

THE FOLLOWING RESEARCH HAS BEEN DONE BY PHILLIP M. BOWLER SR. IN A JOINT PROJECT WITH HIS GRANDSON, PHILLIP M. BOWLER FII AS PART OF A 6TH GRADE SCIENCE PROJECT AT EDMUNDS JUNIOR HIGH SCHOOL, BURLINGTON, VERMONT. MOST OF THE RESEARCH IS WAY BEYOND THE CAPACITY OF MOST SCHOOL CHILDREN, MANY OF THE RECORDS ARE ON MICROFILM OR GENERALLY, INACCESSIBLE DOCUMENTS AND REQUIRED MORE THAN DILIGENT RESEARCH FROM THIS ADULT AND HAS BEEN PREPARED BY ME TO SHOW THE VARIED, COMPLEX AND HARD TO FIND CONSTITUTIONAL, ENVIRONMENTAL, LEGAL, GENEALOGICAL, AND HISTORICAL ISSUES OFTEN INVOLVED IN SUCH RESEARCH. PHILLIP III HAS READ MUCH OF THE RESEARCH AND BEEN DEEPLY INVOLVED IN DISCUSSIONS AND FIELD TRIPS WITH THE RESEARCH.

Phillip M. Bowler III
Science Class

Edmunds Junior High School
Mr. John McGuire

"In the coign of a cliff, between lowland and highland,
At the sea down's edge between windward and lee,
Walled round with rocks as an inland island,
The ghost of a garden fronts the sea."
From The Forsaken Garden

JUNIPER ISLAND

"It is a riddle wrapped in a mystery inside an enigma."
(Winston S. Churchill) An island once owned by a seven year old boy and a five year old girl? Can it properly be called NOWHERE ISLAND? Juniper Island has had a chaotic legal history that almost out ranks its geologic history, which just happens to be longer in time, and only slightly more complex. Origins of Juniper Island, in an "Atlas of Lake Champlain 1779-1780" by Captain William Chambers, Royal Navy, Juniper Island was called Eagle Island. In an earlier map in 1767, by William Brassier, per order of Maj. General Jeffrey Amherst, Rock Dunder is shown but Juniper Island is not. Is it possible "Champ" created it between the time of those two maps???

LOCATION: Note: "location" is for geographic proximity only as the legal "jurisdiction" of Juniper Island has been held by the United States Government. However, on September 4, 1979 Hon. Albert Coffrin, U. S. District Court of Vermont Judge, in an OPINION AND ORDER of a civil suit of Barbara McGowan Fayette vs. James J., Fred Jr. and Philip F. Fayette and et. al. and the United States, Docket Civil Action File No. 78-146 claimed that the sale of the island by the General Services Admin. to Fred Fayette, Sr. ended United States government jurisdiction of Juniper Island. Cite: S. R. A., Inc. v. Minnesota, 327 U.S. 558, 563-65 (1946); 66 S. Ct. 749; 90 L. Ed. 851 {See below}

State: Vermont NOTE: JUNIPER ISLAND FALLS EAST OF THE DEEP WATER LINE IN LAKE CHAMPLAIN AND THE COMMON BORDER OF VERMONT AND NEW YORK WHICH WAS ESTABLISHED BY A \$30,000.00 VERMONT PAYMENT AGAINST NEW YORK CLAIMS AGAINST VERMONT TERRITORY.

County: Chittenden NOTE: THERE HAS NEVER BEEN LEGAL JURISDICTIONAL ASSIGNMENT OF JUNIPER ISLAND TO ANY TOWN. IT IS AN UNORGANIZED GRANT WITH TAXING AUTHORITY IN THE TREASURER OF CHITTENDEN COUNTY. IT MUST BE REMEMBERED THAT THE ORIGINAL OWNERS OF THE ISLAND WERE THE SURVEYOR GENERAL AND DEPUTY SURVEYORS AND FILED ALL RECORDS OF THEIR DEEDS IN CHITTENDEN COUNTY COURT FURTHERING THE ARGUMENT THAT JUNIPER ISLAND IS AN UNINCORPORATED GRANT.

Lake: Champlain.

NOTE: LATITUDE AND LONGITUDE READINGS AT JUNIPER ISLAND PIER ON THE SOUTH EAST CORNER OF THE ISLAND

Latitude: 44 Deg. 27 Min. 03 Sec. North {Readings determined by LORAN

Longitude: 73 Deg. 16 Min. 53 Sec. West {aboard R/V Neptune on 05/16/93

Shape: A right triangle with the hypotenuse pointing northeast.
Acreage: Variously described as 10 to 17 acres. Actual by deed = 10 acres, more or less.

Surrounding water depths (in feet): Approximate deepest point between Burlington breakwater and island 150 feet.

North: _____	SEE NAVIAGIONAL CHARTS: CAUTION!!!! REEF
East: _____	AT SOUTH EAST CORNER OF ISLAND MAY BE
South: _____	HAZARDOUS TO YOUR BOAT!!!!
West: _____	

There is a shallow reef on the southeast corner of the island and there are two USCG marker buoys on the east side of the island.

Elevation: Approx. 94 Feet above Mean Sea Level

Terrain Elevation: Approximately 30 to 50 feet above lake level

Source: USC&GS MAPS, VARIOUS, PERSONAL OBSERVATION

Man made structures on or adjacent to the island:

TYPE	CURRENT CONDITION
CEMENT DOCK W/WOODEN BOATHOUSE	FAIR TO GOOD, USABLE
NOTE: PER FRED FAYETTE, JR. THIS BOATHOUSE WAS BUILT BY THE US GOV'T AND WAS ON AN EARLIER PIER TO THE SOUTH EAST OF THE CURRENT PIER. THE BOATHOUSE HAS BEEN MOVED TO ITS CURRENT SITE.	
STEEL USCG BEACON, BATTERY POWERED	IN USE
IRON LIGHT-HOUSE W/SPIRAL STAIRCASE	ABANDONED, FAIR, NO GLASS
KEEPERS HOUSE- BRICK	FIRE DAMAGED, PORTIONS OF WALLS STANDING
BELL HOUSE- WOODEN	FAIR CONDITION, BELL MISSING
NOTE: THERE ARE NO SIDEWALKS, ROADS, ELECTRIC POWER, CEMETERIES, ACTIVE WATER WELLS, OR USABLE SEPTIC SYSTEM ON THE ISLAND.	
NOTE: SEVERAL STRUCTURES BUILT DURING THE OCCUPIED LIGHTHOUSE KEEPER'S YEARS INCLUDING SEVERAL SHEDS, AND A RAIL TYPE WINCH SYSTEM FOR TOWING THE LARGE BOSTON WHALER TYPE BOAT OUT OF THE WATER HAVE LONG SINCE CEASED TO EXIST.	

TYPE OF SEPTIC OR WASTE DISPOSAL SYSTEM USED ON ISLAND: Outhouse in early days. There is no approved septic or sewage system on the island.

Appraised or sale value of the island:

Payment for surveying services to the State of Vermont by James Whitelaw, James Savage and William Coit in 1788, value undetermined.
Appraised value in the estate of William Coit: \$60.00 ca. 1802
Actual sale by Moses Catlin to the United States: \$200.00 May 11, 1826
Sale value by U. S. Government to Fred Fayette: \$7000.00 ca. Nov., 1956
Sale value offered by Dennis Morriveau: \$100,000.00 ca. 1980
For exceptionally beautiful views of the city of Burlington and the Green Mountains and the Four Brother's Islands and the Adirondacks, it is priceless. Additionally, the geologic formation of the island with almost vertical sheets of slate showing anticlines and synclines and interspersed by an igneous rock dike is worthy of study itself.

SOIL CONDITIONS:

Soil was formed in glacial till in the Champlain Valley.
Palatine-Vergennes Association: Gently sloping to steep, somewhat excessively drained to moderately well drained loamy and clayey silt that are moderately deep or deep to bedrock on ridges and knolls.
Dominant 3 to 15 percent slope. Soil depth to bedrock: unfavorable less than 20 or 40 inches. It is an area of very low ground water potential. Water available in this area from low yield, bedrock sources to depth of 300 feet. Bedrock is shale (slate) resistant to chemical

weathering, susceptible to physical weathering and erosion. Generally highly fractured. Glacial till generally thin over bedrock, much bedrock exposed, unsorted, poorly drained, bouldery surface. Low water potential.

Source: USDA General Soil Map of Chittenden County compiled 1972.

Juniper Island is in the Champlain Migratory Flyway and is the major Vermont route for north-south bird migration. However, about 80% or more of the island has precipitous inclined, shale cliffs and there are no significant protected bays or wetlands on the island making feeding or nesting by most marine birds impossible. On a visit by Phillip M. Bowler Sr., Jr. and III and Robert Carton to Juniper Island on May 14, 1993 the following birds were noticed: a pair of mallard duck males at the pier, several cormorants in the water on the northeast side, red wing blackbirds, English sparrows, grackles, ring billed gulls, cliff swallows, and a female Common Merganser nesting in the bell house. A lone bumble bee and several honey bees were seen but the abundant population of swallows, which feed on insects and prevailing winds, may make Juniper Island relatively insect free. Fred Fayette, Jr. has mentioned that he had seen Arctic or snowy owls on the island and some small, what may have appeared to be star nosed or other type of moles. However, after the appearance of the Arctic owls the mole population has diminished and possibly ceased. One carcass of deer, sans horns, and rabbits have been found on the island but possibly brought or dragged there by other animals or possible death of the deer by falling off the island cliffs or being washed up from somewhere else on the lake. Four legged wild animals do not appear to be regular inhabitants of the island. In recent years, no grey or red squirrels, rabbits, raccoon, fox or other mammals seen. At various times a light-house keeper once had approximately 50 dogs, mostly of the mutt variety, on the island and Fred Fayette, Jr. mentioned that his family kept some goats on the island to diminish the enormous quantities of poison ivy on the island. He also mentioned that several apparently frail ring billed gulls appear on the island every year and soon die. These ring billed gulls are apparently unwanted by members of the massive ring billed gull colony on the Four Brother's Islands to the west and end up dying on Juniper Island.

Lighthouse: On March 3, 1825, the 18th Congress, Session II, Statute II, Chapter 113, allotted \$4000.00 for the purchase of Juniper Island and the construction of a light-house.

"[Chapter CXIII- An Act to authorize the building of lighthouses and light vessels, and beacons, and monuments, therein mentioned; and for other purposes.....

Be it enacted in the Senate and House of Representatives of the United States of America, in Congress Assembled, That the Secretary of the Treasury be, and he is hereby, empowered to provide by contract, for building lighthouses and light vessels, erecting beacons and monuments, and placing buoys, on the following sites or shoals, to wit:.....

A lighthouse on a proper site, at or near the mouth of Burlington harbour, in the state of Vermont.....etc.

Sec. 2 And be it further enacted, That there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums of money, to wit:.....

For a lighthouse at the mouth of Burlington harbour, in the state of Vermont, four thousand dollars.APPROVED, MARCH 3, 1825."

{See also letter of James Fisk, Esq. Collector of Customs, St.

Albans, Vt. to Gov. Cornelius P. Van Ness dated Oct. 13, 1825.}

Originally built in 1826, the Juniper Island light-house was the first

light-house on Lake Champlain. Additional information: Light-house keepers were initially paid \$375.00 per year plus the use of the 7 room brick house and a boat. The light in the light-house was a small circular wick oil lamp that was magnified 70,000 times by a French designed magnifying lens. (Ref. Burl. Free Press and Times Sept. 20, 1937) The old light was rated at approximately 490 candlepower and alleged visibility was approximately 14 miles. There is currently a white illuminated, battery operated, U. S. Coast Guard navigational beacon on the island. Two automobile type batteries can run the light about four days and are augmented by a solar panel on the light which acts as a trickle charger for the batteries. The beacon is turned off and on by a photo-electric sensor.

OWNERSHIP OF THE ISLAND:

ORIGINAL GRANT: It should be noted that there is no mention of Juniper Island in either of the charters of Burlington or Shelburne in the New Hampshire Grants by Colonial Governor Benning Wentworth, circa 1763. On October 7, 1782, Isaac Vanornem, Jesse Welden, and John Knickerbacor (a secretary to Ira Allen) petitioned the Vermont General Assembly, requesting a grant of several islands in Lake Champlain, citing Juniper Island by its name and location. There was no known legislative action on that request.

SOURCE: File in the Vermont State Archives under "Juniper Island". Juniper Island, grouped with all other, as yet, un-granted islands in the Lake with the probable exception of Isle La Motte, Grand Isle and the "Two Heroes", was granted en masse by a group of state commissioners. While I have seen a few facetious newspaper references alluding to the "Kingdom of Juniper", surprisingly, it is one of the relatively few areas of the state that was NOT granted by King George III of England. The grant did not, apparently assign any of the islands to the existing pre-chartered towns so according to today's Vermont law, the islands would fall under the jurisdiction of the pre or post-existing counties and be classified as "an unorganized town, grant or gore" {Reference Vermont Statutes Annotated Title 27, Section 401, et seq. for the recording of deeds and VSAT, Title 32, Sect. 3462 et . al. for tax obligations on such towns, gores, and grants.

{REPORT OF LAND COMMISSIONERS} The following is the Returns of the Board of Commissioners for locating the lands Granted by this State as made by them to the Governor and Council Agreeable to Law. STATE OF VERMONT SHAFTSBURY, MARCH 15, 1788.

To His Excellency the Governor & Honble Council of said State-
The subscribers Commissioners appointed by the Honorable General Assembly agreeable to their Act of the 26 of October 1787 for the purpose of locating Grants of Land made by this State, which are not yet chartered, Having in all things attended the directions of said act & duly examined the said several Grants with respect to the Priority & right of location, & attended to the evidence & arguments of the several Claimants, in the premises, Do order and Decree that their locations to be in the following places & order viz--.....

To James Whitelaw, James Savage, William Coit & associates a tract of land equal to six miles to be Chartered in three different Pieces as Marked Whitlow & Co. on the plan, & in case {of} a deficiency to include an equivalent of unlocated lands to Compleat in all the contents of 23,040 acres Including all the Islands in Lake Champlain, Ungranted by Vermont to the deepest channel of the Lake Westward-
Granted October 26, 1787. ..Signed by Gideon Olin }

Samuel Knight }

Paul Brigham }

Samuel Mattocks }

Alexander Harvey}

True Copy Recorded

Attest

Joseph Fay, Secy

Commissioners

Lemuel Chipman }

SOURCE: From Governor and Council, Vermont, Vol. 3 1782-1791

E. P. Walton, Montpelier, 1875

NOTE: James Whitelaw was the State Surveyor General, after Ira Allen, and worked in conjunction with James Savage and William Coit who were also state surveyors and this grant was a payment for their enormous surveying duties from the State of Vermont. "Messrs Whitelaw, Savage and Coit petitioned the legislature October 18, 1787 and state that they had been engaged the most of their time for four years past as deputies of the Surveyor General (Ira Allen) in surveying towns in the northern part of Vermont, and that they had received no remuneration for their services, or pay for their expenses amounting to one hundred pounds, and expressing their willingness to take grants of salable land for their payment. Accordingly, the legislature, October 26, 1788 granted them three tracts of land situated in different parts of the state and equal in whole to one township of land". Additionally, James Whitelaw, of Ryegate and born in Scotland, was one of a committee of three men to "fix a place in Montpelier for the erection of buildings for the accomodation of the legislature of this state and prepare a plan for such buildings."

SOURCE: Vermont Historical Society Proceedings 1905-1906 pps 103-157
It is possible further material may be found in James Whitelaw's papers which are in the Steven's Collection at the Vermont Historical Society and at UVM-Special Collections. I have researched the indexes to those papers but have found nothing further. On October 16th, 1792, William Coit, for 300 pounds lawful money, sold his interest of 3,900 acres of land between Cambirdge and Bakersfield (Called Coit's Gore) and also his interest in all islands in Lake Champlain "excepting the island containing about one hundred acres lying nearest St. Alban's Point, the Island of about four acres contents lying nearest mouth of Colchester point and Juniper Island, so called, lying before Burlington Bay."

SOURCE: DEED IN VOLUME 4, PAGE 353 OF CHITTENDEN COUNTY LAND RECORDS.
As of this date, I have not tracked a release of James Whitelaw's interest in Juniper Island.

Property was owned prior to 1802 by William Coit who died around that time, at that time, his intestate estate Inventory of Real Estate listed the appraised value of Juniper Island as \$60.00.

Source: Chittenden County Probate Court 1803 (year) Record #49.

Sophie C. Mitchell, nee Coit, the daughter of William Coit and Betsey (Allen?-), is presumed to be the next owner as part of an intestate inheritance from William Coit. Note: William Coit was the original Surveyor of the City of Burlington and the map, for which he acted as surveyor, is on the wall of the Local History Room of the Fletcher Free Library (Burlington), shows the original land division of the New Hampshire Grants issued by New Hampshire Colonial Governor, Benning Wentworth, for the City of Burlington with the original proprietors. Neither the original New Hampshire Grant charters of Burlington or Shelburne include mention of Juniper Island or unnamed islands in their charter. The exact title and history of William Coit's acquisition is unsure (at this time) but he did have a mortgage on the land held by Tuttle, Hickok and King. Sophie C. Mitchell's relationship as (Coit) is spelled out in the Will of Stephen Mix Mitchell, Esq., her husband, who died and left a will, but Juniper Island was not included in his personal inventory of real estate. Source: Chittenden County Probate Records 1820 (year), file #524. At the death of Sophia C. (nee S. C. Coit) Mitchell, the property then went through her intestate estate to her minor children, Stephen Mix Mitchell III and Caroline Mitchell. Moses Catlin was appointed their guardian by legislative act on November 17, 1825. On November 8, 1825, the Vermont State Legislature

ceded the jurisdiction of Juniper Island to the United States Government. It is curious that the State of Vermont first Ceded Juniper Island to the United States and then, after that time, appointed Moses Catlin, as the guardian for the sale of the Mitchell children's estate, which included Juniper Island. How could the State of Vermont appoint Moses Catlin as guardian to the Mitchell children and authorize his sale of their estate, after they ceded legal jurisdiction to Juniper Island? The United States Government bought Juniper Island from Moses Catlin, Executor for the intestate estate of Sophia C. Mitchell, and guardian of her two minor children and appointed as such by the Vermont State Legislature in 1825, for \$200.00. {See Chittenden County Superior Court records, volume 8, pages 492-493}

NOTE: AS OF THIS DATE, I HAVE NOT FOUND THE US GOVERNMENT ACCEPTANCE OF VERMONT'S CESSION OF JUNIPER ISLAND, NOR HAVE I FOUND A RECORD OF CONGRESS' RETROCEDING JUNIPER ISLAND TO VERMONT.

Circa November, 1956, Chittenden County State Senator Fred Fayette purchased Juniper Island from the United States General Services Administration, in an open bidding process for \$7,000.00. There is an unrecorded Quit Claim Deed of the Island from the United States of America to Frederick J. Fayette, dated March 20, 1957. NOTE: It should be noted that a "Quit Claim" deed does not profess that such title is valid, nor does it contain any warranty or covenants for title. A "Quit Claim" deed is not as beneficial to the new owners as a "Warranty Deed" in which the seller warrants "quiet enjoyment, right to convey, freedom from encumbrances, warranties of seisin, and defense of title as to all claims."

Property ownership: Formerly owned by Vermont State Senator Fred Fayette. Property went through a long estate battle after Mr. Fayette's death. Note: Fred Fayette left 11 children and his second wife, Barbara McGowan Fayette, as well as two brothers, as potential heirs. Circa, 1980, Dennis Morriseau, owner of Leunig's Old World Cafe in Burlington attempted to purchase Juniper Island from the estate of Fred Fayette for \$100,000.00. Additionally, there were internal estate division difficulties until the Degree and Distribution and Settling and Allowing Final Account, with the July 22, 1985 division of the Fred Fayette Sr. estate., record #21438, file #7, Chittenden Probate Court, with the ownership of Juniper Island being in equal 1/11th shares to the eleven children of Fred Fayette, Sr. A Fayette-Morriseau title dispute is still pending in Chittenden Superior Court. Ref. also; Dennis Morriseau v. Estate of Frederick Fayette, Vermont Supreme Court, cited as 155 Vt. 371; 584 A2d. 1119.

NOTE: It is the opinion of Phillip M. Bowler Sr. that the Chittenden County Superior Court may not have the legal jurisdiction to try this case, since the State of Vermont, by Legislative Act, ceded jurisdiction to the United States Government. It should be noted that Vermont's cession to the United States did not include a State provision for the retrocession of Juniper Island, when the purpose for which it's use was intended was no longer valid, which was to build and operate a lighthouse, as an aid to navigation. Although in Barbara McGowan Fayette vs. James J. Fayette et. al, the Hon. Albert Coffrin cites the case above, S.R.A. Inc. V. Minnesota; 327 US 558 (1946) I am of the opinion that this case may only apply to an unrestricted sale of government property ref. 91 Corpus Juris Secundum; United States 7f: Loss or Surrender of Jurisdiction; The United States may relinquish all or part of its jurisdiction, but the state cannot resume jurisdiction without the consent of congress.

"Jurisdiction acquired by congress may be relinquished by it and re-ceded to the state or it may be relinquished in part to the extent that such re-ceded jurisdiction is not inconsistent with the continued

governmental use of the property; but jurisdiction can not be resumed by the state without the consent of congress or affected by subsequent enactment by the state legislature of qualifications or reservations. Retrocession of jurisdiction by the federal government is effective without acceptance by the state. An unrestricted transfer of the property by the United States to non-federal hands is deemed a relinquishment of the exclusive legislative power, and the property become subject again to the territorial jurisdiction of the state." I believe that the Quit Claim deed of Juniper Island includes a surveyed portion of Juniper Island for federal usage and a 20 foot right of way for federal ingress and egress. Additionally, the joint access to the island is from a pier and 20 foot wide right of way that, unless one has mountain climbing skills, is the only readily accessible route to the island. Not exactly what I would call an unrestricted sale. However, for historical purposes it should be noted that this sale was not unrestricted, inasmuch as the Federal Government still operates and maintains a light beacon on the island, for the purposes of navigation, which means that the island is still being used for its original Federal purposes, the current light shines no further than the earlier manned lighthouse, a metal sign denoting Federal Criminal penalties is attached to said beacon and the sale most probably included restrictive covenants regarding USCG access and right of way to the beacon, may make this a restrictive sale in which case S.R.A., Inc. Minnesota, supra, may not apply. But that battle may still have to be fought in the courts.

Animal life: The following animals have been found or seen at various times on the island: Mostly birds as listed herein and a noticeable lack of mammals, except when imported by Homo Sapiens.

Types of vegetation and trees found on the Island: white birch, juniper, sumac, limited elm, lots of poison ivy, raspberry bushes, dandelions, grass all of which are slowly claiming the island back to nature in the absence of mowing and cutting. {See also Matt Cohen descriptions- See below}

HISTORY OF VERMONT, NATURAL, CIVIL AND STATISTICAL BY ZADDOCK THOMPSON; BURLINGTON; CHAUNCY GOODRICH- 1842

"Juniper Island is situated in Lake Champlain three miles southwest of Burlington. It contains about a dozen acres of very good land, the general surface of which is elevated 30 to 40 feet above the lake and it is surrounded upon all sides by a steep, precipitous bank. It is composed of slate rock with the seams filled with calcareous spar, through which runs a curious dike of trap rock from 1 1/2 to 2 feet wide in a direction from nearly east to west. A lighthouse was built here in 1826. (See Part II, page 216) The distance from the lighthouse to the south wharf in Burlington is about three miles, 48 rods. The island is supposed to have received its name in consequence of the growth of juniper (*Juniperus communis*) upon it.

Part II, Page 216- Only one lighthouse has been built in Vermont by the general government and that is situated on Juniper Island on Lake Champlain. Congress having made an appropriation for the erection of a lighthouse in the vicinity of Burlington, the Legislature of Vermont in 1825 passed an act ceding to the United States, at their option Juniper Island or 5 acres on Appletree Point as a site for same. The island being chosen, a light house was erected there in 1826. It stands on the highest point of the island, is built of brick in the form of a frustrum of a cone, with a diameter of 18 feet at the base and 12 feet at the top and is 30 feet high. A sufficient light is kept here

constantly burning in the night during the continuation of navigation which is usually from the middle of April to the first of December. The first keeper of the lighthouse was Lt. F. A. Sawyer. He was succeeded in 1829 by Capt. M. Corning and the latter by Mr. E. Jones, the present keeper. The salary is \$375 with the use of the land on the island about 11 acres and a boat. Two other lighthouses have since been built on the lake, one at Split Rock and the other at Cumberland Head both within the limits of New York."

Note: Additional research may be pursued to further determine William Coit's acquisition of Juniper Island against the claims of James Whitelaw and James Savage et. al. and how the island property deed, if it ever was, was filed and where it was filed. It is possible that the original deed may have been filed in any other Vermont County, which was not uncommon for the filing of early deeds, or perhaps Colchester (Winooski) where William Coit lived, per deeds. The grant or deed may have been originally filed in Bennington County because the grant occurred in Shaftsbury??? I had no luck there!!!! It is also possible that no deeds were filed until actual islands in the grants were sold. If Juniper Island were never sold by William Coit et. al. no deed may have existed?? Whitelaw and Savage did not live in the Burlington area and their interests may have waned. Perhaps a search of the titles to other islands in the lake may reveal some clue?? A most curious document occurring on page 54, volume 7 of Chittenden County records showing a deed from James Whitelaw of Ryegate, in the County of Orange, (Vt) James Savage of Spencertown King Dist. (NY) and William Coit of Colchester, claiming to be the original grantees, in consideration of Twelve Pounds Lawful money the sale to Ira Allen all of the Islands in the Winooski River from the mouth of the river to the east line in Jericho. Wasn't William Coit dead in 1808??? NOTE: THIS MAY BE A DUPLICATE RECORD OF THE SALE NOTE IN VOLUME 6, PAGE 252, DATED DEC. 16, 1788 OF SAID CHITTENDEN COUNTY RECORDS. The very few papers that I have found on William Coit are in either deed books or the Ira Allen papers in Special Collections at the UVM Wilbur Library

NOTE: All of the opinions of digested material are those of this author who is not a lawyer, geologist or trained historian but merely a person interested in trying to open up as much of the historical record as possible so that future generations, particularly our children, may be able to understand our heritage. I am a member of the Vermont Historical Society but all opinions are my own and should be so viewed in that light. In addition to the request of my grandson, Phillip III, and a dearth of organized material on Juniper Island, a major stimulus to further historical evaluation was the 21 page treatise on Juniper Island by Matt Cohen dated 1981 and on file at the Vermont Historical Society. I have reviewed records at both the Chittenden County Superior and Probate Courts, US (Vermont) District Court, the Vermont State Archives, the Vermont State Library, the Vermont Historical Society, Burlington City records, Burlington Fletcher Free Library, Vermont Records and Research at Middlesex, UVM Library and Special Collections and been graciously and ably assisted by the clerks, librarians and curators at all of those locations. Examination of such records is often a hit or miss proposition, particularly if you do not know where to look, poor or non-existent cross referencing and sometimes discoveries occur by chance. There is much more to be found and enjoyed and I also hope that this work helps others realize the importance of our multi-faceted and complex history.

PHILLIP M. BOWLER SR.; 395 NORTH STREET; BURLINGTON, VERMONT 05401

Phillip M. Bowler
May 20, 1993

To the Hon.ble the General Assembly, of the State of Vermont, convened at Manchester, the Petition of the Subscribers Humbly sheweth

That there, are, several Small Islands, situate in the easterly part of Lake Champlain (viz.) that there are Eight situate Northerly of the mouth of Onion River, and southerly of the Grand Isle, one East of the Grand Isle, Near the mouth of the River Lamoille, one in Balmaquean Bay, one on the east side of Long Island, some North of the Channel Between the Grand Island, and Long Island.

(Alias the Two Heroes) and one west of Shelburn, called Juniper Island, said small Islands, have never been granted, by the Authority of this State. Your petitioners, therefore prays, as some of them have suffered, in the Antiant Disputes with New York, also Captivity, & in the present War, and had no share in any grants made by this state, that your Honours, would grant said Islands, to your petitioners, Under such Regulations, Reservations, and Restrictions, as your Honors may think proper, and your Petitioners as in Duty Bound, shall ever pray.

Sunderland
Oct 7th, 1782

Isaac Vanornem
Jesse Welden
John Knickerbacor

.....
NOTE: TRANSCRIBED FROM THE DIFFICULT TO READ EARLY SCRIPT OF THE ORIGINAL PETITION BY PHILLIP M. BOWLER SR., 395 NORTH STREET, BURLINGTON, VERMONT 05401 (802) 862-9886
SOURCE: STATE PAPERS OF VERMONT BY MARY GREEN NYE VOL. V PETITIONS FOR LAND 1778-1811
THE ABOVE PETITION WAS FILED OCTOBER 10, 1783, THERE IS NO RECORD OF THE LEGISLATURE ACTION THEREON.

NOTE: THIS PETITION HOWEVER DOES SHOW THAT THE NAME JUNIPER ISLAND WAS KNOWN AT LEAST BACK AS FAR AS 1782.

NOTE: JOHNATHAN KNICKERBACOR WAS THE CLERK EMPLOYED BY IRA ALLEN, THE FIRST TREASURER OF VERMONT.

THE ENCLOSED COMMUNICATION FROM JAMES FISK, ESQ. COLLECTOR OF CUSTOMS FOR THE DISTRICT OF VERMONT, VIZ.-

Collector's Office Swanton, Vt Oct. 13, 1825

His Excellency C. P. Van Ness, Governor of the State of Vermont
Sir: Congress, at their last session, appropriated four thousand dollars for building a light-house at or near the mouth of Burlington harbour in this state. Juniper Island, in said harbour, has been selected as the scite to place the light on; and I am instructed, by the treasury department, to purchase it, if to be obtained for two hundred dollars, and the state will cede jurisdiction thereof to the United States.

The fee of this island is vested in the minor heirs of Mix Mitchell, Esq. late of Burlington, deceased, and therefore, not certain, though highly probable, that it may be purchased. But in case it cannot be purchased, the light house will be placed on Apple-tree Point, on the north side of Burlington harbour, provided this state cedes to the United States the jurisdiction over five acres off the southerly end of said point; and as there will not be time, before the termination of this session of the legislature, to ascertain whether Juniper Island can or cannot be purchased for the above purpose, nor can the building of the light-house be commenced until a cession of the jurisdiction over the scite is made to the United States; which, if put off until the next meeting of the legislature will delay the building one year. I therefore respectfully request through you, the legislature of this state, to pass a provisional act, ceding to the United States the jurisdiction over Juniper Island, in case the light-house is placed there- if not, then over the aforesaid five acres off of the southerly end of Apple-tree Point, in case the light-house is erected on the same.

With sentiments of high respect,

I am, Sir,

Your obedient servant,

JAMES FISK.

Moses Catlin } Whereas Moses Catlin of Burlington in, the
to the } County of Chittenden and State of
United States} Vermont is legally appointed Guardian
to Stephen M. Mitchell and Catherine
Mitchell only heirs of Sophia Mitchell late of
Burlington deceased and whereas the Legislature
of the State of Vermont, by an Act passed at their
October Session in the year of our Lord Eighteen
hundred and Twenty-five did authorize the said
Moses Catlin Guardian as aforesaid to sell
and convey a certain tract of land situate
in Lake Champlain and in the County of Chittenden
which said tract of land is known and called Juniper
Island And whereas I the said Moses
Catlin have in all things complied with the
requisitions of said act by giving the necessary
bonds and by taking the oath in and by said act
required.

Now Know ye that I Moses
Catlin of Burlington aforesaid in my capacity
as Guardian aforesaid and by virtue of the
authority vested in me by virtue of the act
aforesaid and for the consideration of Two Hundred
Dollars received to my full satisfaction of
the United States of America do by these presents
give grant sell convey and confirm unto the sd
United States of America the following tract of land
belonging to the heirs of Sophia Mitchell deceased
Known and called Juniper Island and situate
in the County of Chittenden aforesaid and
in Lake Champlain about four miles distant
and out nearly opposite Burlington Bay so called
containing Ten acres be the same more or less.

To have and to hold the before granted
and bargained premises with all the privileges
and appurtenances belonging unto the
said United States of the sole
use benefit and behoof forever.

And I the said Moses Catlin in
my capacity aforesaid do hereby covenant to and
with the Untied States of America that I have good
right and authority by virtue of the act aforesaid to sell
and convey the premises aforesaid in manner and form
aforesaid and also that I have in all things complied with
the requirements of said act, and also that th premises aforesaid
are free and clear of all incumbrances whatever, and
I the said Moses Catlin in my capacity
of Guardian aforesaid, do also covenant and agree to & with

with the United States that I will in my capacity
Warrant and defend the before granted
premises to the United States against
all claims and demands whatever.

In witness whereof I have herewith set
my hand and seal this 11th day of May AD
1826 Moses Catlin (L.S.)
guardians to the heirs
of Sophia Mitchell

In presence of
N B Haswell??
H Lowry
State of Vermont }
Chittenden County} Burlington May 11, 1826

Then personally appeared the within
named Moses Catlin and acknowledged
the foregoing instrument to be his voluntary act and deed
Nathan B. Haswell Justice of the Peace

Received for Record May 12, 1826 and
duly Recorded By
Nathan B. Haswell- Clerk

.....
NOTE: THE ABOVE DOCUMENT WAS TRANSCRIBED FROM THE DIFFICULT TO READ
EARLY SCRIPT FROM VOLUME 8, PAGES 492 & 493 OF THE CHITTENDEN COUNTY
(VERMONT) SUPERIOR COURT RECORDS BY PHILLIP M. BOWLER SR., 395 NORTH
STREET, BURLINGTON, VERMONT 05401 (802) 862-9886.

FOR HISTORICAL PURPOSES IT SHOULD BE NOTED THAT THERE IS NOTHING IN
THIS DEED THAT TELLS THE ORIGIN OF THE PROPERTY. SOPHIA C. MITCHELL,
NEE SOPHIA C. COIT WAS THE DAUGHTER OF WILLIAM AND BETSEY COIT OF
BURLINGTON. SHE MARRIED {OCT. 29, 1816- BURLINGTON, VT) STEPHEN MIX
MITCHELL (B. JULY 28, 1775 {WETHERSFIELD, CONN.} D. MAY 20, 1820
SOPHIA C. MITCHELL D. SEPTEMBER 20, 1822.
REFERENCE PROBATE ESTATE RECORDS OF STEPHEN MIX MITCHELL, ESQ. (YALE
UNIVERSITY) 1820- FILE #524 CHITTENDEN PROBATE COURT.
REFERENCE PROBATE ESTATE RECORDS (INTESTATE) OF WILLIAM COIT 1803- FILE
#49 CHITTENDEN PROBATE COURT. WILLIAM COIT WAS A SURVEYOR AND
SURVEYED AND ALLOCATED THE ORIGINAL NEW HAMPSHIRE GRANTS TO THE CITY OF
BURLINGTON {SEE ORIGINAL MAP BURLINGTON FLETCHER FREE LIBRARY LOCAL
HISTORY ROOM WALL} WILLIAM COIT ESTABLISHED THE BOUNDARIES OF
BURLINGTON IN 1798. WILLIAM COIT WAS A BURLINGTON SELECTMAN IN 1792,
1794, 1795 AND 1801. HE WAS ALSO A REPRESENTATIVE TO THE VERMONT
GENERAL ASSEMBLY IN 1794. WILLIAM COIT WAS ALSO A CLOSE FRIEND OF IRA
ALLEN AND LIVED WITH IRA ALLEN IN COLCHESTER, AT ONE TIME. MY
SUSPICION IS THAT WILLIAM COIT MAY HAVE RECEIVED THE PROPERTY AS
PAYMENT FOR HIS SURVEYORS DUTIES ALTHOUGH I HAVE NOT VERIFIED THIS,
YET.

Know all men by these presents that I William Coit of Burlington in the County of Chittenden & State of Vermont for & in consideration of three hundred pounds L money to me in hand paid before the delivery hereto the receipt whereof I do hereby acknowledge have alined released & quitted claim and by these presents do alien release and forever quit claim unto James Savage of Canaan in the County of Columbia & State of New York & to his heirs and assigns forever all of my right title interest property & demand of in & unto three thousand nine hundred acres of land lying in square form amongst the north and northerly end of the ten thousand acre tract of land granted by the State of Vermont to James Whitelaw James Savage & Wm Coit which lies between Cambridge & Bakersfield in the County of Chittenden and also all of the Islands surrounded by Lake Champlain that were contained in the above grant made to James Whitelaw & others excepting the Island containing about one hundred acres lying nearest to St. Albans Point the island of about four acres contents lying nearest mouth of Colchester Point and Juniper Island so Called lying before Burlington Bay _____ To have and to hold the above claim quitted previous with the appurtenances to him the sd James Savage his heirs & assigns to his & their own proper use benefit & behoof forever hereby engaging to warrant and defend the same against the claims of all persons claiming by from or under me. In Testimony whereof I have here unto set my hand & seal this 16th day of October 1792
witness John Clapp
Thos Miller
William Coit Ls

State of Vermont Rutland Oct 16, 1792
personally appeared Wm Coit signer & sealer of the
foregoing instrument and acknowledged the same to
be his free act & deed before me
Recorded May 10, 1794
T Miller Regr
Jon Arnold Commissioner

NOTE: L IN LINE THREE MEANS "LAWFUL"; REGR IN LAST LINE = "REGISTRAR"
NOTE: THIS DEED WAS A CONTRACT BETWEEN WILLIAM COIT AND JAMES SAVAGE, TWO OF THE THREE PARTIES TO A 23,040 ACRE GRANT OF LAND GIVEN BY THE STATE OF VERMONT IN PAYMENT OF ALL THE GENTLEMEN'S WORK ON MAKING LAND SURVEYS IN THE NORTHERN PORTION OF VERMONT OVER A PERIOD OF FOUR YEARS. THIS DEED EFFECTIVELY DIVIDE UP THE PREVIOUSLY UNGRANTED ISLANDS IN THE LAKE BETWEEN TWO OF THE THREE PARTIES INVOLVED IN RECEIVING THE GRANT. I HAVE NOT YET DETERMINED THE LOCATION OF JAMES WHITELAW'S PORTION OF THE ARRANGEMENT. I DID NOT READILY FIND THE DEEDS AMONG A CURSORY SEARCH BY GRANTOR-GRANTEE INDEX IN BENNINGTON, CHITTENDEN, ORANGE COUNTIES OR RYGATE WHERE JAMES WHITELAW LIVED AND DIED CIRCA 1829 AT AGE 81. WHITELAW MAY HAVE SOLD HIS PORTION OF THE GRANT TO OTHER PARTIES OR THE VERBAGE OF THE PROPERTY DIVISION MAY BE BURIED IN SOME OTHER DEED THAT I HAVE NOT TRACED, AS OF YET. JUNIPER ISLAND REMAINED IN THE POSSESSION OF WILLIAM COIT UNTIL HIS DEATH CA. 1802 AND THEN BY INTESTATE ESTATE TO HIS DAUGHTER SOPHIA C. MITCHELL, NEE COIT AND THEN AFTER HER DEATH IN 1822 TO HER TWO MINOR CHILDREN, STEVEN MIX MITCHELL III AND CAROLINE MITCHELL. MOSES CATLIN WAS APPOINTED THEIR GUARDIAN BY ACT OF THE VERMONT LEGISLATURE IN 1825 AND THEN HE SOLD THE LAND, ALLEGEDLY ON THEIR BEHALF TO THE UNITED STATES OF AMERICA FOR THE PURPOSE OF ERECTING A LIGHTHOUSE. THE ABOVE DEED WAS TRANSCRIBED FROM VOLUME 4, PAGE 353 OF THE CHITTENDEN COUNTY LAND RECORDS BY PHILLIP M. BOWLER SR.; 395 NORTH STREET; BURLINGTON, VERMONT 05401. FOR LEGAL PURPOSES, COMPARISON TO THE ACTUAL DOCUMENT SHOULD BE MADE.