

THE U.S. DECLARATION OF INDEPENDENCE
AND VERMONT
Washington Superior Court
July 10, 2026

The sesquicentennial celebrations are about over now. The Declaration of Independence was read aloud dozens of times in Vermont alone, from courthouse steps to town halls, as declarations should be made, and people who heard it, many of them, felt the same as those who heard it back in 1776, with a mixture of delight, relief, and at the same time a gathering anxiety about the future. In our house, the whole family signed a copy, reaffirming the principles of the original.

That America celebrates itself at 50-year intervals by revering the words of the Declaration, not the Constitution, and not the signing of the Treaty of Paris, where at last George III acknowledged the independence of Britain's colonies and ended, at least temporarily, the war,

The Words

The Continental Congress appointed five men to draft a declaration. Thomas Jefferson wrote the initial draft, with important changes proposed by Benjamin Franklin and John Adams.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We told these truths to be *self-evident*, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; that whenever any form of government shall become destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety & happiness

Thomas Jefferson was given the duty of writing the first draft. John Adams declined the drafting assignment, saying he had been obnoxious in his zeal, and wouldn't be trusted by the assembly. Benjamin Franklin had a bout of gout. But those two advised significant changes. Thomas Jefferson's original draft didn't use the term "self-evident." He originally called the truths "sacred and undeniable." He took Franklin's suggestion to change "truths to be sacred and undeniable" to "truths to be self-evident." He agreed to change the words "that from that equal creation" to "that they are endowed by their creator" on advice of John Adams.

Joseph Ellis wrote that the Declaration of Independence "is regarded as one of those few quasi-religious episodes in American history, that moment when, at least according to the most romantic explanations, a solitary Jefferson was allowed a glimpse of the eternal truths and then offered the literary inspiration to inscribe them on the American soul." Walter Isaacson called the first line of the second paragraph the greatest sentence ever written.

It was Pauline Maier who showed us the rich history of declarations of independence that were adopted before the delegates of the colonies met in July of 1776. There were over 90 separate declarations made by states, towns and counties of Massachusetts and Virginia, found in an 18-volume set of

American Archives. The first paragraphs of the Declaration inspired dozens of other nations to adopt similar statements of principles.

Franklin sat next to Jefferson during the editing session as the Committee of the Whole, which meant no minutes were taken of the session where about a third of Jefferson's draft was deleted. He told Jefferson the story of a hatter who needed a sign to advertise his business. He thought the sign should read, "John Thompson, Hatter, makes and sells hat for ready money." He was advised to eliminate the words "makes hats," for who cares who makes them, and then the words "for ready money" as he didn't sell his hats on credit, making those words unnecessary. The final sign read simply, "John Thompson," with a picture of a hat. How much this consoled Jefferson is unknown.

After Independence

The movement to independence in the thirteen original colonies was different from that of the New Hampshire Grants, but events in Vermont and by Vermonters were critical in bringing about independence. The Westminster Massacre of March 13, 1775 and the taking of Ticonderoga by Ethan Allen, Benedict Arnold, and Green Mountain Boys, on May 10, 1775, signaled the dedication of the residents of the New Hampshire Grants.

Independence became a civil religion for the colonies and for the Grants.

The Declaration mobilized the people of the colonies, cut whatever ties remained between them and England, and inspired many to fight for independence. Curiously, the Declaration itself was largely forgotten until 1863, when Abraham Lincoln used it as a foundation for his Gettysburg Address. Garry Wills has written that Lincoln made the Declaration a part of the Constitution, showing how Lincoln treated the Declaration's principle that "all men are created equal" as a pre-constitutional statement of American values, turning what was essentially a resolution into a principle. "Four score and seven years ago" is 1776, when "our forefathers brought forth on this continent, a new nation, conceived in Liberty, and dedicate to the proposition that all men are equal." He ended with a prayer, "that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth." The Thirteenth Amendment was adopted in 1865.

Vermont

The adoption of the Declaration gave new energy to the process of creating a state out of the New Hampshire Grants. The Rev. Amzi Robbins, chaplain at Rattlesnake Hill, reported in his diary that on July 18th, the Declaration was read aloud to the troops, "which caused great joy, and they named the hill Mount Independence." But those among the troops who were residents of the Grants had not been declared independent of the English crown, nor of New York.

In the beginning there was a vast frontier region stretching from the Connecticut River to Lake Champlain. Confused colonial boundaries, and the desire for revenue, led New York and New Hampshire to lay claim to the region (Native claims were ignored) Doggedly the two colonies marked their territory by issuing grants along the extreme boundaries of their claims. New Hampshire chartered Bennington and other western towns; New York issued patents for towns along the Connecticut.

Disputed jurisdiction and overlapping grants unsettled the land titles of those seeking to develop the region. The grants also brought two visions of settlement into conflict. New Hampshire's grants called for widespread ownership of land; New York's were based on large landholdings, worked by tenants paying rent. New Hampshire eventually withdrew from the argument, abandoning the settlements it had fostered by its land grants; New York vigorously pursued its jurisdictional claims..

The settlers under New Hampshire's grants were mostly from Connecticut and Massachusetts, and they intended to stay. When New York officials tried to throw them off their lands, they fought back. First they tried the New York courts, but that was futile. Ethan Allen warned Albany, "the gods of the hills are not the gods of the valleys."

Out of this protean stew of conflict and violence, a government began to take form. Towns formed under New Hampshire grants sent delegates to a series of conventions to articulate their case and eventually to declare themselves free of all government, what John Locke called a state of nature. These extra-legal conventions followed the 18th Century practice of citizens uniting to enumerate grievances against an unresponsive government. New York's use of violence, particularly at the Westminister Massacre, further eroded its legitimacy in the eyes of the settlers. Towns formed committees of safety to orchestrate resistance and the Green Mountain Boys frustrated New York's attempts to impose its jurisdiction.

On May 10, 1776, the Continental Congress recommended to "the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs has been hitherto established" and encouraged them to adopt such government as shall ... best conduce to the happiness and safety of their constituents and America in general." This became a part of the legal argument that the Grants could be recognized as a separate entity.

The critical problem was a lack of unity among the towns west of the Green Mountains and those on the east. They were very different cultures. The east was more comfortable with New York's position; it was more conservative, a majority of its churches Congregational. The west was a wilder place, where all of the early intrigues with New York officials took place. It had more Baptist and Methodist churches. Bringing the two sides together was the first duty.

In September of 1776, town delegates met at Dorset and resolved to form a government of their own. The colonies had declared their independence from Britain in July; the New Hampshire Grants followed with a Declaration of Independence of its own in January 1777, at the Westminister Convention.

The Grants prepared for war against both New York and Great Britain, as they worked on the design for a government that would suit their needs. From Philadelphia came a letter from Ethan Allen's old friend Thomas Young, recommending the Pennsylvania Constitution as a model. A committee was appointed to draft a proposal for consideration later that year.

In June, 72 delegates from 42 towns met at Windsor to prepare for a constitutional convention. They changed the state's name from New Connecticut to Vermont, and sent notices to all the towns to select delegates to meet at Windsor on July 2 to adopt a constitution.

It is one thing to be free; it is something entirely different to be organized as a state. The first is an act of will. The second is an act of reason. The delegates to the July 2-8, 1777 Windsor Convention made original, essential choices about how Vermont would be run, but it was the decisions they made about values that have defined the Vermont experience.

Epilogue

This November 3rd we'll vote on amending the Vermont Constitution, adding Article 23 to the Bill of Rights and guaranteeing "that all people are guaranteed equal protection under the law." Voters had declined a similar amendment in 1982. If it is approved this time, Vermont will have taken an important step toward fulfilling the promise made in the U.S. Declaration of Independence.

I have a suggestion. Perhaps we can place the word “sesquicentennial” into a time capsule, so we don’t have to hear it again. It’s not a nice word. We could instead say we were celebrating the anniversary as attaining the first quarter of a millenium, which would have imported the hope that the American experiment would have lasting power ahead.

It has now been 12 score and 10 years since the Declaration was adopted. In 50 years, we’ll do this again, as we have this year, with parades, fireworks, games, and the declaration of the Declaration. Meanwhile, we have more 250th anniversaries ahead for 2027. Lest we forget.