

The Fourteenth State

When people were “warned out” of town

Tyler Resch

This column explores an unpleasant little secret about a certain span of years in early New England history, an episode in which Vermont was a most active participant.

Between 1786 and 1816 the selectmen in this state had the authority to “warn out” certain persons from their towns for whatever reason. Documentation exists, in fact, that at least 39,432 people were asked to leave Vermont towns during those years.

A typical “warning out” in Bennington, found on page 273 of Book B of town records, stated:

“State of Vermont Bennington County ss: To Either Constable in the Town of Bennington in the County of Bennington, Greeting. You are hereby required to summons Henry McNilly Joseph Safford, Joseph Bridge & Flora Walworth (a Black woman) & their families, to depart this town – hereof fail not but of this precept and your doings hereon due returns make according to Law; Given under our Hands at Bennington this 28th day of March 1814. Daniel McEowen, Samll Blackmere, James Henry, Aaron Hubbell, Selectmen.”

Warnings-out were so prevalent that two thick volumes listing them have been compiled, indexed, and published by Picton Press, one for northern Vermont (429 pages) and another for southern Vermont (594 pages). These books have become a genealogical resource because they document people at particular times and locations. Sometimes they can be used to trace an ancestor's movements, especially those who did not connect with other public records such as poll taxes or births or marriages.

The author-compiler of these books, Alden M. Rollins, a professional genealogist in Alaska, explains that reasons for the warnings-out varied greatly and were not necessarily due to social or economic status. “The concept that a person belongs to a certain place has a lineage dating back to ancient times,” he notes. The warning-out practice dates to an English statute in 1495 that gave authorities the right to expel undesirables. The concept crossed the Atlantic and became embedded in Massachusetts, Connecticut, and Rhode Island – and then in Vermont after its own independence was declared.

Rollins observes that in Vermont towns, just getting settled, there was concern about being overly burdened with the transient poor while dealing with the legitimately settled poor. Each town had its own reasons. Guilford, for example, warned “those likely to be chargeable (to the town for welfare),” while Plymouth seemed to focus on “new commers” in general.

Vermont's authorizing legislation was repealed in 1816, though a few warnings-out have been found in 1817.

A modern study is “Unwelcome Americans: Living on the Margin in Early New

England” by Ruth Wallis Herndon, published in 2001 by the University of Pennsylvania Press. This author explains that in eighteenth-century America there was no central system for welfare to control homelessness, vagrancy, and poverty, so New England towns adopted the old English law of warning-out unwanted persons, ostensibly to force them to return to where they could receive care.

One might see a parallel on a national level with the current political impasse over immigration policy.