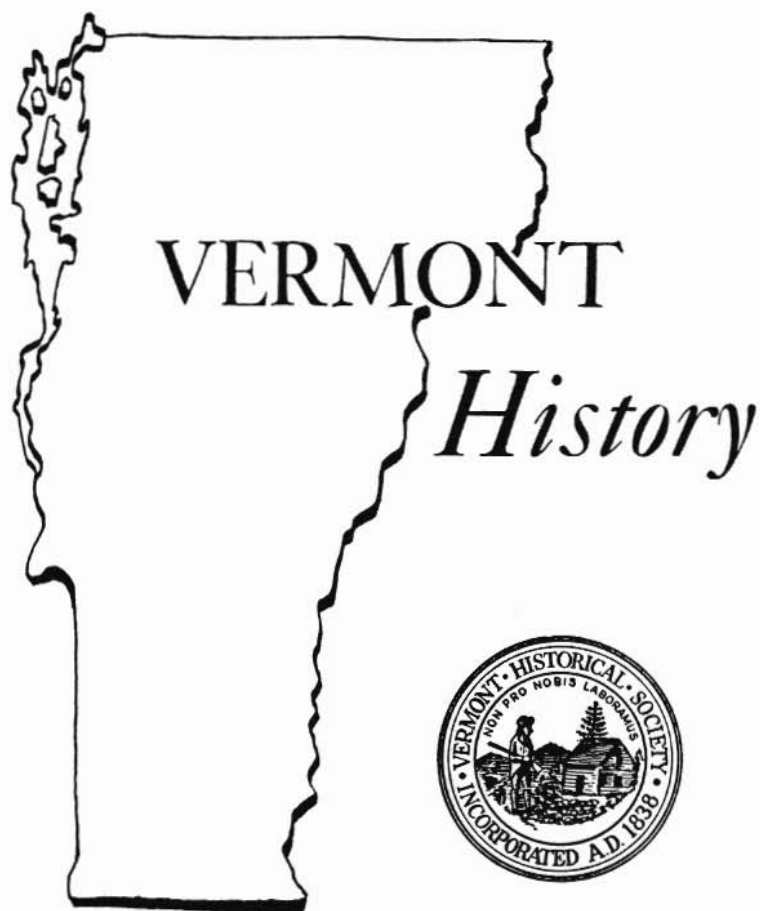


Spring 1976

VOL. 44 No. 2



The PROCEEDINGS of the
VERMONT HISTORICAL SOCIETY



American troops sometimes helped the smugglers move goods across the border, and even ventured on their own into this illicit trade. . . .

A "Traitorous and Diabolical Traffic:" The Commerce of the Champlain-Richelieu Corridor During the War of 1812

By H. N. MULLER III

NEITHER the imperialist dogma that the flag follows trade nor its mercantile predecessor that trade follows the flag adequately explain the commerce over the Lake Champlain-Richelieu River corridor during the War of 1812. In those years trade exhibited signs of being impervious to national boundaries. Open disregard and evasion of trade regulations had been a tradition of long-standing on the important corridor that connected the thriving entrepôts on the St. Lawrence and Hudson Rivers. Even in the early years of the French regime Canadian merchants and their counterparts to the south indulged in a flourishing and frequently illegal trade. For a long period fur forwarded from Montreal dominated the commerce, and with the beginning of John Jacob Astor's expansive New York enterprise in the late 1780's this trade continued. The development of extensive settlement in Vermont and northern New York State broadened the trade to include the bulky forest and farm produce and the local manufactures of the Champlain Valley being shipped north in exchange for salt and European manufactured goods. When in 1808 Jefferson's Embargo attempted to stem the flow, it not only continued, if a little altered, but even increased as

much of the produce usually shipped through Atlantic ports found its way to the Lake Champlain outlet.¹

When the Madison administration adopted a policy of war in June 1812, merchants on both sides of the Canadian-United States border, already well accustomed to international embroilments, took advantage of wartime inflation, new opportunities presented by economic dislocations, and the large market created by the growing British military establishment. Whatever their official language, the wartime governmental trade regulations wisely recognized the persistent nature of the Champlain-Richelieu commerce and the great difficulty in trying to shut it down. Both the Canadian and the American governments worked to make the commerce complement their wartime priorities. The Canadians assumed the forthright posture of encouraging portions of the trade and restricting others, while the United States quietly sanctioned an elaborate evasion of the strict letter of its law (for goods of no obvious military value) lest the law provoke the latent hostility toward the war into open opposition.

Public feeling in Vermont generally opposed the war, especially as the dreary procession of military fiascos and defeats which preceded Macdonough's stunning victory in September 1814 allowed the parsimonious Yankees to reckon little return for their costs. They expressed their displeasure in the newspapers, at the polls, and in a number of small but pointed incidents. In the final analysis, however, they remained loyal to the United States, and Vermont showed little enthusiasm for separation or for its incarnation at the Hartford Convention in 1815.²

The extent to which their attitudes were tempered by the liberal measures which permitted the continuance of trade over the Champlain-Richelieu corridor cannot be precisely measured. Yet, the substantial exchange of commodities between two countries at war not only relieved local tensions, but also provided lucrative opportunities. Military officials and some civilian fire-eaters disapproved, but the governmental restraint and recognition of the strength of the international community ultimately proved to be sound policy. At the same time these events present a curious episode in American military annals and another example of the much celebrated Vermont spirit of cantankerous independence.

1. The importance of the Champlain-Richelieu corridor was first explored in a perceptive article by W. A. Mackintosh, "Canada and Vermont: A Study in Historical Geography," *Canadian Historical Review*, 7, March 1927, pp. 9-31, and later developed by Chilton Williamson, *Vermont in Quandary, 1763-1825* (Montpelier, 1949). The commercial aspects of the corridor were treated in H. N. Muller III, "The Commercial History of the Champlain-Richelieu Route, 1760-1815 (Unpublished Ph.D. thesis, University of Rochester, 1968) and "Smuggling into Canada: How the Champlain Valley Defied Jefferson's Embargo," *Vermont History*, 38, no. 1 (Winter, 1970), pp. 5-21.

2. Edward Brynn, "Patterns of Dissent: Vermont's Opposition to the War of 1812," *Vermont History*, 40, no. 1 (Winter, 1972), pp. 10-27.

After Jefferson extended the Embargo to inland commerce in March 1808, trade over the Champlain-Richelieu route had been constantly subjected to legal interruptions posed by the various American schemes of economic diplomacy. Following failure of the Non-Intercourse Act of 1809 and Macon's Bill No. 2, Madison's proclamation of November 1810 and the Eppes Bill reinstating non-intercourse with the British attempted to close trade over the Champlain-Richelieu thoroughfare. This prohibition technically remained in force throughout the War of 1812.³

Vermonters bitterly opposed the embargo and the subsequent interruptions of trade. In the elections of 1808 Jefferson's Republicans suffered serious reverses and the laws may have been honored more in the breach than in observance. Upon the declaration of war, however, Vermont made its first overtures to help enforce the federal regulations against trade with Canada. With a Republican majority in Montpelier, the harsh Vermont "Non-Importation" act of November 1812 provided that "no person shall be allowed to pass through from this State into Canada, under any pretense, whatever," nor to come from Canada into Vermont "without a permit from the Governor." The legislature, with the wholesale evasions of the embargo freshly in mind, also forbade any person from "driving horses, cattle or conveying any property towards Canada, so as to create a reasonable suspicion that the same is intended for Canada." Persons convicted under the law risked having their property condemned, a \$1,000 fine, and seven years' hard labor.⁴

The first flush of support for the war subsided quickly, and reports that inhabitants from Whitehall to Burlington and beyond would refuse to take any part except in case of invasion proved to be correct.⁵ Across the state muted talk of secession could be heard in Federalist circles (whose *Washingtonian* of Windsor parodied an enlistment notice with the caption "Slaves Wanted"). In Bennington an anti-war crowd disrupted a militia muster, Poultney voted not to pay soldiers and Rockingham refused to assist enlistment efforts.⁶ Some settlers on both sides of the Canadian-

3. At the outset, the United States Treasury Department regarded non-intercourse with the British as a serious matter and took pains to point this out to collectors of customs and to make certain that even "rafts of timber" on Lake Champlain would be seized. National Archives, Washington, D.C. R.G. 217, G.A.O. Revenue Letters Sent, 21, pp. 484-485. Federal troops also made some attempt to prevent cattle from being driven into Canada. To this end a small detachment of troops was stationed in a "fort" at North Troy, Vermont, across the line from Potton, Lower Canada. See Samuel Sumner, *History of the Missisquoi Valley* (Irasburgh, Vermont, 1860), pp. 42-43.

4. *The Vermont Mirror* (Middlebury), 11 November 1812 and 18 November 1812; and *Laws of Vermont*, 1812, pp. 141-146.

5. Deposition of Baron de Diemar De Rottenburg to Prevost, 14 July 1812, quoted in Cruickshank, "From Isle aux Noix to Chateaugay," Royal Society of Canada, *Transactions*, Third Series, 7 (1913), p. 143; Williamson, *Quandary*, pp. 275-276; and Walter Hill Crockett, *Vermont: The Green Mountain State* (5 vols., New York 1921-1923), 3, pp. 69-126.

6. Brynn, "Patterns of Dissent," pp. 19-20.

American frontier voluntarily entered into mutual agreements to refrain from molesting one another, and soldiers foraging across the border noted that "the inhabitants were all extremely civil and all plead neutrality."⁷ Because of the growing hostility toward the war, in May 1813 the Federalists gained control of the Vermont legislature and used their slim majority (112-111) to elect Martin Chittenden governor in a hotly disputed election.⁸ The following year, riding the crest of the anti-war feeling, the Federalists captured all six (at large) of Vermont's Congressional seats, and re-elected Chittenden, who thus became the last Federalist governor of Vermont.⁹ With the patriotic reflex of the fall of 1812 long over, in late 1813 the Council of Censors called for the repeal of Vermont's non-importation law.¹⁰ People in the Champlain Valley had abandoned the Jeffersonian demand to have "the British expelled from every inch of the North American continent,"¹¹ and concentrated on maintaining their commercial relations with Canada. Yet unlike the turbulent days of the embargo and non-intercourse Acts, during the War of 1812 public declarations against the trade ban were conspicuous for their absence. Public dissent during war flirted dangerously with treason, and most paid discreet lip-service to the American war effort. Even Governor Chittenden, who until the Battle of Plattsburgh had been unsympathetic and uncooperative with attempts to prosecute the war in the Champlain Valley (in 1813 he refused to permit the Vermont militia to serve on the New York side of Lake Champlain), asserted in November 1814 that during his tenure Vermont had exhibited more respect for the law than in recent years. Later he added with even less concern for the historical record that Vermont's "glorious achievements are not surpassed in the records of naval and military warfare."¹²

North of the border the monotonous American chant "like a whippoorwill . . . Canada! Canada! Canada!" had not gone unheard. In Upper Canada General Isaac Brock and in Lower Canada Governor James Craig and his successor, Sir George Prevost, had studied Canadian defenses

7. *Northern Centinel* (Burlington), 10 December 1812; and Bayrns to Brock, 10 July 1812, quoted in Cruickshank, "From Isle aux Noix to Chateaugay," p. 140.

8. Crockett, *Vermont*, 3, pp. 69-72. The election controversy raged over the legality of votes from the Town of Colchester, which, had they been counted, would have probably given the election to the Republican candidate, Jonas Galusha. See *Northern Centinel*, 8 July 1814, for a toast drunk to Galusha and the election "smuggled from him."

9. Crockett, *Vermont*, 3, p. 116.

10. *Northern Centinel*, 24 January 1814. The Vermont Constitution of 1777 established the Council of Censors, a thirteen-man review board to be elected every seven years "to enquire whether the constitution has been preserved inviolate" and "whether the legislative and executive branches of government have performed their duty as guardians of the people."

11. *Vermont Republican* (Windsor), 17 April 1812, quoted in Williamson, *Quandary*, p. 261.

12. *Vermont, Records of the Governor and Council* (8 vols., Montpelier, 1873-1880), 6, pp. 491-495; *Northern Centinel*, 18 November 1814; and Crockett, *Vermont*, 3, p. 120.

since the steady threats of hostilities that followed in the wake of the *Chesapeake* incident in 1807.¹³ War rumors became a hearty annual and filled the press on both sides of the border. The Canadian leaders knew full well that supplying the army would present a serious problem, and Madison's proclamation of war on June 19, 1812, found them in the process of redefining the commercial regulations that controlled trade over the Champlain-Richelieu route. A statute of May 1812 had already limited importations from the United States. As far back as 1807, Craig had an order-in-council passed that placed an embargo on the export of gunpowder, arms, ammunition and any other warlike stores,¹⁴ and in 1811 the Executive Council renewed the arms embargo.¹⁵

The first news of the American declaration of war to reach Canada came to two Montreal merchants on June 24 from business associates in New York City. The merchants quickly relayed the news to Governor Prevost, who immediately ordered troops to their defensive stations in a string of posts from St. John on the Richelieu to Laprairie opposite Montreal.¹⁶ Once again a continental war would turn the Champlain-Richelieu route into an invasion path.

Two days later, on June 26, an order-in-council directed all United States citizens to leave Lower Canada within thirty days.¹⁷ From his school in Montreal seventeen year old Royal Corbin Moore wrote to his father in Moorsfield, New York, that "there is no time to loose [sic] . . . for the fourteenth of the present Month [July], every American subject is to leave the Province or take the Oath . . . [and] every Person of Sixteen Years must be enrolled."¹⁸ The order was not stringently enforced. Seven Champlain Valley raft owners successfully petitioned to be allowed to remain in the province until they concluded their business.¹⁹ A number of American merchants petitioned Prevost for permission to stay in Montreal, promising to do anything required of them short of bearing arms against the United States.²⁰

Among these merchants was Jonathan Hagar, who remained in Canada supplying "His Majesty's Forces pursuant to General Sir George Prevost's

13. J. Mackay Hitsman, *The Incredible War of 1812* (Toronto, 1965), Chaps. 1 and 2.

14. *Report of the Public Archives of Canada, 1921* (Ottawa, 1922), Note B, (hereafter CAR) pp. 107-109.

15. *Ibid.*, pp. 151-152.

16. Hitsman, *Incredible War*, p. 45.

17. *Public Archives of Canada* (hereafter PAC), R. G. 1, El. G, p. 274. A broadside by the Quebec police ordered citizens out of Quebec City in six days (see Hitsman, *Incredible War*, p. 45, Fig. 1).

18. Pliny Moore MSS, Royal Corbin Moore to Pliny Moore, 9 July 1812, published in the *Moorsfield Antiquarian*, 1, no. 2 (August 1937), pp. 122-123. Young Moore's dates do not agree with the Order-in-Council, which may have been administered flexibly.

19. PAC: R. G. 1, El. G, pp. 272 and 274.

20. *Ibid.*, S, XCIV, p. 7.

Warrant" through January 1813 when he left Montreal for Middlebury.²¹

In June when war was declared, John Jacob Astor, who with Canadian partners owned a half interest in the South West Company, had a large quantity of furs in Montreal. He quickly went there to oversee their safe delivery and to ensure that the war would not interfere with the steady flow of valuable pelts from Montreal to his New York headquarters. Although he may have had permission from Albert Gallatin, Secretary of the Treasury, to import fur despite the non-importation law, Astor alerted his agents and associates along the Champlain-Richelieu route to alternative schemes for bringing it across the border. In July 1812 he sent 2700 wolf skins south with Gideon King, "the Admiral of Lake Champlain" and notorious smuggler from Burlington. At the same time he forwarded 2693 wolf skins and 148 beaver pelts that they had previously spoken about to Pliny Moore, a leading settler on the New York-Lower Canadian border.²²

On July 10 the Council issued a further order that permitted Americans to remain in Lower Canada if they took a conditional oath of allegiance before October 15; otherwise they would be treated as prisoners of war.²³ At least thirty-five American merchants availed themselves of the oath,²⁴ and well after the October 15 deadline, Americans continued to seek permission to remain in Canada to trade. Levi Bigelow, who had "for five years past been interested in the business of Trade in the [Eastern] Townships . . . and has had occasion frequently within that time to fetch to this Market, considerable quantities of . . . *Wheat, Cattle, Pearl Ashes, etc.,*" wrote to Prevost for permission to remain in Quebec to continue his business. The Council, noting that his business was valid and that in some years he had entered upwards of 400 barrels of potash for re-export, granted his request.²⁵ The Council, consistent with the policy of allowing non-military intercourse with the "enemy," also granted special permission for a number of Canadian employers to retain the American artisans and laborers who worked for them.²⁶

From the outset of the war, Lower Canadian officials appreciated both the importance and potential of the close commercial relationships of the

21. Jonathan Hagar MSS, 20-#64 Vermont Historical Society, Collections, (Montpelier, Vt.), "Deputy Paymaster General Voucher," Quebec, 16 November 1812 and "Pass & License," 19 January 1813. Samuel Swift, *History of the Town of Middlebury* (Middlebury, Vt., 1859), pp. 293-294; and John Peter DeYoe, "From Yankee Cobbler to Middlebury Bookseller: Jonathan Hagar's Middle Years, 1799-1820," *Vermont History*, 37, no. 1 (Winter, 1969), pp. 13-29.

22. Pliny More MSS, Astor to Moore, Montreal 9 July 1812, *Moorsfield Antiquarian*, 1, no. 2 (August, 1937), pp. 121-123. The Montreal firms of McTavish, McGillivray and Co. and Forsythe, Richardson and Co. owned one-half of the South-West Company and Astor the other half. The company was formed in 1811 to avoid competition in trade with the Great Lakes region.

23. *The Vermont Mirror*, 14 October 1812.

24. Williamson, *Quandary*, p. 272.

25. PAC: S, 90, p. 32, Levi Bigelow to Sir George Prevost, Quebec, 9 November 1812.

26. Williamson, *Quandary*, p. 272.

Canadian and American merchants operating over the Champlain-Richelieu route. Lower Canada never completely prohibited imports from the United States during the war, but it did take steps to prevent the merchants' notorious proclivity for profit from weakening its military position. To prevent valuable stores necessary for the army from leaving the province, Governor Prevost issued a proclamation on July 2 that prohibited all ships and vessels from leaving Lower Canada for two weeks, and he twice extended the prohibition to August 5 and August 25.²⁷ The total embargo on ships and cargoes proved burdensome, and in response to a letter from two Montreal merchants (McGill and Brenton) who wanted permission to send goods to the United States, the Council re-opened the export trade to the United States for an enumerated list of commodities. The list specified cotton, silk, linen and worsted cloth, cotton and silk hosiery, lace, earthen ware, glass, paint, dye stuffs, leather goods, furs, and any iron, brass or hardware which was of no military importance.²⁸

However, the growing difficulty of securing enough local provisions for his army caused Prevost to embargo the export of corn, grain, flour, biscuits and salted provisions in December 1812.²⁹ The legislature of Lower Canada cleared up the merchants' questions about the legality of Prevost's embargoes in early 1813 when it passed an act specifically giving him that power,³⁰ and Prevost quickly exercised it placing embargoes on the export of provisions in February 1813, from April 1 to December 15, 1813, and from April through September 1814.³¹ In June 1813 the need to impress seamen to defend Lower Canada from the threat of American invasion forced Prevost to prohibit ships and vessels from leaving the province for a short period.³²

Neither government decree, the demands of defense, nor feelings of patriotism effectively prevented the Canadian merchants from shipping goods south at war-inflated prices. In October 1813 a special committee of the Executive Council considered a harsh proposal to proscribe all trade with the United States, but after listening to testimony realistically concluded that "inasmuch as provisions and certain other articles . . . necessary for the army" came from the United States, "the importation of provisions of all kinds and certain other articles, and the exportation of certain other articles, should be permitted." While the Council had issued passes and licenses for some trade, they now devised a general system placing trade

27. PAC: R. G. a, El, G, 242.

28. PAC: R. G. 1, El, G, pp. 353-355.

29. *CAR*, 1921, Appendix B, p. 165.

30. Statutes of Lower Canada, 53 Geo. III, c. 3.

31. *CAR*, 1921, Appendix B, pp. 168-169, 173-174, 176-177, 183-184, and 188-189.

32. PAC: R. G. 1, El, G, pp. 417-419 and 423; and *Quebec Gazette*, 10 June 1813.

under special licenses issued by the governor or his agents.³³ The scheme, with its magnificent possibilities for bureaucratic corruption, also contained some suggestions of a move by the Canadian merchants to use the general licensing system to limit competition from their American rivals.

Prevost accepted the advice of his Council and on November 25, 1813, issued a proclamation that closed trade with the United States except by special permit.³⁴ The Montreal members of the Executive Council conveniently assumed authority over the licenses, and trade with the United States continued.³⁵ Customs officials at St. John attempted to enforce the proclamation, and they made several seizures of British dry goods being exported from Lower Canada and tea coming from the United States.³⁶ Yet the Council acknowledged the wholesale violation of the proclamation, and only tried to stop trade when smugglers might also be bearing military intelligence. In response to rumors of American invasion in early 1815, "a general order of the British government in Canada" ordered "all smugglers and every [?] of the U. States (not prisoners of war) . . . forthwith out of the Province. All communication is cut off, by way of La-cadie woods, Missisque [sic] Bay, etc."³⁷ War with the United States could not stop the commerce carried over the Champlain-Richelieu route. The Canadian merchants and officials knew this, and they did not seriously desire the trade to be stopped. Canadian policy astutely worked to regulate the trade to support both their military and commercial priorities. On one occasion, Prevost sent his aide to Pliny Moore's house close to the border to meet Astor's brother, George, and usher him into Canada. Astor's influential Montreal connections and the importance of fur to the Canadian economy would not let a state of war interfere with the trade.³⁸

The combination of Canadian encouragement of trade and the Champlain Valley's clear dissatisfaction with the war presented both United States and Vermont authorities with the unenviable task of enforcing the statutes that prohibited all trade with the enemy. In Macdonough's growing fleet and the soldiers marshalled along the lake and the Canadian frontier, for the first time authorities in the region had enough men to force com-

33. Hagar MSS, "Pass and License," 19 January 1813. A "Committee of the Executive Council" allowed Hagar to leave Montreal where he had been "lately residing," only requiring that he exit by way of St. John. He could take with him eighteen trunks, two cases, one cask and three packs containing manufactured leather, cotton goods, furs, and household furniture. PAC: R. G. 1, El, G, p. 444.

34. *CAR*, 1921, Appendix B, pp. 177-178.

35. PAC: R. G. 1, El, G, 353. See *ibid.*, 446, for permission granted to Forsythe, Richardson & Co. and McTavish, McGillivray & Co. to export fur to the United States.

36. PAC: S, 105, p. 184, William Lindsay to William Cochrane, Customhouse, St. John, 22 December 1814; and *ibid.*, 103, p. 114, William Lindsay to C. B. Benton, Customhouse, St. John, 7 May 1814.

37. *Northern Centinel*, 6 January 1815.

38. *Moorsfield Antiquarian*, 1, no. 4 (February, 1938), p. 279.

pliance with an embargo. But stopping the commerce along the Champlain-Richelieu path flirted with the possibility of open rebellion in Vermont. Thus the trade was permitted to continue, and as one unhappy observer lamented, "the laws of the United States have been entirely disregarded and badly set at defiance in the prosecution of a continued and almost uninterrupted illicit intercourse between this State [Vermont] and the British Province of Lower Canada."³⁹

The military, however, could not ignore a trade that "continually supplied . . . provisions and all other necessities of war, for the support of those very armies and fleets," which they expected to fight.⁴⁰ To keep Vermonters nominally in support of the war and to minimize clashes between the soldiers and "the abandoned violators of the laws and their unprincipled supporters," Secretary of the Treasury George W. Campbell and the Vermont customs officers fathered several schemes to control trade and yet comply with the strict letter of the restrictive United States laws.⁴¹ Campbell allegedly authorized trade by neutrals, but Cornelius Van Ness, the rising Vermont Republican who became Collector of Customs for the District of Vermont in 1813, found "importations by neutrals" a "rather loose" construction of the law. Instead, Van Ness "proceeded in a more cautious way, so as to have the legality of the importations tried by the court."⁴²

In a sworn deposition rendered in 1818, Van Ness recalled that "during . . . war with Great Britain many goods were imported from the province of Lower Canada into the United States by way of Vermont, in a public and open manner . . . both before and after I was appointed collector." He revealed that by an elaborate legal subterfuge any merchant who wanted to import goods from Lower Canada had only "to give notice to the Collector of his intention, previous to the importation." On receiving such notice, the collector dispatched "an officer of the Customs, to some place near the lines, to take possession of, or rather to seize the goods as soon as practicable after their coming into the United States."

After seizing the goods, the customs agent evaluated the cargo and took a bond for its value, leaving the cargo in the hands of the importer. "The principles of valuation in public importations was at that time to take the costs of the goods by the invoices, if they were believed to be genuine,

39. *Northern Centinel*, 18 November 1814.

40. *Ibid.*

41. *Northern Centinel*, 18 November 1814. There were many reports of armed clashes between the smugglers and soldiers and customs agents. See Crockett, *Vermont*, 3, p. 80; or *Northern Centinel*, 21 January 1813, and 5 August 1814.

42. Van Ness MSS, Wilbur Collection, Bailey Library, University of Vermont, C. P. Van Ness to Heman Allen, Burlington, 15 December 1818.

adding ten per cent thereto, which made the same amount on which duties were estimated."

The importer, free to sell his goods, then applied "to the government for a remission of the forfeiture." The courts, or as a last resort either the Secretary of the Treasury or Congress, usually granted a remission and returned the bond to the merchant, less the 10 per cent surcharge and a "few dollars worth of fees."

Posting a bond equal to the value of the cargo posed a serious problem for many merchants, particularly the smaller ones. Van Ness' adroit legal mind even devised a strategy to minimize that burden by a third. In the process of alerting the customs authorities to an impending importation, a merchant technically became an informant and therefore entitled to one-third of the value of the cargo should the court find the entry illegal.⁴³ In some cases the amount of the bond required may have been related to the amount of "duties" due rather than the invoice value of the imports. In January 1815, Ramon Manzuco as principal and Jonathan Hagar of Middlebury as "surety" posted a bond of \$3,000.00 against payment of \$1,544.59 duties due on "certain goods, ware, and merchandise" entered from Lower Canada.⁴⁴

The scheme to circumvent the non-importation regulations spread to the New York side of Lake Champlain. John Jacob Astor, in his typical semi-literate style, reminded Pliny Moore to "Do the neetful in given timely Information to Mr. Saily" (the collector of customs for the District of Champlain) to expect a shipment of fur.⁴⁵ On another occasion Moore informed Saily to look for more than 220 bales of Astor's fur using words that probably had become a prescribed formula for American traders: "I hereby give Information of a quantity of Peltry and furs on the way from the British Province of Lower Canada to the United States and will shortly arrive in your district at or near Rouses Point."⁴⁶

Thus by legal chicanery, implicating the United States District Courts, the Congress, the Secretary of the Treasury, and the customs service, American commerce through the Richelieu-Champlain route continued throughout the War of 1812. At the same time the United States government collected the equivalent of the tariff duties on the imported articles. Several times during the way the *Northern Centinel* printed long lists of the Marshal's Notices ("filed before the . . . Court") of commodities seized

43. Van Ness MSS, Deposition of Cornelius Peter Van Ness, 13 March 1818. Italics added.

44. Hagar, MSS, Bond, 12 January 1815.

45. Moore MSS, Astor to Moore, New York, 13 October 1812, *Moorsfield Antiquarian*, 1, no. 3 (November, 1937), p. 191.

46. *Ibid.*, Moore to Peter Saily, Champlain [New York] 23 November 1813, *Moorsfield Antiquarian*, 1, no. 4 (February 1938), p. 273.

by the customs officers of the District of Vermont. The lists includes 657 pairs of cotton hose, 475 cattle, 52 oxen, 364 trunks of general merchandise, buttons, knives, steel, salt, fur, crockery, iron stoves, glass, pine, needles, razors and a large collection of other items. Dry goods dominated the Notices, which listed 713 pieces (the measurement "pieces" could range from several yards to a long bolt)⁴⁷ of cambric, 216 pieces of vesting, 204 pieces of cotton, and 95 pieces of muslin along with varying amounts of other fabrics. In all, the Notices recorded over 170 seizures, with twenty-eight in the month of August 1814 alone. Though the customs officers encountered most of the cargoes in border towns, they seized goods all over northern Vermont — in Alburg, Highgate, Swanton, Georgia, Milton, St. Albans, Fairfax, North Hero, Underhill, Johnson, Cambridge, Burlington, and seventeen other towns.⁴⁸

Yet even with a legal umbrella for the commerce, wartime communication across the border was not without complications. Merchants engaged in questionable activities took pains to keep information concerning the movement of goods confidential, and individuals crossing the lines without passes took considerable risks. Though Astor, who channeled a voluminous correspondence with Canadian associates through Pliny Moore, once wrote (possibly for official consumption) that all his letters were "open and every body may see them," he later wrote that "if M^r le Herbette is yet with you, then Deliver the Inclosed letter to him. if not, you will burn it. the one for Montreal I would lick [like] to have Sent In by some Safe conveyance."⁴⁹

One could always slip across the border along one of the myriad of trails that frustrated the American commander, General George Izard, but many preferred to cross with official blessing. Astor professed that he did not want his men to "go in to Canada without proper Permission from the commanding officer." Desiring to go to Lower Canada, Moore once wrote to Izard for permission to cross the lines. He noted that "when Major Fulton S^r George Prevost's Aid was at my House last Friday I observed . . . that I had some concerns in Canada. Unexpectedly to me," he continued, "I yesterday received by the Flag a letter from Maj^r Fulton enclosing a pass." Izard ducked the issue testily pointing out that his command was purely military and he could not grant passports, which came from the Department of State. He advised Moore that "you are yourself better able to

47. In 1795 a Canadian customs official seized eighteen bolts of nankeen, each 227 yards long, and listed them as "pieces." See PAC: S, 46, p. 62.

48. *Northern Centinel*, 15 April 1813; 24 September 1813; and 16 September 1814.

49. Moore MSS, Astor to Moore, New York, 3 February 1813, 17 March 1813 (punctuation added), 19 April 1813, 14 May 1813, 17 July 1813, and 10 August 1813, in *Moorsfield Antiquarian*, 1, no. 3 (November, 1937), pp. 197-205.

decide that I upon the Propriety of your entering the Enemy's Country." Izard's closing remark that "My Duty merely requires me to give Information to Government of the circumstance," surely gave Moore little comfort. However, when Astor brought Izard "a letter from Col. Monroe [Secretary of State] requesting me to assist him [Astor] in his Progress; this I could not otherwise do than by offering him the Protection of a Flag to the British Posts."⁵⁰

Whether under the dubious aegis of legal hocus pocus or by smuggling, trade continued to move back and forth along the Champlain-Richelieu route. Naturally much of the wartime trade followed already well-established patterns. In 1813 the St. John customhouse recorded £26,000 worth of "Merchandise" exported to the United States.⁵¹

Though their notices appeared less frequently than before the war, merchants in the Champlain Valley advertised salt, wines, hardware, "Liverpool bloom," "English Blister and Crowley Steel," "Scotch Snuff," dry goods, "Brittania ware," and other items that came through Lower Canada.⁵² The fur trade continued unabated, and in 1813 the more than £61,700 worth of muskrat, beaver, and other pelts that went through the St. John customhouse approximated the value of the trade in 1809 and 1810.⁵³

The total value of the exports recorded at St. John in 1813 exceeded £98,000 and compared favorably with the pre-war years. The evidence that Canadian merchants avoided the licensing system established in late 1813 and the fact that much of the trade in British manufactures crossed the border well inland along the Vermont-Lower Canadian frontier, strongly suggests that the value of the southbound commerce from Lower Canada far surpassed the £98,400 recorded at the customhouse. Thus, the war not only failed to interrupt the relationship between the Canadian merchants and their American customers, but in fact stimulated additional trade.

The northbound trade through the Champlain-Richelieu route exhibited similar characteristics, though the absence of quantitative data prohibits definite measurements. The mobilization of thousands of men along both

50. *Ibid.*, Astor to Moore, New York, 3 February 1813; Moore to General George Izard, Champlain, 8 June 1814; and Izard to Moore, H. Q. Plattsburg, 11 June 1814, in *Moorsfield Antiquarian*, 1, no. 3 (November, 1937), p. 197 and 1, no. 4 (February, 1938), pp. 280-281.

51. Lower Canada, *Journals*, 1814, Appendix D. St. John (St. Jean) on the Richelieu was (with Quebec) one of the two legal ports of entry into Lower Canada for goods coming overland directly from the United States. The St. John customs returns for the war years (1812, 1813, and 1814) are very uneven. No returns have been located for 1812, while the returns for 1814 are sketchy. Only for 1813 do the returns approach reliability, and even these are obviously incomplete. Thus, most comparisons of the data for the war years with the previous years generally are not statistically significant.

52. For examples see the *Northern Centinel*, 10 June 1813; 3 September 1813; 10 September 1813; 22 October 1813; 29 July 1814; 12 August 1814; and 13 January 1815.

53. Muller, "Commercial History," p. 290.

sides of the border and the enormous program of naval construction created a demand for provisions and materials that far outstripped supply. Traders, whose love of profit frequently surpassed their patriotism, flocked to the border to engage "in this traitorous and diabolical traffic."⁵⁴ Vermonters, who owned the largest herds of cattle on the northeastern frontier, took full advantage of the spiraling price of beef that tripled during the war.⁵⁵ Throughout the war profiteers in the Champlain Valley made it their business to supply and "to feed the enemy's forces that are devastating our frontiers."⁵⁶ From time to time the exasperated soldiers attempted to stop the steady parade of supplies for the British army, and in January 1813 the *Northern Centinel* reported the bloody capture of a Mr. Sears of Williston, Vermont, apprehended "on his way to the enemy with a load of provisions." Without explaining how he was captured, the newspaper reported that two army officers and a civilian caught up with Sears, "a Giant in strength [who] fought until he was overpowered," leaving his captors "severely wounded" and hospitalized.⁵⁷

On Lake Champlain the lumbermen continued to start their rafts on the annual spring voyage to Quebec.⁵⁸ But Macdonough's flotilla kept a careful eye on the operation. The rafts often carried naval supplies for the enemy shipyards at Ile aux Noix and St. John. In the summer of 1814 two "gunboats captured, about a mile from the line, a raft consisting of plank and spars valued at 5 or 6000 dollars, on board of which was twenty seven barrels of tar. The raft was owned by citizens of the United States who were taking it over to the enemy."⁵⁹ Earlier in the summer one of Macdonough's officers intercepted several Vermonters bound with a number of long spars (eighty and eighty-five feet long) for the British shipyards.⁶⁰ A few days later Macdonough's men "destroyed four spars, supposed to be for the enemy's ships' mainmast, and her three topmasts, four miles within the enemies' [sic] country."⁶¹

American troops stationed along the border, many of whom belonged to local militia units, sometimes helped the smugglers move goods across the border or ventured into the commerce on their own. Colonel Zebulon Montgomery Pike (the famed explorer who died attacking York, now To-

54. *Northern Centinel*, 5 August 1814.

55. *Ibid.*, 26 August 1814.

56. *Ibid.*

57. *Ibid.*, January 1913.

58. George F. Bixby, *Peter Saily 1754-1826: A Pioneer of The Champlain Valley with Extracts from His Diarys and Letters* (N.Y. State Library, History Bulletin 12, Albany, 1919), p. 34.

59. *Northern Centinel*, 14 August 1814.

60. Macdonough to the Secretary of the Navy, 29 June 1814, published in *ibid.*, 5 August 1815.

61. Macdonough to the Secretary of War, on board the *U.S. Saratoga*, near the lines, Lake Champlain, 9 July 1814, published in *ibid.*

ronto, in April 1813), commander of the 15th Infantry stationed at Burlington, branded soldiers as well as civilians along the border "void of all sense of honor or love of country" for their active trade with Canadians. He announced that "whoever shall relieve the enemy with money, victuals or ammunition . . . shall suffer DEATH; or such punishment as shall be ordered by the sentence [sic] of a Court martial."⁶² In a similar vein Peter Saily complained of "a quantity of British goods, brough into . . . [his] district by an officer belonging to the U. States Flotilla, stationed at Plattsburgh."⁶³

According to General Izard the only way to stop the trade with the enemy would be to erect a cordon of troops along the border from Lake Memphremagog westward to the St. Lawrence River. "Like herds of buffaloes," he reported, the cattle "press through the forests, making paths for themselves. Were it not for these supplies, the British forces in Canada would be suffering from famine."⁶⁴ Izard's report contained much truth. "Two-thirds of the Army in Canada," Prevost wrote to Lord Bathurst, the British Secretary of State for War and the Colonies, lived on "Beef provided by American Contractors drawn principally from the States of Vermont and New York."⁶⁵ In fact, the source of their beef helped determine British military strategy. Prevost in planning the ill-fated invasion of 1814 reasoned that because of Vermont's "decided opposition to the war, and very large supplies of the Specie daily coming in from thence, as well as the whole of the cattle required for the use of the Troops, I mean for the present to confine myself in any offensive Operations which may take place to the west side of Lake Champlain."⁶⁶

The St. John customs returns for 1813, which was supposed to enumerate the northbound traffic into Canada, listed the value of the Champlain Valley produce at only £3,600, certainly far below the actual value of the trade. The returns (which did not include any timber), listed only two pounds of beef and no cattle. Though the effect of the war on the volume of Champlain Valley produce exported via the Champlain-Richelieu route cannot be accurately compared to pre-war levels, the weight of the evidence points to a vigorous trade.

The war seriously curtailed much of the flourishing trade in American manufactures. In 1813 customs officers at St. John entered nearly £35,000 worth of manufactures, which amounted to 90 per cent of all the imports they recorded. Yet £35,000 fell far short of the value of the trade in pre-

62. *Northern Centinel*, 11 February 1813.

63. National Archives, R. G. 217, G. A. O., Revenue Letters Sent, XXIII, pp. 213-214.

64. Crockett, *Vermont*, III, p. 81.

65. PAC: C, 1219, pp. 273-274.

66. Prevost to Bathurst, Montreal, 5 August 1814, quoted in William Wood (ed.), *Select British Documents Relating to the Canadian War of 1812* (Toronto, 1920-1928), e, pt. 1, p. 346.

war years. The 1813 returns at St. John included £6,500 of general merchandise and boots, shoes, and sole leather worth £12,500. The rest of the trade (60 per cent) consisted of leaf and manufactured tobacco valued at £15,650, nearly the same levels as in previous years. During the first quarter of 1813 (January 5 to April 5) forty-eight of the fifty-five sleighs that made entries at the St. John customhouse carried cargoes of manufactured tobacco.⁶⁷ In the second quarter (April 5 to July 5) tobacco imported by merchants or firms located largely in Montreal and Albany continued to dominate the trade in manufactures.⁶⁸ Except in 1814 when the Battle of Plattsburgh disrupted trade, St. John remained virtually the only port in Lower Canada where tobacco was imported (See Graph).⁶⁹ Thus the War of 1812 apparently limited the trade in American manufactures largely to tobacco and items, especially leather, produced in the Champlain Valley, and other than in tobacco, this sector of the commerce suffered by pre-war standards.

At the same time commerce that had developed after Jay's Treaty in East Indian and other foreign goods re-exported through the Champlain-Richelieu route to Canada nearly ceased. The 1813 returns at St. John recorded only a few pounds of chocolate and ninety-nine gallons of spirits, together worth less than £200. The British blockade of the American Atlantic ports stopped the importation of many of these foreign commodities, creating an acute shortage in the United States and driving their prices upward. I. Tuttle, a Burlington merchant, offered "for the accommodation of his friends and customers" limited quantities of sugar, coffee, tea, pepper, ginger, allspice and chocolate. Tuttle found "that the extreme pressure of the times induced people to curtail their expenses in the[se] very important articles."⁷⁰

Though trade restrictions governing the Champlain-Richelieu corridor were generally quite relaxed during the war, the economic dislocations it created greatly altered the composition of the commerce. Changes such as the slowdown in the timber and potash trade, the acute shortage in imported goods, or the added expense of carrying on business created a good deal of hardship. But as one man's loss is often another's gain, the wartime conditions provided rich opportunities for those able to capitalize on them.

67. PAC: R. G. 16, Series A5-27, vol. 1.

68. PAC: S, 90, p. 124. Prominent among those importing tobacco in 1813 were Bellows and Gates & Co., James Lloyd of Albany, and Abija Cheeseman of St. John.

69. The Chart is based on data in *Lower Canada, Journals, 1802, 166; Journals 1804, 130; Journals 1805, 330; Journals 1806, 184-186; Journals 1807, 230-232; Journals 1808, 262-264; Journals 1809, Appendix 5; Journals 1811, Appendices A6 and B6; Journals 1812, Appendix 6; Journals 1813, Appendix E; Journals 1814, Appendix A; Journals 1815, Appendix A, Journals 1816, Appendix D; and Journals 1817, Appendix H.*

70. *Northern Centinel*, 10 December 1812.

One such group was the commercial alliance that included Moses and Guy Catlin of Burlington, their brother Lynde in New York, Gideon King, and a Spaniard of dubious reputation, Ramon Manzuco. Their operations also included the Collector of Customs for the District of Vermont, C. P. Van Ness, and they did a thriving business with John Jacob Astor.

Less than a year before the war Moses Catlin had been unable to meet a \$9,000 obligation to Astor, who had begun legal action to recover the debt. Only Lynde Catlin's personal intervention and urgent plea that Astor "stop all *proceedings*" allowed Moses additional time to "make arrangements for the settlement of his debt."⁷¹ Three years later Moses and Guy Catlin along with Ramon Manzuco were in a position to accept and insure a bond for \$36,643 owed to them.⁷² The war years had dramatically reversed the Catlins' fortunes, and Astor, presumably having been paid, continued to do business with the Catlins.⁷³

The Catlins conducted a large part of their wartime business with Montreal firms, buying and selling furs, British manufactures, and Champlain Valley produce on their own account and on a commission basis for other merchants. In May 1813 the Catlins owed Bellows and Gates & Co. of Montreal £2,396 for kegs of red lead and boxes of glass, and in the period from August 1814 through January 1815 Guy Catlin purchased calico, flannel, linen, broadcloth, mittens, hose, nightcaps, china, and an assortment of other goods from C. P. Lester & Co. of Montreal.⁷⁴ Many of these items were carried over the border from St. Armand, Lower Canada, through Swanton to Burlington. The Catlins then distributed them locally as well as in Boston, Whitehall, and Poughkeepsie. On one account Guy Catlin listed a payment of \$568.32 made to C. P. Van Ness shortly after a shipment of merchandise came in from St. Armand. Though his account did not list it as such, the payment might possibly have been for fees and duty or a bond against "seized" goods.⁷⁵

One consignment of fur was purchased by the Catlins on a commission basis from C. P. Lester & Co. for the Albany firm of Fitch & Loyd. Gideon King apparently handled the actual transaction. He had Abijah Cheeseman, the St. John innkeeper and freighter, ferry the fur from Montreal to La-prairie on November 11, 1813, and then carry it to St. John nine days later. The Catlins made the financial arrangements and received a commission of

71. Catlin MSS, Wilbur Collection, Bailey Library, University of Vermont, Burlington, Vermont, Lynde Catlin to Moses Catlin, New York, 30 October 1811.

72. *Ibid.*, receipt dated 3 November 1814.

73. *Ibid.*, Lynde Catlin to Moses Catlin, New York, 25 July 1814.

74. Catlin MSS, "Sales on Acct. of B. G. & Co. by Guy Catlin," 27 May 1813; and Account with C. P. Lester & Co. from 14 August 1814 through 31 January 1815.

75. *Ibid.*, Account with George Moore, 12 September 1815; and Account with C. P. Lester & Co.

£19 4s. for their effort.⁷⁶ In a similar capacity Guy Catlin received a whopping \$9,916.20 from Horatio Gates of Bellows and Gates & Co. in payment for goods shipped to Montreal for a Jacob (or John?) Banker.⁷⁷

One of the Catlins' principal associates during the war was "Ramon Manzuco of Cadiz in the Kingdom of Spain."⁷⁸ Manzuco, a "neutral" living in Burlington, sailed the *Saucy Fox*, a 50-ton sloop built for Gideon King in 1810, under the Spanish flag, as a neutral vessel, and "Moses Catlin, Gideon King, and Lynde Catlin of New York . . . were doubtless the associates of Manzuco in this patriotic movement to aid the government."⁷⁹

Manzuco worked with a number of Champlain Valley merchants including Jonathan Hagar of Middlebury.⁸⁰ Hagar, who had been trading with the "enemy" since the beginning of the war, apparently saw no inconsistency with his leading role in raising funds to provision volunteers who turned out to defend the country "against the present alarm" surrounding Prevost's invasion in September 1814.⁸¹

Several years after the war, Van Ness, who had been collector of Customs, recalled that "Mr. Campbell, late Secretary of the Treasury" had authorized "importations by neutrals."⁸² However, during the war, a public letter signed by "CORRECTOR," who was undoubtedly Van Ness, claimed emphatically that no neutral vessels sailed on Lake Champlain.⁸³ With dubious validity the *Quebec Gazette* reported a ship navigating Lake Champlain under a Swedish flag.⁸⁴

The Catlins' accounts establish their intimate connection with Manzuco. They honored Manzuco's drafts for the purchase of dry goods, fur and wine from C. P. Lester & Co. in December 1814 and January 1815.⁸⁵ In the same months, Manzuco handled a transaction worth \$1,750.57 between Guy Catlin and James Webster of St. John.⁸⁶ Later in September 1814, at St. Armand on the Canadian side of the border, Manzuco closed a

76. *Ibid.*, "Fitch & Loyd[']s Acct. in a/c/ with Charles G. [?] Lester," Montreal, 2 March 1814.

77. *Ibid.*, Receipt, 22 April 1815.

78. Catlin MSS, phrase written on an undated scrap.

79. Abby Maria Hemenway, *Vermont Gazetteer* (5 vols., Burlington, 1867-1891) 1, 67n; T. D. S. Bassett, "The Rise of Cornelius Peter Van Ness," PVHS, New Series, 10, no. 2 (March, 1942), p. 6; and Walter Hill Crockett, *Lake Champlain* (Burlington, 1909), p. 294.

80. Hagar MSS, Bond, 12 January 1815.

81. Swift, *History of Middlebury*, p. 439.

82. Van Ness MSS, C. P. Van Ness to Heman Allen, Burlington, 15 December 1818.

83. *Northern Centinel*, 19 August 1814. Van Ness carried on extensive business with the Catlins. A receipt in the Catlin MSS reads: "recd Burlington Feby 25th 1815 from C. P. Van Ness, Esquire. Six packages of Goods amounting to \$2,148.41/100 which I am to return on account or on Demand — Guy Catlin."

84. *Quebec Gazette*, 1 December 1814.

85. Catlin MSS, Ramon Manzuco's accounts with C. P. Lester & Co., 12 December 1814 and 17 January 1815.

86. *Ibid.*, "James Webster in Acct. with Ramon Manzuco," September and December 1814 and January 1815.

deal between Guy Catlin and Job Fowke valued at "Two Thousand Three Hundred and Fifty four pounds 4/7 Halifax Cur[renc]y."⁸⁷

The spare business records with their terse accounting fail to portray the difficulty of the risky trade in which both cargo and fortune were the fragile hostage of caprice. John Jacob Astor had successfully gotten his furs out of Montreal in the autumn of 1812, but the next fall after the arrival of the annual fur brigade he faced a new set of circumstances. He wrote to Pliny Moore that the furs were "much wanted" in New York and "as they Can not be sold in Montreal but at a Great Loss," he had dispatched a Mr. William Howard to bring them to New York. Astor asked his old friend and associate to help Howard get into Canada.⁸⁸

For Howard, who elected to ship the fur on Lake Champlain, the voyage had some very anxious moments, though it was not without a rewarding ending. As Howard related the story to Pliny Moore the trip began well when he "had the pleasure of seeing his [hired] Sloop come to Anchor opposite Cap^t Thurbers [on the Richelieu River]. The next day she weighed Anchor and came to the lines." Shortly after docking near the border, Howard received the disquieting intelligence" that Maj. Perault [the British commander at Odelltown] had sent an express to Montreal to consult some Counsiler [sic] and that he had calculated the fur under my care to be worth \$200,000, which would make them all [Perault and his fellow conspirators] rich" should they seize it legally. Perault attempted to stall the ship's departure, but Howard, "convinced [that] the two Captains who brought the fur to the lines were [also] in on the plot," hastened the loading, and at the first breath of fair wind he sailed "out of the reach of those intended Robbers" only to learn that "there were also threats made upon our [the United States] side of the lines that this property should be destroyed. Thus situated upon all sides," Howard was "wholey bent upon getting out" to Whitehall at the south end of the lake, which he "Happily effected" by embarking in the dark of the night.⁸⁹

Despite official forbearance for the trade, some entrepreneurs continued to employ old ruses invented to circumvent previous trade restrictions on the Champlain-Richelieu route. As he had done during the time of the embargo, John Banker operated a privateer on the lake to "capture" cargoes coming from Canada and, without having to pay duty or post a burdensome bond, sell them in the United States as prizes. Such "cap-

87. *Ibid.*, Ramon Manzucio to Guy Catlin, St. Armand, 17 September 1814.

88. Moore MSS, Astor to Moore, New York, 30 September 1813 in *Moorsfield Antiquarian*, 1, no. 4 (February, 1938), pp. 270-271. Never one to indulge in needless risk, Astor also dispatched Mr. John Day, who also had "Some Commercial Business in Canada requiring his presents [sic] there" to look after the furs Howard was sent to get. *Ibid.*, Astor to Moore, 18 October 1813, pp. 271-272.

89. *Ibid.*, William Howard to Pliny Moore, White Hall, 30 November 1813, pp. 274-275.

tures" were arranged well in advance and thoroughly exasperated Peter Saily, the harried New York Collector of Customs. In December 1813 he wrote to Commodore Macdonough that Banker had "returned from a Cruise . . . with British Goods, taken previously from an American Citizen in a *very peaceable manner*." In that rather shrill combination of righteous indignation and self-interest, amplified by a good measure of frustration, Saily concluded that Banker "had literally smuggled his cargo, in not entering it at the Customshouse and paying or securing duties due the Un. States, on the Captured Goods, has forfeited his vessel + his bond, if he ever gave any, which I doubt." With his only weapons a pen, a large quantity of ink, and the rather hollow threat of informing the "heads of Government" of the true state of affairs, Saily vainly demanded help. "Being destitute of means to apprehend an Armed Privateer," he implored Macdonough, "permit me, sir, to call upon you for the application of the force under your command for the purpose of taking said Privateer and Cargo and to bring the same to me."⁹⁰

The Catlins and many others who managed to continue the trade profited handsomely from the wartime commerce with the enemy. Though the trade may have been injurious to the American military situation and in that sense unpatriotic or worse, a complete stoppage may have been more deleterious. For the fact remains that the merchants frequently availed themselves of commercial possibilities that agencies of the United States government supported. Events in the Champlain Valley during the War of 1812 demonstrated the vitality of the Champlain-Richelieu trade both to the commercial communities that relied on it and to the governments that tried to control it.

90. Thomas Macdonough MSS, Shelburne Museum, Shelburne, Vermont, Peter Saily to Thomas Macdonough, Customs House, District of Champlain, 1 December 1813 (Italics are in the original); and Muller, "Smuggling into Canada," p. 14.