

VOL. XXXIII No. 1

Price 1 Dollar

VERMONT

History



January 1965

The PROCEEDINGS of the
VERMONT HISTORICAL SOCIETY



The St. Albans Raid: Vermont Viewpoint

BY GARY EARL HEATH

THE VIEWPOINT of both St. Albans and the State of Vermont might best be summed up in an expression sometimes heard in sporting events: "We wuz robbed!"

There is certainly no doubt that the three banks felt that way, and that various other people in St. Albans who came into more or less violent contact with the group that Oscar A. Kinchen calls *Daredevils of the Confederate Army*, would certainly agree that it was more of a robbery than it was an act of war.

That a group of men could come in from Canada, rob three banks of some \$208,000, steal from individuals in the community both money and horses, herd a considerable group of people onto the public park at the point of guns, and then dash into the neutral country of Canada, and claim that this was simply an act of war, an act of retaliation against acts of the United States Armies in the south where the war was actually being fought, and expect to get away with it, was rather beyond the understanding of the people of St. Albans and the Government of Vermont.

Let it be admitted at once that the raiders did announce publicly and frequently that they did represent the Confederate States and that this was an act of war. But would such an announcement made by men whose breath—according to witnesses—smelled very strongly of alcoholic beverages, be believed by those who heard them? Or would they be most apt to think that this was just a means of attempting to cover up what was actually an act of robbery and terrorism?

They were not in uniform. They did not display any orders. They did not carry flags. Certainly they were not marching in an orderly fashion as would befit an army or part of an army. And, I repeat, reliable evidence of those robbed would indicate that these men had been drinking.

To the banks and to the public, all the appearances were that of armed robbery. The fact that the fires that were set did not develop to any great extent would not change the situation. Had these fires got really started, the attempt of the community to stop them or contain them would have

made it just about impossible to make any real attempt to chase and capture these criminals.

In other words, it was an attempt to keep the people busy while the raiders escaped, a tactic worthy of the James Gang, the Youngers, or other bank robbers.

The first reaction of the people of St. Albans was that of robbery. And even though soldiers were called out to aid in capturing these men, their actions were more that of men hunting criminals than that of soldiers searching for an enemy.

It was only after the publicity started to appear that it was believed that this raid could be a part of Confederate tactics, an endeavor to relieve the pressure in the south by forcing the United States to bring men back and place them at strategic points on the northern border.

Even if we at once accept that these were Confederate soldiers actually carrying the war into the north, does it make it less of a robbery and more of a military action?

As a military action it was pitifully weak and certainly of very small importance. Most of the men who were called into action were soldiers who had been invalided home and were still not well enough to return to the actual fighting. And the rebels, by that time, were sufficiently weakened so that it was merely a matter of months before their surrender.

It could have had no effect upon the outcome of the war. And even had similar raids taken place in other communities in the north the effects would certainly have been of no value to the South.

It should also be mentioned that other raids did not take place. This was an isolated action, and it would seem that the money was the important item. And \$208,000 would have been of real help to the Confederates—provided they ever received it.

I believe I am correct in saying that a considerable portion of the money was turned over to Confederate representatives in Canada, but I believe I am also correct that not all of it went that way. There is even some evidence of slightly sticky fingers among some Canadians, which may well account for the ease in which the raiders managed to escape from jail and nearly make their way beyond the power of Canada to bring them to trial.

But those items are of rather small importance in the overall picture of the raid and the aftermath.

Perhaps the most important question of all would be the position of Canada in this matter. Canada was a part of Great Britain. And Britain recognized both the United States and the Confederate States of

America. Those who escaped from Yankee prison camps and got into Canada could stay there without interference.

But what about an actual act of war, planned, devised, and made ready in the neutral nation? The raid carried out and the criminals escaping back to Canada, was either release of these men or protection of them consistent with neutrality?

It would seem that such action on the part of Canada would make it a cobelligerent with the Confederate States, and would certainly not be the action of a truly neutral nation.

Whether these men were ordinary criminals or men under orders from the government to which they had pledged their allegiance, they had committed a crime; a crime planned in a supposedly neutral country. And they had returned to this neutral country, where they claimed immunity from being extradited so that they could not be tried under the laws of the country where the crime had taken place.

You can call the raid a robbery or an act of war. In either case, it would seem to me, that these men should not have been protected from activities a part of which, at the least, could have been said to have taken place in a country that was not at war with the United States.

The lawyers for Vermont and the United States argued very ably that these men did not enter as raiders or as representatives of the Confederate States.

Instead they took it upon themselves to visit St. Johns, Quebec, study St. Albans papers, learn as much about the town as they could. Then they came to St. Albans, not in a group, but in twos or threes. Some of them were in the community several days. They studied the city. They figured out the best day, the best time of the day, and then struck.

And they did not strike at the arsenal. They struck at the banks. They did nothing that would hurt the fighting power of Vermont or of the United States. Instead they stole and made way with \$208,000!

They carried on their fight by attacks on individuals, by stealing horses on which to make their escape, and by acts of hostility against old men and women. As one of the lawyers stated, it was not an act of war but an act of brigandage.

The very prompt release of these men by Judge Coursol and the restoration to them of the money they stole, hardly seems like justice under the circumstances. If he felt, as he said, that he did not have jurisdiction in the matter, it would seem that he should have held the men and turned them over to the authorities he felt did have such jurisdiction.

It is also quite apparent that the Canadian government did not agree

with Judge Coursol. For the Provincial Parliament appropriated \$50,000 in gold, and this was paid to the banks. The gold was worth some \$88,000 in currency, which reduced the loss to \$120,000.

That fact alone would seem to indicate that there was at the very least a considerable doubt as to the propriety of the claim of the raiders as refugees!

Lawyer Bethune contended that the raiders had violated the instructions from their government by the robbery of private individuals as well as the banks, all of which did not come within the definition of a raid. The prisoners, he said, had "acted in violation of the pretended authority which they had invoked," and had "secretly introduced themselves into an unarmed town, at a point far removed from the scene of hostilities, in the garb of citizens to rob the bank and the individual Breck." They then left on stolen horses, leaving their prisoners free. Bethune could see no other motive than robbery and murder under the pretense of war.

These arguments did not prevail, as the history of the case shows us. On March 9, 1865, Judge Smith rendered his verdict.

He freed the prisoners from this first charge, which was the robbery of Breck. The American lawyer, Devlin, announced that he would proceed with the remaining six charges against the raiders.

However, when the court reconvened on April 5, Devlin stated that he had been informed that the men were to be prosecuted for their violation of Canadian neutrality, and that Washington had authorized him to withdraw the remaining charges.

On October 27, Sir John Michel, on behalf of the Canadian Government, wrote to the Colonial Secretary in London, that the attorney general for Canada West had decided not to press the charges, as the evidence was too imperfect to make it likely that a conviction would be obtained.

Thus ended the court cases against the St. Albans Raiders. Concluded but not resolved. Neither declared guilty or not guilty. And it took a full year to reach this point.

Bennett Young remained in Canada for some time. While there he married Miss Mattie Robinson, daughter of a Kentucky minister, and the two lived in England for some time.

In 1868, after President Andrew Johnson issued his amnesty proclamation, Young finally returned to Louisville, Kentucky.

But Vermonters neither forgot nor forgave too easily. In 1909 Bennett Young was invited to deliver the principal oration at the Champlain Tercentennial Celebration by the St. Albans Committee. The protests

against this were so violent that it was thought Young's life might be in danger, and the invitation was withdrawn.

In July of 1911 (1914 in Kinchen's book) Bennett Young visited in Montreal for ten days. While he was there, on neutral ground, he was visited by a delegation from St. Albans. The delegation included then Representative Frank L. Greene; J. T. Cushing, editor of the *St. Albans Messenger*; and John Branch, who had been a seven-year-old witness to the raid. At that time, Young repeated his claim that it was a legitimate raid, carried out as an act of war, and in no way a case of robbery. He insisted that the money had been turned over to Confederate representatives.

There has been no legal solution to the raid. There still remains some questions. Was it truly a raid, an act of war, or a robbery? Was Canada's neutrality violated? Was the raid truly supposed to be the first of many, or was it an isolated case done by a group of hotheads, partly for their own sakes and partly for the sake of their Confederate States? It seems to remain a matter of opinion, and the opinion is often colored by where a person lives or by his loyalties or both.

I think that a great many Vermonters who know of the raid may believe that it was actually an act of war, the one such act on the Northern Border, but that the robbing of the banks was the main objective, and that the raiders should have been punished. I am personally certain that, at the very least, it was a violation of the neutrality of Canada.

BIBLIOGRAPHY

- L. N. Benjamin, Comp., *The St. Albans Raid or Investigation into the Charges Against Lieut. Bennett H. Young and their Command, Etc.* Montreal: John Lovell, 1865.
Franklin County Bank, *St. Albans Raid, October 19, 1864.* St. Albans: Franklin County Bank, 1964. (Centennial Edition).
Oscar A. Kinchen, *Daredevils of the Confederate Army, the Story of the St. Albans Raiders.* Boston: Christopher Publishing House 1959.