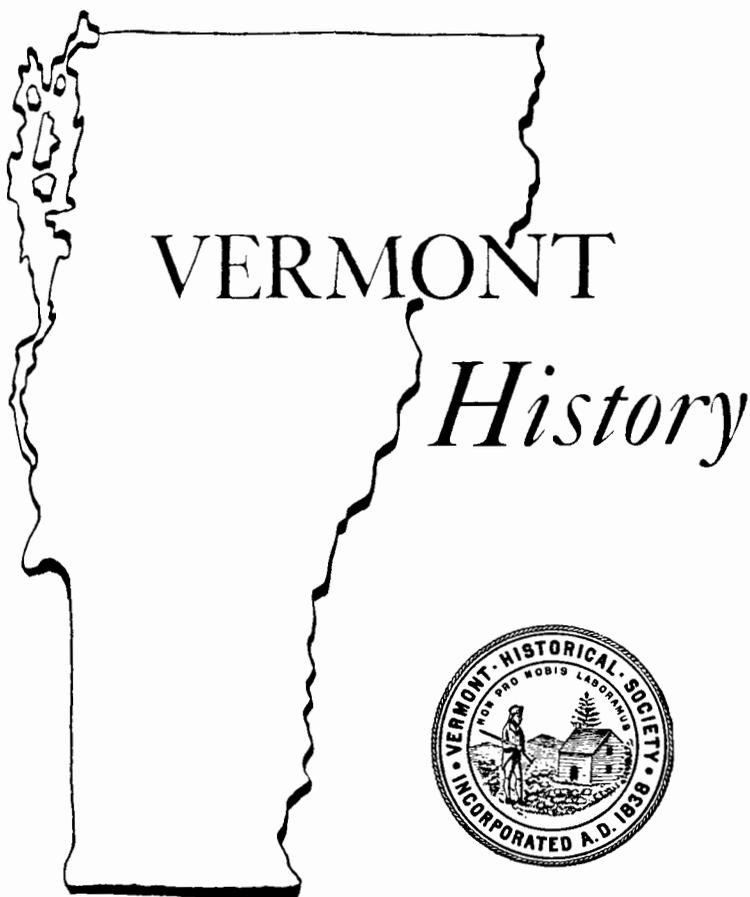
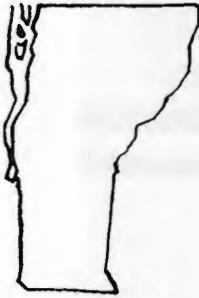


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Sequestration and confiscation of  
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helped one faction assume control of the  
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## Sequestration, Confiscation, and the "Tory" in the Vermont Revolution

By SARAH V. KALINOSKI

Sequestration and confiscation of real and personal property were money-raising and punitive activities employed by the rebelling Colonies during the Revolutionary War. Sequestration involved the seizure of property, either real or personal, to prevent its sale or removal. Confiscation reflected the actual transfer of the title to property from the original owner to the state as a result of judicial action. In Vermont, where a coalition engaged in a dual revolution fighting New York as well as Great Britain, these activities became subtle and blatantly political tools. As employed by the Allen-Chittenden faction (also identified as the Bennington Mob, the Arlington junto, and as Vermont's Family Compact<sup>1</sup>) sequestration and confiscation were used to achieve the primary goal of an independent government under their leadership.

By capitalizing on internal events such as quarrels over land grants, the establishment of courts and county governments, jurisdictional disputes, and domestic unrest, the Bennington faction succeeded in uniting dissident elements in favor of the independent polity that became Vermont<sup>2</sup>. The larger national revolution provided a setting for the emerging leadership to consolidate its position in two ways. First, as "patriots" they could safely eliminate from political leadership those members of the old Court Party\* who could be iden-

\*A group in the Connecticut River Valley instrumental in establishing county government under Yorker jurisdiction in the 1760's. As supporters of the Yorker town rechartering program, this group represented not only the leading resident landholders of the region but also those whose interests best were served first by loyalty to the Yorker colonial government and the Crown whose commissions as judges and justices they held and later to the revolutionary government of New York.

tified as "Tories." Secondly, they could isolate as "enemicals" to Vermont those residents who retained loyalty to New York and therefore threatened the Vermont Separatist movement. In Vermont, the term "Tory" was applied liberally to either group, many of whom were American patriots, as well as to those who believed that civil order and good government could flourish only under the dominion of the Crown. Any justification for such indiscriminate application in Vermont after July, 1776, could be based on the failure of an individual to subscribe to the Association adopted by the Dorset Convention of that month. The Association or "Covenant" became a virtual test act of loyalty to both the local independence movement as well as to the American Revolution. By 1777 every male over the age of sixteen was required by the Vermont Convention to accept this Association or be considered an enemy.<sup>3</sup>

Loyalists to the Crown appeared in every corner of the emerging state after 1776, but the activity directed against them varied greatly. It changed according to the immediate necessities of rapidly changing events, and it was never consistent in the different districts of Vermont. For example, by 1776, Tories in the northeastern area, then known as Gloucester County, faced some harassment and even imprisonment, most often through New Hampshire courts because the courts on the Vermont side of the Connecticut River had been closed after the Westminster Massacre of 1775.<sup>4</sup> Colonel Asa Porter, a significant landowner in Newbury (though a resident of Haverhill, New Hampshire) was arrested as a Tory in August, 1776, and sent to the Committee of Safety at Hanover. Jailed for a time at Exeter, New Hampshire, he later returned to his home where his influence over local Tories is credited with preventing much terrorist activity against patriotic settlers on that exposed frontier during the later stages of the Revolution.<sup>5</sup> Many patriots in this area felt closer to their counterparts in New Hampshire than they did to the supporters of Vermont independence.<sup>6</sup>

In southeastern Vermont, where there was a strong pro-New York faction, some acknowledged Tories placed their property in the hands of relatives and joined the British in Boston. Judge Samuel Wells of Brattleboro, confined to his farm by its Committee of Safety, quietly took over title to property belonging to his son-in-law, Samuel Gale, former clerk of the court, who served in the Pay Office of the British Army during the war.<sup>7</sup>

West of the Green Mountains, a faction led by relatives of Jehiel Hawley, who wanted to join Philip Skene in establishing another royal colony centered at Skenesboro and encompassing the area of disputed grants in southwestern Vermont,<sup>8</sup> was quickly identified as "enemical" to the interests of Vermont. In 1772 and 1773 settlers on the western slopes of the Green Mountains had turned Hawley's connection with the government to their own interest and petitioned

the Crown for help in the land-grant controversy. In 1774 the settlers met at his home to protest the Yorker bounty offered for the leaders of the Green Mountain Boys. As late as 1776, Isaac Brisco, Hawley's son-in-law, purchased property from other members of the Arlington community with little opposition from members of the Allen faction. Perhaps the fact that Hawley had married Seth Warner's sister led the Compact leaders to expect that in the last analysis Hawley and his clan would side with anti-Yorkers and patriots. They didn't, and Arlington became known as a "hotbed of toryism,"<sup>9</sup> deserving close attention from neighboring committees of safety and eventually from the Compact leaders themselves.\*\* Later, other west side residents elected the Loyalist path, perhaps as a result of the harassment they had received at the hands of the Green Mountain Boys during the land-grant controversy.

In 1777 another group of settlers, fearful of threatened Indian attacks instigated by Burgoyne's army then advancing southward along Lake Champlain, accepted "protection" from the British.<sup>10</sup> Their action acknowledged, at least in the watchful eyes of their neighbors, British hegemony. At the critical time of Burgoyne's advance, Vermont's Constitutional Convention meeting in Windsor named a Council of Safety to govern the state until the newly-drafted Constitution could be promulgated and elections held. The twelve-man Vermont Council of Safety included Ira Allen and Thomas Chittenden and their adherents in sufficient number to insure the faction's dominance, at least temporarily. The new government had no wish to seek help from New York in the matter of military assistance; neither did it wish to impose taxes on the population of the new state. An unsuccessful attempt to collect taxes would have revealed the impotence of new government, whereas a policy of no taxes might win popular support. Yet the Council needed money, especially to equip a militia. With a ready-made body of "enemicals" to attack, it was almost inevitable that Ira Allen, the financial genius of early Vermont, should suggest sequestration and confiscation of property as the best and easiest way of raising money. Such activities had been part of the colonial tradition, for money was always scarce, and any sort of legal judgment involving money could be paid by the sale of confiscated property. Also, in 1776 New York had actually appointed commissioners of sequestration to act within the boundaries of what was becoming Vermont,<sup>11</sup> although it is doubtful that they ever exercised their commissions. In any event, ample precedent existed for Allen's suggestion, although the use of sequestration and confiscation specifically to provide funds for military purposes was probably innovative.

\*\*Thomas Chittenden bought 560 acres of farmland, a twenty-seven acre "pitch" and unspecified "undivided land" from Hawley's confiscated estate for £3000. Mathew Lyon bought a farm of Isaac Brisco's for £530 in 1778 and an additional 50 acres of Brisco's land in Arlington and Sunderland in 1780 for £300.

The Vermont Council of Safety appointed at least thirteen men to act as commissioners of sequestration and sale during July and August, 1777. Each had previous ties to the Separatist movement, or represented groups within the state in process of being won over to the coalition supporting independence. Their warrants empowered them to seize the estates, "lands, tenements, goods and chattels" of all who joined the British and to initiate arrest procedures against persons suspected of "inimical conduct." After trial by at least thirteen Committee of Safety members from nearby towns, movable property (not real estate), appraised by an outside authority, could be sold to pay whatever judgment was exacted. The remainder of the sequestered property could be returned to the original owner or held by the commissioner for the state. Sequestered land was usually leased, preferably to displaced settlers from the frontier.<sup>12</sup> An individual could regain possession of the unsold portions of his property only after swearing an oath of allegiance to Vermont and to the United States.<sup>13</sup> This requirement persisted through 1777 and 1778 especially.

Sales of sequestered property quickly provided the Council of Safety with funds enough to raise Samuel Herrick's regiment.<sup>14</sup> During the balance of the Council's tenure as the acting government of Vermont, continuing sales produced funds not only for military purposes, but also for the day-to-day expenses of civil government. It also provided employment for a coterie of men who became the state's leaders after March, 1778, when elected officials replaced the Council of Safety.

Loyalist prisoners seized at the Battle of Bennington in August, 1777, included many former residents of the state. The Council of Safety dealt with these unfortunate men in two ways. Those captured at Bennington remained confined there until the Council judged each as to his treasonous behavior, while those who escaped and later returned to their homes were left to the mercies of the town committees. In such instances, the towns could try men and recommend the degree of punishment, but the Council reserved to itself all final determination wherever property was involved.<sup>15</sup>

Fines remained the most popular form of punishment under the Council's rule, although imprisonment was not uncommon. They usually dispatched prisoners to Litchfield or Simsbury Mines, Connecticut, or sometimes to the notorious jail at Albany. Local confinement (under guard) was another alternative. Frequently the town committees and the Council used both forms of punishment in tandem, holding individuals until they paid their fines, or substituting fines for the balance of a prison sentence after a period of time had elapsed.<sup>16</sup> Sequestration and sale of the property became a means of raising money to pay the fines of some of those captured at Bennington. The Council appointed fifteen additional commissioners of sequestration between September, 1777, and February,

1778, and public and private sales of movable goods from sequestered estates continued into 1780.

As a means of filling the state's treasury, sequestration and sale of movable property rapidly moved from a crude means for finding food, money and material for the militia to a systematic program designed to relieve Loyalists of all or part of their goods. It froze their real assets until the first meeting of the General Assembly set up a more regular court system. Politically the commissioners of sequestration formed a link between the Council of Safety and local committees. The tie was especially important on the west side of the state where inter-town activity had been rudimentary during the pre-war era. The Council placed some restrictions on the authority of local committees of safety to try Tories, a power entrusted to them by the Convention that met at Windsor in June, 1777, by insisting that suspects be examined by representatives from three different towns, and reserving to itself the right of final disposition in all cases.<sup>17</sup> Also, since the Council and not the towns received the moneys derived from the sales of property, some unwarranted persecution of individuals may have been prevented. In numerous instances the Council allowed penitent persons to remain in the state and at large. Others were ordered to their farms "for the time being." A few of this latter group, perhaps because of the nature of their past activities or the continuation of their inimical behavior, were included in the calendar of individuals cited for confiscation proceedings in 1778 or banishment in 1779.<sup>18</sup> The commissioners of sequestration were liable for the health and well-being of those remanded to their farms. They could use this responsibility as an excuse for closely observing the Tories to forestall spying or other wartime misconduct.

If a woman with her children wanted to join her husband behind enemy lines, the commissioners also supervised their departure. While the Council of Safety freely granted such requests, often providing an escort under a flag of truce, it also specified what could be taken from the state. The balance of the family's goods and its real estate became forfeited property for the commissioners to sell or hold for formal confiscation.<sup>19</sup>

While the first type of property usually sold under the sequestration program was cattle, there was also a ready market for the other articles offered at auction by the commissioners. Clothing, household utensils, farming equipment, and even young fruit trees — anything movable — was saleable at the "vendues" (auctions) conducted either by the commissioner and his paid assistants, or by a professional auctioneer. Frequently, a newly appointed commissioner would have sales recorded with the treasurer within a month or two of receiving his appointment. A majority of the commissioners handled from one to six "estates," generally in a township where they themselves resided. Although expenses of the vendue, including pay for as-

sistants, were deducted from the proceeds of the sale before the balance was sent to the State Treasurer, Ira Allen, the commissioner himself might wait several years before his own wages and account with the state were finally settled. Most of the commissioners acted in their official capacities only until the particular estates assigned to them were sold, though a few close allies of the Compact leadership apparently remained active until appointed or elected to other official positions.

After March, 1778, the establishment of a system of special and county courts by the first Vermont legislature made it possible to confiscate and sell real estate. This did not stop the sequestration and sale of other property, which remained a flexible alternative for raising revenue. As a form of punishment, the threats to property were turned increasingly against dissident Yorkers in the southeastern part of the state. The Governor, Thomas Chittenden, and the Council, with the approval of the General Assembly and the courts, used sequestration and sales of cattle to force Yorkers who refused to serve in the Vermont militia to recognize Vermont as their legal government. In terms of total revenue raised for the state, however, confiscation and sales of real property quickly surpassed money raised from the sale of movable goods.

Also in March, 1778, the Vermont General Assembly, probably at the instigation of the Allen-Chittenden leadership, commissioned William Gallup of Hartland to "dispose of some Tory land" on the east side of the state which belonged to absentee owners Nicholas Stuyvesant and Whitehead Hicks.<sup>20</sup> The next step toward confiscation of land titles came with the Assembly's vote on March 26 to give the Governor and Council of the state extraordinary judicial power over Tory lands and their owners. That same day the Council divided itself into two courts of confiscation, one for each side of the state. Governor Chittenden and the six west-side Councillors formed one, and Lieutenant-Governor Joseph Marsh and the six east-side Councillors made up the other.<sup>21</sup> At first each of the courts acted autonomously. The dual arrangement proved ineffective, as the east-siders apparently took more interest in wresting power from the Allen faction by engineering the "East Union," the first enlargement of Vermont at the expense of New Hampshire. The east-side Councillors did little more than make feeble attempts to sequester the property of a few notorious Loyalists who had actually fled to British lines or joined one of the Loyalist Corps which drew membership from Vermont.<sup>22</sup> These included members of the Pennock family and Thomas Sumner, both of the Thetford-Strafford area and Colonel John Peters of Moretown. Later, three members of the court (Marsh, Paul Spooner and Benjamin Emmons) considered two cases (Titus Simonds and Zadock Wright), but lacking a quorum, the court took no action.<sup>23</sup>

Meanwhile, the west-side court, with a long list of candidates ripe

for attention, met in April and cited one hundred fifty-eight property owners from twenty-four towns as having forfeited their property rights through treasonous actions.<sup>24</sup> The court ordered immediate confiscation and sale of these properties. Once debts against the estates had been settled, the balance was to go into the state treasury. This court quickly appointed a commissioner of sales for each of the three probate districts the General Assembly had established in Bennington County and empowered them to issue deeds "in behalf of the Representatives of the Freemen of this State."<sup>25</sup> This activity embroiled the new government in the old controversy over conflicting New Hampshire and New York land titles. In cases where only a New Hampshire title existed, the court decided that title to the land could be warranted to the purchaser. For many, recognition of the validity of New Hampshire titles had been the major reason for separating from New York. In cases of an overlapping New York grant, the court determined that only "possession and improvement" to the property could be warranted. Land under New York title alone was ignored until 1780, when Governor Chittenden declared all such titles invalid. Since it was impossible to confiscate non-existent title, only the improvements to such land could be confiscated.<sup>26</sup> Even with the establishment of a new government, the old title disputes could not be easily dismissed.

The court generally required cash payment for land, reserving to itself the authority to grant credit in special cases. Prices varied according to location and the number of improvements on the land. The problems of the depreciation of continental money also played a part in determining price. Property sold for "hard money" went for a much smaller figure than land sold for the several forms of paper currency then in circulation. All property supposedly was advertised before sale, but the court did not specify the method or manner of such advertising. The commissioners were ordered to note all details of the title transfer on the certificates which were then filed with the State Treasurer, Ira Allen, who, for a time, also served as Surveyor General.

In the six months from March and October, 1778, when one parcel of confiscated land was sold in Cumberland County, the west-side commissioners sold thirty-seven. In October, the Lieutenant Governor, two Councillors and twenty-five Representatives from Cumberland County walked out of state government in protest against the Assembly's refusal to insure continuation of the Union of sixteen New Hampshire towns with Vermont.<sup>27</sup> Between their leaving and the February, 1779, meeting of the General Assembly, apparently no confiscated property was sold on the east side (probably none had been legally confiscated), while thirty-three known sales took place in Bennington County. The Assembly passed the Banishment Act at this February meeting, forbidding the return

to the state under threat of corporal punishment of a significant number of east as well as westsiders whose property would thus be forfeited to the state by virtue of their absence from hearing by the court.<sup>28</sup> Also, in February, the Assembly renewed its directive to the Governor and Council to act as a court of confiscation.<sup>29</sup> The Allen-Chittenden leadership decided to broaden their approach to cover both sides of the state. Henceforth there would be only one court made up of the entire twelve-man Council, which was controlled by Chittenden, Allen, and their westside henchmen who regularly gathered in Chittenden's Arlington kitchen.

Between February, 1779, and June, 1780, the Governor issued commissions to six east-siders to sell property confiscated by the unified court. By November of that year, the commissioners completed at least ninety-eight additional sales. Of these, seventy-five were in Bennington county. The Cumberland County sales represented primarily disposal of the estates of a leader of the old Court Party, Crean Brush, and Timothy Lovell, a land speculator.

November, 1780, marked a turning point in the confiscation program. By then the Compact leadership had become deeply involved in the Haldimand Negotiations — a series of talks, secret messages, plots and subplots with the British government in Canada through which the Vermont leaders more than toyed with the idea of taking Vermont back into the British empire.<sup>30</sup> Its overtures for admission to the United States as a separate state rejected, Vermont did not have the resources to protect itself from a possible invasion from the north or from potential hostility from its other neighbors. Because of the strong sentiment in Vermont against the British and for American independence, the negotiations necessarily were kept secret. The Arlington junto's control of Vermont was beginning to wane. Newcomers to the state, most of whom favored the ideals of the American Revolution, threatened to displace the governing oligarchy; east-siders, joined by New Hampshire towns across the Connecticut River, sought to win control of the government; and Yorkers in the southeast were increasingly and openly antagonistic. If Britain could offer Vermont terms the Compact leadership could accept, such an alliance probably did not seem at all treasonous, but rather the practical approach for preserving a large measure of control of their own affairs. Thus, in November, 1780, a rearrangement of internal policy as it affected the confiscation program became necessary. The Compact arranged an apparent decentralization of the whole program as it affected "Tory" land confiscation to rid itself of the onus of harassing their potential future allies. They also brought back into governmental service some members of the old Court Party, who had been living out the war quietly on their farms and maintaining secret correspondence with the British and other Loyalists. While such resurrections annoyed some citizens, the Compact

leadership adroitly managed to smooth over formal protests of their actions made in the General Assembly.<sup>31</sup>

In October, 1780, the General Assembly had passed a law to remove "disaffected persons from the frontiers," which contained a clause reserving a right of appeal to the Governor and Council. Repeal of the Banishment Act early in November removed the threat of corporal punishment for any of the enumerated persons who returned to the state. This would allow freedom of movement for any participating conspirators in the Haldimand negotiations.<sup>32</sup> Small patrols, ostensibly searching for "enemicals," and led by men committed to supporting the Allen-Chittenden leadership, thus had legitimate reasons for being seen in the company of such persons.

The county courts, staffed in many instances by persons who were part of the oligarchy, assumed the burden of confiscation; and commissioners appointed by the Governor and Council to sell any estates previously confiscated were dismissed. This probably explains the rapid decline of what had been a lucrative source of revenue for the state. Between November, 1780, and the end of the Revolutionary War, only ten additional certificates of sale appear, although not all the confiscated estates had been sold. Pre-war allies of the Allens who after 1776 chose the Loyalist position seldom lost real property if they remained in Vermont. James Breakenridge of Bennington, whose son joined the British and who himself sheltered other Loyalists in open defiance of the Vermont government, suffered no loss of land.<sup>33</sup> Justus Sherwood, a convicted spy and agent for Haldimand, retained some of his property in Vermont until his death years later.<sup>34</sup> On the other hand, those who turned away from the Vermont independence movement and left the state lost everything. To raise revenue, an expanded sale of lands in newly-created Vermont townships, widely publicized by Ira Allen and other government agents, replaced the sale of confiscated estates.<sup>35</sup>

Sequestration and confiscation of "Tory" property in Vermont during the Revolutionary War was a flexible and remunerative political program which helped one faction assume control of the state and maintain that control for about a decade. By freezing the assets of that portion of the population which seemed most dangerous to victory in the simultaneous revolutions against Britain and New York, sequestration set up the conditions under which confiscation and sale of both personal and real property could be conducted efficiently. Together, sequestration and confiscation provided money for outfitting the militia during a time of real crisis when Burgoyne's legions invaded the Champlain Valley in 1777. Later, the money raised by sale of such property paid for state government, freeing the citizens from the burden of taxation which the civil government would otherwise have been forced to levy. This in turn encouraged the flow of immigration into the state and for a while helped insure the popularity of the Allen-Chittenden leadership.

Because the Compact oligarchy, through this program, seized not only the property of Tories and Loyalists, but also that belonging to Yorkers,<sup>36</sup> it served to eliminate those elements within the new state who opposed either or both aspects of the dual revolution against Britain and New York. As long as Vermont was threatened by external forces which commanded most men's attention, the program worked. Once the war was over, probing questions began to be asked. How was the program handled? Who profited by it? What was its real purpose?

In contrast to some other states, Vermont did not treat its "Tories" with excessive physical harshness during the Revolution. Since the primary concern of the ruling faction was to maintain and nurture an independent state on an exposed frontier, only those who openly and actively joined the enemy or bore arms against the American cause suffered major losses. Those who lost most land were, curiously enough, land speculators who opposed the independent Vermont movement, thus whose interests conflicted with those of the Allen faction.

By its broad policy of including any group antagonistic to the formation of the state of Vermont under the blanket term "Tory," the Allen-Chittenden leadership found in the sequestration and confiscation program a useful tool to use against those elements it could not overcome by more ordinary political methods. Thus they capitalized on the American Revolution to win the revolution in Vermont.

#### NOTES

<sup>1</sup>Patricia Lavery Thomas, "A Study in Familial Ties in Early Vermont Government," MA Diss. University of Vermont, 1970.

<sup>2</sup>Vermont, *Records of the Council of Safety and Governor and Council of the State of Vermont* (Montpelier, 1873-1880), I; Chilton Williamson, *Vermont in Quandary: 1763-1825* (Montpelier, 1949), Chs. V and XIX; Matt Bushnell Jones, *Vermont in the Making* (1939 rpt. New York: Archon Books, 1968) *passim*; and Charles A. Jellison, *Ethan Allen: Frontier Rebel* (Syracuse, 1969), all contain valuable material.

<sup>3</sup>Vermont, *Governor and Council*, I, 15-30.

<sup>4</sup>Samuel Williams, *Natural and Civil History of Vermont* (rpt. in facs. as *Vermont During the War for Independence*, Burlington, 1944), Chs. IX, X and XI; Lyman S. Hayes, *History of the Town of Rockingham, Vermont* (Bellows Falls, 1907), p. 205; and Henry Steele Wardner, *Birthplace of Vermont* (New York, 1927), pp. 242 and 445. Jones, *Vermont in the Making*, p. 332, discusses the development of an anti-court party in western Vermont.

<sup>5</sup>Frederic P. Wells, *History of Newbury, Vermont* (St. Johnsbury, 1902), pp. 79, 86 and 657.

<sup>6</sup>Williamson, *Quandary*, p. 83.

<sup>7</sup>B.H. Hall, *History of Eastern Vermont* (New York, 1858), p. 720; Public Archives of Canada, Audit Office transcripts 12.24.305; and Williamson, *Quandary*, p. 137.

<sup>8</sup>Ira Allen, *The Natural and Political History of the State of Vermont* (1798; rpt. Rutland: Charles Tuttle, 1969), p. 40.

<sup>9</sup>Vermont, *Governor and Council*, I, 35.

<sup>10</sup>Walter Hill Crockett, *Vermont the Green Mountain State* (New York, 1921-1923), II, 91.

- <sup>11</sup>*Journal of the Provincial Congress, Provincial Convention, Committee of Safety and Council of Safety of the State of New York, 1775-1776-1777* (Albany: 1842), I, 826; Vermont, *Governor and Council*, I, 134-5.
- <sup>12</sup>Vermont, *Governor and Council*, I, 61 and 136; Mary Greene Nye (ed.), *Sequestration, Confiscation and Sale of Estates*; Vol. 4 of *State Papers of Vermont* (Montpelier, 1939), p. 54.
- <sup>13</sup>John A. Williams (ed.), *The Public Papers of Governor Thomas Chittenden, 1778-1789 — 1790-1797*, Vol. 17 of *State Papers of Vermont* (Montpelier, 1969), pp. 163-64.
- <sup>14</sup>Crockett, *Vermont*, II, 106 and 111; Nye, *Sale of Estates*, pp. 214-24.
- <sup>15</sup>Williams, *Chittenden Papers*, pp. 162, 165, 177 and 196; Nye, *Sale of Estates*, pp.8-9.
- <sup>16</sup>Williams, *Chittenden Papers*, pp. 163-64.
- <sup>17</sup>*Ibid.*, pp. 177-79, 162, and 186.
- <sup>18</sup>Nye, *Sale of Estates*, pp. 15-17 and 38-39.
- <sup>19</sup>Williams, *Chittenden Papers*, p. 245.
- <sup>20</sup>Lewis Cass Aldrich and Frank R. Holmes, *History of Windsor County Vermont* (Syracuse, 1891), p. 367; John A. Williams (ed.), *Journals and Proceedings of the General Assembly of the State of Vermont 1791-1792*, Volume 3, pt. 5 of *State Papers of Vermont* (Montpelier, 1970), pp. 99 and 99n.
- <sup>21</sup>Nye, *Sale of Estates*, pp. 13-14; William Slade (ed.), *Vermont State Papers* (Middlebury, 1823), p. 267.
- <sup>22</sup>Nye, *Sale of Estates*, pp. 20, 290 and 305.
- <sup>23</sup>Josephine Fisher, "Loyalists in Strafford," *Proceedings of the Vermont Historical Society*, 5, No. 4. (December, 1937), 334-344; Hall, *Eastern Vermont*, p. 302; W.H. Crockett (ed.), *Journals and Proceedings of the General Assembly of the State of Vermont*, Vol. 3, pt. 2 of *State Papers of Vermont* (Montpelier, 1925), pp. 22, 72 and 75; and Hamilton Vaughan Bail, "Zadock Wright: that 'Devilish' Tory of Hartland," *Vermont History*, 36, No. 4 (1968), 186-203.
- <sup>24</sup>Nye, *Sale of Estates*, pp. 15-17.
- <sup>25</sup>Slade, *Vermont State Papers*, p. 274.
- <sup>26</sup>Williamson, *Quandary*, p. 75; Williams, *Proceedings of the General Assembly*, p. 514.
- <sup>27</sup>Crockett, *Vermont*, II, 230-39; Williamson, *Quandary*, pp. 79-84.
- <sup>28</sup>Nye, *Sale of Estates*, pp. 37-39; Slade, *Vermont State Papers*, p. 272; and Vermont, *Governor and Council*, I 287n.
- <sup>29</sup>Vermont, *Governor and Council*, I, 283nl.
- <sup>30</sup>Jellison, *Ethan Allen*, Chs. XII and XIII; Williamson, *Quandary*, Chs. VII and VIII. Ian Claghorn Blanshard Pemberton, "Justus Sherwood, Vermont Loyalist, 1747-1798," Ph.D. Diss., University of Western Ontario, London, Ontario, 1972, Chs. V and VI.
- <sup>31</sup>Hayes, *Rockingham*, p. 233.
- <sup>32</sup>Nye, *Sale of Estates*, pp. 38-45.
- <sup>33</sup>Williams, *Proceedings of the General Assembly*, p. 91.
- <sup>34</sup>Pemberton, "Sherwood," pp. 313-14.
- <sup>35</sup>Vermont, *Governor and Council*, II, 62-63; Lewis D. Stilwell, *Migration from Vermont* (Montpelier, 1948), p. 79.
- <sup>36</sup>Hall, *Eastern Vermont*, pp. 332-34; Slade, *Vermont State Papers*, pp. 305-12; and Vermont, *Governor and Council*, I, Appendix J, 518-25.