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The Formation of Town Churches: Church, Town, and State in Early Vermont

It was perfectly legal in Vermont for the state government to legislate ecclesiastical matters and for town governments to support organized religion.

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Twentieth-century Vermonters who take for granted the constitutional principle of the separation of church and state should perhaps be reminded that for a brief period in Vermont's early history clergy were "hired" by vote of citizens at town meetings, and funds for erecting church buildings were customarily raised by taxes voted at town meetings. The taxes were authorized by the colonial legislature of New Hampshire for the few churches established prior to the Revolutionary War¹ and were consistent with the constitution of Vermont for post-Revolution churches. For fifteen years (until 1806), the state of Vermont decreed that even nonchurchgoers had to pay taxes to support the town church. Unlike England and the early New England colonies, however, Vermont did not decree a particular denomination as the established state church; each town, by majority vote, could determine the denomination of its choice.²

Nowadays "church fights" (for example, about whether to hire or fire a minister) involve only church members and are generally confined within the walls of church buildings. In the years before and just after Vermont joined the Union, these fights took place at duly warned town meetings and involved all the voters of the town. In these early years the terms *town* and *parish* were interchangeable. An act regarding support of churches, passed by the Vermont legislature October 17, 1783, never mentions one term without the other; it is always "town or parish." And sec-

tion 6, chapter 51 of the *Laws* of 1793 states that “the terms TOWN and PARISH used in this act shall . . . be understood to comprehend districts, cities, or other incorporated places with town privileges.”³

In this article we look at the religious environment in colonial New England that influenced church formation in early Vermont (particularly in Bennington, Newbury, and Rockingham) and at the way Vermont laws (both before and after statehood) governed the formation of churches in Rutland, West Rutland, Charlotte, Westford, and Milton. Finally, we examine the way in which the link between town and church was broken—earlier in Vermont than in Connecticut and Massachusetts.

STATE CONSTITUTIONS BEFORE THE FEDERAL CONSTITUTION

Vermont was established as a state only three years after the adoption of the U.S. Constitution and the same year the Bill of Rights became part of the Constitution. The First Amendment forbade the establishment of religion by *Congress* and was intended as a brake on the new nation’s central government. Although Supreme Court decisions in the twentieth century apply this amendment to the states, when it was adopted it applied only to the federal government. This is understandable when we recall that state constitutions for the first thirteen states preceded the federal Constitution by more than a decade in most cases. On May 10, 1776, the Continental Congress, assembled in Philadelphia, advised the colonies “to form new governments ‘such as shall best conduce to the happiness and safety of their constituents.’”⁴ Massachusetts, New Hampshire, and South Carolina had already adopted provisional state constitutions. Connecticut and Rhode Island remained under their royal charters until 1818 and 1843, respectively, making needed changes by act of their legislatures. The remaining eight original states adopted constitutions between June 29, 1776, and April 20, 1777.

At a convocation in Windsor in July 1777, Vermonters declared their independence, created a state, and drafted a constitution that was ratified by legislatures in 1779 and 1782. Because the thirteen original states were without a federal constitution until 1787, when the Constitutional Convention met in Philadelphia, the relationships between church and state were first defined in various ways by the several states. Historian Anson Phelps Stokes reminds us “that these [state] constitutions were the first written constitutions of large bodies politic in history formed by duly chosen representatives of the citizens with power to act.”⁵

It is instructive to note how Vermont’s constitution differed from those of the other original states. Some, such as New Jersey’s, prohibited citizens from being taxed for the purpose of building churches or supporting ministers. Other states, particularly in New England, made taxation

for these purposes the norm. Thus in 1780 Massachusetts adopted a constitution stating that “the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institutions of the public worship of GOD, and for the support and maintenance of public Protestant teachers of piety, religion, and morality.”⁶ New Hampshire’s constitution of 1783 incorporated this same provision almost word for word.⁷ All prescribed that legislators taking office make religious oaths or affirmations, some designed to exclude all but Protestants.

In his study of religion and the social order in the Connecticut River Valley of Vermont during the early federal period, Randolph A. Roth asserts that Vermont reflected the religious environment of its neighboring states by “a commitment to a standing order, to a government that would supervise public morals, require regular worship in each community, and demand that citizens respect both civil and ecclesiastical authority.” The Reverend Gershom Lyman, a traditional Old Light Congregational minister from Marlboro, preached an election sermon to the Vermont General Assembly in 1782, praying that this body might pass laws that would promote “the interest of religion.”⁸

Not surprisingly, therefore, the Vermont Constitution of 1777, reaffirmed in 1782 by the legislators to whom Lyman preached, contains this article 3 in its first chapter, “A Declaration of the Rights of the Inhabitants of the State of Vermont”:

That all men have a natural and unalienable right to worship ALMIGHTY GOD, according to the dictates of their own consciences and understanding, regulated by the word of GOD; and that no man ought, or of right can be compelled to attend any religious worship, or erect, or support any place of worship, or maintain any minister, contrary to the dictates of his conscience; nor can any man who professes the protestant religion, be justly deprived or abridged of any civil right, as a citizen, on account of his religious sentiment, or peculiar mode of religious worship, and that no authority can, or ought to be vested in, or assumed by, any power whatsoever, that shall, in any case, interfere with, or in any manner controul, the rights of conscience, in the free exercise of religious worship: nevertheless, every sect or denomination of people ought to observe the Sabbath, or the Lord’s day, and keep up, and support, some sort of religious worship, which to them shall seem most agreeable to the revealed will of GOD.

This clause is almost identical to one in the Pennsylvania Constitution, adopted in 1776. But whereas the Pennsylvania document reads, “Nor can any man, who acknowledges the being of God,” the Vermont Constitution reads, “nor can any man who professes the protestant religion.”

And whereas the Pennsylvania document ends with the words “free exercise of religious worship,” the Vermont Constitution goes on to add that “nevertheless” each denomination should “keep up, and support” public worship. The Vermont constitutional revision of 1793, after Vermont joined the Union, imposed the necessity of observing Sunday not on “every sect or denomination of people” (as in 1777) but only on “every sect or denomination of Christians.”⁹

Thus it was perfectly legal in Vermont for the state government to legislate ecclesiastical matters and for town governments to support organized religion—just as religion had been supported in England. Even under the rule of King George II and King George III, owners of Vermont land from New Hampshire Grants could establish any church they pleased—although town land had to be set aside for the Church of England.¹⁰

THE CHURCH TAX

On October 17, 1783, the Vermont General Assembly, meeting at Westminster, passed a law “to enable towns and parishes to erect proper houses for public worship and support ministers of the gospel.” Any seven freeholders could request the town clerk to warn a public meeting on twelve days’ notice for these purposes. The law provided for the citizens “to vote a tax or taxes sufficient to defray the expence of such Building or Buildings; and also to hire, or otherwise agree with, a Minister or Ministers to preach in such Town or Parish.” Following this law, citizens in Milton voted to “hire a minister”; in Westford they voted “to agree with” a minister.

Unlike the British law, however, Vermont law did not prescribe a *particular* form of religious denomination: “two thirds of the Inhabitants of such Town or Parish, who shall meet agreeable to such Warrant, being legal Voters, and of similar Sentiments with respect to the mode of Worship, shall be hereby authorized to appoint a Place or Places for the public Worship of God”¹¹ and make arrangements to build a meetinghouse, employ a minister, and vote taxes to pay for all this. If (as was usually the case) two-thirds happened to be Congregationalists, a Congregational church would result. But if two-thirds were Baptists, as happened in Westford, the town would have a Baptist church. This might be called town-by-town church establishment.

What about citizens who were of a different religious persuasion from the majority and thus would not want to pay taxes to support the church of the majority? What about those nonchurchgoers who would not want to pay taxes to support the churchgoing majority? Vermont law in the

eighteenth century was tolerant of the former and intolerant of the latter. The 1783 law makes this clear:

Whereas, there are in many Towns and Parishes within this State Men of different Sentiments in religious Duties, which lead peaceable and moral Lives, the rights of whose Conscience this Act is not to controul; and likewise some, perhaps, who pretend to differ from the Majority with a Design only to escape Taxation. Therefore, . . . Be it enacted . . . that every person or persons, being of adult Age, shall be considered as being of Opinion with the major part of the Inhabitants within such Town or Parish where he she or they shall dwell, until he she or they shall bring a Certificate, signed by some Minister of the Gospel, Deacon, or Elder, or the Moderator in the Church or Congregation to which he, she or they pretend to belong, being of a different Persuasion; which Certificate shall set forth the Party to be of their Persuasion: And until such Certificate shall be shewn to the Clerk of such Town or Parish (who shall record the same) such party shall be subject to pay all such Charges with the major part, as by Law shall be assessed on his, her or their Polls or rateable Estate.

A citizen could, then, avoid taxes by going to a *different* church, but not by refusing to belong to *any* church. In 1798 a resident of Milton, John Gerrard, took advantage of this law to excuse himself from paying the church tax because he preferred Methodism, and a circuit-riding Methodist preacher named Abner Wood provided the town clerk with the required certificate.¹² It was not until 1806 that Vermont law was changed so that church members alone were responsible for paying church bills, and atheists as well as Methodists could escape the church tax.

In 1797, after Vermont had become one of the United States, the legislature "revised and passed" laws similar to the 1783 law regarding town churches. Chapter 51, "An ACT for the support of the gospel," provided that when any number of residents "exceeding twenty-five" wanted to start a church, they could request the clerk to warn a town meeting and form a church "society." Thereafter, by law, the society and its own officers, not the town at public meetings, conducted the affairs of the church: selecting the site for the meetinghouse and voting "such tax or taxes, from time to time, as shall be sufficient to defray the expence of building and completing such house or houses; and also vote to hire or otherwise agree with a minister to officiate in such town or parish . . . and to raise the same by a tax or taxes, from time to time, which tax or taxes shall be assessed on the polls and rateable estates of the inhabitants composing such society by such assessors."¹³

Although the law was passed in 1797, many towns did not get around to creating church societies until considerably later. For some years, therefore, people with strong religious convictions continued to express their

sincere disagreements with one another in town meetings rather than church society meetings.

CONGREGATIONALISM IN COLONIAL NEW ENGLAND

The denominational name *Congregational* is used in Vermont's 1797 law,¹⁴ reflecting the origins of Vermont's settlers: most came from the Massachusetts Bay and Connecticut Colonies, where Congregationalists were the overwhelming majority. After the "old French War," the few French settlements in the territory of Vermont were supplanted by American colonists, and "so predominantly was this immigration of Connecticut origin that a Vermont convention in 1777 contemplated the bestowal of the name of 'New Connecticut' on the region."¹⁵ (That name was not chosen because there already was a New Connecticut in the area that was to become Ohio.¹⁶)

To understand what was going on in the category of organized religion in early Vermont towns, then, we must understand the nature of Congregationalism and its relationship to town government in the history of Connecticut and other New England colonies. Congregationalists in early Vermont were the spiritual descendants of the Pilgrims of the Plymouth Colony and the Puritans who had settled at Massachusetts Bay. The former wanted to separate themselves entirely from the Church of England and the rule of its bishops, whereas the latter wanted to reform the Church of England while remaining a part of it. In the century and a half that had elapsed between the landing of the Pilgrims at Plymouth in 1620 and the Revolutionary War, Congregationalism (completely detached from the Church of England) had become the predominant form of Christianity in most of New England — as Anglicanism was in Virginia.¹⁷

Following the precedent of early Congregationalists in England and aboard the *Mayflower*, Christians could covenant with God and one another to be a church congregation in their locality. In colonial times these local churches were not usually called "Congregational"; they were called by such generic Christian names as "Church of Christ" or "parish church." For example, in 1788 the Reverend Lemuel Haynes, the first African American to be ordained in this country, served as pastor of the white congregation in Torrington, Connecticut, when he was called to serve a congregation called the Parish Church in West Rutland as a missionary from Connecticut. The Connecticut Congregationalists thought of Vermonters at the time as "proper heathen" in a "moral desert."¹⁸

Gaius Atkins and Frederick Fagley describe the interconnection between town and church in the colonial period: "In colonial days the church was a part of the town organization and its field of service was the town. . . . In many of the early towns the title to church property rested with the town and the voters determined its financial policy." Because a congre-

gation was legally a "body religious," not a "body corporate," it could not hold title to property. Therefore, a "society," made up of both church members and nonmembers, was formed for this purpose. Later, when nineteenth-century laws permitted churches to incorporate, most societies were dissolved.¹⁹ Sometimes the society lingered on; it was not until 1960 that the church and society of College Street Congregational Church in Burlington were merged.²⁰

In Massachusetts in the late seventeenth century, a law on the books allowed a church to choose its own minister but required the town residents—church members and nonmembers alike—to give their assent. If the town approved by majority vote, they were required to pay the minister out of town taxes.²¹ Williston Walker indicates how churches of the Congregational Way were established in the eighteenth century: "New settlements in Connecticut, and parish districts of older settlements in which churches were not yet formed, usually selected a minister and contracted for his salary before, in some instances a number of years before, a church was organized."²²

New settlements in Vermont followed this pattern. The ministers who were "hired" prior to the official organization of the church, however, frequently were not the first "settled" ministers. The names of the former have often been lost to historical records, whereas the names of the settled ministers are those that appear in ecclesiastical records.²³

ORGANIZATION OF VERMONT CHURCHES BEFORE THE REVOLUTION

Although Roman Catholicism was the first form of Christianity introduced to Vermont, it had little impact on church organization until the middle of the nineteenth century. During the French era Jesuit priests were present, and mass was said as early as 1664 or 1666 at Fort St. Anne in Isle La Motte.²⁴ But these were not town churches and are beyond the scope of this study.

Before 1760 Vermont was dangerous territory for English white settlers from southern New England. Supported by their French allies in the wars against the English, the Western Abenakis kept most of Vermont clear of these "invaders."²⁵ Indeed the first Protestant religious service in the state was conducted by the Reverend John Williams, a Congregational pastor, in March 1704, in what was later to be the town of Rockingham. He preached to the remnants of his former congregation, all of them captives of the Abenaki after the raid on Deerfield, Massachusetts, on their long march to Canada.²⁶ By 1760, however, "the western Abenakis found themselves treated as a defeated people, the troublesome but impotent allies of a vanquished [French] foe."²⁷

New Vermont settlements with their churches soon followed. Thirteen

churches were established prior to the Revolution, most of them Congregational: Bennington, 1762; Newbury (with Haverhill, New Hampshire), 1764; Westminster, 1767; Windsor (with Cornish, New Hampshire), 1768; Guilford, 1767 or 1768; Brattleboro, 1770; Norwich, 1770; Hartford (Presbyterian), 1771; Thetford, 1773; West Rutland, 1773; Rockingham and Chester, 1773 (divided into two separate churches in 1778); Newfane, 1774; and Weathersfield, 1775.²⁸

Although the Old First Church of Bennington did not follow an organizing process typical of later churches, it nevertheless illustrates the town-by-town church establishment characteristic of Vermont. Residents of Hardwick, Massachusetts, became acquainted with the area while serving in the militia during the wars against the French. They liked the land conveyed by New Hampshire Governor Benning Wentworth's first grant of 1749, bought it from the original proprietors, and moved there with their families and neighbors. The migration had a strong religious impetus, the new settlers having been inspired by the Great Awakening in New England churches brought on by preachers like Jonathan Edwards and the English revivalist George Whitefield. They became disenchanted with their Old Light Congregational churches and were motivated to establish a New Light, revivalist church with like-minded neighbors in Vermont.²⁹



Old Meeting House, Bennington, ca. 1766, by E. J. Meeker. From Walter Hill Crockett, Vermont: The Green Mountain State, vol. 1 (New York: Century History Company, 1921), facing p. 500.

At their very first meeting at the end of 1762, the new proprietors voted to set aside land for a meetinghouse, and the new church came into being. "It was constituted by a formal union of churches in Hardwick and Sunderland, Mass., whose members had emigrated in a body, joined presently by a church in Westfield, Mass., whose pastor became pastor of the Bennington church, and by part of a church at Newent . . . , Conn."³⁰ Following the example of the Pilgrims in their Mayflower Compact, on December 3, 1762, the Bennington settlers covenanted with God and with one another to be a church; that covenant is still part of the covenant of the present-day church in Old Bennington.³¹ In this colonial period, as later in Vermont, taxes were used to build churches. The colonial legislature of New Hampshire gave permission to levy a tax of \$6 upon each landowner to build the Bennington meetinghouse; it was completed in 1765 at a cost of \$384.³²

The second church of this era in Vermont was in Newbury. Following the surrender of Montreal in 1760, the conquering British army was disbanded. Among the soldiers who returned home through the Connecticut River Valley were Lieutenant Colonel Jacob Bayley of Newbury, Massachusetts, and Captain John Hazen of neighboring Haverhill. They remained for several days in the area that was to become Newbury, Vermont, and Haverhill, New Hampshire, and decided it would be a good place to settle. They and their friends began to move there in the summer of 1761 and applied for a charter, which Governor Wentworth granted on May 18, 1763.³³

On June 14, 1763, in Plaistow, New Hampshire, the proprietors of Newbury organized the town and elected town officers. At a later meeting (September 26, adjourned to October 1, 1763) the proprietors voted among other things "to pay a preacher, with the proprietors of Haverhill to preach at s^d town, two or three months this fall or winter." On the same day and at the same place the proprietors of Haverhill voted "to join with Newbury one or two months this fall in paying for preaching."³⁴ In 1763 Silas Moody, a graduate of Harvard, was engaged to preach for several weeks in both towns.³⁵ The towns were unable to persuade Moody to become their permanent minister, so they "addressed themselves" to the Reverend Peter Powers, who had been the settled minister in Newent, Connecticut (the former home of settlers to Bennington). "He came in June [1764] to look the ground over, preached acceptably in both towns, and a mutual liking between him and the people led to his acceptance of a call made by the proprietors of the towns. The Congregational church was organized . . . in September of that year, and a log meeting-house was built."³⁶

These two towns on either side of the Connecticut River originally

had one church congregation with one minister. The log meetinghouse soon became too small to accommodate worshipers, and the towns had to decide which side of the river would be the site for "a more suitable house of worship." The people could not agree, but money had power: "It would appear that Newbury people paid the largest share of Mr. Powers' settlement money for the privilege of having the minister live on this side of the river and having the first meeting-house built here instead of in Haverhill."³⁷

As with Newbury and Haverhill, so Rockingham and Chester originally had a single church with one minister. Although the congregation was not officially organized until after the Bennington and Newbury churches, the meeting of proprietors to set aside land for church purposes took place much earlier. On March 28, 1753, the proprietors reserved 6 acres "for a Meeting house place." At their second meeting in May 1754, they designated land for the first settled town minister—a total of 349 acres for support of the town church when it was built. In 1761 the proprietors set aside lots for support of the Church of England, should an Anglican church be established in the town. To this day the income from these lots goes to the Episcopal diocese of Vermont, even though no such church was built and the subsequent Revolutionary War severed any obligation to the established Church of England.³⁸

The church of Rockingham and Chester was "gathered" by covenant, with Samuel Whiting as pastor, on October 27, 1773.³⁹ Turmoil caused by the Revolutionary War delayed the construction of a permanent building. The present historic meetinghouse was built in 1787–1788; town taxes were used to pay for its construction and support of the clergy. Churches in the two towns were separated in 1778. The Chester church remains active; the Rockingham church became "extinct" in 1813 after the population removed to Bellows Falls.

THE PARISHES OF EAST RUTLAND AND WEST RUTLAND

The formation of parish churches in East and West Rutland spans the colonial and federal periods and illustrates Vermont's town-by-town church establishment. The New Hampshire grant for Rutland was issued September 7, 1761, but the first settlement was not made until 1769, when James Mead (born in Massachusetts) bought 7,000 acres from one of the original proprietors for \$333 and moved into a log house with his large family.⁴⁰ Mead also built a gristmill and a sawmill. By 1773 there were thirty families in town. That year, "by official votes at town meetings, committees were appointed for the express purpose of providing a 'Preacher of the Gospel.'"⁴¹ Accordingly, the First Congregational Church of Rutland was organized in October 1773 with fourteen members. In those

days several times that number would be adherents and supporters of the church, but covenant membership was only for those who had had a specific, momentous religious experience.

In 1780, members and adherents of the church who lived in East Rutland withdrew and worshiped by themselves, and in 1784 they constructed their own meetinghouse. A historic marker the church placed on Route 7 in 1988 indicates the "site of the first Meeting House erected 1784 by inhabitants of East Parish" on property deeded to the church by Major William Barr. A petition to the Vermont legislature dated January 25, 1787, and signed by eighty-four residents of Rutland, some of whom were not covenant members of any church, made the case for the division of the town into two religious societies and precisely laid out the geographic boundaries of each parish. The legislature acted favorably on the petition, and it became law October 22, 1787. The First Congregational Church, by then in West Rutland, became known as the West Parish Church, and the Congregational Church in Rutland City became known as the East Parish Church (now Grace Congregational Church). It was only after this, on October 5, 1788, that the East Parish organized itself as a church (the "body religious"), thirty-seven members covenanting with God and with one another. In this case, then, not only the residents of the town but also the Vermont General Assembly had a part in establishing churches in two parishes that later became parts of two towns.

CHARLOTTE CONGREGATIONAL CHURCH

The town of Charlotte was established under a New Hampshire grant of June 24, 1762. The last article in the warning for the town meeting of March 3, 1789, was: "To see if the town will build a meeting house or otherwise provide a place of public worship. Also to see if the town will agree to hire a minister to preach in said town all or part of the ensuing year." At this meeting a committee of six was appointed to stake out the site of the proposed meetinghouse. Because the six could not agree on a site, a committee of nine was given the task the following year. This committee could not decide on a site either. The Vermont law of 1783 provided that

if the Inhabitants of any Town or Parish shall agree to build a Meeting-house or houses . . . but shall not agree on the Place or Places to build the same; in that case it shall be the Duty of the County Court . . . to appoint an indifferent Committee . . . to find out the most convenient Place or Places for such House or Houses, and there set up a Stake or Stakes, and acquaint the Clerk of such Town or Parish therewith, who shall make a record thereof.

In 1792 the town asked the county court for such help. A court-appointed committee of three selected a site and drove in a stake to mark the place, but this did not end the controversy. The stake was moved three times (we do not know by whom) before the church's present site, on the old Route 7 (very near the geographic center of town), was chosen. Town records show that throughout this dispute, church services were held in schoolhouses.⁴²

At a town meeting on July 3, 1791, Charlotte residents voted "to settle Rev. Daniel O. Gillet at 90 pounds a year, to be paid in beef, wheat, and pork, and payment to be made Christmas Day." The minister (who was to be ordained in 1792) arrived in due course, and on January 3, 1792, the four charter members of the Charlotte Congregational Church met at the home of one member to organize as a church and to adopt articles of faith. In March 1796, still without a church building, the town voted to hold church services on alternate Sundays in the two schoolhouses.⁴³

The first meetinghouse was finally erected about 1798. Built of wood, it had a gallery on three sides and a high pulpit reached by a winding flight of stairs.⁴⁴ Ministerial support, though voted at a town meeting, was by volunteer subscription. But in 1798 the town clerk, Asabel Strong, called a town meeting "on application made by a sufficient number of the inhabitants as required by law" to see if the town would vote a tax to pay Gillet his salary for the year. The following year, on committee recommendation, Gillet was dismissed by vote at a town meeting because of "gross antiministerial and unchristian conduct . . . and shortly after [was] formally silenced by a regular ecclesiastical council"⁴⁵ of ministers serving other Congregational churches in Vermont. The records do not specify what his "gross antiministerial conduct" was, but it is significant that he was first fired by vote of the town and then censured by his fellow ministers.

WESTFORD BAPTIST CHURCH

Although the predominance of immigrants of Congregational background led for the most part to establishment of Congregational churches in Vermont towns, it is instructive to look at early ecclesiastical history in Westford to demonstrate that Vermont laws were indeed evenhanded in enabling the establishment of other denominations. As already mentioned, the 1797 law provided that if at least twenty-six citizens in a town wanted a church, they could require the town clerk to warn a town meeting for this purpose, and if a majority at the meeting concurred, a church could be launched to agree with the religious persuasion of the majority.

Westford was chartered under a New Hampshire grant in 1763. By 1795 a group of Baptists were meeting in a house about 2 miles north of what

is today the village green and a group of Congregationalists were meeting in the Stewart schoolhouse about 5 miles to the south.⁴⁶ On December 23, 1798, the Baptists formally organized themselves as a church, the first in town.⁴⁷ At a town meeting on January 6, 1800, it was voted to choose a committee "to agree with Elder Thomas Brown of Fairfax" to preach on probation on nine Sabbaths in rotation at the homes of three town citizens, and a tax of \$30 was levied to compensate the preacher. Brown had been ordained an elder in January 1798 to serve the Swanton Baptist Church.⁴⁸ There was, however, no regular preaching in Westford until about 1801, when Brown moved into town. He served the church as pastor for about three years thereafter.⁴⁹

Meanwhile, on August 7, 1801 (some six years after they first began to meet), the Congregationalists were formally organized as a church with thirteen members. The Reverend Jedediah Bushnell of the Connecticut Missionary Society in Hartford officiated at this service, and the Reverend Jeremiah Hallock, pastor of the Congregational Church in West Simsbury, Connecticut, also came to help the Westford Congregationalists establish their church. Both men stayed through part of the autumn as missionaries, and with their assistance the church added twenty-one members. This was the fifth Congregational church organized in the county, after Hinesburg, Jericho, Essex, and Charlotte.⁵⁰

Methodists later formed their own church. But most incoming settlers were Congregationalists, and at some point they became the dominant religious group. The meetinghouse built for church and town use in 1809 was known as the Congregational church. Town meetings were held from 1811 to 1841 in this "old white meeting house,"⁵¹ which was later destroyed by fire.

THE CONGREGATIONAL CHURCH IN MILTON

Over the hill from Westford, the town of Milton was chartered the same day as Westford to sixty-two grantees, but Milton was not settled until 1788. The charter set aside the customary lots for use by the first settled (resident) minister in Milton, for "the spreading of the gospel in foreign lands," for schools, and for the Church of England.⁵² A town history states that by 1795 "about three hundred settlers had arrived in town making it difficult to hold town meetings or religious meetings in private homes" and that before 1805 the legislature transferred the Church of England lots to the schools.⁵³

In his study of life on the Vermont frontier during this period, Michael Bellesiles points out that a "lack of religious consensus" could "disrupt a town's peace," especially when it came to hiring a settled minister—and paying taxes to support him. If a town had residents with differing re-

religious backgrounds, it would be hard for them to agree on any single minister.⁵⁴

Twentieth-century historians should beware ascribing religious motives to all seventeenth- and eighteenth-century New England pioneers, the religious convictions of the earlier settlers in Massachusetts and Rhode Island notwithstanding. Elizabeth Currier Nordbeck's research on the religious culture of Maine and New Hampshire following the arrival of the *Mayflower* reminds us of this danger. She retells Cotton Mather's story of the minister who went from the Massachusetts Bay Colony to preach in the "northern plantations" up the coast. He was interrupted by a well-known citizen who "cry'd out, Sir, You are mistaken. You think you are Preaching to the People at the [Massachusetts] Bay; our main End was to catch Fish."⁵⁵

The ecclesiastical history of Milton illustrates many of these tensions and the revolt of nonchurchgoing citizens against the establishment of religion. For many years, the commonly accepted—but inaccurate—account of the religious history of Milton was that the "first form of organized Christianity known to the new settlers" in town was Methodist, established by the itinerant preacher Lorenzo Dow.⁵⁶ Town records in fact show that a parish church began to be organized in town meetings in typical New England fashion in 1794.⁵⁷ These records reveal that on February 15, 1794, a warrant for a town meeting to be held March 3 was written and posted, its purpose in part "to Choose all Town officers as the Law Directs on Said Day—and to see if the Town will agree to hire a Minister to preach the Gospel the present year and to do any other business that shall be thought Proper."⁵⁸ The minutes of that meeting are missing, but (as may be inferred from a vote at the next town meeting) a committee was chosen to select a site for a meetinghouse for the town and church. Thus began the process of church organization in Milton, a process studded by a succession of church fights.

The next town meeting, held on March 10, 1795, and adjourned to April 6 for unfinished business "Voted and Excepted [i.e., accepted] the Report of the Committee and where the Stakes should be set for the spot for the house or where the house should stand for to meet in for publick Bisness or publick Worship." The town decided to build this house, then reconsidered in favor of renting a house from Amos Mansfield for five years for the same purpose.

At the same meeting the citizens agreed "to higher [hire] a Minster or a Preacher three months" and to appoint Edward Brigham and Luther Mallory to what today we would call the town's first pastoral search committee. The committee apparently needed assurance that town funds, not their own private funds, would be used to pay the preacher: at a town

meeting on October 12, 1795, the citizens passed a measure to pay Milton's first preacher—out of the town's coffers—each Sunday.

Warnings for subsequent town meetings continued to include the religious agenda item (e.g., the warning dated February 19, 1798: "To see if the town will agree to hire a preacher the Ensuing year"). On March 5, 1798, residents "Voted that the town will support the Gospel as they will Afterwards agree" and appointed a committee of three to do the hiring.

Church fights heated up when Milton citizens became involved in paying taxes for church expenses. Despite the appointment of a committee to take care of ecclesiastical matters, someone had second thoughts about what was going on. A warning posted March 30, 1798, for a meeting of April 11 listed the agenda items "to see if the town will agree to continue to hire the Candidate which is now in town to Preach the gospel the summer Ensuing . . . to see if they will agree to Raise money to pay the minister and to Defray other Expenses . . . to see if the town will agree to Build A town or meeting house for the use of said town and appoint a committee to supervise said Business."

Minutes of the designated meeting show "that the town will not Raise money to pay the minister that has Bin highered" and would "dismiss the committee that was appointed to higher a minister." The town was obviously split. Many citizens wanted services to take place, but a majority voted against taxes to pay for a preacher. In the end a minister or ministers did conduct worship services, paid privately by town citizens who in October petitioned the town to reimburse them. Evidently, those who had an interest in paying the minister were persuasive, because at the next town meeting it was voted "to Raise a sum of thirty dollars by a tax in wheat at four shillings and six pence per bushel and Corn at three Shillings per bushel said grain to be paid by the first Day of January next." The church fight continued March 4, 1799, the town deciding "not [to] pay An account exhibited by Samuel Holgate to pay for John Liscom preaching." Despite the rebuff, Holgate did not give up, and he was at last reimbursed on March 7, 1801.

At the April 25, 1803, town meeting, townspeople agreed to "set a meeting house as near the center of the Town as the situation of the Land would admit" and to raise \$4,000 for this purpose. They reconsidered, however, and the very next vote was "that they will not Raise this sum."

In 1797, as already discussed, the state legislature passed laws encouraging towns to elect church societies to carry on the temporal duties of church business, such as hiring ministers and supervising the construction of church buildings. The archives of Milton's First Congregational Church contain a handwritten copy of the action taken by the town August 31, 1801, to create such a church society.⁵⁹

Several years later, Noah Smith made a donation sufficient to pay for the church's first building. A distinguished Vermont attorney and one of three commissioners the General Assembly sent to the U.S. Congress to negotiate Vermont's admission as a state, Smith no doubt wanted to be sure the church could legally receive his gift. Whether at the prompting of Smith or another Milton resident, the legality of the society's 1801 formation was later called into question, perhaps because no entry for the 1801 town meeting appears in the town records. A town meeting was therefore called for April 13, 1807, and the society was established, the vote this time properly recorded. The society continued to function until the church and society were merged and incorporated July 10, 1920.⁶⁰

Why is there no record of the 1801 meeting in the town clerk's record book? The answer may be that the town clerk, Gideon Hoxie, was among those in town who objected to paying taxes to support the church. As town clerk, he could use his power to include or omit selected town meeting decisions in the official record books. Scrutiny of one such book discloses that Hoxie sometimes entered the minutes of a town meeting long after the meeting was held—for example, the record of "a legal meeting" of April 13, 1802. Hoxie was one of forty-eight persons who, on April 13, 1807, signed a statement that "we do not agree in Religious opinion with a majority of the Inhabitants of this town"; the signers were thereby sure of being exempted from paying taxes for the support of the town church.

Whatever the reasons for the omission from the town records of minutes of the society's earlier formation, these records do contain the meticulously worded language of the society's establishment in 1807, including a motion to "form themselves into a society by the name of 'the first Congregational Society in Milton' and thereupon the votes being taken, there being more than twenty five legal votes in the affirmative and also a majority in the affirmative, the society was formed by the name aforesaid agreeable to the true intent and meaning of the statute aforesaid."

DISESTABLISHMENT

As noted above, Vermont's legislature passed a set of laws in 1797 based upon revisions in the state constitution proposed by the Council of Censors in 1792 and adopted in 1793. Chapter 51 of the 1797 code of laws is entitled "An ACT for the support of the gospel." There are seven sections in the act. The first recognizes the validity of taxes to be raised to support religious associations. The seventh repeals all former acts, excluding anything affecting the "settlement" of a minister under former acts. Sections 2 through 6 prescribe how a citizen could be excused from the church tax by producing a certificate proving regular worship else-

where, how the location for a meetinghouse should be determined, when newcomers to a town became liable for the church tax, and so on.⁶¹

In 1797 the Council of Censors had some misgivings about whether these laws were constitutional. They quoted the second clause of article 3 of the constitution: "No man ought to, or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any minister contrary to the dictates of his conscience." They then argued that certain sections of the 1797 law should be repealed because they "expressly bind the citizens of this state, indiscriminately, to erect and support places of public worship, and to maintain ministers, contrary to this clearly defined right, provided they are so unfortunate as to be in the minority of any town."⁶²

The council communicated its recommendations, in the form of a resolution, to the state legislature meeting in Middlebury on October 16, 1806. The resolution called for repeal of all sections of chapter 51 except sections 1 and 7. The legislature adopted the resolution—ending Vermont's town-by-town church establishment. Thereafter only the members of a church society had to pay for their ministers and buildings.

In this regard the legislature was considerably ahead of two states to the south. Connecticut maintained the "standing order" until the early nineteenth century. The Reverend Timothy Dwight, president of Yale from 1795 to 1817, was commonly called "the Connecticut pope." Congregationalists controlled the upper house of the legislature, and "as the Congregational ministers controlled the schools and their teaching, preached all the election day sermons before the legislature, and had enormous social prestige, it was hard to bring about any reform against their will."⁶³

Nevertheless, reform occurred. In 1816 the Connecticut assembly passed a law repealing the penalty for not attending church, and in 1818 it adopted a constitutional amendment with two sections about religion. The first section stated that no person should be required to attend or support any particular church and that any tax for such support would be only upon the members of the church. The second stated that those who wished to leave a church could do so simply with a written note, thereby absolving themselves of any future expenses of the church.⁶⁴ It was not until 1831 that the legislature of Massachusetts voted to disestablish the church (Congregational), and in 1833 the constitutional amendment was ratified overwhelmingly by popular vote.⁶⁵

The interconnection between town and church could not last much beyond the dawn of the nineteenth century. The town-church relationship was never a marriage; at best it was an uneasy bundling of diverse religious and secular views. It became increasingly clear that sincere differences of opinion among people of strong religious conviction might not

occur as often if like-minded religious people banded together in separate churches. And it became clear that if such differences had to be aired, they had best be aired in church meetings, not town meetings.

Already in the eighteenth century, Congregationalists found themselves in two factions: the New Lights and the Old Lights. The New Lights, inspired by the revivalism of the Great Awakening, criticized the theological compromises of the Old Lights, but both remained in the same denomination.⁶⁶ In 1825 the American Unitarian Association was formed, and 125 Congregational churches immediately affiliated with it. Nor were Baptists exempt from fissiparous tendencies, spawning new denominations with such adjectives in their names as *primitive*, *free will*, and *seventh-day*. The Methodist Protestant church separated from the Methodist Episcopal church in 1830 in a revolt against bishops; they were not reunited until 1939. Presbyterians divided into New School and Old School in 1837 and remained separate until 1869. American Quakerism divided into the Hicksite and Orthodox groups in 1827 (and into a number of other groups later), never to be completely reunited.⁶⁷ And all this is to say nothing of the immigration of Roman Catholics into the United States in large numbers in the nineteenth century or the many other controversies in the nation's religious history.

Bennington, Vermont, was affected by this broadening of religious preferences. At the close of the eighteenth century, Bennington's population was approaching 3,000, and the only structure available for public worship was still the small meetinghouse erected in 1765. In 1804 lumber for a new and larger church building in Old Bennington was cut and brought to the village green. But many of Bennington's citizens were not New Light Congregationalists like the early settlers. They did not want their taxes to pay for the structure that graces Old Bennington today.⁶⁸ In the end, although a church tax was legal, only one-fourth of the cost for the new building came from public funds; the rest came in the form of pew rents from those who worshiped there.

New England could find no logical stopping place in its religious revolt against Old England until it had completely severed the nexus between state and church. In the first half of the nineteenth century, New England states and towns withdrew from involvement in church affairs. The separatism of the Plymouth Pilgrims had to go full circle, and church – in Vermont and elsewhere in America – became fully separate from state.

NOTES

¹ See, for example, Lenore Hill, *The Old First Church (Congregational) of Bennington* (Bennington, Vt.: Old First Church, n.d.), 2.

² Allen Soule, ed., *Laws of Vermont: State Papers of Vermont*, vol. 12 (Montpelier, Vt.: Secretary

of State, 1964), 189. This law was entitled "An act for the purpose of empowering the inhabitants of the respective towns in this state to tax themselves on certain occasions," passed at Westminster, March 14, 1780. See also a similar act passed at Westminster, October 17, 1783, enabling "towns and parishes to erect proper houses for public worship and support ministers of the gospel" through taxations. *State Papers of Vermont*, vol. 13 (Montpelier, Vt.: Secretary of State, 1965), 195.

³ *Laws of the State of Vermont* (Rutland: State of Vermont and Josiah Jay, 1798), 479. The authors express their appreciation to Vermont state archivist D. Gregory Sanford for photocopies of the original pages of this book.

⁴ Anson Phelps Stokes, *Church and State in the United States*, vol. 1 (New York: Harper, 1950), 428.

⁵ *Ibid.*

⁶ *Ibid.*, 424.

⁷ *Ibid.*, 429.

⁸ Randolph A. Roth, *The Democratic Dilemma: Religion, Reform and the Social Order in the Connecticut River Valley of Vermont, 1791-1850* (Cambridge: Cambridge University Press, 1987), 32.

⁹ Stokes, *Church and State*, 441.

¹⁰ Esther Munroe Swift, *Vermont Place-names: Footprints of History* (Brattleboro, Vt.: Stephen Greene Press, 1977), 488. Governor Benning Wentworth, in making the New Hampshire Grants in Vermont, specified that one section would be reserved for himself and another lot reserved for the Church of England. Thus, in the town of Guilford, Governor's Mountain is the name for the section reserved for Wentworth, and Pulpit Mountain refers to the Church of England section.

¹¹ *State Papers of Vermont*, vol. 13, 195.

¹² A notation of this certificate appears in the town record book; the original document is in the archives of First Congregational Church, Milton. Throughout this article, quotations from the Milton town records are from transcripts or photocopies of the original town record books.

¹³ Ch. 51, sec. 2.

¹⁴ Ch. 51, sec. 4.

¹⁵ Williston Walker, *American Church History*, vol. 3 (New York: Christian Literature Company, 1894), 309.

¹⁶ Esther Munroe Swift, "Place Names as Footprints of History," in Michael Sherman and Jennie Versteeg, eds., *We Vermonters* (Montpelier: Vermont Historical Society, 1992), 74.

¹⁷ Stokes, *Church and State*, 163-164.

¹⁸ Nathan Perkins, *A Narrative of a Tour Through the State of Vermont from April 27 to June 12, 1789* (Rutland, Vt.: Charles E. Tuttle, 1964), 32. The title page gives the author's name as "The Rev^d Nathan Perkins of Hartford [Connecticut]." Perkins dismissed the residents of Colchester and Burlington as "deists & proper heathen." As for the state as a whole, he said, "About 1/2 would be glad to have ye Gospel & to support public worship & ye gospel Ministry. The rest would chuse to have no Sabbath no ministers - no religion - no heaven - no hell - no morality." See also Timothy Mather Cooley, *Sketches of the Life and Character of Lemuel Haynes* (New York: Harper, 1837), 77-78, 147.

¹⁹ Gaius Glenn Atkins and Frederick L. Fagley, *History of American Congregationalism* (Boston: Pilgrim Press, 1942), 296-297.

²⁰ James Dailey, "Beginnings of College Street Church," *Chittenden County Historical Society Bulletin* 2, 5 (August 1967).

²¹ Walker, *American Church History*, vol. 3, 221.

²² *Ibid.*, 222.

²³ John M. Comstock, *The Congregational Churches of Vermont and Their Ministry, 1762-1942* (St. Johnsbury, Vt.: Cowles Press, 1942), 91. Comstock lists Joseph Cheney as the first minister of the Congregational church in Milton, beginning in 1807. Archival records of this church, however, show that James Davis, a graduate of Dartmouth College, was the pastor when the church was organized in 1804, and town records indicate that the town hired ministers on a part-time basis for the as yet unorganized congregation at least as early as 1795. See also the section on the town church in Milton in this article.

²⁴ Comstock, *Congregational Churches*, 7.

²⁵ Colin G. Calloway, *The Western Abenakis of Vermont, 1600-1800* (Norman: University of Oklahoma Press, 1990), 160ff.

²⁶ Comstock, *Congregational Churches*, 7.

²⁷ Calloway, *Western Abenakis*, 160.

²⁸ Comstock, *Congregational Churches*, 8-9.

²⁹ Hill, *Old First Church*, 2. See also William Warren Sweet, *The Story of Religion in America* (New York: Harper, 1939), 185-194. Sweet notes that because the Half-Way Covenant permitted unawakened persons to become "half-way" church members, second- and third-generation Puritans in New England did not have the religious fervor of their grandparents. Edwards's preaching in Northampton, Massachusetts, beginning in 1727 and Whitefield's visit to New England in 1740 caused a

revival that drew 25,000 to 50,000 new members to New England churches (out of a total population of 300,000) between 1740 and 1742.

³⁰ Comstock, *Congregational Churches*, 7–8.

³¹ Hill, *Old First Church*, 3.

³² *Ibid.*, 2.

³³ Frederic P. Wells, *History of Newbury, Vermont, from the Discovery of the Coös County to Present Time* (St. Johnsbury, Vt.: Caledonia Company, 1902), 15–16.

³⁴ *Ibid.*, 28.

³⁵ *Ibid.*, 32.

³⁶ *Ibid.*, 33.

³⁷ Frederic Wells, part of an untitled manuscript, one copy in possession of Isabel Whitney, Newbury, and the other in the Newbury library, n.d., ch. 2, 1.

³⁸ Lyman S. Hayes and William D. Hayes, *The Old Rockingham Meeting House Erected 1787 and the First Church in Rockingham, Vermont, 1773–1840* (Bellows Falls, Vt.: P. H. Gobir Press, 1915), 15.

³⁹ Comstock, *Congregational Churches*, 110.

⁴⁰ Swift, *Vermont Place-names*, 417.

⁴¹ Marvel True (Guyette) Swan, *This Far by Faith—A History of Grace Congregational United Church of Christ, 1788–1988* (Rutland, Vt.: Grace Church, 1988), 1.

⁴² Lyn Perrin and David Perrin, *200th Anniversary of Charlotte's Congregational Church, 1992* (Charlotte, Vt.: Lyn and David Perrin, 1992), 31.

⁴³ *Ibid.*, 84.

⁴⁴ *Ibid.*, 43.

⁴⁵ *Ibid.*, 84.

⁴⁶ *Historical Addresses Delivered at Seventy-Fifth Anniversary of the Congregational Church at Westford, Vermont, August 8, 1876* (Westford, Vt.: Congregational Church, 1876), 7.

⁴⁷ Henry Crocker, *History of the Baptists in Vermont* (Bellows Falls: Vermont Baptist State Convention, 1913), 364.

⁴⁸ *Ibid.*, 362. Baptists used the term *elder* instead of *reverend*.

⁴⁹ *Ibid.*, 365.

⁵⁰ *Historical Addresses*, 7.

⁵¹ Irene Allen, "Book of the Records of Westford," written "in the 1970s" (typescript in the Westford town clerk's office), pp. iv and 5–6. The authors also express their appreciation to Caroline Brown of the Westford Historical Society, who went out of her way to be helpful.

⁵² *Milton's Story* (Milton, Vt.: Milton Bicentennial Committee, 1976), 4.

⁵³ *Ibid.*

⁵⁴ Michael A. Bellesiles, *Revolutionary Outlaws: Ethan Allen and the Struggle for Independence on the Early American Frontier* (Charlottesville: University Press of Virginia, 1993), 64.

⁵⁵ Elizabeth Currier Nordbeck, "The New England Diaspora: A Study of the Religious Culture of Maine and New Hampshire, 1613–1763" (Ph.D. dissertation, Harvard University, 1978), 1.

⁵⁶ W. Rann, *History of Chittenden County* (Syracuse, N.Y.: D. Mason, 1886), 654.

⁵⁷ Clara Merritt DeBoer and John C. DeBoer, "Early Ecclesiastical History of Milton, 1794–1807: Where Rann Was Wrong" (paper presented to Chittenden County Historical Society, September 25, 1994).

⁵⁸ As noted above, citations of Milton town records are from transcripts or photocopies of the town record books made by the authors.

⁵⁹ "Aug. 31, 1801 at a Publick Meeting convened for that Purpose the Hon. John Jackson was chosen Moderator. A Constitution & bylaws was formed signed by a number of the men in town. I append the names of the members so having signed sd. Constitution."

⁶⁰ Ethel W. Wright, "Milton Congregational Church," in *Congregational Vermont and Missionary Herald* 52, 8 (October 1940): 2. Wright copied for this article a document handwritten by a "Mrs. Fuller (Hardy)" that is now in the archives of the First Congregational Church, Milton. Fuller certified that this undated document was a "verbatim" copy of the proceedings of 1801. The names of those who signed the constitution are not appended to the document.

⁶¹ *Laws of the State of Vermont*, 474–479.

⁶² Paul Gillies and Gregory Sanford, *Records of the Council of Censors* (Montpelier, Vt.: Secretary of State, 1991), 158, 180.

⁶³ Stokes, *Church and State*, 409.

⁶⁴ *Ibid.*, 417.

⁶⁵ *Ibid.*, 426.

⁶⁶ Atkins and Fagley, *American Congregationalism*, 125.

⁶⁷ E. Digby Baltzer, *Puritan Boston and Quaker Philadelphia* (New York: Free Press, 1979), 434–435.

⁶⁸ Hill, *Old First Church*, 4.