

## Voice from the Vault

By Gregory Sanford, State Archivist

### Webster and the Battle of Bennington

While it may reflect poorly on my abilities as a pet owner, I confess that my dog Webster is unfamiliar with the Battle of Bennington (August 16, 1777). What Webster did know on August 15th of this year was that it was morning, I was home, and therefore it was time for us to stroll down to Laird Pond. Numerous neighbors driving by on their way to work stopped to inquire why we were out and about on a Friday. Most assumed I was taking advantage of the all too rare sunshine to play hooky and stay home. When I explained that it was a state holiday my neighbors offered good natured, but nonetheless pointed, remarks on state employees and obscure holidays.

Battle of Bennington Day suffers from misunderstanding and neglect. One sure sign of this is the lack of the commercial exploitation that we use to observe, and obscure, more celebrated holidays. There was nary a car, furniture, or mattress sale to be found on the 15th, while the card racks at local stores were bereft of Bennington Battle Day offerings.

Periodically brave souls sally forth to give the holiday its historical due. This year Senator Bill Doyle offered an opinion piece on why the battle was important (Times Argus, August 10th and the Free Press on August 15th), while Mark Bushnell used his Sunday, August 17th column in the Rutland Herald/Time Argus to likewise explain the battle's role in the subsequent surrender of Gen. John Burgoyne at Saratoga, one of the pivotal events of the American Revolution.

But as I strolled along the peaceful and familiar back roads I fell into thought about Vermont as a war zone and the common threads of the human experience. As most of you know, Vermont occupied a disputed territory claimed primarily by New York and New Hampshire. In 1777, against the backdrop of the American Revolution, Vermont issued its own declaration of independence and called itself into being through the adoption of a state constitution. It was the first self-created state and, as a revolution with the Revolution, raised a host of sticky political issues for the original thirteen states.

That is a story for another day. The point was that New York continued to try and assert its jurisdiction over Vermont while the British army used the Champlain Valley as a major military corridor. While Vermont's revolutionary leaders declared that New York and Great Britain had abrogated the social contract, leaving us in a state of nature, free to create a new political entity, others retained allegiance to New York and/or Great Britain. Speculators and settlers whose title to Vermont land came from New York opposed the new state in defense of their property and labor. The British army was operating in the Champlain Valley while British loyalists in Canada, with their Native American allies, conducted raids against Vermont settlements.

These raids are long forgotten but were terrifying realities to Vermont settlers. In early 1777, for example, 14 Vermont soldiers under Capt. Thomas Sawyer accompanied Moses Pierson to his farm in Shelburne to prepare his crops. Pierson had abandoned his farm the previous fall because of enemy raiders. In March the troops were attacked by Native Americans under the command of a British officer and were driven into a blockhouse which was then set on fire. The Vermonters



managed to defeat the raiders, killing the British officer and at least 12 others, but at the cost of three killed. These skirmishes were repeated in other frontier towns. Residents of Vermont's frontier towns were left with the difficult choices of staying with the hope that local and state militia could offer protection; withdrawing until it was safe to return; or accepting the protection of Vermont's enemies.

The latter course was not without additional risks. In July 1777 Ira Allen on behalf of Vermont's Council of Safety, which functioned as the state government, warned New Hampshire's revolutionary government that every town that accepted British protection changed Vermont's line of defense and, "as Some Disaffected Persons eternally Lurk in almost every Town, such become Doubly fortified to injure their Country." Vermont looked to ways to remove such "Disaffected Persons."

For several years Vermont's revolutionaries had used their militia, notably the Green Mountain Boys, to frustrate New York's efforts to assert its jurisdiction. New York surveyors had their instruments broken and were escorted out of state. New York's Vermont courts were disrupted, most famously at the "Westminster Massacre." New York sheriffs and their posses were set upon when they attempted to arrest Vermont supporters. Settlers holding New York title risked having their homes destroyed and being expelled from Vermont.

In March 1778 the Vermont legislature created courts of confiscation. These courts seized and sold the property of Tories who opposed Vermont. This not only eliminated enemies of the state, as defined by the legislature, but also provided much revenue for the new state government without having to resort to taxes. Tories who were evicted from their land were arrested and imprisoned until they could be escorted out of state.

Occasionally the courts made allowances for the wives and families of the Tories (while this was often done for humanitarian reasons, in some cases there may have been an attempt to recognize that the treasonous behavior of a husband may not have been shared by the family). The wife of Tory Jeremiah French was expelled to join her husband "now in the armies of the Enemy" but was allowed to take "two feather beds and bedding not exceeding eight sheets, six coverlids or blankets, five plates, two platters, two basins, one quart cup, & knives & forks if she has such things, [and] her own and her children's wearing apparel." All other "moveables" were to be sold to pay for transporting her out of state, while the family's real property was seized and sold.

In 1941 Mary Greene Nye, in her introduction to *Sequestration, Confiscation and the Sale of Estates* (State Papers of Vermont, Volume 6), lamented that the "whole field of sequestration...is almost entirely unrepent." While Vermonters have long celebrated the political and military feats of our founders, we have largely ignored the social and economic realities of being in a war zone surrounded by powerful and inimical interests. In recent columns I have focused on the new Vermont State Archives and Records Administration and the need to manage public records. Another role of the Archives is to encourage the study of state government over time. My own preference, as long time readers know, is to not only see the past as passed, but also to look to the past for clues about who we are and how we respond to different situations and issues.

And this is where my thoughts led me as Webster and I walked toward Laird Pond. There is a constancy to human nature. Vermont's revolutionaries restricted the freedom of expression of those who opposed them; they waged a guerilla war to keep New York from establishing the infrastructures of government and to tie down a superior military force; and they cleansed the state of opponents. We see similar responses today within the far too numerous trouble spots of the world. What, if anything, can a better understanding of how we once responded to internal and external threats tell us about the events of our current world?