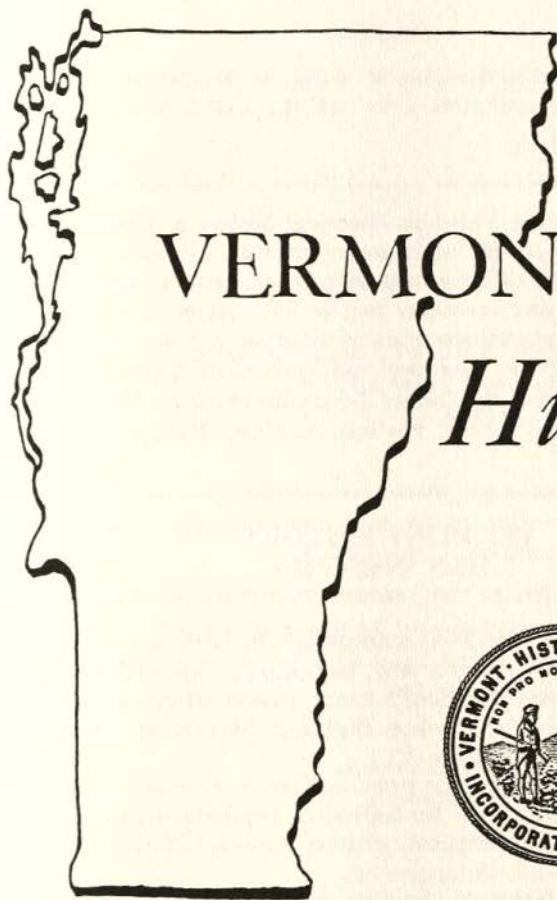


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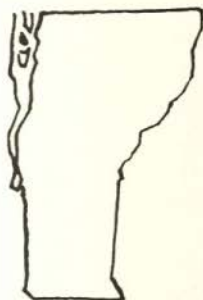


VERMONT

*History*



The PROCEEDINGS of the  
VERMONT HISTORICAL SOCIETY



“ . . . land ownership provided not only the basis for wealth but also of the entire social structure.”

## The Economic Structure of Society in Revolutionary Bennington

By JOHN PAGE

The cunning political operators who conceived the republic of Vermont during the American Revolution had no greater power base than the town of Bennington. In 1776 Bennington, the largest and wealthiest town on the west side of the Green Mountains, served as an important fitting-out and jumping-off point for the rapidly-settling frontier known as the New Hampshire Grants. It was also in Bennington that the first violent resistance to New York occurred and where the “Grand Council” orchestrated the para-military mob known as the Green Mountain Boys. Although less familiar than Ethan Allen, Ira Allen and Thomas Chittenden, men such as Moses and Samuel Robinson, Jonas Fay, John Fassett, and Nathan Clark, as the elected political leadership of Bennington, gave the “Arlington Junto” its greatest legitimacy.

In the popular view of Bennington, the town teamed with liberty-loving, boisterous frontier democrats who naturally resisted tyranny, whether imposed by the British or Yorkers. The rough and tumble society somehow lived harmoniously with Parson Dewey but could not abide the justices of the peace, sheriff, and other symbols of New York authority. The dramatic popular description belongs to the romantic literature; it does not adequately describe the nature of society in Bennington, nor does it describe the economic forces and social conditions which first brought settlers and others to the frontier and drove them to revolution. Social historians have suggested a number of general models to describe New England society during this period. One type portrays a democratic, politically dominant



middle class of freeholding farmers, a description which dominates the descriptions of Vermont's early history.<sup>1</sup> Another describes an agrarian proletariat victimized by absentee landlords and proprietors.<sup>2</sup> A third version portrays material opportunists practicing an aggressive brand of capitalism dominated by a wheeling-dealing squirearchy. Charles Grant's detailed study of Kent, Connecticut, for example, characterized the inhabitants as "aggressive opportunists" who displayed "economic daring plus a propensity for deceit."<sup>3</sup>

The offspring of the families who settled the western Connecticut frontier around Kent were among the first to move north to the western parts of the New Hampshire Grants. All evidence indicates that another generation of experience on the frontier had served to whet their appetite for property and profits. None better personified this entrepreneurial spirit than the Allen clan, whose joint enterprises included general stores, mills, iron works, tanneries, and predominantly, land speculation. Ira Allen littered his autobiography with smug accounts of buying, selling, trickery, and audacious schemes.<sup>4</sup> A gentle Scotswoman who spent a summer in Clarendon, to the north of Bennington, described the version of New Englanders she encountered there: "Obadiah or Zephaniah, from Hampshire or Connecticut . . . came in without knocking; sat down without invitation; and lighted their pipes without ceremony; then talked of buying land." She found them "conceited, litigious, and selfish beyond measure," and argued that the New York claimants, of which her father was one, lost out in the land title conflict because they were "not equal in chicane to their adversaries, whose power lay in their cunning."<sup>5</sup>

Most of Bennington's first settlers were young married couples seeking farms to support hoped-for families. Groups of brothers, sisters, in-laws, cousins, and childhood friends emigrated as a "hiving out," accompanied by a number of patriarchs who provided the financial capital and leadership needed to carve a settlement out of the wilderness. For many, the frontier represented the only chance to settle themselves or their children with property, social status, and a middle class standard of living.<sup>6</sup> Southern New England, particularly Connecticut, had become sufficiently overpopulated to make the price of farmland prohibitive, and fathers could not afford to buy land as patrimonies and dowries for their children.<sup>7</sup> To stay at home often meant life on a small, unprofitable farm with little prospect of ever acquiring more. For others it could mean a tenant farm, limited marriage prospects, or worse. The preoccupation with making profits notwithstanding, the strong desire to be part of the freeholding yeomanry brought the bulk of settlers to Bennington; conversely, the specter of tenancy and absentee landlords united the middle class behind the squirearchy during the land title conflict.

Table 1  
Distribution of wealth, from inventories of estates in Bennington County Probate  
Court records, 1778-83 (includes all Bennington residents)

	<i>total value of estate</i>	<i>trade</i>	<i>accounts</i>	<i>farm acreage</i>	<i>other acreage</i>	<i>oxen</i>	<i>horses</i>	<i>cattle</i>	<i>hogs</i>	<i>sheep</i>
J. Breaken- ridge	£4841	farmer miller speculator	£1045	846	3200	7	8	20	5	66
S. Fay	£4079	innkeeper farmer speculator	£1727	136	4000	1	—	23	3	12
J. Armstrong	£1648	farmer	£100	152	300	4	5	29	—	8
H. Walbridge	£1500	farmer joiner	£7	165	—	2	1	11	1	3
J. Fay	£913	farmer	£220	100	350	2	3	13	5	11
W. Hopkins	£730	farmer speculator	£110	80	1275	2	1	5	3	10
B. Hopkins	£721	farmer speculator	£223	104	700	1	3	2	5	3
N. Clark, Jr.	£671	farmer joiner	£43	149	—	—	—	1	4	3
A. Tupper	£645	blacksmith	£217	—	300	—	2	2	2	45
A. Hurlburt	£627	blacksmith	£455	—	—	—	1	3	—	7
J. Reed	£28	unknown	£8	—	45	—	—	—	—	—
S. Scovil	£13	unknown	—	—	—	—	1	—	—	—
R. Remington	£10	unknown	—	—	—	—	—	—	—	—

Data from probate inventories, as presented in Table 1, shows the range of wealth in Bennington and provides a rough sense of class structure. The progression from one economic class to the next did not occur in sudden steps, but instead by a ramp, in a continuous and even flow. Tenant farmers and laborers had no more property than slaves and servants, but considerably more hope of rising on the economic ladder. The middle class ranged from the subsistence-level freeholder hacking a farm out of the forest to the prosperous "yeoman-blacksmith." The upper class included both the great landowners, often cash-poor but land-rich, and those primarily involved in commercial interests. Nearly all occupations, from farming to preaching, contained men of all levels of wealth.<sup>8</sup>

At the bottom of the economic scale were slaves, servants, wage



earners, transients, and tenant farmers. Although forbidden by the Vermont Constitution in 1777, slavery as an institution persisted in Bennington at least until the late 1780's. A "Negro boy," valued at £60, was listed among the probated property of John Armstrong, a middle class farmer, when he died in 1782.<sup>9</sup> Many regarded slaveholding as immoral, a sentiment directly related to the ideology of the American Revolution. Whigs who ranted against English designs to "enslave" the colonies had begun to recognize the hypocrisy of domestic slavery.<sup>10</sup> Late in 1777 Major Ebenezer Allen (cousin to Ethan and Ira and then a resident of Bennington) captured a remnant of Burgoyne's army on Lake Champlain. Among the camp followers he discovered a slave and her infant daughter, whom Allen freed with the remark that "it is not right in the sight of God to keep slaves."<sup>11</sup> When they discovered in 1779 that the town's newly-settled minister had brought a woman slave with him, some church members loudly voiced their outrage and then resigned from the congregation.<sup>12</sup> A decade later, in 1789, a young men's debating society in Bennington considered the question of "whether it is morally or politically right for Vermont to interfere in the apprehension of slaves escaped from other states."<sup>13</sup>

Evidence of a servant class in Bennington remains fragmentary. Reverend Jedidiah Dewey had a "half-witted" servant man.<sup>14</sup> Roby Remington, the only woman whose estate appears in the early probate records, possessed only clothing and a few personal effects; she may well have been a servant. Though the more prosperous tradesmen, particularly the innkeepers, probably kept indentured servants or apprentices as part of their families, the economics of the frontier dictated that single women, the aged, and the mentally or physically infirm were the only live-in labor permanently available. Land was so cheap and easily acquired that able-bodied men only hired themselves out as a temporary means of saving money and establishing a freehold. As the author of *American Husbandry* noted, "nothing but a high price will induce men to labor at all," with the result that they "very soon become farmers, however low they set out in life."<sup>15</sup>

Workers in Bennington earned high wages. Compared to an average daily wage of two shillings in the more settled parts of New England, the Bennington proprietors paid 3s 6d for work on the town highways, and in 1777 the Council of Safety paid "common hands" four shillings for construction work.<sup>16</sup> The development of frontier lands provided important sources of employment, which involved cutting timber, clearing fields and roads, running surveyors' chains, and carpentry. Ira Allen hired men from the Bennington area to help develop his family's landholdings in the Champlain Valley; he usually paid them in land, which he had in



*Parson Dewey House, 1763*

plenty, rather than from his chronically short supply of money.<sup>17</sup> Most wage earners were young men with aspirations of upward mobility and perhaps a prospective bride back in Connecticut. Studies of economic mobility of other parts of the colonies demonstrate that most free laborers earned high enough wages to acquire property.<sup>18</sup> Since Bennington wage earners were paid relatively well and land was relatively cheap, there was little chance of a permanent proletariat in Bennington in the early years.

Another sector of Bennington's propertyless class was the transient population which resided only temporarily within the town's inns. Bennington became a rendezvous for new arrivals to the Vermont frontier, where groups of settlers (single men or families) stopped over to purchase animals and supplies before making their pitches to the north. Some transients were day laborers, staying and working temporarily before moving on to new towns or perhaps farms of their own. Although he always maintained permanent residences elsewhere, Ethan Allen spent



much of his time from 1770-86 as a boarder at Fay's Catamount Tavern, where he traded land and schemed against New York. Perhaps more typical of the itinerant populace was Stephen Scovil, who possessed only a horse, a saddle, and two sets of clothing when he died in Bennington in 1784.<sup>19</sup> Where he came from or where he intended to go remains unknown. Although transients were, by definition, not permanent residents, collectively they comprised a permanent part of the town's society.

Tenant farmers were also propertyless, although they probably enjoyed a standard of living similar to that of the poorer freeholders. Tenancy, uncommon on the New England frontier, was much more prevalent in New York, where it caused much class friction.<sup>20</sup> No evidence suggests any farms rented in Bennington before the war, but with the collapse of the frontier in 1777, and the resulting economic dislocation and displacement of population, many people rented farms as a temporary means of supporting their families. Officials rented much of the confiscated Tory property to provide homes for refugees and income for the shaky new Vermont state government.<sup>21</sup> In 1778 John Pelham purchased a farm from Thomas Chartor which was, according to the deed, "in the possession of George Tibbitts," a tenant.<sup>22</sup> Still, renting a farm as more than a temporary arrangement was undesirable. When land could be bought on a three or four year mortgage with no down payment, a man could quickly own his farmstead free and clear, and thus obtain the status of a property owner.

Acquiring a freehold raised a man higher on the social ladder, bringing both a greater degree of respect and economic freedom. Without land he could not vote or hold office, and even marriage was a difficult proposition. To own a farm, thus, became a basic aspiration of a New Englander. In a frontier community like Bennington, with plentiful and easily acquired land, a large proportion of the people (ten of thirteen in Table 1 or about seventy-seven percent) managed to establish themselves in the propertied classes.<sup>23</sup>

With few exceptions Benningtonians were farmers. Henry Walbridge, typical of the small-scale yeomanry, left his widow a half-cleared 165-acre farm, a yoke of oxen, a cart, a mare, 11 cows, a hog, and 3 sheep when he died in the Battle of Bennington. He also left her three good sets of tools: farm tools, joiner's tools, and domestic tools for soap and cloth making. His barn contained eight tons of hay, fourteen bushels of rye, seventy-four bushels of corn, eighteen bushels of oats, nine and one-half bushels of wheat, and fifteen bushels of potatoes. He also held four personal notes worth £7 and £6/12/0. When he changed from his rough woolen work clothes, Walbridge could attend meeting in a "straight bodied coat," linen shirts, cloth breeches, black worsted stockings, silver-

buckled shoes, a black silk neck cloth, and a beaver hat. While his outfit did not match the silk and velvet finery of Squire Robinson or Parson Dewey, he was well-dressed by the standards of most people.<sup>24</sup>

Walbridge's farmstead provided his family with a basic shelter, food, clothing, and fuel. Their diet consisted largely of corn and wheat bread, potatoes, milk, butter, cheese, pumpkins and turnips, game and garden vegetables in season, and, on occasion, fresh or preserved meat. The farm probably produced enough surplus to pay taxes, creditors, and leave a little cash.<sup>25</sup> Wheat, corn, and livestock were the most common mediums of exchange. Local tradesmen kept accounts of credit for Walbridge and other farmers, and then took payment at harvest time in the form of produce.

Walbridge also earned up to six shillings per day as a joiner, building furniture and finishing houses.<sup>26</sup> While the 100-acre farm long remained the backbone of the middle class, the widespread drive for profits led many farmers, like Walbridge, to learn a trade as an income supplement. Conversely, most tradesmen kept a farm of some sort. Carpenters, carters, blacksmiths, coopers, wheelwrights, and other skilled workers were in high demand, and the constant influx of immigrants kept the local market for such services pumped up. Increasingly artisans concentrated on their trades and farmed only for basic necessities, so that Aaron Haynes, for example, could describe himself in a 1768 deed as a "yeoman blacksmith."<sup>27</sup> Of the middle class estates in Table 1, all eight farmed, but two worked primarily as artisans, and four others had some source of non-farm income. By the outbreak of the Revolution, Bennington's commercial economy supported about a score of households completely by non-agricultural trades. Many others, who lived on farms, rose above the subsistence level because of outside income.

Overall the middle class of small property holders in Bennington was a large and economically active group which produced wealth simply by applying labor to the land's rich natural resources. Most of them arrived with little capital, but on cheap land and with the luck to survive four or five years of Spartan living and back-breaking work, then one could own a valuable piece of property free and clear.

Perched at the top of Bennington's economic ladder sat an elite of fifteen to twenty large property holders, represented (in Table 1) by Stephen Fay, an innkeeper, and James Breakenridge, a farmer and landowner. These two, along with John Fassett, Joseph Safford, Samuel Robinson, and Jedidiah Dewey, financed and led the town's settlement and, thus, controlled its land supply. They had all been well-to-do farmers and political leaders in their native towns, and each one regarded Bennington as a great opportunity to build a personal fortune. Each of



them also brought a large brood of children approaching marriage age, and thus they needed land if the next generation was to maintain the family's standard of living. The remarkable network of intermarriage which occurred among this second generation (ten marriages among four families) resulted in a tightly-knit and politically powerful squirearchy. By the end of the Revolution, the ablest of the sons—Moses Robinson, Jonas Fay, Samuel Safford, and Elijah Dewey—had inherited not only their fathers' property, but also their fathers' seats as selectmen and their status as the town's founders. This "family compact" became a staunch pillar of support for the "republic" of Vermont. The Bennington "compact" controlled dozens of public offices, including a majority of the Governor's Council, the speakership of the House, Chief Justice of the Supreme Court, Secretary of State, the militia, and the politically vital courts of confiscation. Multiple office holding, patronage, and blatant nepotism were the rule. More than twenty members of the "compact" held some state office in the early years of independence.<sup>28</sup>

Birth in a landed family was not the only avenue to wealth in frontier Bennington. Commercial farming, land speculation, milling, innkeeping, surveying land, money-lending, law, medicine, and the ministry were all potentially profitable occupations. Operating a general store, lending money, and speculating in land were risky ventures and often resulted in bankruptcy. Most men of property began with a single line of business and then diversified their investments. James Breakenridge, for example, primarily a farmer also profited heavily from his mills, land speculation, and money lending at interest. More than a few men in Bennington had three or four major sources of income. The large property owners were capitalists in every sense, and they usually plowed their profits back into new investments.

Large scale commercial farming depended on wheat as a cash crop. According to the author of *American Husbandry*, in a discussion of the New Hampshire Grants of the 1770's, the first settlers found "that wheat is to be raised with no contemptible success . . . so that they have more fields of it than maize, which is not the case in southern parts of New England." Wheat required good land, dung, weeding, and "ploughing cross and cross between the plants," a reference to Jethro Tull's scientific methods of horse-hoeing husbandry. This technique proved so effective that even in the wasteful, land-extensive agriculture of the frontier, it quickly became "no longer an unusual method," although still practiced only by the better farmers.<sup>29</sup>

The author of *American Husbandry* figured the cost of growing wheat at £1/2/8 per acre, with a yield of twenty to forty bushels per acre. The legal price for wheat in 1778 was \$3 (£1/6) per bushel in Bennington,

leaving a substantial profit of up to £25 per acre of wheat planted.<sup>30</sup> A wealthy farmer like James Breakenridge had sufficient capital resources for labor, draft teams, storage, and clearing land to grow wheat on a fairly large and profitable scale. Within a few years of the town's settlement, tons of Bennington wheat began passing through the storehouses of Albany merchants, and the Hampshire Grants acquired a reputation as some of the best wheat land then under cultivation in North America.<sup>31</sup> Large farmers also profited from breeding hogs, sheep, horses, and particularly cattle. The larger dairies produced surpluses of butter and cheese. The Breakenridge farm, with over a hundred head of livestock, grew large quantities of hay, corn, and turnips as fodder for the long winter.

Land speculation provided the most profitable investment potential, although it usually took years to realize a return. Most speculators were farmers seeking land for their children and profits to augment farm income. Professional speculators like the Allens, who bought all they could on hope and shoestring credit, were exceptions. Success required intimate familiarity with the land. Seaboard merchants and down-country farmers apparently could not compete with the knowledge of local woodsrunners and surveyors. The wealthy local farmers dominated the Bennington land market.

The key to any successful speculation was getting there first. In 1760 at the close of the French and Indian War, with the conquest of Canada in sight, Samuel Robinson travelled from his home in Hardwick, Massachusetts, to Portsmouth, New Hampshire, to find the original grantees of Bennington, most of whom were relatives and cohorts of Governor Benning Wentworth. Robinson purchased a controlling share of the proprietorships of Bennington and neighboring Shaftsbury, and then returned to Hardwick to organize a migration. Touting the valley of the Batten Kill as "the Promised Land," Robinson sold many of the proprietary rights to his co-emigrants, most of whom were fellow New Light churchgoers from Hardwick and Norwich, Connecticut. The rest he kept for his sons. His total investment amounted to more than £1000, a tremendous sum in those years. Within a few years the value of his holdings had multiplied many times over, making Robinson and his sons the richest and most powerful men in the region.<sup>32</sup>

Few speculators could match the Robinsons in the size of their holdings. Most were middle-class farmers who from sale of their old farms in the south had more capital than their immediate needs required. By purchasing two or three proprietary rights (ca. 700-1000 acres), they could wait for prices to rise and then sell off small lots to new settlers at a handsome profit. With careful management and reinvestment of profits



into newer townships to the north, the farmer-speculator could realize substantial cash income over the years and provide for his children's needs for land.<sup>33</sup>

Trading land on speculation was a popular pastime among all property classes. Of eight middle class estates, five had speculative holdings. Wait Hopkins worked a small farm of 80 acres in Bennington, but held title to 1275 acres of wild lands valued at £183, a substantial amount of property. Blacksmith Archelus Tupper's 300 acres of land in Ferrisburg, worth £45, was more typical of a small-time speculation.<sup>34</sup>

TABLE 2  
Rise in Value of Real Property in Bennington, 1760-1779  
(Values from Bennington Deeds, Vol. I, passim)

	<i>land / 100 acres</i>	<i>improvements</i>
1760	£4	—
1761-63	£16	£37
1764-70	£32	£54
1771-76	£48	£245
1777-79	£107	£353

The land surveyors, whom one European observer called "an important and distinct profession" on the Grants, stayed close to the land market.<sup>35</sup> Intimately familiar with the land they measured and able to assess its value accurately, many of them naturally became involved in land speculation. Ira Allen launched his business career as a surveyor. Samuel Robinson surveyed, as did his sons Samuel, Jr., and Moses. The lonely and difficult work of conducting surveys of wilderness townships was lucrative, paying as much as £90 for a single town. Payment for town surveys often came in the form of proprietors' rights to the town.<sup>36</sup> Smaller jobs paid around 10 shillings per day.<sup>37</sup> Since organized settlement could not begin in a frontier township without a survey, the Green Mountain Boys adopted the highly successful strategy of driving off New York surveying parties. Mobs of gun-toting horsemen smashed compasses, broke chains, and administered the "beech seal."

Grist and sawmills were vital to a pioneering agricultural economy. In Bennington's first years of settlement the inhabitants used crude plumping mills or iron hand mills. The settlers could not build frame houses and barns for lack of boards. Samuel Robinson, Joseph Safford,

and James Breakenridge all built mills in 1762 in response to a bounty offered by the proprietors.<sup>38</sup> Deacon Safford built the first grist mill for his son Samuel, who, by the terms of the bounty, possessed the unusual privilege of taking a toll of three pints per bushel for milling grain, compared to the normal allowance of two pints.<sup>39</sup> The charge for sawing lumber was two dollars per thousand board feet. A man named Moses Sage built a sawmill and a large gristmill in the northern part of town no later than 1775; after the war he expanded this operation into a small industrial complex known as "Sage's City," which included a paper mill, a fulling mill, and an iron furnace.<sup>40</sup> By 1782 the town had at least seven grist and sawmills.

Constructing a mill required an investment of £250-500.<sup>41</sup> Gristmills were particularly attractive because the miller received immediate payment in grain, a readily salable commodity, rather than by credit as other tradesmen who rarely collected the full value of their business. Safford and Sage probably earned good livings solely on the income from their mills. Breakenridge, on the other hand, was primarily a farmer. Ebenezer Walbridge, another miller, was also a builder, surveyor, and farmer, and all were land speculators. Bennington's millers ranked high in the town's economic and social structure.

The most important public buildings were the inns. Business, politics, and social life took place mainly within the town's taprooms. John Fassett kept an inn from the first summer of settlement, and by 1782 Bennington had ten licensed innkeepers.<sup>42</sup> Most inns, private simple farmhouses, had a few rooms open to travellers, paying guests, and the drinking public. Even the Fays referred to the Catamount Tavern as the "family farm." In the main village there were four large establishments, each profitable enough to put its owner among the town's financial elite. These innkeepers, John Fassett, Stephen Fay, Elijah Dewey, and Nathaniel Brush, dominated the village's commerce in many ways. In Bennington in the early days the storekeepers, innkeepers, and merchants (wholesalers) were all housed in the inns under one roof. Along with lodging, liquor, and food, Bennington's innkeepers sold paper, glass, lead, powder, dry goods, seed, tools, and some luxury items.<sup>43</sup>

Much of the area's farm produce passed through the hands of the innkeepers for settlement of accounts. In an economy in which most people traded by credit or barter, the inns were among the few places where money regularly circulated, and the innkeepers functioned as primitive bankers. Stephen Fay, for example, honored personal money orders from regular customers, such as Marcy Robinson's note that "Mr. Fay Pleas to anser to Mingo Lang's the sume of £0:3:4 yourk money and



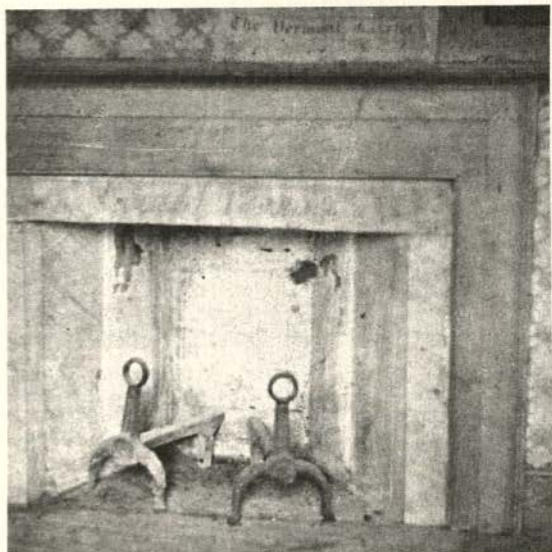
charge the same to me."<sup>44</sup> Fay, as many of Bennington's men of property, also lent money at six percent interest and had over £1650 in outstanding loans when he died in 1782.

The professions of law, medicine and theology existed in Bennington in rudimentary form; few of the town's doctors, lawyers, or ministers could claim any formal training. Of the five physicians who settled before the war, only the well-born Jonas Fay had much property or schooling. Benjamin Warner, father of Colonel Seth Warner, was a poor farmer with some talent for healing. The other three doctors probably lay somewhere in between Fay and Warner in both education and economic status.<sup>45</sup>

The economic standing of the clergy in Bennington also ranged to extremes. Jedidiah Dewey, the town's first settled minister, who received the best parcel of land in town, was a major landowner and farmer. For years the congregation had trouble raising his salary, partly because of a theological dispute, but also because many felt that the good parson did not need the money.<sup>46</sup> Many of the delinquents fell under the sway of an itinerant evangelical named Ithimer Hibbard, who owned a small piece of waste land on the side of Mt. Anthony.<sup>47</sup>

New Englanders were a litigious lot, and rare was the man who had never been involved in a lawsuit. Most men represented themselves in court, as a general working knowledge of the law was widespread, particularly among men of property or education. In fact, Americans purchased nearly as many copies of Blackstone's *Commentaries* as the British.<sup>48</sup> The Yankee pioneers, and especially the judges, who were invariably laymen, viewed trained lawyers with suspicion. One lawyer complained that a chief justice in New Hampshire, "having no law learning himself, did not like to be pestered with it at his courts." Another lawyer attempted to file a demurrer, only to have it ridiculed by the judge as "an invention of the Bar to prevent justice."<sup>49</sup> The formal debate of the Bennington Friendly Society on whether "attorneys at law are beneficial to the community," attested to the prevalence of popular hostility toward lawyers.<sup>50</sup>

The first man to practice law in Bennington, John Burnham, arrived in 1761 with a farmer's education and no money. Some years later, after he had established a freehold, Burnham lost a lawsuit simply because his opponent, a wealthy doctor, knew courtroom procedure and the law better. Vowing to never again be so victimized, Burnham purchased copies of the *Laws of New York* and Blackstone and taught himself the basics of the law, and soon he began to earn small fees by pleading at court for neighbors.<sup>51</sup> The first college graduate in Bennington, Isaac Tichenor, came directly from Princeton in 1777 to manage the Continental Army



*The fireplace in the "Council Room" of the Catamount Tavern where landlord Fay conducted business.*

Storehouse. His polished dress and manners quickly earned him the nickname "Jersey Slick." After the war he applied for admission to the Bar and later served as governor and United States Senator. Noah Smith, "A.B." practiced law in Bennington as early as 1778.<sup>52</sup> The fees these attorneys collected remain obscure, but as a rule few lawyers in revolutionary America lacked money.<sup>53</sup> Self-taught John Burnham did well enough to give up farming and open a small store in Bennington sometime after the war.<sup>54</sup>

Bennington's landed and commercial elite held a tight grip on local politics. From their positions as selectmen and committeemen they swung the full authority of the town's civil government in line against New York, and then led the movement for an independent state. Large speculators like the Robinsons and their associates faced certain bankruptcy if New York made good its claims to their New Hampshire titles. Their resistance to New York is wholly understandable, but less clear in terms of economic self-interest is the apparent unity of the middle class majority in support of the squirearchy. New York offered a reasonable plan of half-fees under which small farmers could afford to reconfirm their land titles under new proprietors.<sup>55</sup> That no one in Bennington did so (as did many in the towns on the east side of the Green Moun-



tains) may be partly attributable to fear of reprisals. Many of the New Hampshire titles that the New York authorities reconfirmed were processed as entire towns, and in those cases the settlers in a town sent an agent to New York to oversee the process. Perhaps individual land owners in Bennington wished to confirm their titles in New York but for political reasons were unable to send an agent to handle the transaction. Yet no evidence suggests any desire in Bennington to seek New York confirmation, nor do the records contain any evidence of friction between the large and small landowners on this issue. The Green Mountain Boys themselves came largely from the subsistence freehold class, and they and other freeholders elected the town's civil government and the committees of safety and delegates to the Grand Council. The town records show that frequent and legally warned town meetings voted on important political questions. The storied defense of the Brokenridge farm against an Albany posse followed such a town meeting.<sup>56</sup>

The loyalty of the townspeople to their original New Hampshire proprietors reflected their most basic economic fears and aspirations. They feared the prospect of absentee proprietors, tenancy, and exploitation, endemic conditions in New York and to which the poorer classes were most vulnerable. Those below the top in Bennington aspired to acquire property and compete for profits in the frontier's rapidly expanding marketplace. The aggressive capitalist mentality of the gentry permeated all of society, and even the poorest farmer saw enough fraud and subterfuge in the business dealings of his neighbors to recognize double dealing and extortion when he saw it. One militant Hampshire put New York's seemingly generous offer of half-fees in perspective remarking that it would make as much sense to him if a man who "owned a tract of land in Boston town . . . might apply to the Governor of New York to give him a grant for half fees."<sup>57</sup> In the end, possession proved to be nine-tenths of the law in a society in which the system of land ownership provided not only the basis of individual wealth but also of the entire social structure. Any threat to the sanctity of property rights was not tolerated. The ultimate response was a move to independent self-government.

#### NOTES

<sup>1</sup> Robert E. Brown, *Middle Class Democracy and the Revolution in Massachusetts, 1691-1780* (Ithaca, 1955) provides the best example, and Robert Gross, *The Minutemen and their World* (New York, 1976) is an excellent recent treatment of this type.

<sup>2</sup> See Ray H. Akagi, *Town Proprietors of the New England Colonies* (Philadelphia, 1924), pp. 138-74 and 218-19; Lois K. Matthews, *The Expansion of New England* (1909, repr. New York, 1962), pp. 76-107; and for Vermont, Matt B. Jones, *Vermont in the Making* (Cambridge, 1939).



*Bennington's Old Meetinghouse, ca. 1766.*

<sup>3</sup>Charles S. Grant, *Democracy in the Connecticut Frontier Town of Kent* (New York, 1961), pp. 53-54. "When the leading citizens of Kent sought profits, they became, at best, resourceful opportunists, and, at worst, conniving dissemblers." *Ibid.*, p. 44.

<sup>4</sup>Ira Allen, *Autobiography*, in James Wilbur, *Ira Allen, Founder of Vermont* (Boston, 1928), I, 1-59.

<sup>5</sup>Anne Grant, *Memoirs of an American Lady* (London, 1808), I, 219, 232, and 252.

<sup>6</sup>Studies of generational mobility in Concord and Andover, Massachusetts, and in Windsor, Connecticut, revealed a general failure of fathers to pass their economic status on to their children; most sons who stayed in their native towns were downwardly mobile. See Philip J. Greven, *Four Generations: Population, Land, and Family in Colonial Andover, Massachusetts* (Ithaca, 1970), pp. 156-69; Gross, *Minutemen*, p. 209; and Linda A. Bissell, "From One Generation to Another: Mobility in Seventeenth Century Windsor, Connecticut," *William and Mary Quarterly*, Vol. XXXI, No. 1 (Jan. 1974), 108-09.

<sup>7</sup>Because of heavy immigration and an exponential birth rate, Connecticut's population grew from an estimated 38,000 in 1730 to 130,611 in 1756. The colony's last public land reserves were auctioned off in 1738. The controversial Susquehanna Company, the Duchess County rent wars, and the Wentworth Grants were all consequences of Connecticut's population expansion and resulting need for new land. See Grant, *Kent*, pp. 1-15; Oscar Zeichner, *Connecticut's Years of Controversy* (1949, repr. 1970), pp. 29-34; and Oscar Handlin, "The Eastern Frontier of New York," *New York History*, Vol. XVIII (1937), 50-75.

<sup>8</sup>The best general analysis of class structure is Jackson Turner Main, *The Social Structure of Revolutionary America* (Princeton, 1965).

<sup>9</sup>Records of Bennington County Probate Judge, Vol. I, 45, County Courthouse, Bennington, Vt.

<sup>10</sup>Bernard Bailyn, *Ideological Origins of the American Revolution* (Cambridge, 1967), pp. 232-46.

<sup>11</sup>E. P. Walton, ed., *Records of the Governor and Council* (Montpelier, 1873), I, 93.

<sup>12</sup>Rev. Isaac Jennings, *Memorials of a Century* (Boston, 1869), P. 63.

<sup>13</sup>"Friendly Society, Bennington, Vt., 1781-90," large bound Ms., n.p., in Wilbur Collection, University of Vermont, Burlington, Vermont.

<sup>14</sup>Jennings, *Memorials*, p. 87.

<sup>15</sup>(anon.), *American Husbandry* (London, 1775), p. 73.

<sup>16</sup>John Spargo, Mss, Bennington Town and Proprietors' Records, bound typescript in I-A, 6 Wilbur Collection, University of Vermont, Burlington, Vt.; and *Governor and Council*, I, 194.



- 17 Wilbur, *Ira Allen*, I, p. 19; and William S. Rann, *History of Chittenden County* (Syracuse, 1886), p. 671.
- 18 Main, *Social Structure*, pp. 164-96; and Grant, *Kent*, pp. 94-98.
- 19 Bennington Probate Records, I, 139.
- 20 Handlin, "The Eastern Frontier of New York," *New York History*, Vol. XVIII (1957), pp. 50-75; and Patricia Bonomi, *A Factious People: Politics and Society in Colonial New York* (New York, 1971), pp. 179-228.
- 21 *Governor and Council*, I, 185, and Sarah V. Kalinowski, "Property Confiscation in Vermont during the American Revolution" M.A. Thesis, University of Vermont, 1975, and "Sequestration, Confiscation, and the 'Tory' in the Vermont Revolution," *Vermont History*, Vol. 45, No. 4 (Fall, 1977), 236-246.
- 22 Town of Bennington Deeds, Vol. III, p. 12, in Town Clerk's Office, Bennington, Vermont.
- 23 Main, *Social Structure*, p. 42, argues that in the northern colonies, between fifty and sixty percent were middle class.
- 24 Bennington Probate Records, I, 5-7.
- 25 Depending on the time of year and solvency of the estate, inventories of cash crops in the probate records vary so greatly as to the quantities on hand as to make accurate determination of crop size impossible.
- 26 *Governor and Council*, I, 194.
- 27 Bennington Deeds, I, 208.
- 28 Patricia L. Thomas, "A Study of Familial Ties in Early Vermont Government," M.A. Thesis, University of Vermont, 1972.
- 29 *American Husbandry*, pp. 49-53. Tull, an English experimental farmer, first published his revolutionary methods in 1731 in his book, *Horse-Hoeing Husbandry*.
- 30 *Ibid.*, pp. 49-53; and *Governor and Council*, I, 213. The cost estimate may be low for Bennington, as it considers neither the expense of clearing land nor the high cost of labor on the frontier.
- 31 Abby M. Hemenway, ed., *The Vermont Historical Gazetteer* (Burlington, 1867), Vol. I, 250; and *American Husbandry*, p. 73.
- 32 Jennings, *Memorials*, pp. 204-210 and 407-08; Lucius Paige, *History of Hardwick, Massachusetts* (Boston, 1883), pp. 219-467; and Jones, *Vermont in the Making*, p. 136.
- 33 The estate of James Breakenridge, Bennington Probate Records, Vol. I, 123-28 provides a good example.
- 34 Bennington Probate Records, I, 46 and 76.
- 35 Grant, *Memoirs*, p. 20.
- 36 Wilbur, *Ira Allen*, I, 15 and 57; and Bennington Deeds, I, 176 and 190.
- 37 Bennington Town and Proprietors' Records, I-A, 23.
- 38 Hemenway, *Gazetteer*, I, 144.
- 39 *Ibid.*, p. 137.
- 40 *Ibid.*, pp. 139-40.
- 41 Bennington Deeds, III, 7; and Bennington Probate Records, I, 106.
- 42 Bennington County Court Records, I, n.p., County Courthouse, Bennington, Vt.
- 43 Bennington Town and Proprietors' Records, I-A, 3; Jennings, *Memorials*, pp. 65-66 and 267; Spargo Mss. Notes, Vol. III, 78-79, bound typescript; and Bennington Probate Records, I, 62.
- 44 Spargo Mss., Autographs. See also Main, *Social Structure*, pp. 84-91.
- 45 Hemenway, *Gazetteer*, I, 164; Paige, *Hardwick*, p. 372; Bennington Deeds, I, 199, 202; and Main *Social Structure*, 99-100 and 144-46.
- 46 Spargo, Mss., Records of the First Church of Bennington, Vol. I, 8-22, bound typescript.
- 47 *Ibid.*, "A Short Memoir" of Elisha Hibbard.
- 48 Daniel J. Boorstin, *The Americans: The Colonial Experience* (New York, 1958), p. 202.
- 49 *Ibid.*, p. 195-202. See also Samuel B. Hand, "Lay Judges and the Vermont Judiciary to 1825," *Vermont History*, Vol. 46, No. 4 (Fall, 1978), 207-08 and 215.
- 50 "Friendly Society," n.p., in Wilbur Collection, University of Vermont, Burlington, Vt.
- 51 Spargo, Mss., Notes, II, 13-21.
- 52 Hemenway, *Gazetteer*, I, 164-65.
- 53 Main, *Social Structure*, pp. 101-02.
- 54 Spargo, Mss., Notes, II, 14.
- 55 Jones, *Vermont in the Making*, pp. 114-17 and 196.
- 56 Jennings, *Memorials*, p. 141; and Bennington Town and Proprietors' Records, I-A, 71 and 75.
- 57 Spargo, Mss., Autographs, "Joseph Fay."