



## Be it Remembered: Using Vermont Court Records for Research Mariessa Dobrick, Archivist

# Agenda

- Introduction to the Vermont State Archives & Records Administration
- Historic courts and examples of cases
- Indexes and searching aids
- Typical court record

# Vermont State Archives & Records Administration (VSARA)

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- Created in 2008
  - State Archives + Public Records Division = VSARA
- Division within the Office of Secretary of State
- What we do:
  - Maintain physical state archives & digital repository, VTRetain
  - Administer statewide records and information management program
  - Manage State Records Center for offsite storage of agency records
  - Handle certain statutory filings & certifications







# 1078 US Route 2, Middlesex



*Physical storage locations at VSARA*

# Government Records Aren't Boring!

DYING STATEMENT

of Miss May Evelyn LaBelle made at the Fanny Allen Hospital at 8:45 A.M. June 8, 1911, in the presence of State's Attorney Henry B. Shaw, Deputy Sheriff Henry Todd, Doctor Dennis J. Carroll, Dr. Francis Quigley, and nurse Margaret Louther.

Dr. Carroll (to Miss LaBelle) You are wounded pretty bad and you can't get better and Mr. Shaw is here and he wants you to answer a few questions he will ask you.

Miss LaBelle Can't I ever get any better?

Dr. Carroll You never can get any better and he wants you to tell him just how the shooting happened. You are going to die before very long now. You can't live but a short time.

Mr. Shaw questions Miss LaBelle

Q Now we have got the man arrested he is in jail and I want to know, the State of Vermont wants to know how this thing happened from you. A Well, I was walking through the depot and he was sitting on a seat and he jumped right up.

Q Did you say anything to him when he jumped? A Why no, not a word.

Q You didn't say a word to him? A No.

Q And did he say anything to you when he jumped at you? A He swore at me.

Q Do you remember what he said? A No.

Attorney General investigation into shooting of May LaBelle, 1911. PRA-00422

Vermont State Prison.

Admit \_\_\_\_\_

TO THE EXECUTION OF

**Edwin C. Hayden,**

FRIDAY, FEB'Y 25, 1881, BETWEEN 1 AND 3 O'CLOCK, P.M.

Admittance to Prison at 1:30.

*Rollin Amuden* Sheriff.

Admission ticket to the execution of Edwin C. Hayden, 1881. SE118-00092



NAME	BLAIR, FRANCIS H.	ALIAS		RESIDENCE	Fitchburg, Mass.
COMMITTED	10-6-53	BIRTH	11-21-21	BIRTHPLACE	Berge, Vt.
COURT	Windsor County Vermont Supreme	JUDGE	Chase	HT.	5'7 1/2"
SENT. MIN.		MAX.	Death	WT.	145#
COMPLEXION	Med.	HABITS	Mod.	HAIR	Brown
EYES	Brown	RELIGION	Cath.		
FINE	None	COSTS	None	EDUCATION	7th Gr.
OR DAYS					
OFFENSE	Murder, 1st deg.	MARRIED	No	RACE	Wh
FAMILY					
PREVIOUS RECORDS	Weeks School, Vergennes, Vt.; HC Windsor, Vt., twice; SP Windsor; SP Columbus, Ohio; St. Hosp., Lima, O.; FBI, Danbury, Conn.; Montpelier, Vt.; Hartford, Conn.; Manchester, N.H.; Akron, O.; Bayfair, Pa.; St. Hosp., Waterbury, Vt.	NAME & ADDRESS NEAREST RELATIVE			
MILITARY SERVICE	None	OCCUPATION			
LABORER					
COND. RELEASE		RETURNED	PHYSICAL HANDICAPS, ETC.		
PAROLED					
PAROLE EXPIRES					
DISCHARGED	Executed 2-25-54	FINGERPRINT CLASSIFICATION	1 U IIO 8		
			1 U IIO 11		

Inmate card and mugshot of Francis Blair, 1953, F-05234



# Genealogy Research Guide

<https://www.sec.state.vt.us/archives-records/state-archives/research-guides/genealogy-and-family-history.aspx>

## Genealogy and Family History

Researchers interested in genealogy and family history will find numerous resources in the Vermont State Archives that may help them trace their family histories in Vermont. These sources include:

- Vital Records
- The Manuscript Vermont State Papers (c. 1760 to 1860)
- Naturalization Records
- Probate Court Records
- Civil and Criminal Court Records
- Military Records
- Records of State Institutions
- The Eugenics Survey of Vermont (1925-1936)
- Lotting Plans
- Town Records
- Newspapers
- Other Resources

# Why Court Records?

File No. 913

STATE  
vs.  
*R. H. McNulty*

STATE OF VERMONT,  
Washington County, ss.

Be It Remembered, That at a Justice's Court holden at the City of Barre, in the County of Washington, before H. William Scott, Esq., a Justice of the Peace, within and for said County of Washington, on the 1st day of July, A.D. 1912, *R. H. McNulty of Washington* was brought before said Court upon a warrant issued out of said Court in due form of law on the 30th day of June, A.D. 1912, upon complaint of *J. Ward Carver, State Attorney within and for the County of Washington*, exhibited by said State Attorney to said Court upon the day last aforesaid, charging the said *R. H. McNulty* with the Crime of obtaining money by fraud and deceit, as by said original complaint and warrant referred to on file will more fully and at large appear.

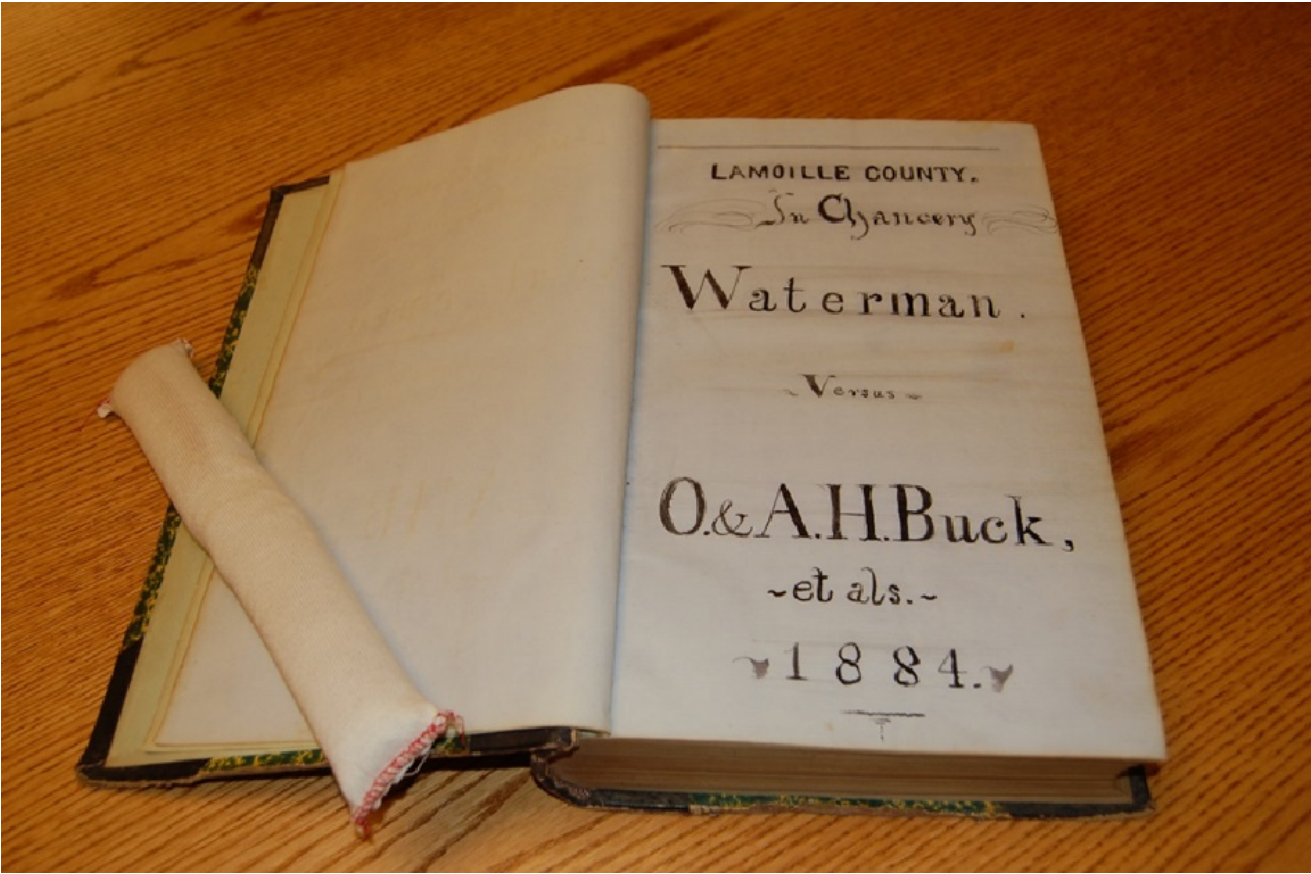
Whereupon, *R. H. McNulty* waived examination; and it is ordered by the Court that the said *R. H. McNulty* be held for trial before the County Court, next to be held at Montpelier in the County of Washington on the second Tuesday of September, A.D. 1912, by giving bonds in way of recognizance to the State of Vermont, with sufficient sureties in the sum of Two Hundred dollars conditioned for the said *R. H. McNulty's* personal appearance before said Court to answer to the matter and thing which shall then and there be objected to him in this behalf, and also the judgment of the Court thereon.

And the said *R. H. McNulty*, neglecting and refusing to procure said aforesaid, is committed to the keeper of the jail at Montpelier in the County of Washington, that he may be had to appear as aforesaid.

A true record.

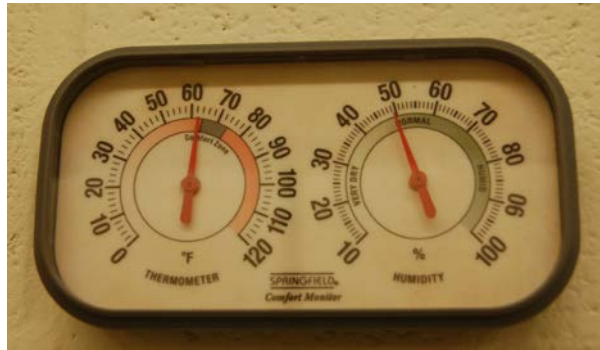
Attest,  
*H. William Scott*  
Justice of the Peace.

State v. R. H. McNulty, July 1911. WCJP-00001



Waterman v. Orange & Abijah. Buck et als., Lamoille Chancery Court, 1884. LACH-00016





# Providing Access to Court Records

- Records stored in poor conditions, with little or no access for researchers, are brought into the archives
- Scattered sets of records are brought together. Docket order is preserved or restored
- Catalog entries created
- Reference staff assists patrons in using court records for research





*Lamoille County Courthouse*

## Types of Historic Courts

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- Supreme Court
- County Court
- Court of Chancery
- Probate Court
- Justice of the Peace
- Municipal Court
- Court of Confiscation

## County Courts, 1777 - 1974



*Caledonia County Courthouse*

- Provided in the 1777 Vermont Constitution
- Organized by the legislature in 1781
- Criminal cases, civil cases, and appeals from local courts
- Took over divorces from the Supreme Court in 1870
- Superseded by the superior courts by constitutional amendment in 1974



# State of Vermont vs. Nelson Mareo County Court, 1856

## Melancholy Affair.

A sad affair occurred in Franklin on Monday last which resulted in the death of Mr. ERASTUS CROSS. It appears that Mr. CROSS, while milking, was accosted by a Frenchman (the name we have been unable to learn) with whom he had an unsettled account, who demanded an instant settlement. Mr. Cross refused to settle then, and after some words had passed between them told the Frenchman to be off or he would throw the milking-stool at him. The Frenchman immediately seized a club and dealt Mr. Cross a violent blow on the head which caused his death almost instantly. When the Frenchman saw what he had done, he manifested much sorrow, declaring that he did not intend to kill Mr. Cross. He gave himself up without resistance, and is lodged in jail.

St. Albans Weekly Messenger  
July 19, 1856

State of Vermont }  
vs } Franklin County }  
Nelson Mareo }  
Be it remembered that at a term of the County Court begun & holden at  
St. Albans within and for the County of Franklin aforesaid on the  
Second Tuesday of June in the year of our Lord one thousand eight hundred and fifty six  
The Grand Jurors within and for the County of Franklin aforesaid, now here in court  
duly empannelled & sworn upon their oath aforesaid do present that Nelson Mareo of Franklin in the County of  
Franklin aforesaid not having the fear of God before his eyes, but being moved and seduced by the insti-  
gations of the devil heretofore to wit, on the fifteenth day of June in the year of our Lord one thousand  
eight hundred and fifty six at Franklin aforesaid in the County of Franklin aforesaid with force &  
arms and arms at Franklin aforesaid in the County of Franklin aforesaid, in and upon one Erastus Cross  
of Franklin aforesaid in the County of Franklin aforesaid, in the Peace of God and of this State then there  
being, feloniously, wilfully and of his malice aforethought did make an assault, and that the said Nelson  
Mareo with a certain stick of wood which said stick of wood he the said Nelson Mareo in both his  
hands then and there had and held, then and there feloniously, wilfully & of his malice aforethought in and  
upon the right side of the head and face of the said Erastus Cross then there did  
over

State of Vermont vs. Nelson Mareo, Franklin County Court, December term 1856, FRCC-002



# Abigail Flagg vs. Jotham Flagg Divorce in Addison Supreme Court, 1795

**ELOPEMENT!**  
**W**HEREAS ABIGAIL, my wife hath eloped my bed and board, without any provocation.— These are therefore to forbid all persons trusting or harboring her on my account, as I will not pay any debt of her contracting after this date.  
**JOTHAM FLAGG.**  
 Leicester, May 16, 1793.

Abigail Flagg petitioner  
 vs.  
 Jotham Flagg petitioner  
 Citation of  
 Supreme Court  
 Adj. Term Jan'y  
 1795  
 S. Miller Citty  
 Bill granted

The Honorable the Supreme Court to be holden at Middlebury within & for the county of Addison (by agreement) on the fourth Tuesday of January in the year of our Lord 1795. The petition of Abigail Flagg of Cornwall in the county of Addison aforesd. humbly sheweth— that your petitioner having been brought up in her father's father's family, constantly at home and unacquainted with the world until she arrived at the age of fourteen years which was in April 1792: when she learned from report in the neighborhood that one Jotham Flagg dweller in D. County was in love with her your petitioner & that he the D. Jotham had threatened to destroy his life unless your petitioner would consent to marry him being told by her parents I might show that the D. Jotham threatened & in fact had made an attempt to kill himself for the love he pretended bear to your petitioner & being likewise told that the D. Jotham would in all probability kill himself unless your petitioner would consent to marry him & being further told by her parents I might believe that if the D. Jotham did kill himself she your petitioner would be guilty of murder & in the mean time being eloped & watched by & confined by her parents she for the first time on the night of the preceding the 6th day of August in the year 1792. spent a few minutes with, on the way of receiving his address for marriage & being further terrified by his the D. Jotham's threats of killing himself if she your petitioner refused to marry him, she your petitioner was constrained to consent to have the marriage ceremony performed between her & the D. Jotham which was accordingly done on the same 6th day of August 1792. & with whom she your petitioner lived in a habit of decency though not of love or regard for the space of six months on the next ensuing & finding herself in a situation the most unhappy & distressing, receiving daily intonies of intolerable severity from a person whom she in her childhood when void of discretion had been in the manner above related bound to marry. The your petitioner being your honor to take her singular & deplorable case to your consideration &

Abigail Flagg vs. Jotham Flagg, Addison Supreme Court, January Term 1795, SUPR-AD-00012



# Mary Williams vs. Eleanor F. Farmer County Court, 1917

On another occasion in the presence of a large number of people, perhaps fifty or more, speaking to a third person, referred to the plaintiff as owing more to this grave than anybody else, while standing on the grave of her father and mother. On the same occasion, addressing the third person and referring again to the plaintiff, the defendant remarked, "Are you afraid to speak to your Aunt Nell because you are with your damned old thief of a grandma."

On another occasion while the plaintiff was going by the defendant's residence, the defendant called her "a Guilder", referring to a low type of human beings residing in that vicinity.

The slanderous statements made by the defendant caused the plaintiff to worry lest her friends and neighbors and other people should believe the statements of the defendant and believe that the plaintiff was in fact a perjurer and a thief; her health was more or less affected and she became nervous and since that time has had more or less medical treatment for her nerves and for a heart trouble, which heart trouble may have been and probably was somewhat affected, injuriously to her, by reason of the slanderous statements above referred to. The slanderous statements were made without provocation and were wilfully and maliciously made by the defendant.

We find the damages to the plaintiff to be three hundred and fifty dollars, and judgment may be entered for the plaintiff to recover that sum from the defendant.

Execution may issue with full certificate."

**DAMAGE OF \$350  
IN SLANDER CAES**

**County Court Judges Submit  
Findings of Facts in Will-  
iams-Farmer Controversy**

8124 Mary E. Williams Jones  
Eleanor F. Farmer.  
Defaulted Sept. 11.  
Repaid by court on question  
of damages, Sept. 13.  
Findings of fact + judgt. order  
filed Sept. 14.  
Damages \$350  
Costs 4338  
Certified execution may  
issue at once.  
Judgment

Jury. Try  
6.01 pd 9/13.  
75. pd 9/16  
7.50 pd 9/12.

Williams vs. Farmer

Rutland County Court, September Term 1917, RUCC-00036

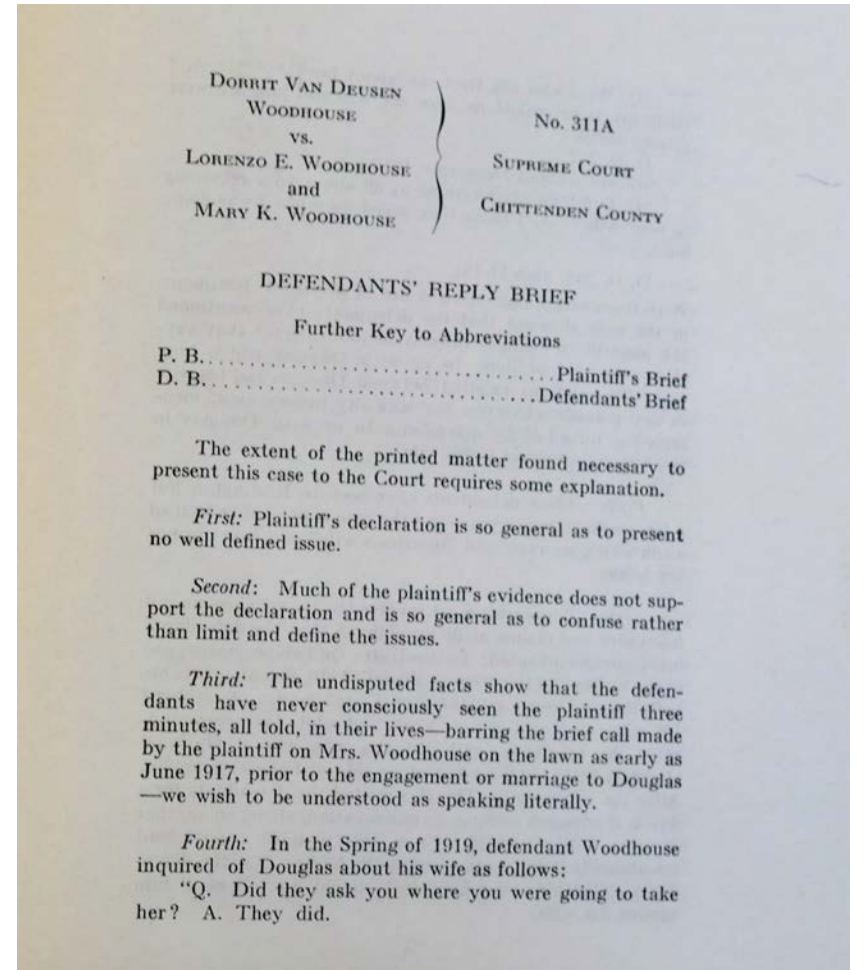
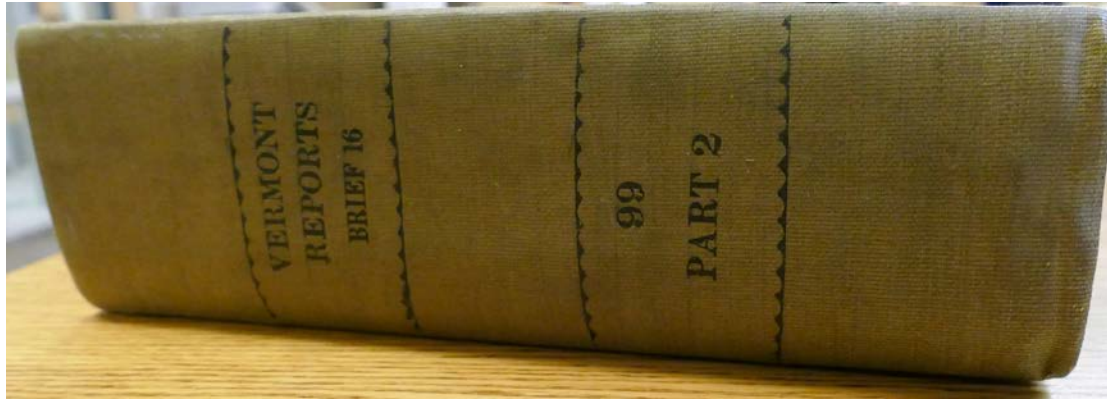
Docket, RUCC-00018

# Supreme Court, 1777 - Present

- Established in the 1777 Vermont Constitution
- Highest court in Vermont court system
- Judges initially rode circuit from county to county
- Heard criminal cases up to 1824
- Heard divorces up to 1870
- Remains the appeal court in Vermont



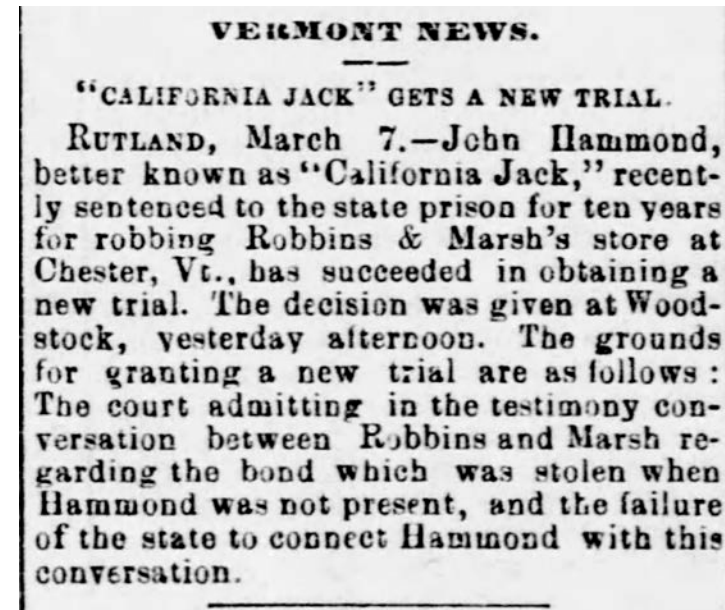
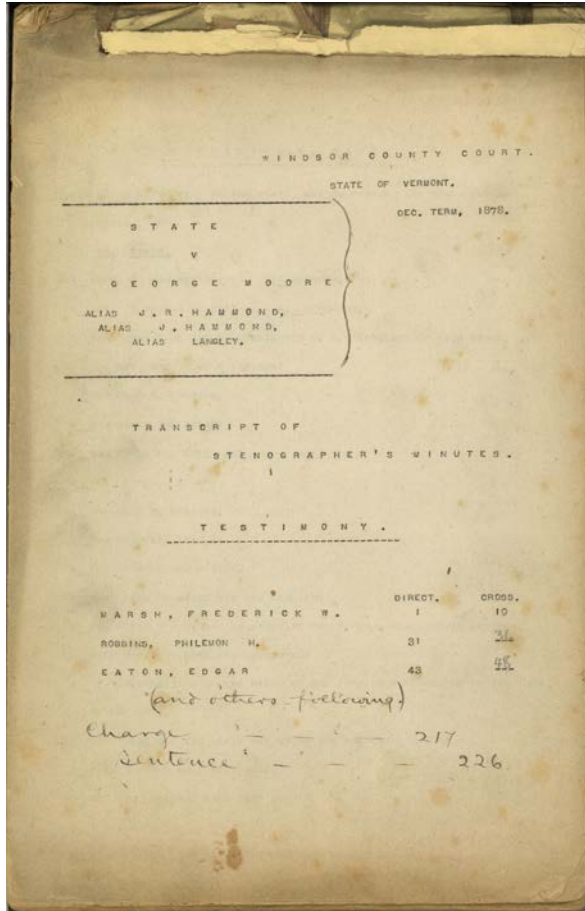
# Woodhouse vs. Woodhouse Supreme Court, 1924 - 1925



Woodhouse vs. Woodhouse

Supreme Court Briefs, Published in Vermont Reports Volume 99, part 2, SUPR-00186

# State of Vermont vs. George Moore alias John Hammond, alias John Langley alias "California Jack" Windsor Supreme Court, 1879



State vs. George Moore

Windsor County Court. December Term 1878, WRCC-00170



## Chancery Court, 1786 - 1969

- Established in the 1786 constitution
- From the English tradition of separating equity law and common law
- The supreme court handled chancery cases during county sessions until 1840, when a separate chancery court was created
- Heard foreclosures, appeals from probate estates, complex business disputes, water rights, and dissolutions of corporations

# Evergreen Cemetery Association et al. v. Marguerite Woodcock Orleans Chancery Court, 1915



That the said defendant, Marguerite Woodcock, her agents, servants, employees, workmen and attorneys, and each of them are hereby perpetually restrained and enjoined from interfering with or removing, molesting or disturbing the body of the said Clinton H. Woodcock, or the casket or box in which said body rests or the grave in which said body is buried, and are also restrained and enjoined from taking said body, or casket or box in which the same was buried, from its grave in said Evergreen Cemetery in said town of Troy.

Dated at Newport, in the County of Orleans, this 27th day of August, A. D. 1915.

*Milford M. Miles,*  
Chancellor.

*Evergreen Cemetery Association et al. v. Marguerite Woodcock, Orleans Chancery Court, September term 1915, ORCH-00025*



# Probate Courts, 1777 - 2011

- Probate of wills and the settlement of estates
- Adoptions (closed for 99 years from the birth of the adoptee)
- Guardianship
- Name changes
- Correction of vital records
- Civil commitments
- Insolvency
- There are twenty districts, each indexed separately





# Other Probate Cases

Probate District of Fairhaven } Artemas Taft Heirs

Be it remembered, that at a probate Court holden at Burlington in the said district on the 21<sup>st</sup> day of August 1817 present the Hon. Erastus Highley Esq. Judge of said Court. Whereas it appears to the Court here that Wm. S. Taft and Sarah Ann, E. Taft Minors under 14 years of age & children of Artemas Taft late of the United States Army deceased an without a Guardian. It is therefore considered by the Court, that William Denison of Rutland be & he is hereby constituted and appointed Guardian to said Minors Bonds taken in the sum of five hundred dollars Timothy Blanchard of said Rutland Surety and a Letter ipso accordingly

Per Orare the Court S. H. Merrill Clerk

Artemas Taft Jr. heirs guardianship, Fair Haven District, August 1817, FHP-00155

**NOTICE OF ADOPTION.**

WHEREAS I have this day in due form of law adopted HIRAM O. CUTLER, a minor as my child and heir at law, and have duly declared my desire that his name should be changed to that of HIRAM CUTLER BARBER, and whereas the Hon. Torrey E. Wales, Judge of the Probate Court in and for the District of Chittenden, before whom my declaration of such adoption and desired change of name has been duly acknowledged, has issued an order requiring me to publish a notice of said adoption and change of name for three weeks successively in the BURLINGTON WEEKLY TIMES, a newspaper published in Burlington in said District.

Now, therefore, know all whom it may concern, that in compliance with said order, I do hereby give said notice accordingly.

DANIEL C. BARBER.  
Burlington, August 23, 1866. 13w3t

Notice of Adoption  
Burlington Times, September 1, 1866

To Samuel Bostwick Esq Justice of the Peace in and for  
 the County of Chittenden James Peter Fairchild a Messenger  
 in the County of Chittenden do hereby certify that on the  
 first day of December 1796 I did solemnly by ~~the~~ take  
 and receive his the said Peter's property to the value of  
 three shillings lawful money (that is to say) one shilling  
 of Play in said) which is against the peace and order  
 of the same and against a certain Statute Law of this State  
 which is in full force and effect to the effect that all who  
 be that Peter says he is able to comply and may  
 profess I trust the said Joseph may be apprehended  
 brought before some proper authority and deal with  
 as to law and justice appertains. Dated the 14. day of Decr.

*Lemuel Bostwick Justice*  
 Peter Fairchild

To the Sheriff of Chittenden County his Deputy or either  
 of the law to be so shown in the County of Chittenden  
 by the authority of the State of Vermont you are hereby  
 lawfully commanded to apprehend the body of the said Joseph  
 and bring him to appear before me at my next sitting  
 on the 15th day of Decr next with the same and with the  
 four going complaints and to do and suffer as to  
 law and justice appertains given under my hand  
 at Hinesburg the 14. day of Decr. 1796.

I have Endorsed upon Lemuel Bostwick Justice  
 to show and return according  
 to Law - Lemuel Bostwick Justice

*The Atty Copy*  
*To Lemuel Bostwick Justice*

Hinesburg the 15. day of Decr. 1796 then apprehended  
 and taken Joseph Chandler and now have him  
 in Court ready for trial - Nathaniel Stinson Deputy  
 at Hinesburg  
 County of Chittenden  
 Hinesburg the 15. day of Decr. 1796  
 I have at a Justice Court had in before Lemuel  
 Bostwick Justice of the peace for said Chittenden

# Justice of the Peace, 1777 - 1974

- Lowest tier of judiciary
- Day-to-day issues of small and local nature
- Criminal matters limited to misdemeanors
- Minor civil cases

Fairchild vs. Chandler, Justice Lemuel Bostwick of Hinesburg, 1796. SE118-000019



STATE  
vs.

*Antonio Rossi*

Be it Remembered, That at a session of the City Court of the City of Barre in the County of Washington, held in said City on the 14 day of *March* A. D. 1895, of *Antonio Rossi of the City of Barre* in the County of *Washington* was brought before said Court upon a warrant issued out of said Court in due form of law on the 14 day of *March* A. D. 1895, upon complaint of *Geo S. Stanton states attorney within and for the County of Washington* exhibited to said Court by said *State Attorney* upon the day last aforesaid, charging that the said *Antonio Rossi* on the 12 day of *March* A. D. 1896 at the City of *Barre* in the County of *Washington* one opera glass of the value of five dollars of the goods and chattels of *C. C. Harris* in the possession of the said *C. C. Harris* then and there being found with force and arms feloniously did take, steal and carry away

State v. Antonio Rossi, Barre Municipal Court. March, 1895. BMCC-00004

In Washington county court on Monday, Antonio Rossi was acquitted of the charge of breaking jail, because he escaped from a lock-up, and not from a jail proper. Smart jury!

The Earth, November 13, 1895

## Municipal Court, 1788 – 1965

- The first in Vergennes, 1788
- The second created in Burlington, 1865
- Heard civil cases involving less than \$500
- Increased to \$2500 in later years
- Criminal matters limited to misdemeanors



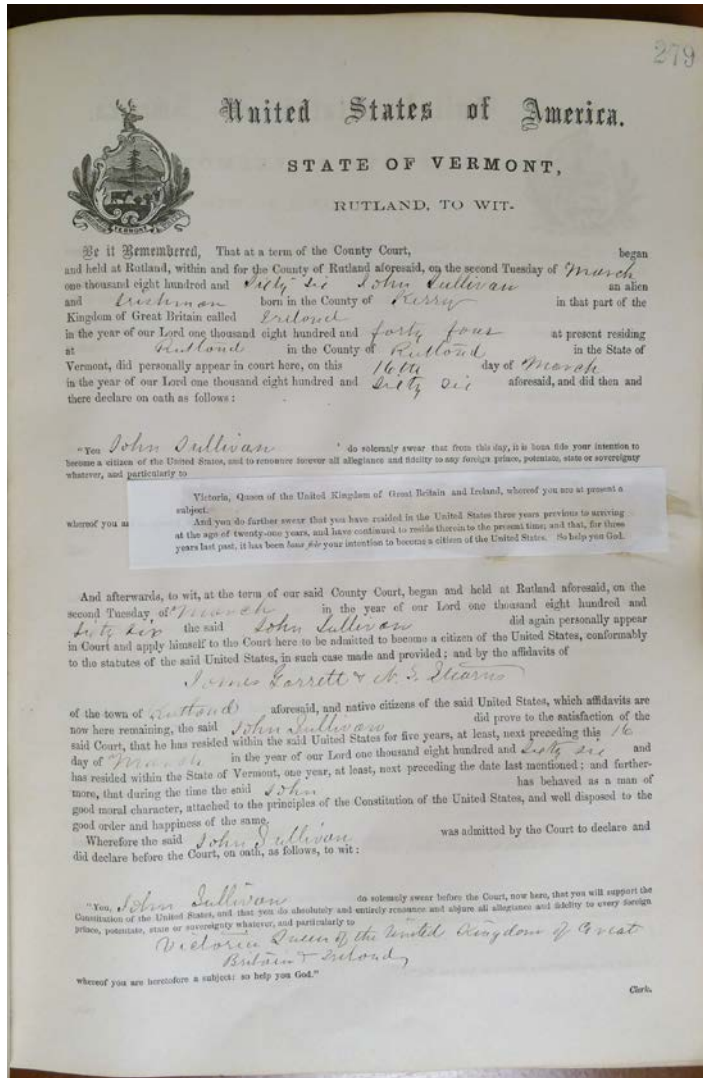
18  
Boston 9<sup>th</sup> January 1779  
This Court having taken into Consideration the  
Complaint of Col Nathan Allen against Levi Allen  
of this date as may appear on file, do hereby order  
that John Tappan Esq<sup>r</sup> Commissioner of the  
do immediately seize all the Estate both real and  
personal the property of said Levi lying and being  
in this State, for the use & benefit thereof  
and Advise the said Levi to appear before this  
Court on the second Thursday of March next to  
answer the said complaint and shew cause if any  
there be why the same estate may not be justly  
Confiscated to the use of this State

Complaint against Levi Allen, Court of Confiscation, January 1779, A289-00001

## Court of Confiscation

---

- Authorized by Governor and Council, 1778
- One in each county
- Seven men appointed to confiscate estates of British sympathizers
- Confiscated land sold to benefit the state



Naturalization of John Sullivan, Rutland County Court, 1866.  
RUCC-00040

# Naturalization Records

## Prior to 1906

- Individuals could petition different courts for citizenship, most records remained with the courts
- Little information on the individual was collected

## After 1906

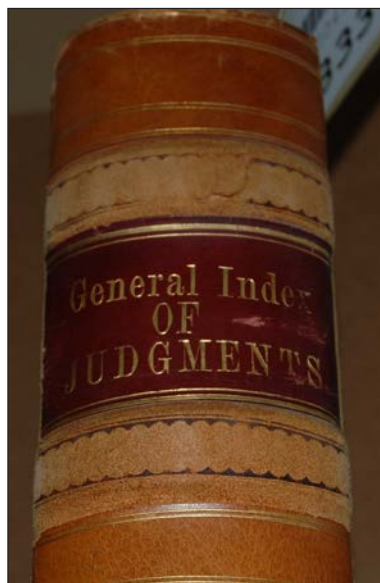
- Courts were required to forward copies of all naturalization certificates to the Federal level. State courts retained petitions and declarations of intention
- More information collected on the individual and family



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No.	DATE	Guardian	Somers 2d, Bartholomew. (Spendthrift)	Recorded	VOL.	PAGE
1850-Dec. 3			Barnet.			
"	"	18	Application and Citation	1G	524	
"	"		Inquisition	1G	525	
			Bond and Record			
1850-Dec. 18			Appointment of Guardian John Gilkerson	1G	525	
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"	"	"	Apptmt. Guardian, Henry Stevens	1G	527	
"	"	"	Guardian Settlement. & Order to Guardian	1G	527	
1855-Mar. 8		"	"	1G	546	

Papers filed in file No.  
Transferred to file No.

OFFICE, BANK & LIBRARY CO., SCITUS

Year	Term	DEFENDANT.	PLAINTIFF.	Book.	Page.
1810	June	McDonald, Alexander	Simon Heath	4	493
		Martin, Andrew	Coos Bank	4	304
		Martin, Marsh & als	Coos Bank	4	312
		Martin, Isaac	Nahum Peiree	4	310
		Martin, Asahel	Samuel Barlow & N. Hays	4	318
		Moore, William	Daniel Chamberlin	4	320
				4	326



# Newspapers

No. 47. *Sally L. Mason vs Henry S. Goodnow.*—This was a prosecution for bastardy, and after a long trial, the details of which are unfit for publication, resulted in a verdict for the plaintiff. Washburn and A. W. Preston for plff; Davenport & Huskins, Stoughton & Grant, H. N. Hix and T. H. Streeter for defendant.

*Bellows Falls Times, September 30, 1859*

**PRISONER WAS  
NEAR COLLAPSE**

Dr. J. M. Ryder Sentenced  
To Twelve Years

**FOR MALPRACTICE CASE**

Judgment of Windham County Court  
Was Sustained by Supreme Court  
in Decision as Announced  
To-day.

*Barre Daily Times, January 14, 1908*

**COURT BUSINESS LIVENS UP**

**FLETCHER AND HOUGHTON CASES  
ARE HEARD.**

**Young Woman Pleads Guilty and Is  
Given a Four-to-Five Year Sentence  
On Probation—Student Sent To  
Waterbury For Observation.**

*Orwell Citizen, December 11, 1919*

- Entire microfilm collection from State Library now at the State Archives
- Most Vermont titles
- Spans late 1700s - present day
- Nearly all papers up to 1922 available online
- Many court cases were reported in the newspapers



You can view these papers through a partnership between Vermont State Archives and Records Administration and Newspapers.com.

# Vermont State Archives and Records Administration

TOTAL PAGES IN COLLECTION  
**8,135,184**

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Filter by paper name/location

### Date



Enter a date or range...

### Location



[The Scholars' Olio](#)  
Woodstock, Vermont

4 pages



[The Stowe Messenger](#)  
Morrisville, Vermont

8 pages



[St Johnsbury Monitor](#)  
St. Johnsbury, Vermont

4 pages



[St Johnsbury Advertiser](#)  
St. Johnsbury, Vermont

4 pages



[Star of Vermont and Farmer's Register](#)  
Northfield, Vermont

4 pages



[The St. Albans Democrat](#)  
Saint Albans, Vermont

28 pages

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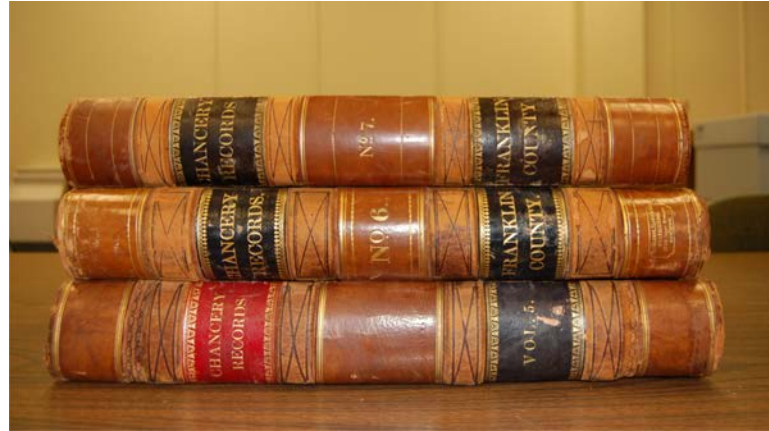
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## Results: Digitized Newspapers

67 newspapers from **Vermont** are available for viewing on this site.



# Types of Court Records



- Dockets
- Recording books
- Case files
- Other records



104

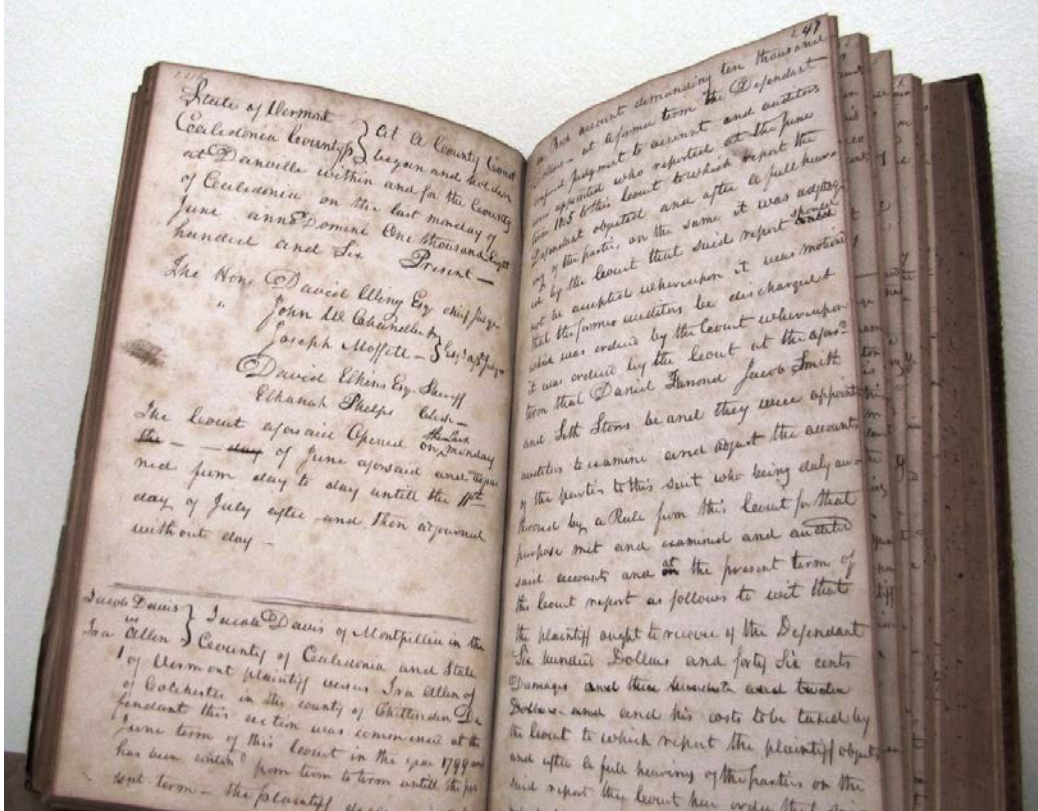
William Swift	Member
vs.	
Town of Elmore	78 <sup>5</sup> Power & G.
<p>Quinty blame          Ent. May 5, 1870 Ref. 15 out \$50 Bail          1. d. n. t. &amp; contd; Dec. 1, 1870 G. H.          Member recognized to debt in \$50          for costs 3. d. t. Verdict and Judgt.          for Ref. - Damages \$265.00 + costs          Exceptions by debt allowed Exn.          Stayed and cost passed to Supreme          Court. - Exceptions filed Dec. 17<sup>th</sup> 1870</p> <p>Judgt of Co. 6<sup>+</sup>          Affirmed</p>	

## Dockets

- Court calendar and executive summary
- Records the resolution of the case and major events
- Record court operations and administration
- Until the late 1800's, a new term meant a new docket number
- Later, old entries and new entries had one continuous number sequence in each court term
- Each court had its own modified version of the system

William Swift vs. Town of Elmore, Lamoille Supreme Court, August 1871,  
 SUPR-LA-00008

# Recording books



- Summarizes cases that reached judgement
- Omits discontinued and out of court settlements
- Arranged chronologically by term
- Multiple years per volume
- Most volumes are individually indexed

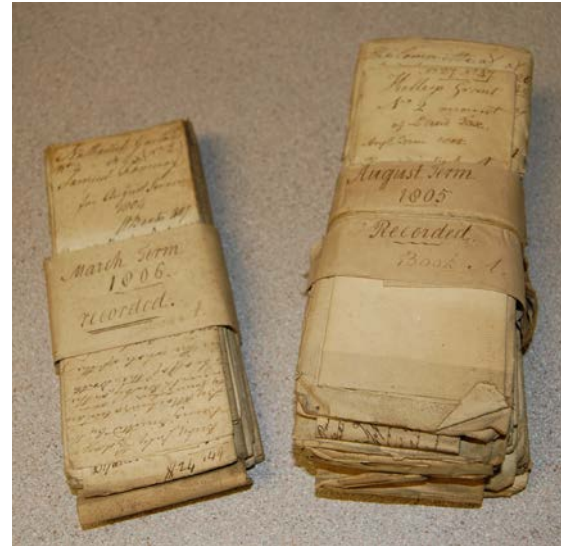
Davis vs. Allen, Caledonia County Court, June 1820,  
CACC-00377



# Case files

- Papers generated during the course of court action
- Records may be extensive, minimal or nonexistent
- Plaintiff complaint and delivery to defendant
- Defendant's answer
- Plaintiff's response
- Supporting documents
- Final action
- Assessment of Court Actions
- Dispositions
- Appeals

# Case files



573  
Indictment  
State of Vermont  
v.  
Robert Waterman  
Essex County Court  
October Term, 1905.  
This indictment was  
exhibited and filed in  
Open Court, this 7th day  
of October A.D. 1905.  
George A. Hubbard  
Clerk

State of Vermont,  
County of Essex, ss.

Be it Remembered, that at the  
county court, begun and holden at  
killbuck, within and for the county  
of Essex, on the first Tuesday of  
October, A.D. 1905, the grand  
jurors within and for the body of  
the county of Essex aforesaid, now  
here in court, duly impaneled and  
sworn, upon their oath, present, that  
Robert Waterman, of Granby, in  
the county of Essex aforesaid, on  
the seventeenth day of July, A.D.  
one thousand nine hundred and five,  
with force and arms, at Victory, in  
the county of Essex aforesaid, then  
and there feloniously, wilfully, and  
of his malice aforethought did  
kill and murder one Lily Waterman,  
contrary to the form, force and effect  
of the statute in such case  
made and provided and against  
the peace and dignity of the  
state.

And the grand jurors aforesaid  
upon their oath aforesaid, do  
further present, that Robert

State vs. Robert Waterman, Essex County Court, 1905,  
ESCC-00039

T H E C H A R G E

OF THE COURT BY HON. JAMES BARRETT, PRESIDING JUDGE, WAS DELIVERED TO THE JURY AS FOLLOWS:

THIS RESPONDENT, GENTLEMEN, IS CHARGED WITH HAVING BROKEN INTO MESSRS. ROBBINS & MARSH'S STORE AND HAVING BROKEN INTO THEIR SAFE SOMETIME IN THE NIGHT BETWEEN THE 18TH & THE 19TH OF THE DAYS OF MAY 1877; 9 SOMETIME IN THAT NIGHT.

THERE IS NO QUESTION HERE BUT WHAT THAT STORE WAS BROKEN INTO, AND THAT SAFE BROKEN INTO, AND THE CONTENTS TAKEN OUT. THAT IS CONCEDED ALL AROUND. THE LEARNED COUNSEL FOR THE RESPONDENT SAYS HE MAKES NO QUESTION ABOUT THAT. THE QUESTION IS, DID THIS RESPONDENT DO THAT. THAT IS THE QUESTION. DID HE DO IT?

NOW, IN ORDER TO FIND HIM GUILTY, YOU MUST BE SATISFIED FROM THE EVIDENCE THAT IS GIVEN YOU, BEYOND A REASONABLE DOUBT THAT HE DID IT.

YOU HAVE HEARD REMARKS OF COUNSEL IN RELATION TO THIS MATTER OF DOUBT, THAT THE RESPONDENT IS ENTITLED TO THE BENEFIT OF. THE RULE OF LAW IS A VERY SIMPLE ONE. IN CIVIL CASES, IT IS YOUR DUTY TO DECIDE ACCORDING TO THE PREPONDERANCE OF EVIDENCE, ACCORDING TO THE SEEMING PROBABILITY IN FAVOR OF THE ONE PARTY RATHER THAN THE OTHER, THOUGH YOU MAY HAVE A GOOD DEAL OF DOUBT AS TO WHETHER THE ONE PARTY OR THE OTHER IS IN THE RIGHT; AS IT SEEMS TO YOU MORE LIKELY THAT THE ONE PARTY THAN THE OTHER IS IN THE RIGHT, SO SHOULD BE YOUR VERDICT IN A CIVIL CASE. THAT IS NOT THE RULE IN A CRIMINAL CASE. THAT WERE PREPONDERANCE, WHILE YOU HAVE A DOUBT REMAINING AS TO WHETHER YOU ARE RIGHT OR NOT, WOULD NOT WARRANT YOU IN RETURNING A VERDICT OF GUILTY. THE EVIDENCE SHOULD LEAVE THE MATTER ~~UNFOUNDED~~ RESTING IN YOUR MIND WITHOUT A REASONABLE DOUBT EXISTING OF THE GUILT OF THE RESPONDENT, OF THE PARTY CHARGED. THAT IS TO SAY, HERE IS ALL THE EVIDENCE WHICH BEARS UPON THE QUESTION; NOW, CONSIDERING IT ALL PROPERLY, GIVING IT ALL ITS DUE WEIGHT, GIVING IT ALL ITS DUE APPLICATION, IS IT STILL QUESTIONABLE IN YOUR MIND REASONABLY UPON THIS EVIDENCE WHETHER THE RESPONDENT DID THE THING THAT HE IS CHARGED WITH. IF SUCH A DOUBT DOES EXIST, WHY, THEN IT IS THE DUTY OF THE JURY TO SAY NOT GUILTY. IF SUCH A DOUBT DOES ~~EXIST~~ NOT EXIST, THEN IT IS THE DUTY OF THE JURY TO SAY GUILTY. HAS BEEN SUGGESTED, THE LAW DOES NOT CONTEMPLATE CONJECTURAL AND HYPOTHETICAL DOUBTS THAT CURIOUS MINDS MAY CONJURE UP. YOU SIT THERE, TWELVE PLAIN MEN, OF AVERAGE INTELLIGENCE, OF AN AVERAGE APPRECIATION OF HOW THE WORLD GOES, AN AVERAGE APPRECIATION OF WITNESSES AS THEY TESTIFY, AND OF THE CONSIDERATION THAT SHOULD BE GIVEN TO WHAT THEY RESPECTIVELY TESTIFY. YOU ARE NOT SUPPOSED TO BE ASTUTE AND CURIOUS AND THEORETICAL; YOU ARE SUPPOSED TO BE PLAIN AND SENSIBLE AND REASONABLE. NOW, HAVING HEARD ALL THE EVIDENCE, DO YOU DOUBT? IS YOUR MIND STILL UNSATISFIED, THAT THIS RESPONDENT DID THE THING THAT HE IS CHARGED WITH DOING? IF SO, AS I HAVE ALREADY STATED, WHY, YOU SHOULD SAY "NOT GUILTY." IF IT IS SATISFIED, AND THAT REASONABLE DOUBT DOES NOT EXIST, THEN IT IS EQUALLY YOUR DUTY TO SAY "GUILTY."

## Other records may include:

- Transcripts of trials or depositions
- Liquor licenses
- Jail registries
- Stallion registries
- State's Attorney dockets
- Exhibits
- Land deeds attested in court

217  
State vs. Moore, Windsor County Court, December Term 1878  
WRCC-00170



MsVSP, Vol. 37, p. 49  
 Bennington 18<sup>th</sup> April 1778

State of Vermont to the Special Court for the County  
 & half shire of Bennington Dr

For the Tryals of Bourges Hall for Emirical conduct  
 against this & the United States of America £1-16-0

Jurys fees . . . . . 1 16-0

Sheriffs fees for summoning a jury & attendance 14-0

And to the court for trying Shanks & John Phillips 3-12-0

Warrants & Subpoenas Issued . . . . . 0-8-0

to the Sheriff for serving <sup>two</sup> warrants at eight miles 0-8-0

for Subpoening two Evidences . . . . . 0-9-0

for attending court two capes . . . . . 0-6-0

constables fees for attending . . . . . 0-3-0

Evidences fees for travail & attendance 0-17-6

Clerks fees for entering & attending Cases 1-7-0

£ 11-12-6

Arlington 18<sup>th</sup> April 1778

State of Vermont to the Special Court Dr

for trying Steven Fair child Junr . . . £1-16-0

to trying Stephen Burnett . . . . . 1-16-0

constables fees for serving warrants } 0-7-0

And attendance . . . . . }

to trying Aseniam Burnett . . . 1-16-0

constables fees for serving warrants } 0-7-0

And attendance . . . . . }

warrants Issued . . . . . 0-6-0

Clerks fees for entering & attending Cases 1-7-0

£ 7-10-0

This may certify that the above account  
 is Made up just & true according to law

# Manuscript Vermont State Papers

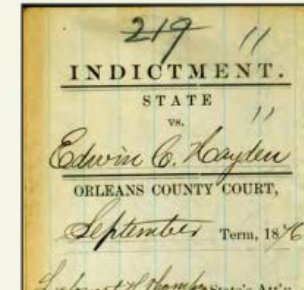
- Records of state government, 1760 to c. 1860
- Includes petitions to the legislature, pardons, receipts and more
- Names and subject index
- Online index for pre-1800 records
- Several volumes of administrative court documents

Bennington Special Court, Court bill of costs, April 18, 1778, SE118-00037



**VERMONT STATE ARCHIVES AND RECORDS ADMINISTRATION**  
Office of the Secretary of State

**HISTORICAL RESEARCH  
WITH  
VERMONT COURT RECORDS**



[https://www.sec.state.vt.us/media/644013/court-records-reference-guide\\_red.pdf](https://www.sec.state.vt.us/media/644013/court-records-reference-guide_red.pdf)

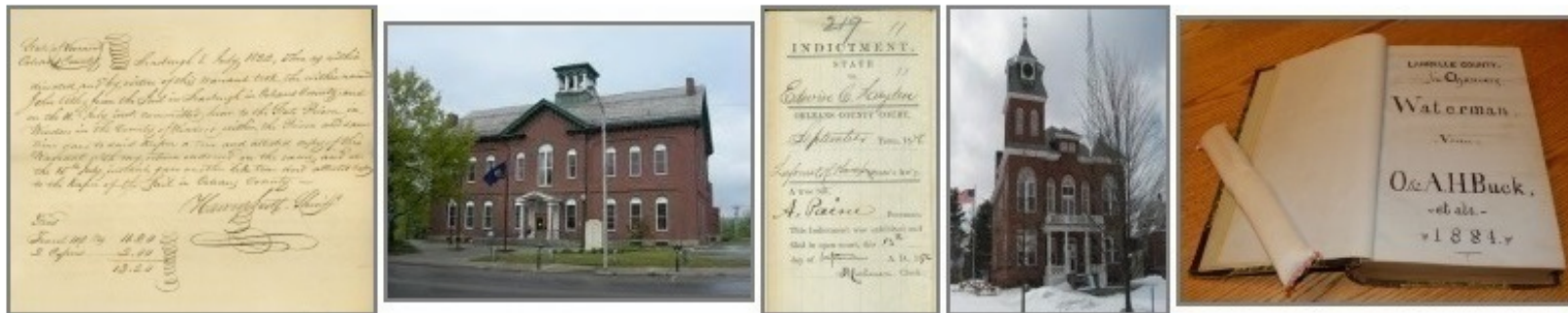
# Vermont Court Records



## VERMONT COURT RECORDS, 1794 - 1945



### Introduction: 150 Years of Vermont Court Records



Over the past three years, the Vermont State Archives and Records Administration (VSARA) has undertaken a major initiative to preserve and provide access to Vermont's **archival court records**. The pre-1945 records of eight counties are now processed and open for research. In addition to tracing the development of Vermont's courts and legal system, court records document the lives of a diverse cross-section of Vermonters. Their individual cases richly detail personalities, values, relationships, livelihoods, and possessions.

<https://www.sec.state.vt.us/archives-records/state-archives/exhibits/vermont-court-records.aspx>



**Vermont State Archives & Records Administration  
Reference Room**

1078 US Route 2, Middlesex

802-828-2308

[sos.archives@vermont.gov](mailto:sos.archives@vermont.gov)

**Reference Room Hours:  
Monday - Friday  
9 AM - 4 PM**

Twitter: [@VTStateArchives](https://twitter.com/VTStateArchives)

