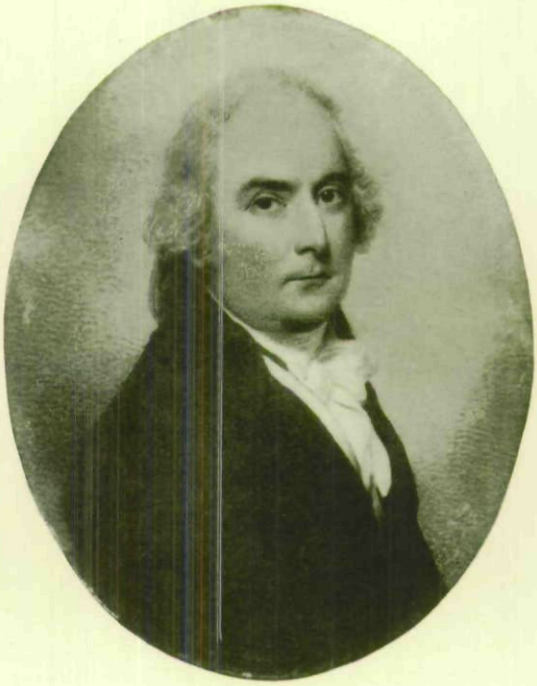

Miniature of Ira Allen

THE MAKING OF THE REPUBLIC OF VERMONT, THE FOURTEENTH STATE

BY JAMES BENJAMIN WILBUR

IN CHOOSING a subject for a paper, it seemed to me, it would be interesting to give an outline—although the time alloted will scarcely permit of the briefest outline—of how the Republic of Vermont, which became the fourteenth State, was formed.

The making of this State has no precedent, and therefore, there is an originality about it, which will always be a field in which historians and students can find material of the deepest interest. The making of this small Republic may have had a far greater influence in the making of the greater Republic of the United States than anyone is able to prove. At several critical periods of the American Revolution, the important part taken by those who founded Vermont and the influence of their example had an effect which was not appreciated at the time, and has never been fully realized by modern students of American history.

Vermont was the first Republic in America under the rule of the people and remained a Republic for over fourteen years after the Declaration of Independence was signed by the thirteen colonies. The people of Vermont, then called "the New Hampshire Grants", governed themselves by committees and conventions eight years before the colonies united to resist Great Britain. Their segregation from all the other provinces came about through no effort on their part. They had received the grants of their land from an authorized agent of the Crown, the Governor of New Hampshire, who, they had every reason to

believe, had authority to grant the lands. Then, through an ancient grant and a fraudulent petition sent to the King by the authorities of the Province of New York, the King decided that the territory west of the Connecticut River was under the jurisdiction of New York. The authorities of that province notified the settlers that they must take out new grants (at a great advance in price over what they had paid) or vacate. This they declined to do. There were no courts of justice before which they could try their cause except the courts of those claiming their property. In the one case they tried, the court refused to recognize their grants and they therefore decided to continue to govern themselves and protect their homes with their lives, if necessary.

This was the cause of the organization of a small body of men which almost from the beginning, in 1770, became famous. Their record cannot be equalled in American history. Ethan Allen became their leader and was designated "Colonel." All know how he and about eighty of his boys, captured the important fort of Ticonderoga in 1775. This was the first aggressive act of the Revolution and gave heart to the cause and showed the timid what a few intrepid men could do.

They ruled the Grants with an iron hand for five years, 1770 to 1775, but during all that time, although in many spirited contests, they never killed a person. It was called a mob, but where does history recall a similar mob, that neither killed nor plundered?

It was a fine tribute paid the Green Mountain Boys by a brave general at the head of an army of trained soldiers, when Gen. Burgoyne wrote: "The Hampshire Grants, a country unpeopled and almost unknown in the last war, now abounds in the most active and the most rebellious race of men on the Continent and hangs like a gathering storm on my left." Nothing more need be related of them except to acknowledge that had it not been for them, what is about to follow could not have happened.

Previous to 1775, the settlers on the Grants, as far as any records show, had no idea of forming a separate colony or Republic. They wanted to be under the jurisdiction of New Hampshire, but were willing to remain under New York if their titles were recognized. They had struck the blow at Ticonderoga without thinking of the consequences as far as their situation was concerned. Seth Warner, Cochran and many of the Green Mountain Boys had been enrolled in the Continental Army under New York and when the expedition to take Canada, in the fall of 1775, was formed, they were part of it. Ethan Allen was unattached, but assisted in getting recruits from Canada. In his effort to capture Montreal, he was taken prisoner and sent to England. This eliminated him for nearly three years.

Joseph and Mary Baker Allen of Salisbury, Conn., had six sons. The oldest was Ethan, born in 1738, who went to the Grants about 1769; the youngest son, who really founded the Republic, was Ira Allen, born in 1751. His father died when he was three years old and his mother with six boys and two girls could not, in those days, give any of them much education. He first went to the Grants in 1770 and was made a lieutenant in the Green Mountain Boys when he was nineteen. He studied surveying for seven days and then undertook to survey this wilderness. He was engaged in this work for four years, marking out nearly all the counties and townships in the western and northwestern part of Vermont. His boundary lines have remained to this day.

It was about 1772 that Ira made the important resolve to locate permanently on the Grants, and soon after, induced his brothers Ethan, Heman and Levi and his cousin, Remember Baker, to form a company with him, called the Onion River Co., (Onion being the meaning of the Indian name, Winooski) for the purpose of acquiring large tracts of land in Vermont.

Ira was to take charge of the business, locating,

surveying and buying the land and Ethan was to look after the political requirements of the company. At this time, the political also included the military, for the Lieutenant-Governor of New York was surveying and granting lands which had already been granted by the Governor of New Hampshire.

After the taking of Ticonderoga all thoughts of lands or business of any kind in the Grants were given up. As soon as Montgomery took command of the army to invade Canada, he placed Lieut. Ira Allen, then twenty-four years old, on his staff and entrusted him with important work at the attack upon Quebec.

In the meantime matters in the Grants were not progressing favorably. Many on the west side of the mountain, where the field of battle had been since the controversy with New York, had either left the Grants or moved down to the southern part below Rutland and all were greatly concerned for their future. One serious conflict had taken place between the settlers on the east side of the range, in which one of them was killed by the New York court officials, at Westminster, March 13, 1775.

A Convention was called in December, 1775, by a few settlers on the Grants to meet in Dorset the following January 15. Ethan Allen was not there, so Heman Allen went up from Salisbury, Conn., and undoubtedly prevented that Convention from declaring in favor of acknowledging the jurisdiction of New York. Heman Allen was appointed a delegate to go to the Continental Congress with a petition. He undoubtedly sent an express to Ira Allen in Canada, recommending his speedy return and informing him how matters stood.

I have given so much of the history of Ira Allen, because the history of the Republic or the State of Vermont is his diary for the next ten years. It was his fertile brain and untiring labor which overcame all difficulties and his manner of doing it, I hope, will interest you.

With war declared, they were in what must have seemed to most of them a hopeless position, as the Grants were the northwestern frontier and the only road the British could take from Canada to invade the colonies. Also the settlers had taken the first aggressive action and had a bitter enemy, New York, on their western border, and on their eastern border, New Hampshire, a weaker enemy who had declined to help them against New York.

A meeting of four men, most likely held in Salisbury, Conn., in the spring of 1776, decided in this crisis the fate of the so-called Grants. In all probability, those four men were Heman Allen, merchant of Salisbury; Thomas Chittenden, a former resident who had gone to the Grants in 1772 locating on a large tract selected for him by Ira Allen of whose company he had purchased it; Dr. Jonas Fay of Bennington, who was a staunch friend of the Allens and a Republican and had served as secretary of most of the Committees and Conventions held in the Grants; and IRA ALLEN, then twenty-five years old and many years younger than the others. After much discussion on all sides of the question, it was decided to remain independent and if possible, form a new colony or state. It is easy to understand who decided the question, after one considers the interests of these four men and learns who it was that did the work of making the new Republic.

After it was decided to endeavor to form a new state, Ira Allen and Jonas Fay during March or April, 1776, prepared a "Humble Address, Remonstrance and Petition." It was presented by Heman Allen in May and was the first petition, by settlers, presented to the Continental Congress. The petition recites "how much they desire to contribute to the general cause" and states in as short terms as possible, "the very peculiar situation in which your petitioners have, for a series of years, been exercised and are still struggling under." Continuing, it recites how the

controversy arose; that they are willing to do all in their power "but are not willing to put ourselves under the honorable provincial Congress of New York", and "Therefore we your Honors' humble Petitioners most earnestly pray your Honors to take our cause into your wise consideration, and order that for the future your petitioners shall do Duty in the Continental service (if required) as inhabitants of said N. Hampshire Grants, and not as inhabitants of the province of New York, or subject to the Limitations, restrictions or regulations of the Militia of said province," etc.

The matter was referred to a committee who reported "that it be recommended to the petitioners, for the present, to submit to the government of New-York, and contribute their assistance, with their countrymen, in the contest between Great-Britian and the United Colonies; but that such submission ought not to prejudice the right of them or others to the lands in controversy," etc.

On June 24, 1776, not knowing a Declaration was to be issued July 4 by the United States, a call was sent out "to warn the several Inhabitants of the N. Hampshire Grants on the West side, and to desire those on the east side the Range of Green Mountains, That they meet by their several delegates" at Dorset, July 24, 1776. Note the wording of this clause, "warn the Inhabitants on the West side" but "desire those on the east side."

This was necessary for the latter, as the opposition to the claims of New York had been confined principally to the inhabitants on the western side of the mountains. Many of the New Hampshire grantees, in the vicinity of the Connecticut River, had surrendered their original charters and taken new grants under the authority of New York, and had not only submitted quietly to the jurisdiction of that colony but stood unconcerned spectators of the controversy in which the settlers on the western side were so deeply involved. They were not, however, indifferent to the policy

pursued by Great Britain towards her American colonies. The Provincial Assembly of New York had withheld its approbation of the measures recommended by the Continental Congress, while those measures had received the sanction of every other colony. This, with "the massacre", as it was called, of March 13, 1775, made many of the settlers very bitter against New York. The wording of this clause was to prepare the way to obtain their support.

The call for the Convention, after reciting the usual election of officers, etc., continues: "3rd. To receive the report of Capt. Heman Allen from the Continental Congress." (This wording would excite the curiosity of many who would not otherwise be interested.)

"4th. To know the minds of the Convention, relative to their associating with the province of N. Hampshire." (There was no possibility of associating with New Hampshire, but this article would bring out some men favorable to such an association, who would not have attended a Convention to form a new State. No delegates were wanted favorable to joining with New York.)

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

There were other things resolved, but time will not permit of their mention. Years afterwards, Ira Allen wrote; "Great care was taken to prepare the minds of the people."

In consequence of this call, July 24, 1776, forty-nine persons being delegated from thirty-two towns met in Convention at Dorset. Some of them like Ira Allen, who represented Colchester, represented towns where there were no inhabitants at that time. The petition to Congress was read and approved by the Convention. Capt. Heman Allen, being present, reported that he

had presented the petition to Congress and it was read by the secretary; that the delegates from New York had opposed it; but that "it was entered on file and ordered to lie on the table"; and that he finally withdrew it, fearing it would be acted upon in his absence. He made no mention of the recommendations of Congress to serve under New York and closed his report as follows: "That he had many private conferences with sundry members of Congress and other Gentlemen of distinction relating to the particular circumstances and situation of the New Hampshire Grants, who did severally earnestly recommend that the inhabitants of said Grants exert themselves" [against the British] and that said Inhabitants do not by any way or means whatsoever connect or associate with the honorable Provincial Congress of New York, or any authority derived from, by, or under them, directly or indirectly, but that the said inhabitants do forthwith consult suitable measures to associate and unite the whole of the Inhabitants together."

How clever it was to get the thought before these delegates of having absolutely nothing to do with New York and plant the germ of the new State; and apparently it all came from disinterested "gentlemen of distinction."

The Convention proceeded to business. The fourth article, "relative to their associating with the province of New Hampshire," after due consideration, was dismissed. They resolved to make application to the inhabitants to form the Grants into a separate "District." There was only one dissenting vote. But how gently they approached the subject! Not ten members would have voted to form a new State. For who was there able to run it? Where could they get the money? Many other like questions could arise. They appointed a committee of five to treat with the inhabitants on the east side, "relative to their associating with this body," etc. A committee to prepare instructions was appointed. Through all

future Conventions of the following ten years, Ira Allen usually prepared the instructions in political matters or, at least, approved them.

It was voted to request the Commander in Chief of the Northern Department to furnish assistance in guarding the frontier. They knew this would be refused, as it was; but this helped them to gain the support of many who favored New York.

After an adjournment of one hour, they proceeded to the consideration of an association. It was cleverly worded. There was no mention of a new State, but they called on "all friends to the liberties of the United States" to sign. Then, in the resolves, it was declared that any not signing "shall be deemed enemies to the Common Cause of the N. Hampshire Grants." This enabled them to ascertain where every man stood on the question of the Grants without raising a direct issue with him. Then it recites that the long controversy with New York, "renders it inconvenient in many respects to associate with that Province," and "The better therefore to convince the Publick of our readiness to join in the common Defence . . , We, the subscribers . . do voluntarily and Solemnly Engage under all the ties held sacred amongst Mankind at the risque of our lives and fortunes to defend by arms, the United American States." All members signed, and it was resolved to ask all male inhabitants over sixteen years old to sign. They resolved that any persons on the Grants who signed any association for New York "shall be deemed enemies to the Common Cause of the New Hampshire Grants." After other business of minor importance, the Convention adjourned until September 25.

They met at the same place on above date with forty-four delegates from twenty-five towns on the west side, thirty of them having attended in July. There had been no delegates from the east side at the July meeting, but twelve came to this one. They

read the records for the January and July Conventions and approved them and voted to make a list of all subscribers to the Association and "that suitable application be made to form that District of Land, . . . into a separate District." They decided to enter into a Covenant or Compact; to regulate the militia; to furnish troops and to report the number of inhabitants to the Continental Congress, which gave an excuse to canvass every man; and they voted not to accept any laws passed by New York.

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

This was a very important move as there were many officers in the Grants, now under New York; and the resolution was worded in such a way that few would grasp it. They imposed heavy penalties on militia refusing to serve under the Convention.

Then follows the Covenant or Compact. They bound themselves and their constituents to "strictly and religiously adhere to the several resolves of this or a future Convention, Constituted on s'd district by the free voice of the Friends to American Liberties," etc. They gave the Committee of Safety full powers. They appointed nine members as a committee of war with great power, and voted to build a gaol for "securing Tories."

They voted to prepare a citation to send to New York "to Know if they have any objection against our being a Separate State from them," etc. This must have been passed to please some weak members. I do not find it ever referred to again.

There were forty-seven measures voted on, one of which was to elect twelve members to attend the next Convention. This was the initiation of the body called the "Council." At the next Convention the body of delegates was styled the "House," and

Vermont was governed by a Council and House of Representatives until 1836.

Of this September Convention, E. P. Walton, who edited "Governor and Council," writes: "This deserves the title of the first Constitution of Vermont and the compliment of being the briefest ever adopted for so large a community."

The Convention adjourned to October 30, 1776, to meet at Westminster on the east side of the Range. Ira Allen started at once for the east side to secure signers to the "Compact" and he remained there fighting the battle among the Yorkers and Tories for over ninety days.

On October 29, the adjourned Convention met at Westminster. It appears to have been comtemplated that the separation from New York would be fully declared at this Convention. Only seventeen delegates appeared; five from the west side, eleven from the east side and one from the center of the Range. The inhabitants were in great alarm in consequence of the destruction of the American naval forces on Lake Champlain.

The session was brief; about the only business was to vote that a pamphlet be prepared and circulated throughout the territory in reply to one dated October 2, 1776, and sent out from the Congress of New York. It was voted "That a Manifesto be put in the public newspapers setting forth the reasons, in easy terms, why we choose not to connect with New York." The pamphlet, entitled "Miscellaneous Remarks," was prepared by Ira Allen and printed and circulated the following spring. It is an able argument, but too long for this paper.

This Convention adjourned to meet at the same place on the third Wednesday in the following January. The adjourned Convention met at Westminster, January 15, 1777, in the dead of winter, with few roads through the State. There was one across the mountain at what is now called Peru. There were but

twenty-four present from seven towns on the west side and ten from the east side. Three other towns voted by letter for a separate State.

Joseph Bowker was in the chair and Ira Allen, clerk. They appointed a committee of three "to examine into the numbers that have voted for the district of the New Hampshire Grants to be a separate state from New York, and how many are known to be against it." The committee reported the following: "We find by examination that more than three-fourths of the people in Cumberland and Gloucester counties, that have acted, are for a new state; the rest we view as neuters." A clever and rather humorous report.

After an adjournment of one hour, the Committee appointed to prepare a draft for a Declaration for a new State, reported: "That whenever protection is withheld, no allegiance is due, or can of right be demanded. That whenever the lives and properties of a part of a community have been manifestly aimed at by either the legislative or executive of such community, necessity requires a separation," etc.

Ira Allen spent nine days on the Declaration of Independence of Vermont. He prepared it for the press and had it published in Hartford. They named the new State, New Connecticut. They appointed a committee of five to present the Declaration to Congress and adjourned to the first Wednesday in the following June. The committee returned from Philadelphia in the spring. They had no more success than had Heman Allen, the year before, but they did bring back something worth while.

They had met Dr. Thomas Young, an ardent patriot, one of the "Indians" who had thrown the tea into Boston harbor. They brought a letter from him addressed "To the Inhabitants of Vermont, a Free and Independent State," dated Philadelphia, April 11, 1777.

"Gentlemen: Numbers of you are knowing to the zeal with which I have exerted myself in your behalf,"

etc. "God has done by you the best thing commonly done for our species. He has put it fairly in your power to help yourselves," etc. It was a beautiful letter. He added a note, April 12, "Your committee have obtained for you, a copy of the recommendation of Congress to all such bodies of men, as looked upon themselves, returned to a state of nature, to adopt such government as should in the opinion of the Representatives of the people best conduce to the happiness," etc. He sent a copy of the Constitution of Pennsylvania, "improved by the readings and observations of the great Dr. Franklin," etc. He advised them to form a government and he could assure them, Congress would admit their delegates. His letter closed with "A word to the wise is sufficient."

The resolution of Congress, to which he referred, was passed May 15, 1776. John Adams originated it for the purpose of suppressing governments under the Crown, in the then United Colonies. It was used by Ira Allen in his Declaration before the Convention, January 15, 1777. The use of this resolution by the Vermonters made New York furious and they appealed to Congress. Congress resolved, June 30, "That the independent government attempted to be established, can derive no countenance or justification from the act of Congress," etc. And regarding Dr. Young's letter: "Resolved, that the contents of the said paragraphs are derogatory to the honor of Congress and are a gross misrepresentation of the resolutions of Congress therein referred to and tend to deceive and mislead the people to whom they are addressed."

The Vermonters cared little, however, what Congress thought about it and used the resolution for all it was worth and it was worth much in securing signers to their agreement.

No full Journal of this Convention of June 4, 1777, has ever been found. Ira Allen, in one of his later publications, gives the following account of it:

"Soon after the return of the Commissioners from Congress, Mr. Ira Allen wrote, printed, and published a Pamphlet, showing the right the people had to form a government, which with Dr. Young's letter was spread through the State, and measures taken to convene a Convention, which met at Windsor, in June 1777, to form a Constitution, and appointed a Committee to revise a draft of a Constitution then exhibited, and passed a Resolution recommending to each town, to Elect and send Representatives to a Convention to meet at Windsor in July following."

It was the largest Convention yet held, there being seventy-two delegates present. The excuse, given in a resolution passed, changing the name from New Connecticut to Vermont, was that they had discovered a settlement on the Susquehanna River which had been given that name. As a matter of fact, it was changed on the recommendation of Dr. Young, (an old friend and neighbor of the Allens) in a letter brought by the Committee returning from Congress, giving the new State the name Vermont, from the French Verdmont or Green Mountain, intended to perpetuate the name given the Green Mountain Boys.

A vote was taken whether the House would proceed to business on the former Declaration, made at Westminster in January, with the result: "That then the names of the representatives being distinctly and severally called by the Secretary, seventy-one of them did answer in the words following, viz: 'Proceed to form.' " They all then renewed their pledges to support the cause. That the public might more fully understand why they declared themselves into a new State, they published a "Complaint" setting forth again what has already been outlined.

They then proceeded and resolved: "Whereas, this convention did at its sitting at Westminster on the 15th day of January last, make and publish a declaration that they would at all times hereafter consider themselves as a free and independent State," etc.

"And whereas no government sufficient to the exigencies of our affairs has been hitherto established; Therefore it becomes absolutely necessary for the safety, well-being and happiness of the inhabitants of this State to form such a government as shall, in the opinion of the representatives of the people of this State, best conduce to the happiness and safety of their constituents in particular and America in general; and whereas the Honorable Continental Congress did, on the 15th day of May,1776, make and publish the within recommendation for the express purpose of taking up government. . . . ." Another reference to the resolve of Congress. They adjourned June 8, to meet at Windsor, July 2, 1777.

This July Convention was unsurpassed in importance by any other in the State, inasmuch as it established a Constitution and frame of government. No official record and no full and satisfactory unofficial account has ever been published. Ira Allen was a member and the leading spirit which brought it about. He wrote in his History of Vermont, in 1798: "A draft of the Constitution was laid before the Convention and read. The business being new and of great consequence, required serious deliberation." He also recites that while they were considering it, the news arrived that Ticonderoga was evacuated, exposing to danger the families of many of the delegates and that of the president. "In this awful crisis, the convention was for leaving Windsor but a severe thunderstorm came on, etc. They read the Constitution paragraph by paragraph for the last time."

An election was ordered to be held in December, 1777, to elect representatives to meet in Bennington, in January, 1778. A Council of Safety was appointed to administer the affairs of the State until some other provision in that regard should be made. The first secretary was Ira Allen. The office was one of high dignity corresponding to that of Secretary of State, but

with more authority as his signature was recognized as of equal authority with that of the President.

The new State or Republic of Vermont was formed; but after so much labor by Ira Allen and his associates and just as it was finished, it seemed as if all was about to be lost. Many on the west side of the mountain, who had maintained the spirited contest with New York, had moved out. The Council of Safety had proceeded from Windsor to Manchester. Just at this time, Burgoyne issued his famous Proclamation from his camp near Ticonderoga offering protection to all who remained peacefully on their farms. Also to pay for all supplies taken or purchased of them but in case they did not choose to accept his offer: "I have but to give stretch to the Indian forces under my direction and they amount to thousands, to overtake the enemy . . . . I trust I shall stand acquitted in the eyes of God and men in denouncing and executing the vengeance of the State against the wilful outcasts—The messengers of justice and of wrath await them in the field; and devastation, famine, and every concomitant horror that a reluctant but indispensible prosecution of military duty must occasion will bar the way to their return." This was enough to make the stoutest heart quail. Ira Allen wrote for assistance to the Assembly in New Hampshire, July 11, but received no response. On July 15, he therefore wrote another letter. I wish time permitted me to give it in full. It brought an immediate answer that Stark would start for Manchester at once. It was addressed to "Ira Allen, Esq., Secy. of the State of 'Vermont'",—the first recognition of the State. The letter is among my choicest early historical documents of Vermont.

The greatest difficulty that confronted the new State and one that none of the other members of the Committee of Safety knew how to solve, was the raising of troops to defend the people who remained. Several of them thought a company might be raised. Thomas Chittenden offered all he had—one cow and

his wife's gold chain—to help pay a company; but Ira Allen, by far the youngest member, advocated raising a regiment.

After discussing it all day, at six o'clock they appointed him a committee of one (almost as a joke) to devise means, etc., and report at sunrise the next morning. He went to his room in the inn and worked all night. In the morning, he reported that he had a plan and in addition had made out a list of all the officers to command the regiment. He appointed Herrick, Colonel, of the "Rangers" as they were called and it was Herrick who planned the Battle of Bennington. Allen's plan was to confiscate the property of the Tories. The Continental Congress afterwards adopted it. It was a bold stroke for the young Republic to make.

Historians relate how Stark won the Battle of Bennington. The committee of safety had scouts with Burgoyne and knew his every move. It was they who got Stark to refuse to join Schuyler and they who got him to fight Baum, August 16, one day sooner than he had planned. There would have been no Battle of Bennington, had it not been for Ira Allen.

Daniel P. Thompson wrote many years ago of this critical time: "The independence of the colonies was, at that dark crisis, balancing as on a pivot; and the success of Burgoyne must seemingly have turned the scale against us. The success of Burgoyne, at the same time, hung on a pivot also; and the victory of Bennington, with all its numberless direct and indirect consequences, as now seems generally conceded, turned the scale of his fortunes when his success, otherwise, could scarcely have been doubtful. But the victory of Bennington would never have been achieved but for the decided and energetic movement of Vermont, which alone secured the co-operation of New Hampshire, or, at least, insured victory, when, otherwise, no battle would have been hazarded. And that essential movement of Vermont would never have

been made but for the bold and characteristic project of Ira Allen."

Other crises arose but were met in the same masterly and spirited way. After 1783, when Peace was declared, there was little incentive for Vermont to join the United States, for Vermont had no debt, and settlers were pouring in. Taxes were very light, owing to the masterly handling of the finances by Ira Allen who remained State Treasurer until the State was on a firm foundation. They coined their own money. Anthony Haswell was the first Postmaster General. They were the only State, I believe, that redeemed all the State money issued. While they never made a Treaty with a foreign power, they had independent trade relations.

In 1791, they joined with the United States and made the FOURTEENTH STAR IN THE FLAG.

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