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Connecticut, the Continental Congress, and the Independence of Vermont, 1777–1782

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BY THE middle of the eighteenth century a rapidly increasing population combined with an acute shortage of arable land and soil exhaustion to create serious tensions within Connecticut. The result was a large-scale exodus out of the colony from 1759 to the end of the century. The main thrust of the migration was into the adjacent New Hampshire Grants and the Wyoming Valley of Pennsylvania. Thus, the settlement of territories outside the current political boundaries of the state appears as an expression of Connecticut's legitimate need—additional fertile land.

Connecticut's primary territorial interest was the Wyoming Valley, a region for which she contested with Pennsylvania. Connecticut's contention in the controversy depended upon Congressional authority to dismember a state—Pennsylvania. In this respect, the admission of Vermont into the Union, an issue facing the Continental Congress concurrently with the Wyoming question, was of the utmost importance. The Connecticut delegates were vitally interested in establishing the independence of Vermont in order to create a precedent to be utilized in the conflict with Pennsylvania over Wyoming. For, in order to confer statehood upon Vermont, Congress necessarily would have to deprive New York of her territory east of Lake Champlain. The delegates were also concerned with the Vermont quandary because a substantial number of Connecticut's Yankees had been instrumental in settling the New Hampshire Grants and many of her leading citizens had considerable financial interests in the Green Mountain region.

It was only natural that the largest portion of the migration from Connecticut streamed into the New Hampshire Grants. A significant influx into the area began after the French and Indian War and steadily increased throughout the 1770's. Settlers from Connecticut so completely dominated the territory that until 1777 it was known colloquially as

“New Connecticut.” Even the idea of creating an independent state originated with the Allen clan of Connecticut. Although formally proposed in 1777, Vermont was not admitted into the Union until 1791. A lengthy and often bitter debate in the Continental Congress preceded Vermont’s eventual statehood—a debate in which the delegates from Connecticut played a conspicuous role.

The Connecticut delegates to the Continental Congress were concerned with Vermont not only because it directly affected their state’s position in the Wyoming dispute, but also because many of them—Andrew Adams, Eliphalet Dyer, Pierrepont Edwards, Benjamin and Samuel Huntington, William Samuel Johnson, Stephen Mix Mitchell, William Pitkin, Roger Sherman, Joseph Spencer, and Oliver Wolcott—had petitioned for grants of land under Vermont, rather than New York, title.¹ In order for these grants to be valid, and thus be of value to the holders, it was essential that Vermont be recognized as a sovereign political entity. Little wonder these men so fervently labored in Congress to effect Vermont’s independence! Roger Sherman and Oliver Wolcott were the leading Connecticut protagonists of Vermont interests.² Wolcott, who according to James Madison had “always patronized the case of Vermont,” collaborated with the Allens in formulating a government for the region.³

Political machinations and intrigues led some Congressional members to regard the Vermont question as “*a shameful and scandalous affair.*” Pierce Butler of South Carolina and Arthur Lee of Virginia believed that “*beyond a doubt*” some delegates to Congress had “received large tracts of land, at least grants of them, from Vermonters to support their claims in Congress.”⁴ However, it cannot be proved

1. Walter H. Crockett, *et al.*, eds., *State Papers of Vermont* (11 vols., Montpelier, 1924–62), V, *Petitions for Grants of Land 1778–1811*, 64–65, 132, 146–47, 152–56, 176–77, 205–06, 211, 329–30, 394–95, 402–03. Edwards, B. Huntington, and Wolcott petitioned for multiple grants. Christopher Collier in “Roger Sherman and the New Hampshire Grants,” *Vermont History*, XXX (July, 1962), 214, maintains that Sherman “had no investment in the profitable lands to the north, and never did get on the speculative bandwagon. . . .” Yet, Sherman is listed as one of sixteen petitioners who filed for eight townships of six square miles each in the Grants on February 11, 1779.

2. For an account of Sherman’s activities with respect to the Vermont question, see Collier, “Roger Sherman.”

3. “Notes of Debates in the Continental Congress by James Madison,” February 4, 1783, Worthington C. Ford, *et al.*, eds., *The Journals of the Continental Congress, 1774–1789* (34 vols., Washington, 1904–37), XXV, 888; Ethan Allen to Oliver Wolcott, March 1, 1775, quoted in Edith A. Bailey, “Influences Toward Radicalism in Connecticut, 1754–1775,” *Smith College Studies in History*, vol. V, no. 4 (Northampton, 1920), 185.

4. Pierce Butler to James Iredell, April 5, 1782; Arthur Lee to James Warren, April 8, 1782, Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (8 vols., Washington, 1921–36), VI, 327.

that any of the Connecticut delegates actually accepted a bribe in the form of land from Vermont.⁵

On June 25, 1777, Roger Sherman formally introduced in the Continental Congress a petition from the Grants requesting recognition as an independent state and permission to send delegates to Congress.⁶ Led by James Duane, the New York delegates adamantly opposed the measure, while the Connecticut delegates, Eliphalet Dyer, Richard Law, and Sherman, vigorously supported the petition. The New Yorkers noted that during the ensuing discussion Sherman “pleaded their [Vermont’s] Cause with a Zeal and Passion which he never discovered in any other Instance” and “betrayed a warmth” and “an earnestness and solicitude that did not belong to Judges between a State and its discontented members.”⁷ After long and heated debate Congress adopted a resolution denying the petition and dismissing it from further consideration.⁸

New York successfully waged an offensive against the independence of Vermont in 1779. Upon the insistence of Governor George Clinton, Congress on June 1 adopted a resolution declaring itself obligated to preserve the rights of the several states: no new state was to be formed without the consent of both Congress and the states dismembered. The next day Congress dispatched a five man committee to Vermont to ascertain why the inhabitants demanded independence. Ironically, three of the members—Pierrepont Edwards, Oliver Ellsworth, and Jesse Root—were from Connecticut. Ellsworth and Root, disconcerted by the impromptu investigation, suggested that a definite date be established for each side to present its arguments.⁹ This action, ostensibly to allow the separatist faction to better organize its case, was successful since Con-

5. Collier in “Roger Sherman,” 219, demonstrates that Sherman never actually received land in Vermont although he later attempted in vain to secure a tract as a “reward” for his efforts in the Continental Congress on behalf of Vermont interests. It cannot be ascertained whether or not while in Congress he expected to be “compensated” at a future date. Neither can one determine the extent to which the prospects of obtaining land in Vermont may or may not have influenced the Connecticut delegates.

6. *Journals*, VIII, 497; Roger Sherman to Governor Jonathan Trumbull, April 9, 1777; Robert Livingston, James Duane, and William Duer to the New York Council of Safety, July 2, 1777, *Letters of Members*, II, 321, 396.

7. James Duane to Robert Livingston, July 1, 1777; William Duer to Robert Livingston, July 9, 1777, *ibid.*, 395, 410.

8. *Journals*, VIII, 510. The New York delegation was further alarmed when Sherman immediately obtained a leave of absence upon passage of the resolution and left on a “Journey to the Eastward.” They warned the New York Council of Safety of Sherman’s “Enmity and officiousness” and suggested the state send commissioners to Vermont. Robert Livingston, James Duane, and William Duer to the New York Council of Safety, July 2, 1777, *Letters of Members*, II, 396.

9. Oliver Ellsworth and Jesse Root to President John Jay, June 27, 1779, Papers of the Continental Congress, 1774–1789, National Archives and Records Service, Record Group 11 (204 reels, microfilm, Washington, 1959), item 59; *Journals*, XIV, 676, 819.

gress postponed further consideration of Vermont for two years, until 1781.

A new committee presented on July 20, 1781, the rather insipid recommendation that New Hampshire, New York, and the "people inhabiting the disputed Territory" arrive at a "speedy and amicable settlement of their respective claims." Roger Sherman, in a separate report, took a much stronger position. He too called for a settlement of the controversy, but stipulated that in case no agreement could be reached, Congress would "proceed to examine into the merits of their several claims and finally determine thereon." He demanded further that the inhabitants of Vermont cease fighting or be considered enemies of the United States and be dealt with accordingly.¹⁰ Sherman's report had a dual purpose: 1) to prevent the Vermonters from appearing reprehensible in the eyes of the non-committed states, thereby diminishing prospects for independence, and 2) to affirm the authority of Congress to act as an arbitrator in interstate conflicts, thereby warranting such action in Connecticut's dispute with Pennsylvania over Wyoming.

Congress, however, postponed consideration of the report, and debate continued. Sherman was at a loss to predict what action Congress would eventually take on the matter, but speculated that it would be "very unlikely that Congress can attend to the settlement of the dispute by a judicial decision during the war."¹¹

After a conference with Vermont agents the committee finally presented on August 20 a resolution stipulating that relinquishing certain lands east of the Connecticut River annexed from New Hampshire "be an indispensable preliminary" to the recognition of Vermont's independence and her admission into the federal union. Connecticut's delegates, Ellsworth and Sherman, voted with those of eight other states to adopt the resolve.¹² The passage of this measure virtually assured the eventual independence of Vermont.

The Connecticut delegation fully expected Vermont to comply quickly with the lone condition placed on her independence and admittance into the union. But such was not the case. When the Vermonters balked at relinquishing the territory in question, the Connecticut delegation reacted with amazement, frustration, and resentment. They could not understand why the Vermonters now refused to accept that for which

10. Papers, item 40; *Journals*, XX, 770.

11. Roger Sherman to Josiah Bartlett, July 31, 1781, quoted in Collier, "Roger Sherman," 216. It should be noted that at this very time the Connecticut delegates were attempting to persuade Congress to postpone the hearing on the Wyoming Valley dispute until after the termination of the war.

12. *Journals*, XXI, 887-88. New York, quite naturally, cast the lone negative ballot.

they had labored so long and considered the non-compliance “as unexpected . . . as the reasons which they gave for their refusal was [*sic*] unsatisfactory.” Oliver Wolcott, noting that Vermont’s claims were “universally rebrobated,” [*sic*] felt that continued intransigence could only serve to jeopardize the quest for independence.¹³

The Connecticut delegates had good reason to be concerned for Vermont’s unexpected repudiation of the Congressional resolve caused several states (Pennsylvania, New Jersey, Delaware, and Maryland) previously supporting Vermont to entertain second thoughts as to the propriety of her independence.¹⁴ And, most importantly, since Connecticut’s dispute with Pennsylvania was nearing a climax, it was imperative that Congress recognize Vermont’s independence so that the Yankees could cite a precedent for dismembering a state in support of their claim to the Wyoming Valley.

On March 1 the grand committee, of which Richard Law was a member, placed before Congress a resolve requiring the inhabitants of Vermont to comply with the resolution of August 20, 1781, “within one calendar month from the delivery of these resolutions. . . .” This action constituted a grave dilemma for the Connecticut delegation. If, on the one hand, Vermont complied with the mandate, Connecticut would have the necessary precedent to use against Pennsylvania; if, on the other hand, Vermont failed to comply within the time specified, prospects for her independence might be dashed for a considerable period. The Connecticut delegates decided to gamble. Oliver Wolcott moved on March 1 to delete the portion of the resolve establishing a time limit for compliance. It was promptly defeated seven states to four: only Massachusetts, Rhode Island, and New Jersey supported Connecticut. New York’s subsequent attempt to dismiss the entire resolve likewise met defeat by a vote of six to four, with Connecticut’s ballot being divided. Wolcott voted in favor of dropping the resolution not because he opposed Vermont, but because he did not think the report was based on “liberal Principles.” Confronted with an obvious deadlock, the Connecticut delegates unanimously voted with the majority to commit the resolve.¹⁵

Congress was indeed stalemated over Vermont. A majority of the states supported Vermont, but the Articles of Confederation required

13. Roger Sherman to Governor Jonathan Trumbull, September 15, 1781; Oliver Wolcott to Andrew Adams, January 2, 1782; Oliver Wolcott and Richard Law to Governor Jonathan Trumbull, January 21, 1782, *Letters of Members*, VI, 220, 285, 295.

14. William Floyd to Governor George Clinton, January 31, 1782, *ibid.*, 297–98.

15. *Journals*, XXII, 106–14; Samuel Osgood to James Lovell, March 2, 1782, *Letters of Members*, VI, 309.

the assent of nine states on the question.¹⁶ Compromise was impossible for the delegates of the southern states implacably opposed the independence of Vermont because they regarded her admission into the Union a northern plot to “give them another vote, by which the balance [in Congress] will be quite destroyed.”¹⁷ Moreover, the dismemberment of New York might serve as a precedent to annul their pretensions to western lands. Thus Congress could not recognize the independence of Vermont; neither could it return Vermont to the control of New York or New Hampshire. The natural inference seemed to be that the Vermonters must endure the *status quo* for the time being. Likewise, the failure of Vermont to achieve independence weakened Connecticut’s position in her contest with Pennsylvania.

A Court of Commissioners convened at Trenton, New Jersey, on November 12, 1782, to adjudicate the altercation between Connecticut and Pennsylvania over the Wyoming Valley. On December 30 the tribunal rendered its unanimous verdict: Connecticut had “no right” to the lands in question.¹⁸ It must not be inferred that the Trenton Decision depended upon the outcome of Vermont’s bid for statehood. It did not. Yet, it must be recognized that the failure of Vermont to obtain independence a mere six months before the hearing further weakened Connecticut’s already highly tenuous claim to the disputed region. Without a precedent for Congressional dismemberment of a state, any chance Connecticut might have had for victory was greatly diminished.

16. Samuel Livermore to Meshech Weare, March 2, 1782, *ibid.*, 312. Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, and Maryland consistently favored Vermont’s independence.

17. Arthur Lee to James Warren, April 8, 1782, *ibid.*, 327.

18. Papers, item 77; *Journals*, XXIV, 31–32.