

# **Land Settlement and Speculation Among European Colonists: The Case of Vermont Township, State of Wisconsin**

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## **1. BACKGROUND**

This article explores how U.S. governmental policies and programs in the 1800s influenced subsequent immigrant land settlement and land speculation through a focus on the Township of Vermont in western Dane County.

### ***1.1 Land Holdings in Wisconsin Prior to European Settlement***

The Ojibwe, Menominee, Ho-Chunk, Dakota, Sauk, Fox and Potawatomi Native Nations occupied lands in what is now the State of Wisconsin prior to the treaties between these Native Nations and the Federal Government of the USA. These treaties resulted in the ceding of land by the Nations to the USA and the removal of native peoples to lands west of the Mississippi River. Three treaties between the US and Ho-Chunk (then known as Winnebago) Nation of 1829<sup>1</sup>, 1832<sup>2</sup> and 1837<sup>3</sup> accompanied by force or threats of force resulted in the US Federal government acquiring ownership to most of what is today southwestern Wisconsin.

There are at present no Native Nation held lands in the Township of Vermont, Dane County, Wisconsin although prior to the immigrant settlement of the 1800s, mostly the Ho-Chunk people had held and used these lands for centuries<sup>4</sup>.

### ***1.2 Debates about Land Settlement Policies and Mapping in late 1700s in the US***

During the colonial period prior to US independence in 1781, the English had to devise ways for allocating the New World land that the English monarchy had acquired from Indian

nations. The typical path was the creation of companies grouping wealthy shareholders to administer the settlement process. The monarchy chartered the companies to use their own resources for organizing the settlement of lands assigned to companies.

Once the chartered companies acquired land from the English Monarchy, they assigned land to settlers who had to pay the chartered entities rent or fulfill other obligations to the companies<sup>5</sup>. These dependent forms of tenure with the holders of the land controlled by socially or geographically distant company owners produced constant tensions which contributed to the independence movement of the 1700s<sup>6</sup>.

Following independence, the government of the United States embarked on huge land acquisitions through treaties with Native Nations and by way of land purchases from European nations. The political leaders of the time, particularly Washington and Jefferson argued that the orderly settlement of these newly acquired lands should follow the laying out of survey plats, that is, maps showing the boundaries of parcels that people would acquire as their properties from Federal and State Governments. Private persons and companies could claim and purchase surveyed parcels at low prices. These private purchases from the government would generate governmental income, and subsequently would provide funds for local governments through taxation of private land holdings.

The Northwest Ordinance of 1787 presumed that the settlers on the newly acquired Federal lands would be large landholders. The largest holders<sup>7</sup> (500 acres) would assume governance positions as governors and clerks and others<sup>8</sup>.

Also in the political air at that time were political pressures from people like Jefferson and Paine for the relatively egalitarian settlement of new lands to be used for family scale agriculture and not for speculation, initially at least<sup>9</sup>. For Jefferson, placing land in the hands of thousands of small scale farm families had many advantages: "Cultivators of the earth are the most valuable

citizens. They are the most vigorous, the most independent, the most virtuous, and they are tied to their country, and wedded to its liberty and interests, by the most lasting bonds”<sup>10</sup>.

In New England the predominant method of identifying land for settlement had been the survey of rectangular blocks before the actual settlement<sup>11</sup>. In other colonies, however, people took possession of land following natural landscape features and then surveyed or simply identified boundaries with words describing landmarks and measurements to delineate land holdings. They typically surveyed boundaries after occupying the land.

In the pre-independence period there had been relatively negative experiences in New England with chartered companies and with post-settlement land boundary identification. To deal with these problems, Jefferson argued for pre-settlement mapping in rectangular blocks, down to 40 acres in size and then the governmental sale of these 40 acre parcels at favorable prices to families who would make the land produce and would establish locally governed communities.<sup>12</sup> Jefferson’s scheme also included local Federal land offices where surveyors deposited plat maps showing surveyed parcels for administering land claims from people desiring land and then the recognition of their claims on the ground through land patents<sup>13</sup>. The functional model for land settlement definitively changed from large allotments to be held and developed by land companies to direct governmental allotments of 40 acres and multiples of 40 acre parcels to families for their use and ownership.

During the pre-independence and post-Independence periods, another topic hotly debated was about speculation in land. Some large land companies as well as wealthy individuals acquired cheap public lands and then re-sold them at significant windfall profits. Contrasting with family scale farmer policies advocated by Jefferson were those exemplified by Robert Morris who wanted to leave the disposition of the Northwest Territories (and other Federally acquired lands) to buyers of large areas of land who would subsequently sell off parcels in free market

transactions<sup>14</sup>. Through such unregulated market transactions, the advocates of such land speculation argued that the costs of surveying and subdividing the land would be paid by the purchasers. To assure the development of the country, the initial holders of large land areas would sell it at market prices to those with capital who would be capable of making it produce<sup>15</sup>. Jefferson's competing vision was for families to acquire land at nominal cost, invest their labor to improve the productivity of the land as "yeoman farmers", engage in other economic activities, and participate in local civic organizations. However, the new owners were free to sell their recently titled lands without restrictions.

Both factions supported the Public Land Survey System (PLSS). In 1832 a PLSS team began surveying the Wisconsin Territory into Townships measuring 6 miles by 6 miles following the Jeffersonian model. Each Township was composed of 36 one square mile surveyed sections each containing 640 acres, which were to be surveyed into four quarter sections of 160 acres each, and then into quarter-quarter sections containing 40 acres each. The General Land Offices of the Federal Government administered auctions of 40 acre PLSS parcels (referenced as "forties") singly or in multiples, to claimants, at \$1.25 per acre.

The federal government also transferred some of its lands to States for them to then sell or hold for public purposes (such as schools). In Wisconsin the Board of Commissioners of Public Lands (BCPL) administered the sale of these lands, using the PLSS descriptions of parcel boundaries.

By the end of the nineteenth century, "over one quarter of a billion acres of public domain had been converted into private property"<sup>16</sup> without restrictions on buying and selling through private contracts.

## 2. FROM SETTLEMENT TO COMMUNITY IN THE TOWN OF VERMONT

At the time when Wisconsin achieved territorial status in 1836 the Township of Vermont was simply “Township 7 North, 6 East”, with the land nominally owned by the federal government. Like most typical townships it was approximately 6 miles square containing 36 square sections of land each containing 640 acres more or less yielding a total of approximately of 23,000 acres in the Township.

A Federal Government General Land Office (GLO) was opened in Dubuque, Iowa in 1838<sup>17</sup> although a temporary and later a permanent GLO office in Mineral Point, Wisconsin, was issuing patents by 1839 for claimants of land in the Township of Vermont.

### *3.1 Settlement through a Land Company in Township of Vermont*

Some of the earliest immigrants to secure land in the Township of Vermont were part of a settlement scheme devised by a land company formed in Liverpool, England in 1842, the British Temperance Immigration Society and Savings Fund<sup>18</sup>. The objective of the society was to raise a fund from weekly local contributions to buy land in the State of Wisconsin and to secure for each settler a farm of 80 acres with some improvements. When sufficient funds were raised to purchase the land and make improvements, the names of those wishing to emigrate, most from Liverpool area, were put in a bag and lots were drawn for the right to acquire land in Wisconsin.

It was not until 1846 that a group of Society settlers first came to occupy land initially in Sections 1 through 16 in Vermont Township. The Society had drawn a plat of the sections describing land it had prepared for settlers in several townships, including Vermont, based on the survey plats deposited with the GLO<sup>19</sup>. In Vermont Township the Society’s trustees in the

name of the Society purchased two 40 acre parcels from the GLO in 1848 which John Coldwell occupied and acquired in ownership from the GLO in 1852 after some dispute. Figure 1 shows an engraving of the Coldwell farmstead in 1853. The other 23 immigrant English families which came to Vermont that year occupied and legally claimed land directly through the GLO.in the 1850s.

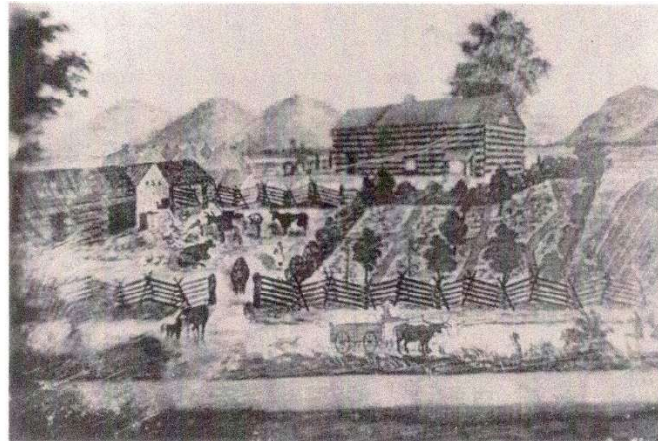


Figure 1: Copy of an engraving by W. James in 1853 of the presumed Coldwell Homestead, Vermont Township, Dane County<sup>1</sup>

We have a letter from John Coldwell’s wife Harriet to their son John back in Sheffield, written also in 1853 which mentions that the family had a herd of 18 head of cattle and “from 30-40 hogs”. They must have also had chickens since Harriet says in her letter that she offered to send some eggs and butter to their son who operated a tavern back in Sheffield.

From the beginning, this Society based in England had many problems with the settlers. As told in the Town of Vermont History, in November, 1846, a company representative in Wisconsin wrote to England about its settlers: “...no medicine, no provision, no money and whole families lying sick, unable to help one another. The County commissioners have aided the ill and poor, but we have many deaths.”<sup>20</sup> Most of the settlers had been trades people in

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<sup>1</sup> Provided by Florence Brunner Simon, age 96, who lived in Hudson, Wisconsin to Dan Brunner before she died in December, 2017.

England who knew little or nothing of farming.

In 1847 the Society was dissolved and the settlers were on their own to finalize legal claims to their lands through the GLO. In the end, the Society did not succeed as a profitable venture for its investors but did manage to motivate approximately 200 English families to claim land in the Township of Vermont as well as land in the Arena, Mazomanie, Berry and Black Earth Townships<sup>21</sup>.

### *3.2 Settlers or Speculators?*

Most of the immigrant families looked for land via the GLO administered PLSS. Jefferson had argued for a massive settlement of immigrant families on the lands of the vast Northwest Territory to make the land produce and build local communities—the foundations for the developing new nation.

The relatively organized efforts by the Society to bring English families to the Vermont Township area contrasted with the increasing immigration of individual families from other European countries into Vermont Township and surrounding Townships. Even in Sections 1 through 16 targeted originally by the Society, immigrants from Norway, Austria, and Ireland applied for and received patents neighboring those which English immigrants acquired through the Society.

How did immigrants, who claimed PLSS surveyed forty acre parcels (“forties”) from the federal and state governments, behave once they had their land? Did they fit the Jeffersonian model of yeomen farmers by building homes and farm operations, and by forming local governments, building schools and roads? Or did they hold their land rights for a while without making a commitment to farming, but then sold and moved on—acting more as land speculators than farmers?

We use data from the Township of Vermont to see which behavioral pattern emerged as predominant in this particular case, or whether both patterns operated<sup>22</sup> and to what extent.

We first created a sketch of each of the 36 sections in the Township, showing the 16 forty acre parcels in each section. We then searched the Federal Bureau of Land Management (BLM) land records archives<sup>23</sup> for the forty acre land patents awarded by the BLM through its GLO in Mineral Point for the Township of Vermont. Data on some forties were not in that federal government BLM archive, so we worked with the Archivist of the State of Wisconsin's Board of Commissioners of Public Land (BCPL)<sup>24</sup>, to find data on State patenting of some of the missing forties in the Township. After that exercise but still missing data for some forties, we found the land allocation records that we were looking for in a dusty folder on a little used shelf in the Dane County Register of Deeds.<sup>25</sup>

On the Section sketches (see Figure 3 for Section 29 as an example ) we noted the original patent holders' names, dates of acquisition, acreages acquired, whether issued by the GLO or the BCPL and notations about land purchases using war veteran scripts for purchasing of parcels in the Township.

We then began the process of identifying which original patent holders should be classified as "speculators". We compared the names of those original patent holder with names in the 1860 and 1870 censuses for the Township of Vermont. We also searched for those names on a plat map done in 1873 for all of the townships in Dane County. We classified as "speculators" those original patent holders whose names did not appear in the 1870 census nor in the 1873 plat of the Township of Vermont residents. We concluded that these people sold their forties in Vermont Township in less than a generation to look for opportunities elsewhere. The original patent holders who appeared in the 1870 census or the 1873 plat map we classified as "settlers".



stayed with the patented land for approximately a generation. Whether these families exhibit all of the characteristics of “yeoman” farmers can be debated, but they stayed for at least 20 years. They could not have survived frontier conditions for those years without investing their family labor and resources in making the land produce or in some economic activity in support of farmers such as mills and cheese factories.

Those classified as speculators comprised a diverse group. Some with little farming experience were land hungry immigrants who found 40 acres blocks of land available at auction for \$50 and gambled on making a living from the land. Some of these bidders may have acquired land with the expectation that the value of land would quickly rise and they could make a profit from quick sales. Or they could have treated land as an asset which would at least maintain its exchange value at a time when paper currencies were of uncertain value or in short supply. Perhaps it would be more descriptive to classify people who secured patents to land but soon sold as “those who moved on” as a form of speculation, since we cannot know their motivations for buying the land and selling that land soon after.

Those who stayed on the land also had different motivations and family resources, but they did invest in the land for at least a generation. We classified these people as settlers, even though they may have been motivated at least in part to hang on to the land and make improvements expecting or speculating that the value of their investments would increase in the future.

But since the policy debates of the time were in terms of “yeoman” farmer settlers versus speculators, we use those terms.

In order to determine speculator or settler status, it helped greatly that the principal author is from Vermont Township and benefited from knowing many local families and their histories and from having read the Town history countless times. Some names were easy to establish as

settlers since their descendants are still around. Problems arose with some last name usage especially by the Norwegian immigrants with their patronymic naming system. Some Norwegian names were also on the cusp of using the old world individual names versus the new world family names to establish identities. The same persons with different spellings of first and family names were common in the records we consulted, which in some cases required lengthy searches and confirmations to identify them as speculators or settlers.

For example, Joseph Harmony's name was spelled variously as "Harmane", and "Harmonie". The surname "Deneen" was spelled "Dineen" or "Dinneen" in different documents consulted referring to the same person. The Norwegian spellings were even more variable. We struggled over "Ole Olson" and "Ole Olsen", for example, but from their GLO records and the 1870 Census we finally decided they were two different people. By consulting the Vermont History various times, and using various informants, we managed to identify people who got a patent but did not appear in subsequent censuses or plat maps up to and including the 1873 Dane County plat map. Some original patent holders were easy to determine as speculators, such as Cyrus Woodman who was widely known as a land speculator in the State. Within Vermont Township, he acquired 840 acres in 15 patents across various sections between 1851 and 1859 but had disappeared from the 1870 census and 1873 plat.

In summary, the classification of patent holders as settlers (SE) were those whose names appeared in the 1870 census or in the 1873 Plat. Those patent holders whose names did not appear in either of those two sources were classified as speculators (SP). We entered these notations into the sketches of each forty acre allotment—an example for Section 29 shown in Figure 3.



40 acre lots in their patents, many of which contained some cultivable land but often also including steep hills and forested areas, less valuable for agricultural enterprises but also having value for timber and firewood<sup>27</sup>.

Waves of immigrants arrived in a short amount of time to patent land in the Township. Using our patent holder database, we produce Table 1 that shows that almost 75% of the patents were issued between the years of 1854 and 1858 in Vermont Township.

Table 1: Year of Patents (up to 4 per holder)		
	Frequencies	
1853 or earlier	44	12.8%
1854-55	146	42.6%
1856-1858	110	32.1%
1859 or later	43	12.5%
Total patents <sup>28</sup>	343	100.0%

The frenzy of land acquisitions over a five year period 1854-1858 confirms a high demand for land, even the relatively hilly and forested lands of Vermont. However, the rush for land ran into the government insistence on auctions prior to actual occupation of the land. Pragmatically, people often claimed a single forty, then occupied that and neighboring forties, built shelters and planted crops. They would then participate in the auctions when announced to bid for available land including land they had already occupied or identified. Hibbard describes various scenarios used by immigrant land claimants to get patents in Dane County, and there are stories about negotiations among land claimants as to what land to bid for at auctions<sup>29</sup> and then actually occupy<sup>30</sup> before the auctions.

The landholding pattern created by the original patenting did not last long. Figure 4 shows land holdings in Section 29 in 1873, much changed from the original distribution of land rights in approximately one generation.



Figure 4: Section 29 as shown in the 1873 Plat Map

A “dot” on the map indicates a building. By 1873 the original P.K. Deneen had died; leaving his heirs<sup>31</sup> and Irish immigrant relatives in possession of land around his first holding. He donated land for a church and a school. He was also active in local affairs, serving as the School Board Clerk (Dybdahl et. al 1977, p9). He engaged in numerous local land market transactions to add to his own holdings but also to help his arriving relatives get land. A review of the Register of Deeds for Dane County showed that he was involved in 54 transactions (buying or selling, but not including many mortgages) between 1855 when he got his first patent until he died in 1874<sup>32</sup>, averaging nearly three transactions a year. He could not be said to be a classic “yeoman” dedicated to making a single patent or contiguous patents into

a producing farm. He also acted as a speculator, buying and selling land. He did come to manage a substantial farmstead. He exemplified many characteristics of a yeoman farmer in Jefferson's concept of an active farmer and citizen, keeping land in the family but also contributing to his community. He also was willing to part with land or acquire a piece of land if it made strategic family sense to him.

The biographical sketches presented in the 1880 Dane County History<sup>33</sup> and the descriptions of how Town of Vermont government functioned since established in 1856 contained in the Vermont History<sup>34</sup> show that many of the original patent holders became active in local government and community affairs. The prime concerns of the Board were the collection of property taxes, the opening and improving of local roads, and the building and managing of local schools. This Town illustrates one of Jefferson's expectations about how his yeoman farmer settlement ideas even including some residents with more speculative inclinations would produce locally governed communities with roads, schools, local industries as well as an agriculturally based and relatively prosperous local economy.

#### **4. PATENT HOLDERS IN VERMONT TOWNSHIP**

The inflowing of immigrants into Vermont Township followed certain patterns. The first immigrant group was composed of the British settlers often related to one another, sponsored by the above-mentioned land company mostly into the northwestern sections of the township. One of the first institutions created by this group was the Methodist Church, established in 1844, whose main building was eventually located in 1863 just west of Vermont Township.

Another group of immigrant families from Ireland acquired holdings in the central parts of the township. These immigrants founded a Catholic Church in 1860 on what is now County F. Another group of largely catholic immigrants from Austrian Empire countries joined the Irish families in supporting that St. Simons Catholic church.

A third group of immigrant families from Norway filtered into Vermont Township, bringing with them their Lutheran beliefs and built the Vermont Lutheran Church in 1862 which still functions.

We classified most of the original patent holders as to their ethnicity based on the senior author’s knowledge of local family histories. We also consulted Jorgen Godersted was in his 90s and used his knowledge of the Norwegian heritage in the Town to identify Norwegian names and to help identify the national origins of non-Norwegian patent holders.

Our database was composed of 234 original patent holders. We calculated whether the patenting of land was relatively equitable, as Jefferson had advocated. The Gini Index<sup>35</sup> for the patented holdings is 0.39. An index closer to 0 indicates relatively equitable land distribution, while an index closer to 1 would indicate relatively inequitable distribution. As a point of comparison, the Gini Index for land holdings in 2015 for Vermont Township (based on the tax roll for 2015) is 0.61. The distribution of patented land holdings in the mid-1800s was more equitable than is the distribution of landholdings today.

Table 2 shows the numbers and percentages of settlers and speculators and the total land area held by settlers and speculators.

Settler or Speculator	N	%	Amount of Land Held (Acres)	%	Mean	Std. Deviation
Settler	150	64%	12,947	57%	<b>86.31</b>	66.343
Speculator, Moved on	84	36%	9,627	43%	114.60	114.512
Total	234	100%	22,574	100%	96.47	87.583

Source: Brunner land patent database

. In the Township of Vermont, the auctioning of forties to families resulted in nearly 2/3 of the patent holders remaining in the Township as independent farmers and/or as small business

operators. Patent holders classified as speculators amounted to slightly more than 1/3 of all patent holders. From that perspective, the Jeffersonian mapping and titling policies of the mid 1800s proved to be effective to a significant extent although a third sold and moved on

However, in Table 2 we also see that on average, the speculators acquired more land per claim than did the settlers—an average of 115 acres for speculators in comparison with the settler average of 86 acres<sup>36</sup>. We do not know, however, how quickly these speculator lands flowed over time into the hands of settlers or to other speculators through transactions after the original patent acquisitions. Nor do we know the significance of the flow of land from settlers to speculators in following decades.

Were there differences among ethnic groups in terms of how they related to the land they patented? Hibbard speculates that there were important differences<sup>37</sup>,

*But for staying qualities the German and Norwegian [settlers] take front rank. Without any exception they have done better than merely to hold their own in every locality where they have settled, while the Yankees, English, and Scotch have been carried on to become pioneers again, or have quit farming altogether and moved to the city.*

Table 3 shows that in the Vermont Township case a higher percentage of the Norwegian patent holders stayed in the Township than did patent holders of other ethnicities. See the same data shown graphically in Figure 5. Even though the Norwegian patent holders tended to be a bit later in patenting land, they overwhelmingly tended to stay once they arrived, treating their lands and community as the bases of their survival; 98% of the immigrants from Norway were settlers. The non-Norwegians, including the people of Germanic, British, and Irish origins, were more likely to move on after patenting land in Vermont Township than their Norwegian neighbors. The British/English/Scot immigrants especially showed more tendencies to “move on”. Just 36% turned out to be settlers.

Table 3: Ethnicity of Settlers and Speculators

			Settler or Speculator		Total
			Settler	Speculator, Moved on	
Ethnic Origins:	Norwegian	Count	83	2	85
		% within Ethnicity:	97.6%	2.4%	100.0%
	British/English/Scot	Count	33	57	90
		% within Ethnicity:	36.7%	63.3%	100.0%
	Irish	Count	19	15	34
		% within Ethnicity:	55.9%	44.1%	100.0%
	German/Austrian/Swiss /Hungarian	Count	15	10	25
		% within Ethnicity:	60.0%	40.0%	100.0%
Total		Count	150	84	234
		% within Ethnicity:	64.1%	35.9%	100.0%

Source: Brunner land patent database; Chi Square = 72.8, p<.0001

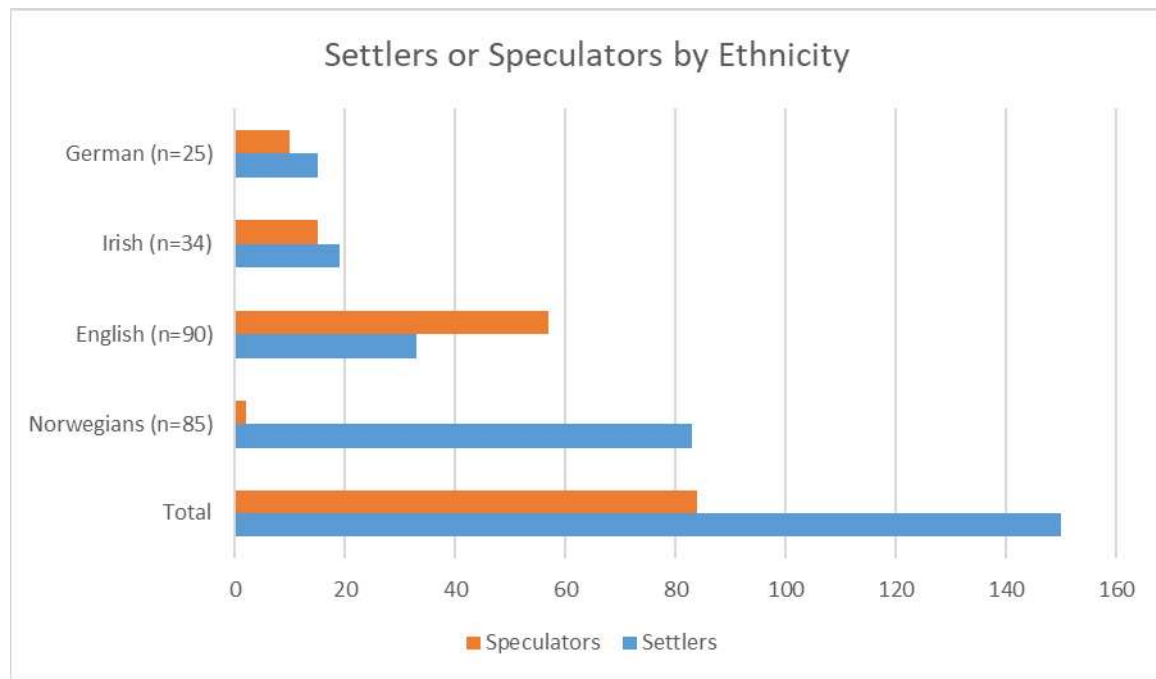


Figure 5: Speculators and Settlers Among Original Patent Holders in Vermont Township

Table 4 suggests that while the Norwegians were overwhelmingly settlers, on the average they managed to patent significantly less land than their non-Norwegian neighbors, perhaps due to their patenting of land after their non-Norwegian neighbors, from the lands that remained unclaimed.

Table 4: Mean Total Patented Acres  
by Ethnicity

Ethnicity:	N	Mean	Std. Deviation
Norwegian	85	72.0	46.0
British/English/Scot	90	121.1	114.6
Irish	34	91.8	77.9
German/Austrian/Swiss/Hungarian	25	100.8	75.8
Total	234	96.5	87.6

Source: Brunner patented land database;  $F=4.67$ .  $p < .003$

## 5. CONCLUSIONS

1. The forced removal of the Ho-Chunk from the land before 1838 precluded any attempt in the 1800s at peaceful co-existence of immigrants and native people<sup>38</sup>.
2. With some limitations, the data indicate that the objectives of the Jeffersonian land policy faction which included the encouragement of family sized farms and founding of local communities were in the main achieved in Vermont Township.
  - Individual families identified and claimed land in Vermont Township from Federal Government Land Offices and from the State of Wisconsin.
  - Nearly 2/3 of the immigrant patent holders actually settled on farmsteads, stayed at least 20 years in the Township, and built enterprises and community institutions.
  - About 1/3 of the immigrant patent holders moved on from their original patents and did not convert the land they received into functioning farms or local businesses.
  - Settlers bought and sold land when convenient for their families and enterprises; to a

certain extent they treated land as a financial asset.

- The GLOs issued patents to land in a relatively equitable manner. There were a few large holdings, but most land flowed into the control of many families, averaging less than 100 acres, with a Gini index of .39.
3. The competing view of land companies and land speculators being the appropriate recipients of the frontier lands did not succeed in Vermont Township. A land company, the British Temperance and Immigration Society and Savings Fund, was originally instrumental in settling British families in Vermont Township in the late 1840s. The Society purchased land and settled people mostly in the northwest of what would become Vermont Township. However, the Society's scheme collapsed when the settlers became pressed financially and did not pay their rents to the Society.
  4. As for the Jeffersonian push for the PLSS to survey frontier lands prior to their allotment, section surveys were mostly in place before the waves of new immigrants began arriving in the Township of Vermont in the 1850s. The PLSS and local GLOs facilitated the recording of patents giving State backing as to the validity of such titles.
  5. The immigrants from Norway got their land on average a bit later in time and in smaller allotments than the immigrants from other ethnic groups. Even with less land, however, nearly all of the Norwegians stayed on their patented land. By contrast, only about 45% of their non-Norwegian neighbors stayed on their larger holdings of patented land—the majority sold their patented lands and moved on.

## ENDNOTES

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<sup>1</sup> Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties, Volume 2: Treaties.* , “Treaty with the Winnebago, 1829, Aug. 1, 1829. | 7 Stat., 323. | Proclamation, Jan. 2, 1830”, (Washington : Government Printing Office, 1904) 300-303, accessed at:

<https://www.nps.gov/efmo/learn/historyculture/upload/Appendix-E-1.pdf>

<sup>2</sup> Ibid, “Treaty with the Winnebago, 1832, Sept. 15, 1832. | 7 Stat., 370. | Proclamation, Feb. 13, 1833, accessed at: <https://www.nps.gov/efmo/learn/historyculture/upload/Appendix-E-1.pdf>

<sup>3</sup> Ibid, “Treaty with the Winnebago, 1837, Nov. 1, 1837. | 7 Stat., 544. | Proclamation, June 15, 1838, 498-500, accessed at: <https://www.nps.gov/efmo/learn/historyculture/upload/Appendix-E-1.pdf>

<sup>4</sup> Patty Loew, *Indian Nations of Wisconsin*, (Wisconsin Historical Society Press, 2013), 45-46

<sup>5</sup> C. Albert White, 1983. *A History of the Rectangular Survey System*, (Bureau of Land Management, Supt. of Docs. no.: I53.2:Su7/2, 1983), 11

<sup>6</sup> Arthur M. Schlesinger, “The Aristocracy in Colonial America”, *Proceedings of the Massachusetts Historical Society*, Third Series, Vol. 74, (1962) , 3-4

<sup>7</sup>U.S. Continental Congress, “Ordinance of May 20, 1785 on the Disposition of Land in the Western Territory”, *A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 – 1875, 1785.* Found in , *Journals of the Continental Congress, Volume 28, pp 375-381.* Accessed at: [http://memory.loc.gov/cgi-bin/query/D?hlaw:15:./temp/~ammem\\_t14X:](http://memory.loc.gov/cgi-bin/query/D?hlaw:15:./temp/~ammem_t14X:) A summary of subsequent modifications to the rectangular Public Land Survey System can be found at: [https://www.blm.gov/sites/blm.gov/files/uploads/IB2013-057\\_att1.pdf](https://www.blm.gov/sites/blm.gov/files/uploads/IB2013-057_att1.pdf)

<sup>8</sup> An ordinance for the government of the territory of the United States, North-west of the river Ohio, 1787, accessed at <https://tile.loc.gov/storage-services/service/rbc/bdsdcc/22501/22501.pdf>

<sup>9</sup>Gene Wunderlich, Gene, “Hues of American Agrarianism”, *Agriculture and Human Values*; Vol 17, No.2, June, 2000), 193.

<sup>10</sup>Thomas Jefferson, “Letter to John Jay, August 23, 1785”, reprinted in Adrienne Koch, and William Peden, *The Life and Writings of Jefferson.* (New York: The Modern Library, 1785), 377 .

<sup>11</sup> White, *A History*, 1983, 10-16

<sup>12</sup>An Act supplementary to the several laws for the sale of public lands, Twenty Second Congress, Stat. 503, Chap. LXV, April 5, 1832, accessed at <https://www.loc.gov/law/help/statutes-at-large/22nd-congress/session-1/c22s1ch66.pdf>

<sup>13</sup> Andro Linklater, *Measuring America: How the United States Was Shaped by the Greatest Land Sale in History* (Plume, Penguin Group, New York, 2003), 112

<sup>14</sup> Linklater, *Measuring America*, 82-85

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<sup>15</sup> Schlesinger, “The Aristocracy”, 3-4

<sup>16</sup> Linklater, *Measuring America*, 15

<sup>17</sup> *Ibid.*, 97

<sup>18</sup> Viola Dybdahl, Joe Dybdahl, Lola and Arnold Forshaug, Fern Frame, Bette and Bertil Johnson, Dorothy Kelliher, Avis MacLean, Lola MacLean, Betty Rosenbaum, *Vermont History and Biographical Sketches: Then and Now*, (Ski Printers, Blanchardville, Wisconsin 1977), 20

<sup>19</sup> *Ibid.*, 26

<sup>20</sup> *Ibid.*, 20

<sup>21</sup> Frank Wolf, *Ghost Town Dover and the British Temperance Emigration Society*, 2010, Mazomanie, Wisconsin

<sup>22</sup> Richard Hofstadter, “The Myth of the Happy Yeoman”, (*American Heritage*, Volume 7, Issue 3, 1956), 16

<sup>23</sup> The Bureau of Land Management land patent data for Vermont Township was accessed at: [https://gloreCORDS.blm.gov/results/default.aspx?searchCriteria=type=map|st=WI|twp\\_nr=007|twp\\_dir=N|rng\\_nr=006|rng\\_dir=E|m=46](https://gloreCORDS.blm.gov/results/default.aspx?searchCriteria=type=map|st=WI|twp_nr=007|twp_dir=N|rng_nr=006|rng_dir=E|m=46)

<sup>24</sup> The BCPL archivist, Randy Bixby, helped fill in the data on the missing forties by consulting the BCPL archives. The BCPL web site is: <https://bcpl.wisconsin.gov/Pages/Home.aspx>, and the archives are located at: 2nd Floor | 101 E Wilson St | Madison, WI 53703.

<sup>25</sup> “Entries of Land”, Dane County Register of Deeds, Madison.

<sup>26</sup> The 1873 plat was published by a private company, Harrison and Warner based on the GLO/PLSS and subsequent surveys and Dane County records to show the boundaries of the mostly privately owned parcels in 1873 as part of an ambitious property mapping effort for all of Dane County.

<sup>27</sup> Benjamin W. Hibbard, *The History of Agriculture in Dane County*, (Bulletin of the University of Wisconsin, Economics and Political Series, Vol 1, No. 2; 1905), 106-108

<sup>28</sup> We coded up to four patents per holder. There were two holders with five patents, one with seven patents, and one with 15 patents (Cyrus Woodman). The total acreages patented by these four claimants were coded.

<sup>29</sup> Hibbard, 96-100

<sup>30</sup> Dybdhal et. al., 6 for example of a land occupier displaced by a patent holder; A private conversation with John Halverson, Former Iowa County Surveyor, yielded his opinion that PLSS surveyors often did not monument quarter section or quarter-quarter section boundaries, leaving the exact location of those boundaries to the settlers to define.

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<sup>31</sup> Dan Brunner, “The Curious Will of P.K. Dinneen”, unpublished paper, 2020

<sup>32</sup> Paul Hessman found these P.K. Dinneen transactions in the archives of the Dane County Register of Deeds

<sup>33</sup> Consul Willshire Butterfield, (ed)\_1880. *History of Dane County, Biographical Sketches*, (Chicago: Western Historical Society, 1880), 1217-1222

<sup>34</sup> Dybdahl et. al., 12-16

<sup>35</sup> Accessed at: <https://goodcalculators.com/gini-coefficient-calculator/>

<sup>36</sup> Under certain assumptions, the probability of this difference in average acreage patented being accidental is less than .017, which translates to being “statistically significant”.

<sup>37</sup> Hibbard, 110

<sup>38</sup> This lost opportunity is explored in Lucy Eldersveld Murphy, *A Gathering of Rivers” Indians, Metis and Mining in the Western Great Lakes, 1737-1832* (University of Nebraska Press: Lincoln, 2000)