

# Vermont Vital Records: A First Stop for Genealogists

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Vermont is a great place for genealogists to conduct research. Naturally there are regions and time periods for which records are sparse, but Vermont's policy on record access is genealogy-friendly. This article will focus on the genealogist's favorite source - vital records. I will discuss record-keeping practices, legal developments, indexes, and related records.

Unlike the rest of the country, New England states in varying degrees have systematically maintained records since the 1630s, with towns being the primary record creators. Vermont provides one of the purest examples of this system. The town record is the original source. Genealogists need to keep this in mind when they encounter a problem with data. Because the statewide index exists, the original sources are often not consulted first.

The first Vermont law requiring registration of vital records was passed in 1779, as described in the duties of the town clerk<sup>1</sup>. However, this legislation does not seem to have compelled people to register vital events. The most common record is for marriages. In these early years, to about 1820, births and deaths were recorded in family groups and occasionally included the marriage of the parents as well. These records were often recorded after all the children were born. For this reason they are less valued if there is a discrepancy with other contemporary sources, since many times they were recorded long after the fact.

In some cases this "drawback" proves useful. For example, the oldest children of the earliest families were often born in other states, and that information was recorded in Vermont. This data then allows the researcher to trace a family's migration, as in the following example:

John Smith married Jane Brown on Feb<sup>y</sup> 23<sup>rd</sup> in 1778 in Lancaster, Massachusetts  
Jane Smith, their daughter born November 12, 1778 in Lancaster  
Martha their daughter born April 1<sup>st</sup> 1780 in Winchendon, Massachusetts  
John Brown Smith, their son, born Oct<sup>r</sup> 18 1781 Winchendon. John B. died Nov. 7, 1781  
John Brown Smith born July 11, 1782 in Keene, State of New Hampshire  
Polly Smith born septem<sup>r</sup> 1785 in Rockingham  
David Snow Smith January 28, 1789. Their son dieth Feb<sup>y</sup> 2.  
Jane died february 4 1789 in Rockingham.  
Recorded this 9<sup>th</sup> day of March 1789  
By me James Cooke T. clerk

This example shows a family moving rather quickly from Lancaster to Winchendon, Mass., and through Keene, N.H., before settling in Rockingham, Vt., where the VRs were recorded all at once. Records such as this might even be the only indication of a family's movement. This example also suggests that the mother Jane had a miscarriage about 1784, because of the gap in birth dates, which normally occur at regular 1 to 1½ year intervals. Since the deaths of children appear after their birth, the Jane at the end is likely the mother, who died within a week of, and probably due to complications from, her last child's birth.

The volume of recorded vital records seems to diminish greatly in the 1810s. At this time, there was a great out migration to New York, Quebec and points beyond. Since the trend was to record one's family all at once, these families were never recorded in Vermont.

In Vermont, the laws continued to require registration, though the language was much more vague as time passed.<sup>2</sup> Vital record registration as we think of it today started for Vermont in 1857. Each town clerk was required to transcribe annually, in June, all births, marriages and deaths occurring during the year preceding the first day of January. The town clerks were aided by the clerks of the school districts, who were required to ascertain every February all births

and deaths in their district for the same period.<sup>3</sup> These records are recognized by the large folio ledger books, which are often arranged by school districts within the year. These oversized volumes were phased out by the end of the century.

The next major change to affect genealogists is the 1919 law that gave the secretary of state the authority to require town clerks to make a copy of all births, marriages, and deaths that are found "in the possession of the town, and churches, not already returned, and to transmit the same, properly certified, to the secretary of state..." The state provided blank forms (color-coded index cards) to each town for this purpose:

*If the death records of a town prior to 1870 are incomplete, the secretary of state shall notify the selectmen of said town to that effect. The selectmen of such town shall, before October 1, 1919, cause to be copied at the expense of the town under the direction of the secretary of state, the inscription on all gravestones in their town erected to the memory of any person who died prior to 1870 - and the name of the cemetery where buried and shall cause such records to be recorded in the town records.*<sup>4</sup>

These card files (except the most current ten years<sup>5</sup>) are maintained by the Vital Public Records Division of the General Services Administration, presently located at Middlesex, Vt. The cards themselves were closed in the early 1990s, but a microfilm copy of these files is available on location and at the New England Historic Genealogical Society in Boston, Mass. They are broken down into the following time periods: 1760-1870, 1871-1908, 1909-1941, 1942-1954, 1955-1979, then yearly starting in 1980. Each section is in a strict alphabetical order. Rarely are variant surname spellings (i.e., Cook and Cooke) interfiled. The majority of these records are open to anyone without restriction.<sup>6</sup>

Because most researchers will go first to this statewide vital records index, a few words of caution will keep the wary genealogist on track when things seem wrong. The index is a transcription of the original record, and thus errors sometimes appear, such as misspellings and incorrect dates. Moreover, some events from the town record could be missing. Besides the strict alphabetical sequence, if a given name was not recorded, these cards were filed in the beginning of the surname under "no name," "Mr.," "widow," and the like, in reverse chronological order. Cemetery inscriptions of deaths are contained in the first time period only. Cards recording events in the cusp years of 1870 / 1871 and 1908 / 1909 are occasionally misfiled. Most of these cards were filmed in the 1950s, some in the 1990s, after being used for many years. There are cards out of alphabetical order, though rarely far from their correct placement. A researcher can never systematically find these misfiled cards, but s/he should be aware of this problem. The pre-1871 events are known to have records missing from the towns of Holland, Maidstone, Sheffield, and Troy. It has been suggested that some of the Burlington records from the 1860s and 1870s were missed, too. As a last resort, if you cannot find a record (especially before 1820 or after 1856) that other sources suggest is there, go back to the *original* town records.<sup>7</sup>

Related records that genealogists may want to use are the divorce files. There is a statewide index from 1861 to 1968, which is cross-indexed by both husband and wife. These indexes are available at the same locations as the vital records index. The original files are kept by the county court in the shire towns.<sup>8</sup> Another, more difficult, source, though less so in Vermont than any other state, is adoption records. Adoption was largely a private affair that involved little legal intervention. The first case to be made 'legal' was in 1804, though the state formally codified adoption procedures only in 1853, two years after Massachusetts, the first American state to do so, as an alternative method to private, unrecorded adoption. By 1863, the legislature mandated the new procedure. Before this, any cases made legal by action of the General Assembly usually contained a brief history of the child.<sup>9</sup> Vermont's new access provides that adoption records be open to the public after 99 years.

The Vermont Adoption Registry maintains a master index of all adoptions from 1940 to the present. In certain situations, the Registry can provide 'identifying information' to adult adoptees or adult descendants of an adoptee. The Registry is located at 103 South Main Street, Waterbury VT 05671-2401, or by calling 802- 241-2122.<sup>10</sup>

To find out the current cost and location of vital records, check the web site [here](#) or to search the Vermont state death index for 1989 to 1996 as a paid service, [here](#).

## Footnotes

1. "17 Feb. 1779: An Act Directing Town Clerks in their Office and Duty. Town clerks shall record all marriages, births, and deaths of persons in their towns and that all parents, masters, executor, and administrators shall bring in to the clerk of the town to which they belong the names of such persons belonging to them that shall be born or die. Every new married man shall bring the time of this marriage to the clerk within one month after such marriage, birth or death or be fined 4 shillings plus 4 shillings more for each additional month." Allen Soule, ed., *Laws of Vermont [1777-1780]*, State Papers of Vermont, vol. 12 (Montpelier, Vt., 1964), 84.
2. The Revised Statutes of the State of Vermont passed November 19, 1839 (Burlington, 1840), 89. Chap. XIII, Sect. 32 [for Town Clerk]. "He shall keep a record of the births and deaths of all persons within his town, coming to his knowledge" [ *emphasis added* ].
3. *The General Statutes of the State of Vermont: passed at the Annual Session of the General Assembly, commencing October 9, 1862* (Cambridge, Mass., 1873, 2nd ed.), 125-26. Title X. Chapter 17. Sections 1-2.
4. No. 92, Laws of Vermont, 25th Biennial Session (1919), approved 26 March 1919
5. The most current records are available at the Vital Records Office of the Department of Public Health, 108 Cherry St., PO Box 70, Burlington VT 05402. Open Monday to Friday, 8 a.m. to 4 p.m. 802-863-7275.
6. The only exceptions are those original birth records closed by the adoption.
7. A handy pamphlet called "Town & County Clerks of Vermont" is published annually. It lists the town, clerk's name, address, telephone, and hours. For a free copy, write the Secretary of State's Office, Pavilion Office Bldg., Montpelier VT 05602, or click [here](#).
8. These courts, to utilize space, have sometimes sent the original file papers to the Middlesex facility previously mentioned. They may have even sent the docket books as well. The researcher should call ahead to identify where the records needed are located.
9. Edward A. Hoyt, with Michael Sherman, "Adoption and the Law in Vermont, 1804-1863: An Introductory Essay," *Vermont History* 64:59-73.
10. Leaflet, "Finding Your Roots: Vermont Adoption Registry."