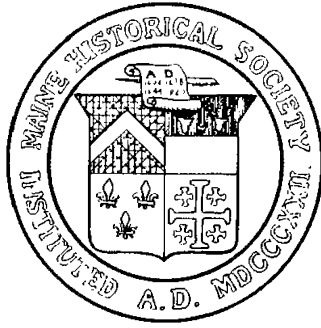




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The Smuggling Career of William King

by
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One of the most fascinating controversies to emerge from Maine's role in the War of 1812 is whether William King, the leader of Maine's Democratic-Republican party and the state's first governor, illegally traded with the British. Throughout King's political career, charges were hurled that many of his vessels had operated in violation of the revenue laws. These charges remained unsubstantiated rumors spread by his Federalist political opponents until 1824 when two of his estranged political proteges, Benjamin Ames and Joseph F. Wingate, Jr., anonymously published *The Disclosure No. 1: Documents Relating to Violations and Evasions of the Laws During the Commercial Restrictions and Late War With Great Britain, etc.*, a collection of letters and depositions intended to prove that King and his good friend, Mark Langdon Hill, were indeed guilty of smuggling. King and Hill responded with a denial of the charges in a pamphlet published in January, 1825. The controversy has raged without settlement ever since.

For the New England Democratic-Republicans, the War of 1812 became a political albatross. The declaration of war, passed by a Democratic-Republican Congress during the Madison administration, was produced by the clamor of the agrarian, expansion-minded, nationalistic states of the south and west. The pro-war congressmen of those states could afford to bask in self-congratulations for having struck a blow at British arrogance, but their political friends in New England were caught in a maelstrom of public protest.

New England lived by maritime commerce. Shipping, with its attendant concerns of shipbuilding, fishing, ropemaking, and lumbering, was, in Samuel Eliot Morison's words, "The one thing that had enabled Yankees to lift themselves out of a penury incident to poor soil and harsh climate."¹ A fact of nineteenth century maritime commerce, well recognized by New England merchants, was the overwhelming naval preponderance of Great Britain. Britain was mistress of the seas, and could arrogantly boast that not a single vessel sailed without her consent. As a consequence, New Englanders feared that war with that country would result in the destruction of their commerce and economic depression. For the sake of profits, New England merchants had long endured the insults of Great Britain, and they bitterly asked by what right the planters and backwoodsmen of the south and west had pushed the nation into war "for the sake of our commercial rights."²

As much as the Federalists detested the thought of war, they used it to revitalize their party. In Massachusetts, of which Maine was then a part, they played upon public antipathy to the approaching conflict, and in April, 1812, they regained control of the governorship and the House of Representatives. With the declaration of war, public outrage escalated and became ripe for Federalist propaganda characterizing the conflict as a southern plot

designed to destroy northern commerce—as part of the “Virginia Anti-Commercial System” which had earlier manifested itself in the Embargo of 1807-1809.³

New England Democratic-Republicans were the victims of events. In the 1812 presidential and congressional elections, the Federalists failed to overturn the dominance of their opponents, but in New England they scored a stunning victory. Massachusetts cast 65 percent of its vote for Madison’s opponent, Dewitt Clinton; and the Federalists won 15 of Massachusetts’ 20 congressional seats. Even in consistently Democratic-Republican Maine, the voters registered their discontent by ousting all three pro-war Democratic-Republican incumbents. The trend persisted in the state elections of 1813. The incumbent Federalist governor, Caleb Strong, won by 14,000 votes on a platform emphasizing his thorough opposition to the war.⁴ Clearly, identification with the war and the Madison administration was a political liability.

As if the local cost of political loyalty to the national party leadership were not enough, private adherence to the war policies entailed potential financial ruin for the merchant-capitalists who composed the leadership of the Maine Democratic-Republicans. Abiel Wood, Jr. of Wiscasset thought that if King had been in Congress he surely would not have “given a vote of destruction” to the interests of his constituents. Wood, a man about to go bankrupt within two years, expected “to lose from ten to fifty thousand dollars by the war,” and he concluded, “I shall not be alone.”⁵

The irresistible temptation to merchants of both parties was that of continuing pre-war trade through extralegal channels. Neither the English nor most Americans wanted commerce to cease because of the war. The United States was the prime source of foodstuffs and lumber products for the British West Indies, the Maritime provinces of Canada, and, to a lesser extent, Great Britain. The United

States relied on Britain for manufactured products, and on the British West Indies for sugar, rum, and molasses. Hence, when the British adopted a policy allowing American ships to continue trade with the empire under protective licenses, the Americans responded enthusiastically. The license system offered immunity from attack by British warships and privateers. Usually valid for six months, they could be used for any number of voyages, to a specified port, within that period. They were issued by British royal governors, consuls, and naval commanders for the West Indies, the Maritimes, and the Iberian peninsula.⁶ Initially, the licenses sold for \$50.00, but on the black market they resold for as much as \$1,250. Often, a merchant would purchase a license for a single voyage, and then resell it to another prior to its expiration.⁷

Trade with Britain and her colonies was legally prohibited, but American customs were easily bypassed by a variety of Yankee stratagems. The standard was to officially clear the vessel for St. Bartholomews, a neutral Swedish island in the Caribbean, and then proceed wherever desired. False return clearances, ostensibly from St. Bartholomews, were readily available from British custom officers. So great was the volume of American trade supposedly flowing to the Lilliputian island of St. Bartholomews that its name became synonymous for trade with the British.⁸

The alternative to British licenses was the remarkably easy transfer of American vessels to neutral Swedish registry. To facilitate the glut of such requests, the Swedish government appointed Peleg Tallman, a Democratic-Republican merchant from Bath, and former business partner of King's, as its vice consul for the District of Maine.⁹

The license system was an extension of British political as well as economic policy. Anxious to see trade continue,

the British were determined that anti-war New England would benefit from it. They usually limited the issuance of licenses to New Englanders, and excluded the region from their naval blockades, thereby allowing the licensed merchant vessels to come and go. British policy was designed to reward anti-war feelings, generate pro-British sentiment in New England, and encourage sectional jealousy among the states of the Union. The policy was so successful that it all but neutralized the American war effort in New England. Appeased by continued commerce, and the absence of British attacks upon their coast, most New Englanders preferred to believe they were not in the midst of a real war. For them, the conflict was the problem of the pro-war states; New England's business was to continue trading with the world as best she could.¹⁰

Despite several dramatic naval victories, the United States could not overcome the overwhelming superiority of the Royal Navy in American waters. Although Congress made the use of British licenses illegal, enough Republican congressmen joined with the Federalists to defeat a bill which would have put teeth in the law by authorizing the navy to seize American vessels operating under such licenses.¹¹ Consequently, the British virtually dictated American commercial policy. Commerce moved safely only where they licensed it to go—that is, to areas where their armies needed provisions. The United States was impotent to stop the trade which so materially aided the enemy war effort because public sentiment refused to countenance the extraordinary measures needed to suppress it. Quite simply, American willingness to eliminate the illegal commerce was worse than half-hearted. Reflecting this, the policy of the Madison administration was typically confused and inconsistent, resulting in tacit toleration.¹²

Existing American revenue laws were utterly ineffective in deterring smuggling. As a result of the prevailing belief that smuggling was not all that morally reprehensible, the penalties were limited to confiscation of the offending vessels and their cargoes. The relative infrequency of seizures, the inexpensive and plentiful supply of wooden ships of the day, the ready availability of insurance to underwrite the risk, and the opportunity to repurchase the vessel and cargo at public auction for a fraction of their value, were all factors making confiscation ineffective against smuggling during times of inordinate profits. There were occasions when owners informed on their own vessels in order to legalize the cargoes. Since their fellow merchants would refuse to bid on the confiscated vessel and cargo, the owners were able to repurchase for a low price at auction, while receiving a reward for having informed.¹³

War did not halt Anglo-American trade; it forced it into semi-legal channels. Shipping was the backbone of Maine's economy, and her commercial community accommodated itself to the wartime situation in terms dictated more by economic necessity than by patriotic fervor. Only subsistence farmers could afford to be war zealots, but even many of them, attracted by high beef prices in Canada, drove their cattle through the forest to Quebec and New Brunswick.¹⁴ Merchants of both parties, whatever their attitudes toward the war, were determined to conduct their business as best they could. The British license system, coupled with American inability and reluctance to suppress it, allowed the merchant community to continue a limited trade with the British Empire.

As a rule, the merchants did not profit by the extraordinary conditions. The high prices paid for cargoes at both ends of the illicit voyages were largely offset by increased risks and the reduced flow of commerce. The

level of trade was largely controlled by the number of licenses the British chose to issue. That these were insufficient to meet the demand is indicated by the high prices paid for them on the second hand market. Generally, only the wealthier merchants who plied the more lucrative trade routes could afford them. Small coasters, the principal means of transportation in New England, had to cling to the coast to avoid pursuit and capture by British cruisers and privateers. Because the license system was inconvenient and bothersome, American merchants all but universally longed for a return to peace.

Maine, an underpopulated frontier region bordering on Canada, and amply endowed with good harbors, became a hotbed of smuggling. "The District of Maine has become a resort and hiding place for such traitors," Portland's Democratic-Republican paper, the *Eastern Argus*, raged.¹⁵ In addition to the license and "neutral" export trade sailing from Maine ports to British possessions, a great volume of American trade flowed up the coast from the mid-Atlantic states to the Canadian border at Eastport. During the night, great quantities of American foodstuffs and British dry goods crossed the Passamaquoddy Bay border in an armada of open boats. In short, Eastport served as a portal of exchange for the two belligerents due to active British encouragement, and the inability of the Americans to stop it.¹⁶

The official view of the Democratic-Republican party was that the nation was engaged in a life-and-death struggle requiring the patriotic sacrifice of self-interest. The Democratic-Republican press treated smuggling as a Federalist plot to undermine the war effort.¹⁷ The Federalist position more nearly reflected the economic realities of the time. The Democratic-Republican attempt in Congress to allow the navy to seize licensed vessels was labeled "The Finishing Stroke" by the *Portland Gazette*.

It insisted that it would “completely exclude the United States Flag from the ocean and speedily heal up those ‘great sores’ (seaports) which Jefferson considered so destructive to the body politic.”¹⁸ The custom officers, generally Democratic-Republican appointees, were not very popular along the coast. Because they received a share of whatever they seized, they were perceived as greedy parasites feeding off honest commerce unfortunately forced into illegal channels.¹⁹

The Federalist press considered Democratic-Republican attacks on smuggling practices as hypocritical and unreasonable. In June, 1814, the *Portland Gazette* asserted, “The *Argus* is continually harping about smugglers and gives strong intimations that the Federalists are the only people concerned in the violation of the laws. Beware Doctor, or some of your patients will get a blistering! A great Democrat, not more than thirty-seven miles from this, can be named who has done more at this business than all the Federalists in Massachusetts.” Bath lies thirty-seven miles from Portland, and the “great Democrat” could only be William King.²⁰

Rumors that William King was inclined to defy the commercial restrictions enacted by his party, described by Mark Langdon Hill as “all those old woman stories which the Feds at Bath and elsewhere had promulgated with a view to render you unpopular,” were revived and circulated at election time by King’s Federalist opponents.²¹ Unfortunately for King’s reputation, Judge Hill was a poor character reference. His vessels had, on at least two occasions, violated the embargo and non-intercourse laws.²²

Next to Eastport, Bath was the most notorious Maine port for trading with the enemy. The Democratic-Republican *Hallowell Advocate* noted, “We have known several vessels direct from enemy ports, with English manufactures, enter the port of Bath, in defiance of law,

and instead of vigorous treatment, the owners have in some instances had their goods appraised at not a third their value, bonded for this small amount and delivered up." The bonds paid for such "illegal importation" were equal if not less than the duties on legal imports. The *Advocate* raged, "In this manner desperate adventurers have unjustly been enabled to accumulate fortunes, while the honest and regular citizen is laboring under the privations incident to the state of our commercial concerns."²³

Those "desperate adventurers" were primarily Democratic-Republican merchants whose illicit commerce existed due to the connivance of Bath's Democratic-Republican custom collector, Joshua Wingate, Jr. In his journal for February 12, 1814, Bath resident Zina Hyde noted, "A number of vessels were complained of for having traded at Bermuda, an English port, they having recently arrived with sugars; Messrs. Green, J.F. Wingate, Benjamin Ames, Robinson, K--g, and others interested." The Bath merchants traded with the British West Indies and the Maritimes, but the bulk of their wartime commerce was with Bermuda.²⁴ Apparently, licenses for Bermuda were fairly prevalent since the British needed food and lumber to supply their important military and naval base. Bermuda consequently became an emporium where American produce was exchanged for molasses, rum, sugar, coffee, tea, and the manufactured goods so greatly demanded in the United States.

Only two Bath-owned vessels were seized by American customs. The first was the schooner *Ovarian*. Owned by Benjamin Ames and Joseph F. Wingate, Jr., it was seized on suspicion of trading with Bermuda. Ames obtained its release with several fraudulent depositions asserting that it had sailed to and from St. Bartholomews in accordance with its clearance. Subsequent testimony before a Senate

Judiciary Committee investigation, however, placed Ames and the *Ovarian* in Bermuda.²⁵

The second vessel was William King's *Reunion* which was seized for violation of the pre-war non-intercourse laws banning trade with the British Empire. In late 1811, acting on information derived from his political friends in Congress, King slyly sent two ships, the *Reunion* and the *Reserve*, to the British West Indies on the assumption that the non-intercourse laws would be suspended by war or by congressional action before their return. Neglecting to take the serpentine pace of Congress into account, the captain of the *Reunion* brought the vessel back in January and it was seized. King, however, repurchased the vessel at public auction. The *Reserve* took a more leisurely pace in returning from British held Martinique under a fraudulent Puerto Rican clearance. It arrived home in August, 1812, after war had been declared.²⁶ Although the vessel was not seized, revenue officer, Phillip Ulmer of Lincolnville gave King considerable concern by attempting to open an investigation into the voyage. Phillip's brother, George Ulmer, a noted Hancock County Democratic-Republican friendly to William King, apologized for his brother's action noting that, "...he will do anything for money". George speculated, "I presume that scoundrel of a mate has been to him, and the hopes of getting something to themselves, induces them to go on."²⁷

A rift in the ranks of the Maine Democratic-Republicans in 1824 revived the question of King's wartime smuggling and produced an enduring controversy. By 1824 Maine had become a separate state, and King had served briefly as its first governor. In the fall of that year the Democratic-Republican party fractured when Andrew Jackson, William Crawford, and John Quincy Adams scrambled for succession to the presidency of James Monroe. King stood by Crawford, but his political proteges, Joseph F. Wingate, Jr., and Benjamin Ames

broke with his leadership in Maine to successfully push Adams's campaign.²⁸

Just before the campaign, their patronage appointments expired. Wingate held the lucrative post of collector of the port of Bath which he had held since 1820, after succeeding his uncle Joshua Wingate. Monroe renominated both Ames and Wingate, but when an investigation by the Senate Judiciary Committee disclosed the extent of their wartime Bath-Bermuda trade, the Senate rejected both nominations. Mark Langdon Hill was appointed in lieu of Wingate. Embittered, Ames and Wingate attributed their rejection to William King's interference and influence. To avenge this, they anonymously published their pamphlet in December, 1824, documenting their accusation that King and Hill had also evaded the nation's revenue laws.²⁹

Their pamphlet was a hastily compiled collection of diverse material, gathered from the rather large number of employees who had fallen out with the hard-driving William King. Much was mere hearsay, and much of the rest was laughable. For example, one of the laborers on King's farm claimed that King's potatoes were being shipped to Bermuda because, "some . . . were black, and Mr. King said he did not know as the black ones would do to ship to the Negroes in the West Indies, with the rest, on account of their colour" ³⁰ But, some of it drove home, particularly two letters of instructions written by King in 1811 to David Foote, one of his sea captains. One letter directed, "should you consider it necessary, you may go down to St. Bartholomews for a clearance, though I do not consider it myself necessary. You may as well get a clearance at Dominica [the true destination of the voyage] purporting to be from St. Bartholomews as you go down."³¹

The bulk of the pamphlet attempted to show that after the war broke out, King carried on his illicit trade using the

firm of Peter H. Green and William Emerson as a front. Green and Emerson were former employees, and Emerson had served as King's chief clerk until at least September, 1812.³² They chartered a number of vessels, particularly the *Tobias* and *Two Sisters*, to make several Bermuda voyages loaded with lumber and potatoes, under St. Bartholomews's clearances. As King admitted, the potatoes came from his farm and were loaded onto the ships at his riverfront wharf in Bath. The issue was whether King directed and financed Emerson and Green's commerce with Bermuda and the British West Indies, not whether his own vessels traded with enemy.³³

Disclosure No. 1 created a public uproar which spurred King and Hill to hastily publish, in January of 1825, their refutations in a pamphlet entitled *Remarks Upon a Pamphlet Published at Bath, Maine. Relating to Alleged Infractions of the Laws during the Embargo, Non-Intercourse, and War*. King directly refuted only the weakest points of the Wingate-Ames case, while attacking its credibility as a whole. He emphasized the well-grounded evidence that his accusers, and most of their witnesses, were themselves deeply involved in the illicit commerce. Since Wingate and Ames had already been discredited by the Senate Judiciary Committee's exposure of their activities, King's line of defense shrewdly made their pamphlet appear to be the vindictive production of reckless, desperate opportunists.³⁴

King's approach was so successful that historians have tended either to bypass the issue or to regard the accusations as the bombast of disappointed politicians venting their fury at a greater man.³⁵ The fact that his pamphlet ignores the most telling evidence mustered by Wingate and Ames is neglected. King makes no mention of the damning letters of instruction written by himself to Captain Foote; instead he focuses on a later incident where Foote supposedly defrauded him by accepting a

British bribe to disclose the true American papers of one of his Swedish registered vessels.³⁶

King's response to the well-founded charge that during the war he had shipped potatoes and lumber to Bermuda through Emerson and Green was less than a page in length, and utterly lacking in supporting documentation. It boiled down to one sophistic sentence: "This vessel [the *Two Sisters*] as well as the *Tobias* and many others loaded at my wharf; and from the circumstances of a quantity of potatoes, raised on a farm of mine, having been purchased, and probably loaded on board this vessel, it is not found difficult to find persons to swear, that they believe I must have been interested in the voyage." By carefully avoiding mention of who owned or chartered the vessels, King neither directly denied nor affirmed that Emerson and Green conducted his illicit trade. In short, he avoided mentioning Emerson and Green who had been the focus of the Wingate and Ames pamphlet.³⁷

If King were to be judged solely on the evidence marshalled by Wingate and Ames, his reputation would be tarnished, but no clear cut verdict of guilty could be given. These two scoundrels themselves were deeply involved in the illicit commerce. Other evidence, however, has surfaced which indicates that King did indeed resort to extra-legal methods to carry on his business during the war.

In researching the life of James Madison for a biography, Irving Brant discovered a letter written during the war by Captain Joshua Barney. While privateering in the Carribean, Barney encountered a vessel returning from British-held Martinique with a cargo of molasses, only half of which was entered in its official clearance. The ship's captain bluntly warned Barney that the vessel belonged to King and that, "no person dared to seize her: if they did Mr. Madison being his friend would order her release." Barney had no choice but to let the vessel

proceed. Caustically referring to King as “what men call a good Democrat,” Barney muttered that he “found this mode of defrauding the revenue to be a general thing to the east ward.” Certainly, for the Madison administration to have publicly embarrassed one of its foremost supporters in New England for what was common practice among both Federalist and Democratic-Republic merchants would have been political stupidity.³⁸

Six documents in the William King papers are just as damning. The first, dated September 29, 1813, is the charter of the brig *Leander* from Charles Clapp and Thomas Agry of Bath for a voyage “to the West Indies and back.” Significantly, the document bears the signature of William King together with those of Joseph F. Wingate, William Emerson and Peter H. Green as the charter party, thus indicating King’s involvement in their trade with the West Indies. William Avery Baker’s *Maritime History of Bath* indicates that the *Leander* proceeded to the British island of Antigua. The Wingate-Ames pamphlet included the *Leander* charter but clumsily crossed out Wingate’s signature. In his published rebuttal, King admitted that he owned an interest in the brig, while denying that he had anything to do with the direction of the voyage.³⁹

The second document is a bond dated October 4, 1813, which King, Emerson, and Green posted for importing goods from St. Johns, New Brunswick, aboard the brig *Margaretta*. It substantiates the charge of the *Hallowell Advocate* that Bath merchants imported British goods with the collusion Joshua F. Wingate Jr., the collector of customs. The document bears his signature and clearly states that the goods came from St. Johns.⁴⁰

A letter written by Charles Tappan, a Portsmouth merchant, to Captain Preble on September 9, 1873, casts further light on the bond. At the beginning of the war, Tappan had dispatched his brig, the *Margaretta* to Sweden

to change her registry. He then employed her in the trade between Bath and St. Johns. In September, 1813, he hired the British warship *Boxer* for £100 to escort the vessel to Bath as protection from American privateers, and upon reaching the mouth of the Kennebec the *Boxer* fired several cannon shots to create the illusion that it was chasing rather than convoying the brig. The shots attracted the nearby American naval brig *Enterprise* and the famous naval battle ensued. Both captains were killed, but the *Enterprise* prevailed. Tappan asserts that the *Margaretta* was carrying British woolen blankets and that the United States government winked at the commerce, because of the American army's crying need for blankets.⁴¹ The King bond supports that assertion and indicates that Tappan was importing the British goods for King, Emerson, and Green.

The most significant of the documents are four letters from King's agent in Boston, John Wood. The first, dated October, 1813, discusses Wood's inability to procure a British protective license which King wanted for Guadeloupe, a French Caribbean island captured by the British during the Napoleonic wars. Wood proposed that, while he continued to search the Boston market for the right license, King should prepare the unnamed brig to sail as soon as a license was ready.⁴² The second letter, dated October 29, 1813, reveals Wood's continued frustration in trying to find a license for Guadeloupe. He was optimistic of several arriving in a few days.⁴³ Yet, by November 18, 1813, when the third letter was written, Wood still had not obtained the Guadeloupe license for the brig and proposed, instead, that King buy an available license for Bermuda.⁴⁴ Since no further mention of the brig is made in Wood's subsequent correspondence King did perhaps send her to Bermuda.

The sixth document is another letter from Wood, dated December 10, 1813. It discloses his inability to procure

a license for King's vessel, the *Reserve*. Revealing his expectation that several licenses for Jamaica would arrive soon, Wood proposed an intricate scheme for sending the ship to Jamaica; from Jamaica to Havanna, to be put under neutral Spanish registry; and then to either Cadex, Spain or Liverpool, England!⁴⁵

All four letters make clear that Wood was merely acting as an agent in these matters; the final decisions were King's. The chief significance of the letters is that they demonstrate that King was in close touch with an agent whom he had instructed to procure illegal British protective licenses to enable him to trade with the British West Indies. It proves that, contrary to his 1824 pamphlet, he was not only well aware that his vessels were trading with enemy, but that he actively directed their voyages.

So, William King was the most prominent of the thousands in Maine who in one way or another, earned their livings by trading with the British. This is hardly an astonishing revelation, given the facts that King owed his economic survival before and after the war to trade with the British Empire, and that during the war virtually all his competitors were doing exactly the same. It would certainly be erroneous to think of King's activities in terms of the image which the word "smuggler" conjures up, that of a desperate and secretive criminal netting enormous profits from his daring skill at eluding the law. Rather, he was a shrewd businessman who preferred profits to the private consistency with public politics which bankrupted his fellow Maine Republican merchant, Congressman Richard Cutts of Saco. During the Embargo, when King's ships could not leave port, he estimated his losses at \$5,558 a month.⁴⁶ In the subsequent period of non-intercourse and then war, King demonstrated a determination to profitably conduct his business despite the restrictive revenue laws.

It should also be remembered that the policy of the Madison administration toward the license trade was anything but consistent, and the attitude prevailed in New England during the war that there was nothing wrong with trading with Britain. While longing to injure the British economy by shutting off American trade, the Madison administration had to face political reality. Many of its supporters relied upon a continuation of the trade, and the United States required British manufactured goods and colonial produce. While it is disconcerting to think that Bath potatoes may have fed the army which burned Washington, the reverse of the coin is that British blankets, illegally imported through Bath, covered the American invaders of Canada.

If King can be faulted, it is for the hypocritical clash between his politics and business practices. Had he been yet another merchant, there would be nothing extraordinary about his conduct; but as Maine's foremost Democratic-Republican — the party which enacted commercial restrictions and championed the war — it was inconsistent and a potential source of political embarrassment. While the *Eastern Argus* vigorously adhered to the party line, blasting wartime trade with Britain as a treasonous Federalist plot, its principal financial backer was deeply involved in the trade. King was a symbol of his party, and the public expected that his political loyalty would impose a private consistency with the policies of his party.

The clash between King's business conduct and his politics resulted from the predicament in which the war placed him and his fellow Democratic-Republican merchants. Economic survival dictated evasion of the policies enacted by the Democratic-Republican politicians of the south and west. King's compromise was not unique. As a politician and military officer, he did his best to stand by the national leadership, but in his private affairs he

preferred solvency over strict adherence to the revenue laws. In his official capacity as a government agent, he was in the unusual position of instructing the United States commander at Eastport, Colonel George Ulmer, to suppress vigorously the smuggling there, while, as a private merchant, dispatching his own vessels to trade with the British.⁴⁷ There is no more fitting symbol of the discomfort and ambiguous reaction of the Maine Democratic-Republicans towards the war.

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¹ Samuel Eliot Morison, *Harrison Gray Otis 1765-1848* (Boston: Houghton Mifflin, 1969), p. 298.

² *Portland Gazette*, August 17, 1812.

³ *Ibid.*

⁴ James Banner, *To the Hartford Convention: The Federalists and the Origins of Party Politics in Massachusetts, 1789-1815* (New York: Alfred Knopf, 1969), pp. 359-361.

⁵ Abiel Wood, Jr. to William King, July 6, 1812, William King Papers, Maine Historical Society, hereafter cited as the King Papers.

⁶ Walter Copp, "Nova Scotia Trade during the War of 1812." in George Rawlyk (ed.), *Historical Essays on the Atlantic Provinces* (Toronto: 1967), pp 83-85.

⁷ *Portland Gazette*, February 1, 1813.

⁸ Copp, "Nova Scotia Trade," pp. 83-85.

⁹ *Eastern Argus*, December 9, 1813.

¹⁰ Copp, "Nova Scotia Trade," p. 105.

¹¹ Irving Brant, *James Madison: Commander in Chief 1812-1836* (New York: Bobbs-Merrill, 1961), pp. 104, 226.

¹² *Ibid.*, p. 25.

¹³ William Kilby, *Eastport and Passamaquoddy* (Eastport: Edward Shead Co., 1888), p. 156.

¹⁴ For cattle drives to Canada see: Joseph Dennison, James Collins, and Dan Stevens, Jr. to William King, October 8, 1812, King Papers;

Benjamin M. Sawyer to United States Marshall Thomas G. Thornton, October 7, 1812, Thornton Papers, Maine Historical Society.

¹⁵ *Eastern Argus*, July 1, 1813.

¹⁶ Kilby, *Eastport and Passamaquoddy*, pp. 142-173.

¹⁷ *Eastern Argus*, July 1, and October 7, 1813.

¹⁸ *Portland Gazette*, July 19, 1813.

¹⁹ Joseph Leavitt, "Journal," a copy deposited at the Bangor Public Library, pp. 18-19.

²⁰ *Portland Gazette*, June 20, 1814.

²¹ Mark Langdon Hill to William King, January 29, 1814, King Papers.

²² William Avery Baker, *A Maritime History of Bath, Maine and the Kennebec River Region*, 2 vols. (Bath: 1973), 1:196.

²³ Reprinted in *Eastern Argus*, December 3, 1813.

²⁴ Baker, *Maritime History*, 1:197-199.

²⁵ *Ibid.*, p. 199; William King and Mark L. Hill, *Remarks Upon a Pamphlet Published at Bath, Maine, Relating to Alleged Infractions of the Laws during the Embargo, Non-Intercourse, and War*. (Bath: Thomas Eaton, Printer, 1825) pp. 5-6.

²⁶ King and Hill, *Remarks*, p. 20; Benjamin Ames and Joseph F. Wingate, Jr., *Documents Relating to Violations and Evasions of the Laws during the Commercial Restrictions and the Late War with Great Britain*, etc. (Bath: 1824) pp. 11, 14.

²⁷ Ezekial Dodge to William King, May 9, 1814 and George Ulmer to King, May 16, 1814, King Papers.

²⁸ Henry W. Owen, *History of Bath, Maine* (Bath: The Times Company, 1936) pp. 168-170.

²⁹ *Ibid.*, pp. 168-170; King and Hill, *Remarks*, pp. 3-5.

³⁰ Ames and Wingate, *Documents*, pp. 15-21.

³¹ *Ibid.*, p. 9.

³² On September 17, 1812 Emerson wrote a letter in behalf of the absent William King to Secretary of War Eustis. Letters Received by the Secretary of War, National Archives. Available on microfilm. Registered Series M 211, Roll 46.

³³ Ames and Wingate, *Documents*, pp. 15-21.

³⁴ King and Hill, *Remarks*, pp. 3-6.

³⁵ William Willis, in his *A History of the Law: The Courts, and the Lawyers of Maine* (Portland: Bailey and Noyes, 1863), only touches indirectly on the controversy but takes the stance that the accusations were the

product of Ames's frustrated ambitions. Owen's *History of Bath* discusses the political rift between King, Wingate and Ames but declines to pass judgement on the smuggling controversy. William Avery Baker's *Maritime History of Bath* exposes the extent of the illicit commerce conducted by the merchants of Bath, but avoids taking a position on whether King was involved. In *Maine Becomes a State: The Movement to Separate Maine from Massachusetts* (Middletown, Connecticut: Wesleyan University Press, 1970) Ronald F. Banks mentions the controversy in passing and states, "There is no doubt King's ships violated the navigation laws, but it is a moot question whether King or his captains were to blame." (p. 380).

³⁶ King and Hill, *Remarks*, pp. 7-10.

³⁷ *Ibid.*, p. 16.

³⁸ Brant, *James Madison*, p. 105.

³⁹ Charter Party of Affreightment for the Brig *Leander*, September 29, 1813. King Papers; Baker, *Maritime History of Bath*, p. 196; Ames and Wingate, *Documents*, p. 30.

⁴⁰ Manifest, No. 19: a \$20,000 bond for goods imported on the *Marguretta* dated October 4, 1813, King Papers.

⁴¹ Joseph Williamson "Letter of Charles Tappan," *Bangor Historical Magazine*, vol. 3 (1888) p. 203.

⁴² John Wood to William King, October, 1813, King Papers.

⁴³ *Ibid.*, October 29, 1813, King Papers.

⁴⁴ *Ibid.*, November 18, 1813, King Papers.

⁴⁵ *Ibid.*, December 10, 1813, King Papers.

⁴⁶ King and Hill, *Remarks*, p. 7. For Richard Cutts's financial troubles see Henry Burrage "Richard Cutts" *Collections of the Maine Historical Society*, 2nd series, vol. 8 (1897), pp. 1-30.

⁴⁷ See George Ulmer to William King December 10, 12, 19, 27, 1812 and January 15 and February 7, 1813. King Papers; In an August 24, 1812 letter to Secretary of War Eustis, King mistakenly wrote, "...The smuggling business which has until lately so much disgraced the people near the lines (at Eastport) has now been put an end to." Letters Received by the Secretary of War, Registered Series M 221, Roll 46.