

Index to

**Paul S. Gillies (1948-)
"Ruminations," from the Vermont Bar Journal, 1992-2022**

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Index to Ruminations

Ruminations began in February of 1992. Originally there was to be a rotating roster of authors. As others dropped away, Paul Gillies wound up as the sole writer of the column. The others were:

Choices, David Smith	June 1992
Capital Punishment Revisited, Louis Peck	August 1992
The Law and Will Shakespeare, Louis Peck	December 1992
As I Remember, John Connarn, T. Debevoise	April 1993
The Country Lawyer, Harvey Otterman	October 1993
Vermont's First Woman Attorney, Louis Peck	October 1994

These are the columns Gillies wrote. An asterisk indicates the essay was included in *Uncommon Law, Ancient Roads, and Other Ruminations on Vermont Legal History* (2015).

1. A Pyrrhic Melody
February 1992

How justice comes at such a cost that it sometimes isn't worth pursuing.
2. Solemn Oath and the Whole Truth
April 1992

The process of swearing before taking public office or giving evidence considered.
3. The View from 22 Reports
October 1992

The decisions made by the Vermont Supreme Court during the years 1849 and 1850 and how they reflect the nature of life in Vermont during those years.
4. Impartiality
February 1993

How early Vermont judges revealed their biases.
5. A Study in Sources: Nicolas Baylies
June 1993

A short study of a Vermont Supreme Court judge whose published work includes a digest of common law cases in England and the United States that was relied on by Vermont judges and lawyers in the nineteenth century.
6. The Judge Who Wrote Too Many Opinions
June 1993

The reasons for Titus Hutchinson's loss in the legislative election of 1833.
7. Lawyersaurus
August 1993

The declining public image of lawyers.
8. The Digesters
December 1993

A review of the men who compiled digests of Vermont Supreme Court decisions, including Peter Washburn, Daniel Roberts, and Robert Roberts.
9. Resistance to Change
February 1994

The dissent filed by H.H. Powers in *Sabre v. Rutland R. Co.* from 1912 reflected his opposition to granting quasi-judicial powers to administrative bodies (the Public Service Commission).
- Interview with Ernest Kennedy,
February 1994
10. Evils of Case Citing: Russell S. Taft
April 1994

How Judge Taft treated case law from other jurisdictions.
- The Vermont Judicial History Project
April 1994 — *IN MSA 951*

An introduction to the Vermont Judicial History Society, Inc., co-authored by Justice James Morse.
11. Faces
June 1994

The pictures of judges, justices, and attorneys that hang in the county courthouses.
- Advice and Consent
June 1994

A study of the Senate's powers to approve governors' appointments.

12. The Ugliest Campaign August 1994
The campaign for U.S. Representative between William Slade and Samuel Phelps from 1844, and the nasty things they said about each other during the campaign.
- A Tale of Two Auditors August 1994
How State Auditor Benjamin Gates's research revealed embezzlement by former Auditor Horace Graham, and how Graham was convicted after he retired from the office of governor.
13. John Mattocks and the Sabbath December 1994*
Stories featuring the Supreme Court judge's experience with the Sabbath laws.
14. Reflections on a Plaque February 1995
The plaque in the back conference rooms at the Orange County Court features all the principals who participated in the 1886 murder trial of Sarah Sloan.
- Interview with Franklin S. Billings, Jr. February 1995
15. Guidelines and Tightropes April 1995
The relationship of lawyer and client and the role of doubt and insecurity.
16. Why Judges Wear Robes June 1995*
What the robe means.
- "Red" Wing August 1995
17. Darrow in Vermont October 1995
The famous trial lawyer appeared before the Vermont Supreme Court to defend a convicted murderer in 1928.
18. Dawn of Common Law December 1995*
Matthews v. Gale (1828), a milestone in the development of a Vermont common law.
19. The Supreme Court Looks Back February 1996
The judges and justices whose portraits hang in the hallways of the Vermont Supreme Court building.
20. The Progency of Charles K. Williams April 1996
The Supreme Court Chief Judge's life and writings scrutinized.
21. Remembering Old Lawyers June 1996
Vermont lawyers E.J. Phelps, Jacob Collamer, and Charles Marsh.
22. The Law and Vermont Literature: A Drive-By August 1996
The judges and lawyers who wrote and published their own works.
23. The Early Technology of the Law Office September 1996
Trifolds, copyists, pentagraphs, and typewriters.
24. Endings and Continuances December 1996
The longest litigation in Vermont legal history began in 1861 and finally ended in 1882, involving a fight between two railroads over the route from Essex Junction to Rouse's Point.
25. The Choice of a Chief Justice February 1997
How the process has worked; the end of the seniority system.
26. Legal Reminiscences: Lucius Chittenden April 1997
The grandson of our first governor, and Lincoln's treasurer, who wrote the most interesting memoirs.
27. Overrulings June 1997
The decisions of the Vermont Supreme Court that reversed prior decisions.
28. Higher Authority October 1997
Cases from the Vermont Supreme Court to the U.S. Supreme Court, and how we fared.
29. Saint Luke: A Study In Movement January 1998
Luke Knoulton, former New York judge at the Westminster Massacre, who became a Vermont partisan, and Supreme Court judge.
30. The Reporters April 1998
A study of the men who edited the Vermont Reports.

31. Some Suitable Person: The State Librarians and the State Library June 1998
A short history of the library (now defunct) and the law librarians who served there.
32. Brothers and Coincidences September 1998
Brothers Israel and Noah Smith, Rutland lawyers, and how Israel replaced Noah during the
33. Lot Hall: A life December 1998
The Supreme Court judge's adventuresome life synopsis.
34. Dissents and Deceptions March 1999*
The leading dissents by judges and justices of the Vermont Supreme Court.
35. Righting Ourselves June 1999
How a lawyer recovers from a loss in court.
36. The Trial of Thomas Chandler September 1999
The 1775 confrontation between New York officials and Vermont partisans at the courthouse in what became known as the Westminster Massacre.
37. Trends of the Century December 1999
A listing of the most important decisions and changes in the Vermont judicial system.
38. The Avoidance of an "Easy Formalism": The Law of Hon. Ray Keyser, Sr.*
March 2000
A review of the decisions of Justice Keyser.
Interview with Martha Hicks Robinson, March 2000
39. Commentaries October 2000*
A review of the treatises that informed the decisions of the Vermont Supreme Court.
Interview with Sandy Holt December 2000
The Washington County Clerk's experiences.
40. An Education in the Law March 2001
The schooling of Vermont Supreme Court judges and justices and the rise of law schools.
41. The Role of Voters in Legislation: the Referendum June 2001
A review of the referenda in Vermont history, where voters were asked their opinion of important legal and cultural issues.
42. The Office of Reargument September 2001
The treatment parties received when they sought to convince the Supreme Court it had made an error in ruling against them.
43. The Remains of Nathaniel Niles December 2001
The Congressman, Supreme Court judge, and patriot, from West Fairlee.
44. A Species of Contempt March 2002
The way courts enforce rules of conduct for lawyers and parties.
45. A Different Kind of Sunday June 2002*
A study of the Sabbath laws, and how they gradually were repealed.
46. The Balance September 2002
How the legislative, executive, and judicial branches are separate and distinct, and still overlap, with a focus on the new laws of the 2002 session.
47. Latin in Vermont Law December 2002*
The use of latin in Vermont case law.
48. Formality in the Courtroom March 2003
Why we stand to address the court, and the other methods of respecting the court, even in tough situations.
49. Royall Tyler's Hair June 2003*
The life of Judge Tyler and his experiences before coming to Vermont, and thereafter.
50. Presumptively Unconstitutional: How the Vermont Constitution Can
Change Your Life September, 2003
The ways courts predict what is contrary to the letter or spirit of the constitution.
51. The First Settled Minister's Lot December 2003*

- The way towns gave lands to ministers as incentives to stay and preach.
52. Sleeping Roads Spring 2004*
An introduction to the law of old roads and the difficult task of locating their records.
53. Moralizing Justice: Isaac Redfield and the Weight of Responsibility* Summer, 2004
The life and work of the Chief Judge, and the criticisms of his work by Oliver Wendell Holmes, Jr. while Holmes was editing a law journal, before he was elevated to the courts.
54. Proprietors Fall, 2004
A study of the way towns were first organized and lots allocated to the first settlers.
55. Sequestration Winter, 2005
How Vermont confiscated the property of Tories and Yorkers and raised money in early years by selling the property to pay for state government and the war effort.
56. Mighty Oaths Spring 2005
A review of the oaths of office and fealty taken by Vermont officials.
57. Vendue Summer, 2005
The process of selling lots for delinquent taxes during the early period, effectively clearing the title for property granted to proprietors who never settled in towns.
58. Laws of 1817 Fall 2005
What statutes were passed during that year, and how they reflected the concerns of legislators.
59. Ross Court: A Group Portrait* Winter 2006
A study of the ten years from 1890 to 1900 when the same seven judges served on the Vermont Supreme Court, including Jonathan Ross, Loveland Munson, Russell Taft, John Rowell, James M. Tyler, Henry R. Start, and Laforrest H. Thompson.
60. Grinding Well and Sufficiently: The Grist-Mill in Vermont Law* Spring 2006
The importance of the grist mill in the settlement of Vermont, and the laws and decisions that affected that industry.
61. Extradition of Bennett Young Summer 2006
The Confederate officer who led the St. Albans Raid in 1865, and the trial held in Quebec to determine whether he should be returned to Vermont to face prosecution for murder.
62. Parallel Lives: Jacob Collamer and Luke P. Poland Fall 2006*
63. Menaginary Lions Running Around Vermont Winter 2007*
How the borders of Vermont, its counties, and towns were delineated.
64. Gussets of Land Spring 2007
A study of gores and how they were incorporated into neighboring towns.
65. The Trial of Rebecca Peake Summer 2007
A study of the 1835 trial of Mrs. Peake, who poisoned her son-in-law.
66. Quasi-sacred Things Fall 2007
Early maps of the first roads.
67. Gated Ways Winter 2008
Turnpikes, toll roads, and pent roads.
68. A Legal Fence Spring 2008*
The obligations of landowners to fence their lands.
69. The Trial of Cyrus Dean Summer 2008
Dean's shooting of federal officials during the Black Snake affair of 1808.
70. Crossing the River Fall 2008*
Laws, history, and decisions relating to bridges and fordways.
71. Crossing the Tracks Winter 2009*
Laws, history, and decisions relating to railroad crossings, and the fight to eliminate grad crossings.
72. Wheelock Veazey Spring 2009*
The hero of Gettysburg became a Supreme Court judge; did his history show in his decisions?

73. Nathaniel Chipman Summer 2009*
The life and decisions of the foremost Supreme Court Chief Judge and writer of a legal treatise.
74. The Evolution of Act 250 Fall 2009*
Tracing the development and evolution of the State's fundamental environmental law, including a review of the leading decisions, from its inception through 2009.
75. Sewing Clouds Winter 2010*
More on ancient roads, in light of the 2006 unidentified corridors law.
76. What He Said (Herrington) Spring 2010
The judge who insisted on a release from God Almighty before he'd release a slave into the hands of a representative of the claimed 'owner' of the man.
77. Titus Hutchinson's Reputation Summer 2010
How the Chief Judge fared in suing a newspaper editor for damages for his loss of an election to the General Assembly; a study of the laws relating to libel and slander.
78. Buying a Horse Fall 2010*
The laws, decisions, and history of horse dealing.
79. The Vermont Environmental Court Winter 2011
A history of the court from its inception, including changes in the laws and its reception on appeal to the Vermont Supreme Court.
80. Agister's Blues Spring 2011*
The law, history, and decisions relating to the keeping of a neighbor's sheep on your pasture.
81. The Trial of Matthew Lyon Summer 2011
Lyon prosecuted for violating the Alien and Sedition act.
82. The Law of Log Drives Fall 2011*
The law, history, and decisions relating to the industry of floating logs down rivers in the spring.
83. A Hero Once, A Judge for Life (Watson) Winter 2012
The hero of the Ely copper mine crisis in 1882, who became Chief Judge.
84. John H. Senter Spring 2012
The brilliant, crude, and fascinating Montpelier lawyer.
85. The Trials of Jesse and Stephen Boorn Summer 2012
How the brothers were convicted of murder before the victim arrived just in time to prevent a hanging.
86. The Vermont Court of Chancery Fall 2012
The history of the relationship between equity and the law through statutes, decisions, and history.
87. The Legal History of Vermont Butter Winter 2013
The laws, history, and decisions relating to this critical Vermont product.
88. The Style of Wendell Phillips Stafford Spring 2013
A poet, justice, and judge, his decisions and poetry.
89. The Pew-Holder's Right Summer 2013
The laws, history, and decisions relating to the ownership of church pews.
90. The Great Falls: Survey of Lawyer Regulation Fall 2013
How the Supreme Court regulated attorneys, their mistakes and wrongs.
91. A Father and A Son: The Bradleys Winter 2014
Supreme Court Judge Stephen Bradley and his son William Bradley, a leading Vermont attorney.
92. The Legal History of Jamaica, Vermont Spring 2014
The Supreme Court decisions relating to the town, and the judges and lawyers who were born and practiced there.
93. Palimpsests of the VBA Summer 2014
A study of the biblical origins of Vermont Statutes.
94. Royce Dynasty Fall 2014
Two Supreme Court Judges, Homer Royce and his son Stephen Royce, their lives and decisions.
95. The Desire to Continue in Office Winter 2015

- A look at what judges write when they apply for additional terms on the courts.
96. Fictions of Law Spring 2015
Including rebuttable and irrefutable presumptions, inferences, and implied rights.
 97. A History of Worker's Compensation Summer 2015
The centennial of the law, its constitutional history, and a review of leading cases.
 98. When Inquests Were Inquisitions Fall 2015
How inquests are conducted, their history, laws, and decisions.
 99. Early Dissents Winter 2016
Isaac Redfield and Milo Bennett, among others, who were not reluctant to disagree with the majority.
 100. Never Mind What We Said Before: A Look at Overruling Spring 2016
How the court reverses itself and overturns precedent.
 101. Legal Malpractice in Vermont Summer 2016
A review of the cases where lawyers were accused of malpractice, the reasons for those accusations, and the outcomes at the Supreme Court.
 102. Jury Duty Fall 2016
A personal memoir of a day as a juror in criminal court.
 103. What is Beyond Cavil? Winter 2017
How the term has been used by judges.
 104. Law In Time By Number Spring 2017
All the deadlines in statute, court rule, and other laws.
 105. Palimpsests II: Roman Summer 2017
A study of the Roman law origins of Vermont Statutes.
 106. The Due Process of Excommunication Fall 2017
How churches excommunicated members of the congregation.
 107. I will be heard Winter 2018
An exploration of zeal in advocacy.
 108. The Militia Governed by the Civil Power Spring 2018
A history of the relationship between the militia and civil authority, the laws and decisions.
 109. Centennial of Supreme Court Building Summer 2018
 110. The Veto, override, and constitution Fall 2018
 111. We Pledge Allegiance to the Vermont Constitution Winter 2019
The parts of the Vermont Constitution that have not been respected.
 112. The Pardon Spring 2019
A review of the pardons issued by governors over time, the history of the way the constitution and the laws altered the practice.
 113. Politics and the Court Summer 2019
Sherman Moulton and whether this "rabid Republican" revealed political views in his Supreme Court decisions.
 114. Constitutional Opinions of the Attorney General Fall 2019
A review of the opinions issued by attorneys general over time.
 115. The Legacy of Robert Larrow Winter 2020
A look at Larrow, a fervent Democrat, and whether his political views are revealed in his decisions. His hard relationship with William Hill.
 116. Impeachment in Vermont Spring 2020
The history of impeachment of state officers in Vermont.
 117. The Epidemic and the Law Summer 2020
How Vermont responded to epidemics, pandemics, and other public health crises.
 118. Limitations of Law and History Fall 2020

Comparing how the law sets limits on prosecutions and civil complaints through states of limitations, appeal deadlines, and laches, with the process of removing names from prizes and buildings in reckoning with the now unacceptable ideas of the past.

119. Nothing But Net: Matters of First Impression Winter 2021

How the Supreme Court has decided cases where no precedent seems appropriate, freeing the court to develop policy on its own.

120. Kent's Comment Spring 2021

Chancellor James Kent said Samuel Prentiss was the best jurist in New England, ranking him above Justice Joseph Story; what Kent thought of Story; what Prentiss thought of Kent; what Story thought of Kent: compliments and salutations.

121. Commentaries on Vermont Law: Private Ways Summer 2021

A look at how early Vermont courts and lawyers found the common law, through digests and commentaries, and an attempt to describe the present law of private easements.

122. Alienage Fall 2021

The rights of non-citizens in Vermont history, including the early right to vote and be elected in local elections.

123. The Canon Against Absurdity Winter 2022

Tracing the way the Supreme Court dismisses arguments that defy reason.