



Dreamers of
The American Dream

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Part Four

GOD MADE THE LAND FOR USE

overdue. The first protest was organized and led by William Prendergast, described as "a Kilkenny Protestant," who raised an army of Levelers among the renters and marched them to such purpose that they scared the daylights out of New York City's burghers and out of patroons up the river. The military had to be called to put down Prendergast and his mob. Had it not been for his Quaker wife, who made a dramatic ride to secure a pardon for him, he would have been hanged. The renters were so discouraged by defeat that they did not organize another protest for close to a century. Sabotage continued, however, and the patroons never slept so soundly as before.

The best-governed and in many ways most successful of the colonies was that of William Penn, a remarkable man who accepted, in payment of a debt owed his father by Charles II, a good part of present Pennsylvania and Delaware. Penn was a publicist well ahead of his times. He wrote advertisements to obtain settlers which were printed in four languages, and must have been most appealing, for Pennsylvania grew faster than any other of the colonies. It had little or no trouble with the Indians, not only because Penn treated them well but because the Delawares were a weak tribe and little more than vassals of the powerful Iroquois, who at that period were friends of the English and would not permit a subject tribe to attack even the German (or Pennsylvania Dutch) settlers who were friends of Englishman Penn.

Though Pennsylvania was the most tolerant and perhaps the best governed of all the colonies—and for many years the land sharks were controlled by strict discipline—it even so came to have troubles over land which flared up in the Wyoming Valley and reached the shooting stage before it was settled.

The Wyoming Valley affair, and much of the violence that broke out elsewhere, both before and after the Revolutionary War, was due to the opportunities presented, to a few alert men, by conflicting grants to wild lands. Perhaps the most celebrated of these concerned the so-called New Hampshire Grants, which since 1791 have been called Vermont.

2.

THE GODS OF THE HILLS

THE long and bitter conflict that resulted in the Independent Republic of Vermont and much later the fourteenth state of the Union, was waged between two sets of land jobbers and involved two incom-

patible theories of land ownership and development. The province of New York fostered great manors granted to a few wealthy men and cultivated by tenant farmers whose condition and opportunities approximated those of European serfs. The province of New Hampshire, like most of New England, favored dividing the land into small farms owned in fee by the actual settlers. The controversial territory extended west from the Connecticut River to Lake Champlain and an imaginary line from the south end of the lake to the northwest corner of Massachusetts Bay Colony.

The person responsible more than any other, not for starting, but for waging and winning the land war for the New Hampshire grantees was Ethan Allen, a man, surely, of many parts, not the least of which was his role as president, general manager, and general factotum of the Onion River Land Company, an outfit whose 45,000 acres, according to an announcement written by Allen, who was also the advertising manager, comprised land "rising from the intervalles, in graceful oval hills, to spread into swails of choice mowing ground." For the purpose of modern identification it may be of interest to know that this milk-and-honey Canaan Allen described so charmingly now includes parts of several towns and the handsome city of Burlington, overlooking Lake Champlain.

The troubles of the so-called New Hampshire Grants had their inception in the infinite ignorance of North American geography possessed by the English king and his so-called advisers. In 1741 the King appointed Benning Wentworth to be the royal governor of New Hampshire province. With the office went the right, even the duty, which all crown governors were expected to exercise—that of the granting of wild lands in his jurisdiction for the purpose of encouraging settlement.

Royal governors first and last enjoyed nothing quite so much as the granting of lands, and Governor Wentworth held true to form. He was untroubled by the apparent fact that the western boundary of his New Hampshire province seemingly had never been described in a legal manner. New Hampshire simply extended westward until, as the phrase stated, it "met other lands of His Majesty." In this case the other lands of His Majesty were the province of New York.

New Hampshire had once been a part of Massachusetts Bay Colony, and the western boundary of that province had long been established as "a line twenty miles east of Hudson River." Hence, so Governor Wentworth logically reasoned, New Hampshire must extend the same distance. It looked very simple, and Wentworth went happily to work granting lands. His fees were comparatively small, but he was an astute businessman and in all deals he stipulated that at least two choice lots be set aside for himself. He also had a strong leaning toward

nepotism, and seems to have granted a lot of the better lands to relatives and friends. So much so that he was long a source of complaint and in 1765 was permitted to resign, though not before an understanding was made that a nephew, John Wentworth, should succeed him as governor.

Before the elder Wentworth resigned, he had granted a large number of townships east of the Connecticut River, and many more west of that stream. One of these west-side towns, Bennington, soon became a flourishing settlement and presently caught the eye and the imagination of Cadwallader Colden, lieutenant governor of New York, who happened to be as astute an operator as Wentworth and like him had been doing a brisk business in land grants. He promptly began a study of the ancient records to discover that in 1664 the grant of King Charles II to his brother, the Duke of York, seemed to describe the eastern boundary of the ducal province as the Connecticut River.

This looked to be a matter well worth following up, so thereupon Colden referred the business to the King, who was now George III; and the King, on July 20, 1764, issued an order in council saying, in effect, that the one-hundred-year-old grant to the late Duke of York was still valid and that its eastern boundary was indeed none other than the Connecticut River. The matter might have rested there except for one thing, which was the conflicting interests of two sets of land jobbers, namely the holders of New Hampshire Grants west of the Connecticut River, and the friends and catchpoles of Lieutenant Governor Colden of New York.

Colden was quick to publish a proclamation warning all squatters off the disputed territory, and simultaneously began making grants within it. Rumors flew about that Colden planned to make the King's order in council retroactive in its effects, which meant that the settlers of Bennington and other new towns west of the Connecticut must abandon their homes and the lands they had bought and cleared. Either that or these pioneers must pay again "in fees and exorbitant charges to New York officials." In confirmation of the rumors New York grantees appeared on the debatable ground in the summer of 1765. They brought with them surveyors who busied themselves running lines, blazing trees in the woods, setting up stakes in the openings.

Faced with moving off or paying a second time for their farms, the people in Bennington and vicinity did neither. They sent one of their number, old Samuel Robinson, Bennington's first settler, to London to place before the King himself the fact of the appalling injustice they seemed about to suffer. The King, or someone in authority, was touched by the plea of the aged and well-spoken man, and New York was commanded to cease and desist until the matter could be looked into

by the crown. The King's order was not obeyed. New York's lieutenant governor continued to grant lands in the disputed region.

First signs of the coming storm were to be seen when a party of "foreign" or New York surveyors, in which was John Munroe, a Yorker justice of the peace, came to the farm of James Breakenridge, near Bennington village, to run lines and, if need be, to eject Breakenridge, an honest if mulish man who had paid the governor of New Hampshire for his land and did not plan to pay again to New York. That he was an actual settler was clear from the fact of his field of waving corn, his modest home, and fine barn. That he also intended to remain there was made clear to the Yorker party when they found the farmer's place occupied by a much larger group of men than was needed to harvest his small crop of corn. But that, said Breakenridge, was just what the men were there for, even though every last one of them carried a gun instead of a corn knife.

Justice of the Peace Munroe stepped forward to read the riot act, calling upon the mob of alleged corn tossers to disperse. He might have been talking to the tall pines around the field. The backwoodsmen sat around on stumps, guns between knees, and gave no sign of moving. They simply sat there. Farmer Breakenridge suggested to the Yorkers that they be gone. "I hope," he added for the benefit of Munroe, "I hope that you will not try to take advantage of us, *for our people do not understand law.*" The Yorkers went away.

The next move of Acting Governor Cadwallader Colden was to prepare ejectment suits against Breakenridge and many other holders of New Hampshire titles. No few of these were speculators who had purchased whole townships. One such group lived in and around Salisbury, Connecticut. They were so alarmed for their investment that they called a meeting and voted to assess themselves to provide a defense fund. Someone suggested that Ethan Allen, who was known favorably or otherwise to the group, might be a good man to put in charge of defending the New Hampshire title.

Young Allen, who had just turned thirty, had the reputation of an energetic, contentious, and somewhat rowdy character who had been in and out of the police courts of Connecticut towns on charges that could be summed up as acting "to the disturbance of his Majesty's good subjects." He had established and operated a "furnace" for smelting iron ore, sold out, and tried lead mining, but appears to have spent more time in taverns than at the mine. Only recently the selectmen of Northampton, Massachusetts Bay Colony, had called in a body upon him and asked him to leave town for the town's good. This time the charge was laid by the Rev. Mr. Judd, and it was serious—impious and profane scoffing. Young Allen loaded his wife, one child, and

possessions into an oxcart and removed to comparatively liberal Salisbury. (He could reflect that even the great Jonathan Edwards, "the first mind in New England," had once upon a time been exiled from Northampton.) At the time the Salisbury speculators met to discuss their imperiled land in the New Hampshire Grants, young Allen had just returned from a winter spent in that wild region with one of his brothers, Ira. Both Allens were impressed with this new frontier.

When Ethan Allen accepted the invitation to attend the Salisbury meeting of the land speculators, they saw an impressive figure, approximately six feet six inches high. His countenance in repose was grave, perhaps sullen, though he was commonly jovial. His mind was probably as alert and quick as that of the shrewdest speculator present. His general bearing, if we are to credit contemporaries, was that of a born leader of men. Whatever the case, he must have struck the Salisbury group as one fit to defend their cause. They gave him a modest sum and suggested that he be on his way to the scene of action.

Astride a horse, Allen rode first to Portsmouth, capital of New Hampshire province, to confer with John Wentworth, who had succeeded his uncle as governor. From him he got a copy of the charters of the towns concerned. He also did a little business on his own, by purchasing one right each in the towns of Poultney and Castleton, both of which were in dispute. Allen next rode to New Haven to engage Jared Ingersoll, a leading attorney, to accompany him to Albany, where the ejectment suits were to be tried. When lawyer Ingersoll saw who was to be the presiding judge, he knew what to expect, for Judge Robert Livingston was one of the largest Yorker grantees of the lands in question. The trial was a farce, the judge holding that the land had never been a part of New Hampshire, hence could not have been granted by Governor Wentworth.

That evening Ethan Allen had callers at his tavern. One was John Tabor Kempe, attorney general for New York, the other James Duane, a lawyer. Both men were real estate operators who were fairly loaded with lands in the disputed region. Kempe, knowing a likely man when he saw one, tried to entice Allen to the New York side of the controversy, offering him as bribe a fine, large piece of land. Allen refused, whereupon Kempe started to get tough in the matter. "You should be advised," he warned Allen, "that the people settled on the Grants will do well to make the best terms possible with the rightful New York landlords." He let that sink in a moment, then told Allen: "We have might on our side, and you know that might often prevails against right."

"Sir," replied Ethan Allen with a line that is often quoted in Vermont these past one hundred and eighty-six years, "sir, the gods of the hills

are not the gods of the valleys." It had that something about it men remember; nor was it the last quote from Allen that was to go into history.

Allen returned to the grants and to the Catamount Tavern in Bennington, to find a crowd of anxious settlers and speculators waiting to hear his report of the Albany case. One may judge it, from the fragments of it that have survived the years, to have been a ripsnorter. He referred to the Yorker courts, officials, and even plain citizens as "a junto of land thieves" and said there was nothing left for the honest New Hampshire grantees but to prepare to defend their lands by force. Then and there in Stephen Fay's tavern, amid the heat generated by Allen's inspired harangue about land thieves, and a bowl that was both stout and flowing, the farmers and proprietors of the Grants formed a band of backwoods militia sworn to defend New Hampshire titles against the Yorker junto and all else. They called themselves the Green Mountain Boys; and possibly because they elected Ethan Allen as their colonel commandant, the Green Mountain Boys went into legend.

For almost two decades, or until 1790, when the state of New York and the still-independent republic of Vermont came to an agreement by which the New Hampshire titles were permitted to stand, the Green Mountain Boys were intermittently active as a sort of internal police, and also fought as a regiment in the American army. There is neither room here nor need to give an extensive account of their doings, except to indicate the methods they used to prevail over what Commandant Ethan Allen called the infernal projections of that despotic fraternity, the Yorker junto of land thieves, scalpers, and murderous scoundrels, to the end that what he termed the honest and industrious peasants of the New Hampshire Grants should live in peace and the enjoyment of their rightful farms. The Bennington meeting closed with hand shakings and vows that the New Hampshire titles should prevail.

Action came at once. The Green Mountain Boys had little more than organized when a mounted spy tore into Bennington to report the approach from Albany of High Sheriff Ten Eyck and an army of three hundred armed men. Runners were at once dispatched to notify the Boys to hasten to the Breakenridge place, which was believed to be the object of the invasion. The Boys rallied with such speed that, by the time the Ten Eyck gang reached the farm to eject Breakenridge, that determined man remarked that his place was now under protection, then waved his hand eloquently toward a bushy ridge nearby from which the heads and guns of what looked to the sheriff to be hundreds of men were peering and pointing. His own gang had already begun to disintegrate. No more than twenty remained by his side as he read the writ of ejectment. He and they returned whence they came, to report

to the governor of New York that the Grants were in armed revolt against authority.

During the summer and fall—it was 1771—Yorker sheriffs and surveyors kept the Grants boiling. They were run off by prompt forays of the Boys, who had already organized a workable system of communication by signalling with gunshot or blasts on a conch shell, and by runners to the more remote farms. Threats but no violence so far proved sufficient in removing the invaders. On the last engagement of the season, however, Colonel Allen thought it was time to make an example of these foreigners who would steal the land of honest farmers.

Three Yorker families had gone so far as to build houses on what New Hampshire designated as the town of Rupert and New York said was New Perth. They were busy cutting fuel for approaching winter when suddenly, one day in October when the woods were ablaze with color, Colonel Allen and a small party of the Boys appeared and proceeded to set fire to the three houses. Then Allen told one Hutchinson, who seemed to be spokesman for the Yorkers, what they could do about it. "Go your way now," said Allen, "and complain to that damned scoundrel your governor." And he added a shocking oath: "God damn your governor, your laws, your king, council and assembly."

Hutchinson, a pious man, was astounded at such blasphemy. "Colonel Allen," he said, "you curse most horrible!"

"Damn your soul!" shouted Allen. "Are you going to preach to us?"

From that day on "New Perth" became and remained Rupert.

An immediate result of this affair was that the governor of New York posted a reward of twenty pounds for the arrest of Ethan Allen. As a response Allen prepared a poster offering, in his name, fifteen pounds for the arrest of James Duane and ten pounds for John Kempe, New York officials, whom he termed "common disturbers of the peace." He drove to Hartford, had the poster printed, then distributed it on the Grants, and in person took one copy to Albany, where Allen was an outlaw, and gave it to landlord Benedict with the request it be tacked up in the tavern. This piece of bravura made a great noise.

During the winter when even the most determined Yorkers made little effort to settle on the Grants, Colonel Allen turned propagandist and kept the friendly *Hartford Courant* lively with harrowing letters about the "Diabolical plotters" who "by the handle of jurisdiction aim at the Property" of the "hard laboring peasants" who were engaged in "cultivating a howling wilderness." He magnified every incident of contention between Yorker settlers and "lawful settlers" into atrocities on the part of the former. He gave thought to the poor families of the latter. He listened and indeed he could hear quite plainly the "women sobbing and lamenting, children crying and men pierced to the heart

with sorrow and indignation at the approaching tyranny of New York."

This was the stuff to make heroes, something to pump the blood faster through the arteries of the folks on the Grants, something to raise even the fainthearted to fighting pitch. Colonel Allen followed it with a story intimating that New York Governor Tryon himself was about to lead an immense body of troops to the Grants; then, when the Grants were thoroughly alarmed, he called out the Green Mountain Boys to parade on the common at Bennington. Governor Tryon and his army did not appear. The governor was in fact ready to try diplomacy. He dispatched a conciliatory letter to the Rev. Jedediah Dewey and "other leading inhabitants of Bennington," in which he suggested that representatives of the Grants be sent to confer with him on a peaceful settlement of the controversy. Allen, the outlaw, was expressly barred from serving on the committee, but two good men, landlord Stephen Fay and son Jonas, were elected to go.

While these commissioners of peace were on their way to meet the New York governor, word came to Colonel Allen via the Green Mountain grapevine that a "notorious" Yorker surveyor, William Cockburn, had returned to the Grants. Allen and a party set out to find him. Allen thoughtfully selected a route which would take them past the mouth of Otter Creek, near which he had purchased, from Governor Wentworth, five hundred acres but which he had never seen. Other Connecticut men had also bought several thousand acres, on New Hampshire title, and hired a few "settlers" to live on the ground and do a little clearing. At almost the same time a Colonel John Reid, late commander of His Majesty's 42nd Regiment of Foot, had acquired the same land under a New York title. To hold fast to what he thought was his land, Reid moved in with several families and drove off the New Hampshire settlers, and also erected a gristmill.

Now came Ethan Allen and party looking for surveyor Cockburn but also ready to perform any other service to clear the Grants of Yorkers. They ordered Reid's settlers to be gone, and watched them depart while their homes were burning. The Allen party broke the millstones in two, set the structure afire, and went on to catch up with Cockburn running lines on the Onion River. They broke his fine compass and chains, and took him prisoner to Castleton. Colonel Allen was about to hold a drumhead court-martial when a runner arrived from Bennington to say that the peace mission to New York had returned with a message from Governor Tryon of truce and conciliation. Cockburn was turned loose with a severe admonition to stay away from the Grants.

On return to Bennington, Allen and party found the assembled citizens holding a jubilant meeting to approve the peace offering and

salute Governor Tryon with a discharge "of the whole Artillery of the town," which consisted of one old mortar. Colonel Allen did not approve of such doings. After all, was not Tryon the very hideous head of New York tyranny? Allen need not have worried overmuch, for the feeling of peace was shattered just as soon as the dispossessed settlers of Colonel Reid reached Governor Tryon to report the outrage, and to garnish it with numerous "atrocities," alleged or real. The much harassed governor sent an angry letter to Bennington, charging a breach of faith and honor and demanding immediate reinstatement of the evicted settlers.

This letter put the New Hampshire leaders on the spot. Colonel Allen knew that if they gave in and allowed re-establishment of Yorker Reid's tenants, the Green Mountain Boys would lose the faith of their followers, who, as Allen recognized, were ever ready to jump with whatever promised to be the strongest wind. Working swiftly to prevent any such white-livered submission, Allen himself composed a letter to Tryon stating that the dispossession of Reid's tenants had occurred before the truce was made, and as for the truce, it was conditional on the cessation of any attempts by New York to make settlements or *surveys* until the King had been heard from. He subtly implied that Cockburn had been caught red-handed in not only breaking the royal order to cease and desist, but in breaking the truce as well. In the matter of Reid's tenants, Allen went on, re-establishing them was manifestly unthinkable, for Reid had "violated all the laws, restrictions and economy, both of God and Man"—a piece of rich bombast typical of Allen that made good propaganda for home consumption.

The controversy was obviously coming to a head. Nothing can be clearer than that the leading spirits on both sides were those who owned, or claimed, the most land. If the speculators holding New Hampshire titles could not make their titles stick, all was lost. If New York's wealthier and more influential claimants permitted such titles to hold, then they had lost everything. The issue was clear enough to the vitally interested parties. Whether or not the actual settlers realized the true condition of things at this period can only be guessed. It did not matter too much, anyway. All depended on who were the more forceful leaders. Possibly the most forceful of them all was Ethan Allen. In the brief moment of indecision during the abortive peace he went into furious action.

In the Hartford *Courant* appeared a series of abusive articles in which the writer, who was Allen, called the New York officials all the names the *Courant's* editor would allow in print. The articles were far from factual, but were fashioned to make men see red from contrasting the monstrous and cruel Yorkers with the simple, home-loving people

who happened to have New Hampshire titles. Meanwhile Allen, whose spies were working well, sent a party to take care of a new invasion headed by surveyor Benjamin Stevens, reputedly a hard and warlike man, who had come with a bodyguard of Indians to do some land-looking along the Onion River. In a brief set-to Allen's Boys put the redskins to flight, then fell upon Stevens and his compass men and chainmen. In a rough-and-tumble fight one of the Yorkers was thrown into a campfire and badly injured. The others were beaten up, then tied to trees, while the Green Mountain Boys sat around, drinking the surveyor's rum and debating audibly the proposition of roasting the whole lot of Yorkers over a slow fire. The Yorkers begged hard, and were finally turned loose and headed west.

Now came news that Colonel Reid had returned to the Grants with a new crowd of tenants armed to the teeth. They had hooped the broken stones of the old gristmill, erected new cabins, and looked dangerously well settled. Colonel Allen, who recently had taken to the custom of wearing a sword, buckled it on and set out at once. "We're going on a big wolf hunt," he shouted as he came to clearings along the way, and from each cabin soon appeared a Green Mountain Boy, gun in hand, a powder horn at his side. Next evening the men, women, and children in Colonel Reid's settlement could have heard hoot owls in the woods all around their clearing, signals of the Boys, moving in on all sides. They suddenly burst, a good hundred strong, into the open, to capture the settlement before defenders could get musket to shoulder.

Colonel Allen bid the settlers go get their household effects out of the cabins. The cabins were set on fire. One settler, Angus McBean, said he intended to hold his house and property. "Damn your soul," Allen told him. "If you attempt such a thing I'll tie you to this stump and skin you alive." He made this promise, so McBean testified later in a New York court, with "evil countenance and angry gestures." He told McBean that if he ever "laid hands on your Colonel Reid I'm going to cut off his head." Then, while the Boys were breaking the millstones into small bits, Allen sent the Reid foreigners on their way with a warning. "My authority," he said, pointing to his long rifle, "is this gun, and we are a lawless mob. I've run these woods these seven years past and never was caught yet; and by God, if any of you hereafter attempt to build houses here, the Green Mountain Boys will burn them up and whip you into the bargain."

Such, according to testimony of the settlers, was what the outlaw Allen told them. When the depositions were received by Governor Tryon, he increased the bounty on Ethan Allen's head to one hundred pounds. What the ousted settlers did not report to the New York court, only

because they could not know it, was the action taken by Allen and his crew *after* the Reid tenants had left. Felling timber right and left, and using the remnants of the gristmill, they put up a blockhouse fort, and Colonel Allen detailed a small party to remain, just in case Colonel Reid had not had enough. Then he and the rest of his party moved on to Onion River, where a spy said still another Yorker surveyor was at work. He was hard to find. The Boys cruised through Waterbury, Middlesex, Kingland, and so across the Green Mountains to Bradford and Haverhill on the Connecticut River, seeing signs of the intruder's work. Stocking up at Haverhill with provisions and "sperits," they chased back to the west side to learn that the hunted man, apprised of the posse, had driven his last stake in Montpelier township and fled to New York.

But there was more work for the Boys. A crowd of Yorkers headed by Judge Benjamin Spencer were putting up houses in Clarendon (New Hampshire title), which New York said was Durham. At about eleven o'clock one frosty night in November the front door of Judge Spencer's home was battered in by men using a pine log for a ram. Colonel Allen followed the ram into the house and started shouting for "that damned old offender Spencer." Spencer was ordered to rise and dress, but went about it with too much deliberation. Colonel Allen whaled him, smartly it is said, over the rear to speed matters, then took him out of the house and tried him on the serious charge of "cudling with the Land Jobbers of New York." Judge-Colonel Allen declared him guilty and ordered that the Spencer house be burned. Spencer pleaded the great hardship this would put on his wife and children, who were tearfully present. Judge Allen softened, and decreed that the roof should be removed, then replaced, and the case considered settled, provided that Spencer declare henceforth it was a New Hampshire and not a Yorker house. Spencer agreed, and the sentence was carried out, leaving the house intact. How the title was settled is not known. In any case, the bystanders declared Judge-Colonel Allen to have shown great moderation, as well as ingenuity of thought.

Of more significance than the raids during this campaign by the Green Mountain Boys was the building of a second fort, this time at Onion River falls. Ira Allen, youngest brother of Ethan and the most notable landlooker and businessman of the clan, had had his eye on the lower Onion River for more than a year. He thought this land to be the finest on the west side of the Grants. Again and again he urged Ethan to go with him to see it, but Ethan, who calculated he already had as much if not more land than he could hold onto, put him off. But finally he succumbed to Ira's eloquence. The two brothers made a trip to the falls. Ethan was enchanted with what he saw. Ira knew

who owned this tract, one Edward Burling of White Plains in New York province. It could be had for a song, or less.

Then, only a little later, after leading the Boys on the raid of Reid's settlers, and the other efforts to discourage Yorker invasions, and coming again to Onion River, Colonel Allen was struck once more with this region. He had just built a fort not far off to prevent a resumption of Reid's persistent attempts. Why not another fort here on Onion River? It would give pause to any Yorkers who might pass this way. Ninety-odd good men were with him . . .

Up went the fort on Onion River—a staunch affair, twenty by thirty-two feet, of large logs and timbers, with thirty-two portholes in the top story that jutted out four inches over the lower, to permit firing down close to the walls. The roof was so constructed that it could be cast off entire, should it be fired by attackers. Every door was double. Heavy wood blocks were shaped to fit the portholes. Beneath the ground floor was a fine spring. Here was a challenge to Yorkers. (It may have occurred to Colonel Allen that it might also become a good outpost, when and if the fine Onion River lands should be put on the market.)

Quite soon the *Hartford Courant* carried an advertisement of the Onion River Land Company which stated there was no other “tract of land of so great quantity Between New York and the Government of Canada that in a state of Nature can justly be denominated equally Good.” After expressing admiration for the “graceful oval hills” the “choice mowing ground,” and the absence of timber except for “a few scattering buttonwood, elm and butternut trees,” the company mentioned that the Onion River itself abounded “with a diversity of excellent Fish particularly the Salmon.” This superb land was, moreover, offered for sale “at a moderate price.” Of even greater importance, considering the trouble with Yorker land thieves, was the Onion River company's guarantee at the end of the advertisement. “N.B.,” it said. “Purchase and settlement is insured on a title derived from under the Great Seal of the Province of New Hampshire.”

If the junto of Albany land sharks had really known the men they had to deal with, they might well have given up the struggle when the Onion River company announced it had for sale 45,000 acres of land *insured by a New Hampshire title*. The use of “insured” had a sinister connotation to anyone acquainted with Ethan Allen, who was not only the president of the Onion River Land Company but colonel of the Green Mountain Boys, sometimes vulgarly called “the Bennington Mobb.”

The advertisement was based on the fact that Ira Allen's suggestion to Ethan had been acted upon: Edward Burling's tract had been pur-

chased by Ethan, Ira, Heman, and Zimri Allen, brothers, and a first cousin who was Remember Baker. Little cash could have changed hands. The Onion River company had little. But land deals in that time and place could be made for a few pounds on the barrelhead, the rest on the cuff. The company started immediately to survey the tract, which already boasted a fort, and were making sales while Ira was still running lines. Among the first customers was Thomas Chittenden who was soon to be elected governor of the Independent Republic of Vermont.

Paying no heed to the Onion River company's "insured" titles, the New York governor now proclaimed that a gathering of three or more persons on the so-called Grants was prohibited, punishable by death. Officers of New York were absolved from any penalty if they found need to injure or kill while enforcing the law. Ethan Allen sensed a fine opening. He signed a letter for printing in the *Courant* in which he called upon all decent men to resist and to violate this "Bloody Law," describing Governor Tryon and his men to be "insatiable, avaricious, overbearing, inhuman, barbarous, and blood-guilty," which will indicate Colonel Allen's vocabulary when he was in good form. He followed it with a pamphlet that became famous. In it he aired his astonishing knowledge of "Draco, the Athenian law-giver," who, it seems, had "caused a number of laws to be written in blood." But, he went on, "our modern Dracos determine to have theirs verified in blood." There was more, much more, all in defiance of New York. When Allen had completed this inflammatory pamphlet, and went to Hartford to have it printed, a Yorker agent named Robert McCormick made an attempt to capture the Green Mountain firebrand and rush him in a waiting sleigh to Albany, there to collect the "premium" (reward) of one hundred pounds. Allen drew a pair of horse pistols and told the fellow to begone.

Allen's incendiary pamphlet got an immediate and wide distribution. It was followed by the "trial" of the Rev. Benjamin Hough, a doughty Anabaptist preacher from New York who had defied the Green Mountain Boys to remove him. He was found guilty, tied to a tree, brutally whipped, and escorted out of the Grants. Ethan Allen then staged a meeting at which forty-six settlers (with New Hampshire titles) signed a written compact to defend their "liberty and property, the household gods of Englishmen." Shortly after this meeting Allen wrote a letter to a friend revealing what was uppermost in his mind. It was nothing less than the carving of a new and independent state out of the New Hampshire Grants. It was the first intimation of Vermont in the making, though Allen did not then suggest a name for it.

It was now 1774, and the troubles that had long been brewing in Boston, New York City, Philadelphia, and other places were being discussed by a Continental Congress, meeting in Philadelphia, which had passed resolutions denouncing certain acts of His Majesty's government. Copies of the resolutions were forwarded and read to meetings in all the thirteen colonies, even in the town of Westminster on the Grants. The people of the Grants declared themselves in favor of the resolutions, and also formed a committee of correspondence, like the groups which had long since been formed in the several provinces.

It was obvious, even here on the backwoods frontier, that the American colonies were fast approaching an organized revolt against the crown. This same settlement of Westminster happened to be the only town on the Grants dignified by or cursed with a King's Court. On March 13, 1775, when the court attempted to meet, to dispose of a number of civil suits seeking ejection for non-payments due on lands, the judge, sheriff, and other crown officials found the courthouse to be in possession of a large group of men who refused orders to leave. The sheriff commanded his men to fire. They did, wounding ten men, two of whom died.

Although the "Westminster Massacre," as Ethan Allen and others delighted to call it, was not strictly a part of the New York-New Hampshire land war, it was used by the president of the Onion River Company to base a demand that the Grants "be taken out of so oppressive a jurisdiction, and either be annexed to some other government or erected and incorporated into a new one." Vermont was taking shape in Allen's mind.

Shortly after the affair at Westminster, Ethan Allen called a meeting, apparently the first, of the Onion River company's board of directors. The bookkeeping seems to have been somewhat vague, but the directors figured they had sold 16,793 acres of land, and still held what was described as "rights" to 60,289 acres. The cost of printing Ethan's violent pamphlet against New York was, significantly, charged to Onion River account. It seems probable that another subject was discussed by the board, for directly afterward Heman Allen went to Hartford and told the committee of correspondence, the revolutionary group there, that the people on the Grants believed the British outpost on Lake Champlain, Fort Ticonderoga, could be seized by the Green Mountain Boys.

Right on the heels of the Onion River Company's meeting, word arrived on the Grants that the King's troops had marched on Lexington and Concord, in Massachusetts Bay Colony, and had horribly killed poor and honest farmers. A few moments after he got the news, Ethan

Allen jumped on a horse and rode to landlord Fay's Catamount Tavern in Bennington. The taking of Fort Ticonderoga followed.

There, for a moment, American history paused long enough to catch sight of a tall man on the barrack stairs, waving a sword and shouting one lurid sentence fit to echo from school books and Fourth-of-July orations with the best that America has to offer. Then the mists close around the tall man, and he is seen no more on the great pages of history. This is regrettable. Colonel Ethan Allen was just beginning his career.*

Three years later, by an exchange of prisoners of war, Colonel Allen, now broken from exposure in the field, and incarceration in hulks, and in Pendennis Castle, Falmouth, England, returned home, to find it no longer the Grants but "a free and independent state capable of regulating their own internal police in all and every respect whatsoever, and that it should thereafter be known by the name of Vermont," a word coined by Dr. Thomas Young, an old friend and mentor of young Ethan Allen in his Connecticut days. The governor of this odd anachronism, which Congress had refused to recognize, was Thomas Chittenden, who had been an early customer for lands of the Onion River Company. The company was no longer in existence, but all Tory lands, as Vermonters described any property not "insured of New Hampshire title," had been confiscated. This was happy news to the returned hero. So was the report that the Green Mountain Boys had fought well at Hubbardton and Bennington and other battles with British and Hessian troops.

A celebration to welcome Colonel Allen was staged to coincide with the June session of the Vermont Assembly. The combined affairs required several days, and called for considerable drinking of toasts. Colonel Allen looked about him to note that "rural felicity, sweetened with friendship, glowed in each countenance." Yet the war with Great Britain was not done, nor had New York quite given up the struggle for its stake in what many Yorkers still chose to call the pretended state of Vermont.

The Vermont Assembly voted to commission Ethan Allen brigadier general in charge of its militia, and as such he rode herd on all Yorkers and Tories—the terms had become interchangeable—who in any manner opposed Vermont's authority. His last tour of duty was to subdue the hotbed of Tories in Guilford who hoped to attract the attention of Congress to the end that Continental troops would be sent, possibly to make the pretended state of Vermont a part of New York.

* Later in 1775 Allen conceived a bold plan to capture Montreal. Leading a motley force of 110 men, he was met by Sir Guy Carleton and 500 troops, badly defeated, and himself captured and sent in chains to England.

The Guilford revolt was of course inspired by New York grantees as a last-ditch stand against New Hampshire titles. It was led by a Timothy Phelps, an able and courageous man who held a New York commission of sheriff and deputized virtually every male settler in Guilford and adjacent Halifax. General Allen wanted to enter Guilford with such an overwhelming show of force that the citizens would give in without bloodshed. He rode into the village at the head of four hundred mounted men. Phelps was arrested and taken before General Allen, whom he abused roundly, terming him and his troops a pack of rioters and outlaws. General Allen said nothing but acted promptly and with unusual gentleness. When the pseudo-sheriff paused for breath, the general reached out with his sword and with one mighty swipe cut Phelps's hat neatly from his head. "Take the damned rascal away," he commanded.

The arrests in Guilford village were made without bloodshed and with little violence. Late in the afternoon Allen, with a part of the troops and all the prisoners, set out for Brattleboro. A little way out of Guilford the advance guard was surprised by an ambush. Volleys of gunfire rattled. Several soldiers were wounded. General Allen dismounted. Taking a squad of troops with him, he strode back into the village, and at its center paused to deliver a brief proclamation that remains fresh in Vermont legend. Said he:

"I, Ethan Allen, do declare that I will give no quarter to the man, woman, or child who shall oppose me, and unless the inhabitants of Guilford peacefully submit to the authority of Vermont, I swear I will lay it as desolate as Sodom and Gomorrah, by God!" It was an ear-filling threat by a master of such things who knew the Guilfordites to be pious people who read their Bibles and were acquainted with what had happened to the biblical cities named.* All of those arrested at Guilford were either fined, jailed, or banished. It was the last armed rebellion against Vermont authority.

The peace with Great Britain found Vermont in 1783 still an orphan. A year later she had established her own post-office department, her own mint, and elected an ambassador to treat "with all foreign powers," which included the United States of America. In 1790 she came to an agreement with New York by which Vermont appropriated \$30,000 to settle Yorker claims to Vermont land. On March 4, 1791, Vermont entered the Union as the fourteenth state.

But the question of the legality of the New Hampshire titles, on which

* In 1943 many New England newspapers carried a dispatch dated at Guilford which quoted Allen's dreadful proclamation, then remarked that "Guilford is the only Vermont village whose population has shown a decrease in every census since 1790."

so much of Vermont's land was based, was not settled for one hundred forty-one years after the state was admitted to the Union, when the United States Supreme Court found that the jurisdiction of New Hampshire never extended west of the Connecticut River. "Thus was demolished," wrote Matt B. Jones, a native of Vermont and one of the great legal minds of New England, "thus was demolished the legal theory by which the claimants under New Hampshire grants west of the Connecticut River sought to justify their appeal to force." One can only muse whether this region would not today be a part of New York State if it had not been for the Onion River Land Company and the genius of its head man. One hesitates to call it a "reform" of land distribution. It was a land jobbers' war, with the honors going to the more determined jobbers.

3.

REBELLIONS ON THE MANORS

THE agreement of 1790, by which Vermont paid a modest indemnity to New York, settled the business of the New Hampshire Grants except, as indicated, as a matter of academic interest. Yet New York was not done with internal troubles relating to land. The great manors of the Hudson River Valley and adjacent counties remained. Not all of them, for many of the patroons, or manor lords, had guessed wrong and stayed Loyalist. But a few of the greatest landowners fought with the patriots and came out of the war with their estates intact. In several instances, indeed, the estates were larger than before by addition of the confiscated lands of the Tories.

As the new Republic of the United States came into being, none of its basic legislation affected the manors. The medieval patroon system survived to saddle the valley with a hoary anachronism, a threat to the principle of equal rights for all. For instance, the lands of the Van Rensselaer family embraced all of Albany and Rensselaer counties and part of Columbia. By 1838 somewhere between sixty thousand and one hundred thousand tenant farmers lived on Van Rensselaer lands. The Livingston Manor covered most of Columbia County. Other immense estates belonged to families named Morris, Jay, Van Cortlandt, and Schuyler. During more than a century there had been considerable intermarriage of patroon sons and daughters, although one of the Schuyler girls saw fit to marry outside the landed gentry. Her husband