

Lifetime Remarks
May 9, 2019

Thirty years ago I gave a talk at the Center annual meeting. It became an Occasional Paper. It was “Fifteen Years and Counting: Vermont Research 1974-1989 (and beyond).” In the “beyond” part, I offered suggestions for further research. I haven’t seen that paper for many years, but it contains some interesting prognostications.

It called for a general history of Vermont. In 2004, *Freedom and Unity*, the history was published, written by Michael Sherman, Gene Sessions, and P. Jeffrey Potash.

It called for an update of Andrew Nuquist’s *Vermont State Government* and in 1999 Michael Sherman organized a dozen scholars to produce *Vermont State Government Since 1963*, published jointly by the Center and the Snelling Center.

It called for a history of the Vermont judicial system, and just a couple of months ago the VHS published *The Law of the Hills*, my history of the courts.

It called for biographies of justices, and Bob Mello’s *Moses Robinson and the Founding of Vermont* was published in 2014. It even noted the need for attention to former Chief Justice Sherman Moulton, and curiously he’s the subject of an article I just submitted to the bar journal.

I do not take credit for writing the prescription for these studies, although my predictions are startling.

I am all but retired now. Up to a year or so ago, I had to steal time from family, recreation, sleep, and the demands of work in order to read and write. Work as a trial lawyer was at times pretty hysterical. Retirement has been like a cataract operation on my brain. I’ve never had this freedom, this time. The noose has been lifted.

Curiously, I feel I am in an elliptical orbit. Almost 30 years ago Gregory and I were finishing the Council of Censors book. Now I’m working with Peter Teachout on a book on the Vermont Constitution. This time it’s different. Not only do I have time to organize and think, but I have tools I didn’t have back then—the research portals of Westlaw, Hathitrust, newspapers.com, and Google Books, among others. I have a network of scholars who will read what I write and tell me when I’m off base.

Forty years ago I was writing speeches for a living. Dick Snelling was the only Governor, it was said, who had read all the previous inaugural addresses of his predecessors. I worked on drafts of a few of these talks over the years. Now I’m going deeper. That talk 30 years ago called for a biographical history of Vermont Governors, and I’m now working on what I’ve called an Inaugural History of Vermont, treating each Governor biographically, and then focusing on what each one accomplished, comparing the dreams and promises of the inaugural with the legislative reaction. I’m just cresting 1882 now.

Almost 30 years ago I was compiling a history of the Town of Berlin. Earlier this week I started back over the same ground, again with these new tools, and writing a series of sketches of the town’s leading citizens.

Thirty years ago, when I started writing about Vermont judicial history, I felt alone. Nobody had written about that subject since 1926, when Frank Fish’s biographies of judges and

justices were published. Today, I am part of a community of scholars—notably Gary Shattuck, Bob Mello, Steve Martin, Jim Douglas, Greg Sanford, among others—a network of advice, criticism, and comfort. I am proud of our little corner of Vermont research. I'm proud of the work of the Vermont Judicial History Society, which has spawned dozens of programs bringing the public into the courtrooms, reenacting historic Vermont trials, making vivid the issues and clashes that made what might seem like dry history interesting.

I would not have had the interest or opportunity to study and write about Vermont's constitution, laws, branches, and ideas without the inspiration of the man who just introduced me, or my former boss Jim Douglas. They challenged me and taught me how to behave. They gave me focus and standards of thinking and writing. They showed me I was wrong and encouraged me when I was down. Gregory's poetry, Jim's intelligence and wit, are some of the greatest treasures I've experienced.

I owe a lot to the Center as well. Kris Peterson-Ishaq has always been so encouraging and Richard Watts has the exuberance you just have to appreciate. The Center, which is 45 this year, is a community—created by visionaries like Sam Hand, Nick Muller, John Duffy, and others. works. Every day now I get emails from scholars asking for sources.

We live in good times for Vermont research. Every year another great book comes out on Vermont. I am anxiously awaiting Paul Seals's next book, and the Gary Shattuck, Nick Muller, John Duffy book on the New York courts' role in providing justice to the people of what became Vermont, before independence.

This is a big prize for me. I never won anything beyond a music award in high school. It means even more to be part of the company of those who have received this award—Giovanna, Gregory, Connie, Kris, Fritz, Michael, John, Wes, Sam, Frank, Nick—eighteen in all, including Esther Munroe Swift, whose book is never more than 18" from my left elbow.

I am very grateful for this honor. I promise you I won't let it discourage me. I won't go quietly. There is so much more to do.