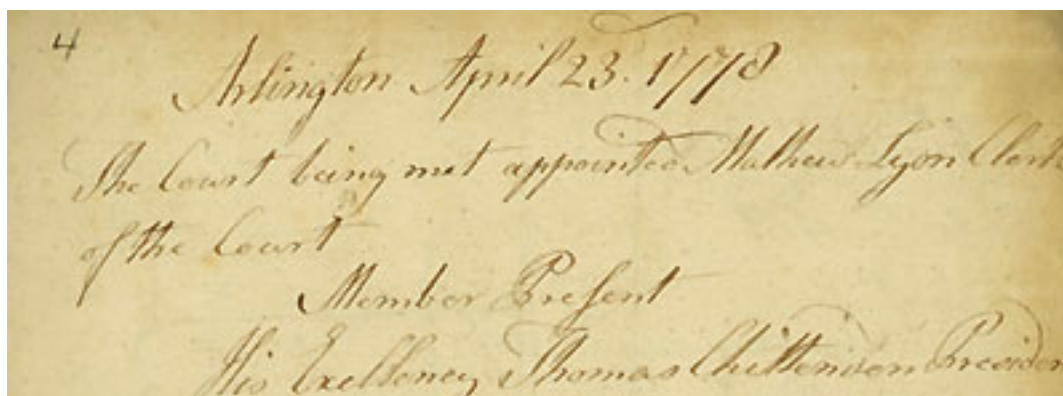


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Matthew Lyon, Impeached, Tried, and Convicted, 1785

This was the fourth so-called impeachment and the second true impeachment.

Among the authorities of the Council of Censors was the power to examine the manner in which public monies had been disposed of during proceeding seven years. The 1785 Council of Censors sought to examine the records of the Court of Confiscation. The Court had been established in 1779 to seize and sell the property of enemies of the State. The revenue from these confiscations supported the new State of Vermont.



Matthew Lyon appointed Clerk of the Court of Confiscation

Matthew Lyon, who by 1785 resided in Fair Haven, was clerk of the Court of Confiscation. He refused the Council of Censors' request to turn over the Court's records. On October 15, 1785 the Censors, after consulting several attorneys, resolved that Lyon be impeached before the Governor and Council "for refusing to deliver to the order of this Board the records of the Court of Confiscation." The president of the Council of Censors was instructed "to acquaint the house of the assembly...and request them to appoint Council to prosecute the same to effect during the present Session of the Legislature." (Paul Gillies and Gregory Sanford, eds., [Records of the Council of Censors of the State of Vermont](#), pp. 30-31).

The General Assembly received the Censors' resolution on October 15th. It, in turn, resolved to impeach Lyon and appointed three members to prosecute the impeachment. ([Vermont State Papers](#), Vol. III, Part III, pp. 175-176).

On October 18, 1785 the Governor and Council resolved themselves into a Court for the Trial of Impeachments (the Barret impeachment was also winding to a close) with the Deputy (Lieutenant) Governor presiding (Governor Thomas Chittenden was Lyon's father-in-law). "Evidences were educed for and against the prisoner, and after the Arguments made use therefrom & from the Nature of the cause the dicision [sic] was Submitted to the Court."

On the 19th Lyon was found guilty and ordered to deliver the records to the Council of Censors and to "receive a reprimand from the president of this Court; And on his neglect or refusal immediately to attend to and Comply with & perform the same, that he shall pay a fine of five hundred pounds L. Money to the Treasurer of this State, and that he also pay cost of prosecution."

The sentence was read to Lyon who moved for a new trial since "his cause had not been rightly understood and defended." Unlike [Barret's](#) request for a new trial, the Governor and Council granted Lyon a new trial without referring the matter to the body that brought the impeachment charges (Barret's impeachment had been order by the General Assembly). There are no additional records within the Governor and Council of the retrial. E. P. Walton, [Records of the Governor and Council](#) (Vol. III, pp. 83-84).

Lyon's impeachment had no lasting impact on his career; he was elected assistant judge of Rutland County in 1786, was returned as New Haven representative in 1787, and in 1795 was elected to Congress.

The records of the Court of Confiscation were eventually turned over by John Fasset and are reproduced as Vol.VI of the [Vermont State Papers](#).