’s Colonial Frontier,” Moss details some instances where Jesuit chroniclers were both amazed by and convinced of the authenticity of what they witnessed, confirming from their basically antagonistic position what the Indians themselves believed. These events included fire walking and accounts of persons having clairvoyant, pre-

cognitive, or prophetic dreams. Perhaps the most interesting observation is made by Father Lafitau, who lived with the Mohawks for five years, regarding their shamans as true spiritual leaders. Not that the native people ever used the term *shaman*. Rather, they knew spiritual leaders by names more specifically related to their calling and work, such as *ratetshents*, "one who dreams"; or *ratkon*, "one who has spirits"; or, generically, *rarendiowanen*, "literally 'one who is great in *orenda*,' the spiritual power that is in everything and beyond everything. In a human being it is also the 'potentiality to do or effect results mystically.'" Of these individuals Lafitau says:

[The Indians] think that there are people more favored by the spirits, more enlightened than most, whose soul feels not only what concerns them personally but who see into the depths of others' souls. . . . That is why the Huron call them *Saiotkatta* and the Iroquois *Agotsinnachen* that is to say "seers," because they see men in their inmost souls. The Holy Scriptures give the same name to the Lord's prophets. (p. 18)

The elusive question persists: Do people perpetuate occult practices because there is some considerable truth in them? Fortunately, in this century extensive contemporary research into spiritual and psychic matters is extending our understanding of the "invisible world." To delve into centuries past is a much more difficult issue. The scholars who contributed to this stimulating collection have brought both intensity and the commitment to careful research to their explorations.

ELEANOR KOKAR OTT

Eleanor Kokar Ott is a consultant in folklore, anthropology, and oral history and is codirector of the Shamanic Film/Video Archive.

MORE ABOUT VERMONT HISTORY



Recent Additions to the Vermont Historical Society Library

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- Smith, Gene, "In Windsor Prison," *American Heritage* 47, 3 (May/June 1996): 100-109.

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