

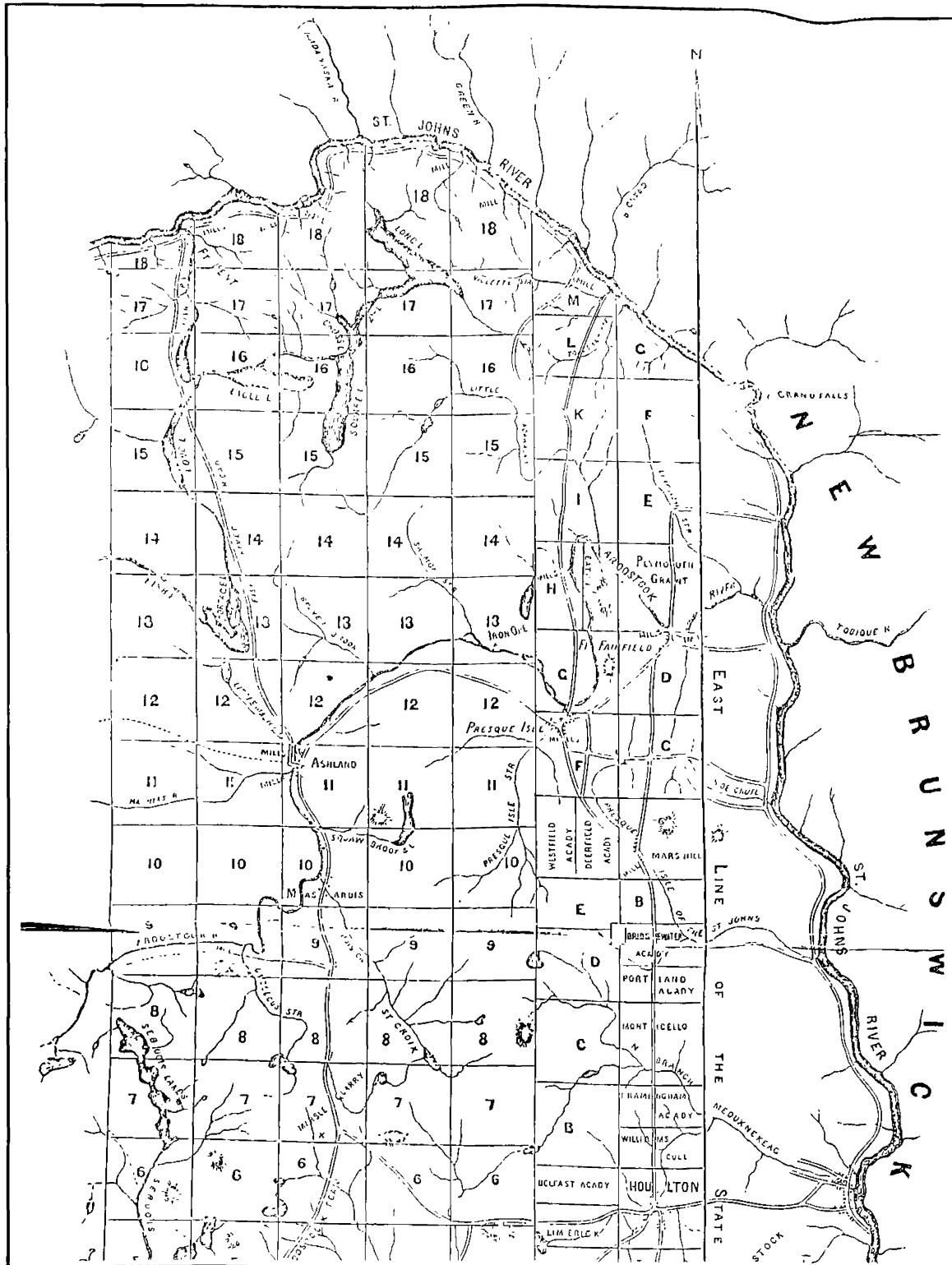
THE WAR AFTER THE WAR:
FORT KENT BLOCKHOUSE, 1839-1842

On March 23, 1839, the Maine State Legislature passed a resolve removing Maine's militia from the brink of conflict in the Aroostook War. On that day, the Fort Kent blockhouse, destined to become one of the most enduring symbols of the war, was still six months away from construction at the confluence of the Fish and St. John rivers.

Fort Kent did not rise out of bombast and calls to arms. It instead assumed its very strategic location gradually as Maine pushed to establish a toe-hold in the territory claimed by both Great Britain and the United States under the nebulous terms of the Treaty of Paris signed in 1783. Following its construction in the closing months of 1839, Fort Kent stood as the chief guardian of American and Maine interests for three years while boundary negotiations dragged on in national capitals, and while neighboring British and American concerns, who shared the shores of the St. John River, struck an often tense balance of power.

In its tenuous position, Fort Kent was at once part of several worlds. From a Maine perspective, it was in the middle of a large, timber-rich area that Maine claimed as hers according to the boundary defined in the Treaty of Paris. Practically, however, Fort Kent was at the edge of the wilderness, lying a great distance north of Maine's population centers and separated by miles of virtually uncharted territory without benefit of roads or easily usable river routes.

Fort Kent, although far from the rest of the state, was also in the middle of a small American settlement, which had been established around 1817 along the St. John River. This settlement was geographically distinct from the French community between Grand Falls and the mouth of the Madawaska. It began twelve miles upriver from the mouth of the Madawaska and extended another twenty miles to the mouth of the St. Francis. Described as "uninhabited and unimproved" prior to



During the 1839 "war," the territory north of Fort Fairfield was largely inaccessible by land. The Fish River road, built over the next few years, provided a land route to the state's northernmost fortification: the boom and blockhouse at Fort Kent. "A Circular from the Land Office Descriptive of the Public Lands of Maine, 1888," courtesy of the author.

the Americans' arrival, this area became defined as the disputed territory's American settlement as tensions grew between Maine and New Brunswick in the 1820s.¹ As a friendly base of operations for Maine officials who took censuses and issued land grants along the river, the American settlement helped set the stage for the establishment of Fort Kent a decade later.

From a New Brunswick perspective, Fort Kent was not at the end of the line. Rather, it stood near a major east-west transportation and communication route that extended along the St. John River between Saint John, New Brunswick, and the mouth of the Madawaska. This route, which Great Britain had deliberately settled and secured with Acadian and French-Canadian immigrants, served as a vital link between Canada's maritime and Quebec provinces. Great Britain also claimed the territory surrounding the St. John River under terms of the Treaty of Paris, and saw Fort Kent as a threat to that claim and the rich resource and logistical advantages it held.

Maine's claims to the territory and resources in the Fish and St. John river areas were subjects of concern in state and national capitals long before Fort Kent was built. Extensive timber depredations by New Brunswick trespassers had been reported there in 1825, and Maine and Massachusetts land agents were sent north to investigate. A July 4 celebration in the area's American settlement in 1827 resulted in the arrest of a local leader by New Brunswick officials. Likewise, a town meeting held in 1831 to elect representatives to the Maine Legislature resulted in heightened tensions and threats of arrest. It was not until 1839 that the fits and starts of a half century of contention over the boundary's location erupted. After this brief encounter, Maine began the cumbersome process of establishing and sustaining a presence in the disputed territory against geographical, historical, and logistical odds. These efforts would focus on Fort Kent.

John Fairfield began his term as governor in 1839 by issuing a confidential communication to the legislature that many men from the British provinces were trespassing extensively and cutting timber on northern lands claimed by Maine.

These people, including from fifty to seventy-five on the Fish River, "not only refuse to desist," wrote Fairfield, "but defy the power of this Government to prevent their cutting timber to any extent they please."² Faced with these depredations, and the estimated loss of \$100,000 worth of timber, the governor and legislature authorized \$10,000 for Land Agent Rufus McIntire to "employ a sufficient force to arrest, detain, and imprison all persons found trespassing on the territory of this state as bounded and established by the Treaty of 1783."³

Arrests, captures, and threats on both sides followed McIntire's arrival with a posse of 200 in the territory surrounding the Aroostook River. New Brunswick's Lieutenant Governor John Harvey moved troops into the area, protested Maine's actions, and called upon Fairfield to withdraw the forces. Otherwise, he wrote, "I must proceed to take military occupation of the territory."⁴

Fairfield, believing that "collision is inevitable," advocated sending a military force of at least 10,000 to "meet the troops of Sir John Harvey and resist his insolent pretensions to drive us from our soil."⁵ On February 20, 1839, the legislature passed a resolve mandating that a militia join the civil posse in the territory on the Aroostook and St. John rivers, "at such points as may be best adapted to the object to prevent further depredations on the public lands"⁶ With this, the Aroostook War officially began. As Land Agent McIntire later wrote, "the proceedings against individual trespassers, was merged for a time, in the agitation of the general question of jurisdiction and occupancy."⁷

In this agitation, actions of both the civil posse and the militia focused on the Aroostook River and the area near the eastern international border. Here, troops worked first to establish posts, defensive works, and a strong presence to dissuade trespassers. Maine's officials were aware of timber depredations on the Fish River. Governor Fairfield had suggested to the legislature on January 23 that the land agent proceed to the river "if practicable."⁸ But the truth was that a major effort was not practicable, in large part due to the lack of roads. Despite at

least two surveys since 1826 to lay out a road from the mouth of the Mattawamkeag River to the Fish River, actual construction had only progressed as far as Masardis. That stretch of road was primarily suited for winter travel and the remainder of the route north to the Fish River was a treacherous series of waterways and portages. On March 8, the legislature, undoubtedly aware of the transportation problems, passed a resolve directing the land agent to expend \$10,000 "for the extension of the Aroostook Road from the Aroostook to the St. Johns [sic] river."⁹

The lack of roads to the Fish and St. John rivers limited the posse's defensive and offensive operations to small groups that could move quickly through the largely uncharted wilderness. One such group left on February 24 to break up a gang of trespassers on the Fish River.¹⁰ They likely returned to the posts along the Aroostook River following the completion of their task. They were followed by others who reconnoitered the woods between the Aroostook and St. John to monitor New Brunswick troops.¹¹

By March, these groups had informed Land Agent McIntire at Fort Fairfield that provincial and regular forces were concentrating at Grand Falls on the St. John and that a large number of axes had also been sent up the river. "It is suggested," wrote McIntire to Governor Fairfield, "that a movement may be made through the woods from Madawaska to some point on the Aroostook above us — possibly through Fish River to the Machias while the militia may move directly to this post."¹²

With these threats from the St. John and Fish rivers, and the prospect of continued timber depredations in the spring, Maine officials likely judged that the establishment of a post on the Fish River could no longer be delayed. On March 27, 1839, Provisional Land Agent Charles Jarvis ordered Captain Alvin Nye and twenty-three volunteers from the civil posse and the militia to the St. John.¹³ Jarvis instructed Nye that his first object, after arriving and sending back his teams, was to determine the best location for a boom to stop the passage of timber

down the Fish River to the St. John. Nye was then to prepare good accommodations and “calculate the camp as that it may be ... used as a block house for defense of the Boom ... against the attack of the Mob.” The next priority, instructed Jarvis, was the construction of the boom. “Should you be threatened by an English Government force,” continued Jarvis, “you must exercise your own discretion as to resistance If threatened by such a force you must make the best terms you can ” In no event was Nye to cross the St. John. This, Jarvis warned, would constitute a violation of the jurisdictional limits of New Brunswick.¹⁴

Ironically, and unknown to Jarvis and Nye, the Aroostook War officially ended just as Jarvis was helping to stage the expedition to the Fish River. On March 25, both sides withdrew their military forces, and the Maine militia was instructed to make preparations for their return from the Aroostook.¹⁵ Since this information had not yet reached Masardis, Nye and his force departed for the Fish River on March 28.

Jarvis learned that the war had ended and the troops had been recalled on March 29. A messenger carried a dispatch from militia commander General Isaac Hodsdon ordering the recall of the Fish River detachment and the troops remaining at Masardis.¹⁶ Jarvis, at odds with Hodsdon over cooperation between the militia and the civil posse, asserted that the militia members in Nye’s contingent had leaves of absence. He wrote to Governor Fairfield: “I may be wrong in this but it appears to me important in the present posture of affairs, to establish the question of our jurisdiction beyond all cavil on the waters of the Fish River.”¹⁷

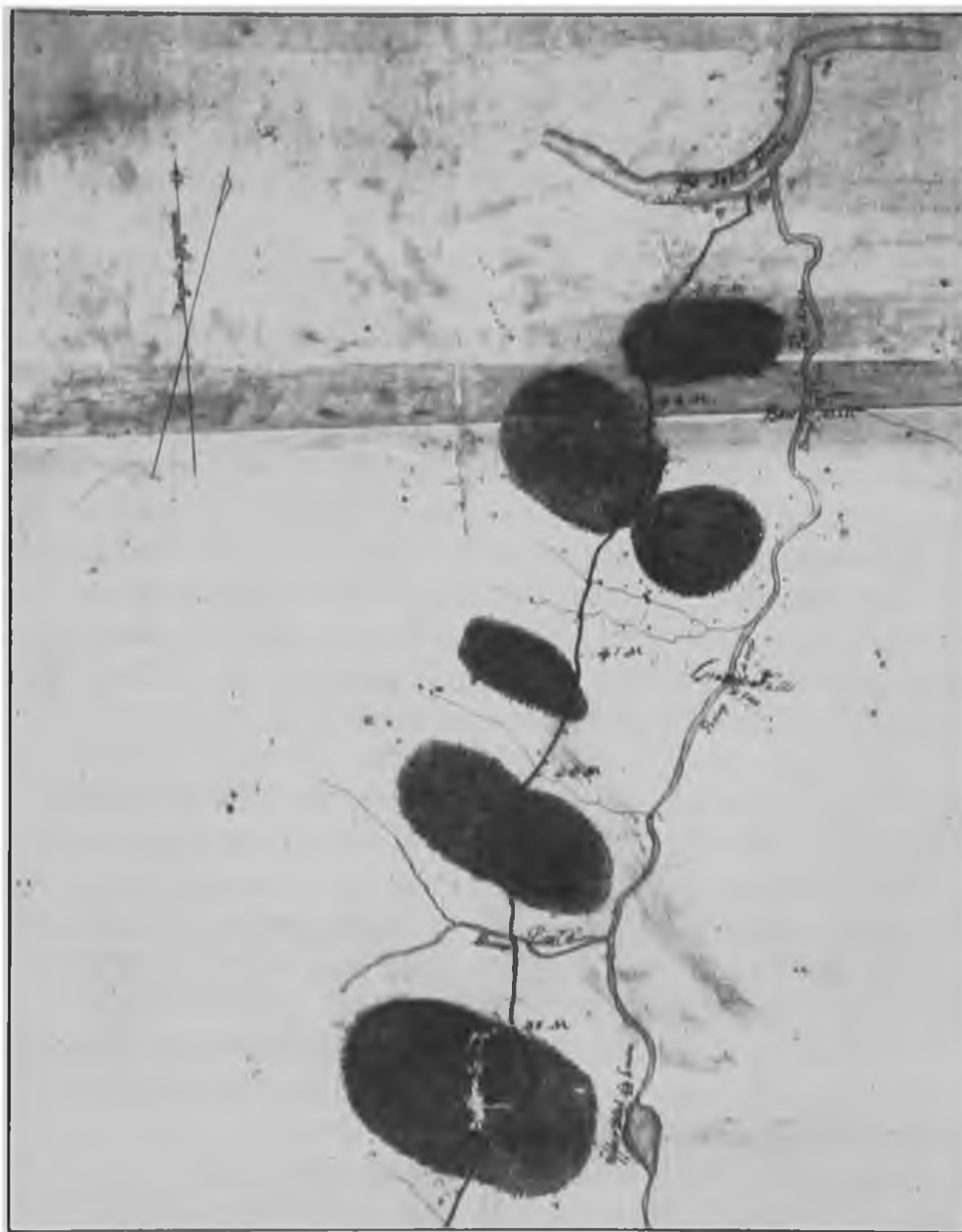
Despite Jarvis’s wishes, Nye’s expedition was notified en route of General Hodsdon’s orders and was obliged to return to the Masardis post. All but two of the militia accepted Hodsdon’s recall, and Jarvis made a hasty trip to Fort Fairfield to recruit twenty members of the civil posse to replace them.¹⁸ Nye departed again for the Fish River with instructions from Jarvis to clear land adjacent to the post and sow it with grass seed. This would provide forage for animals that would be used in

road building. Reminding Nye that his post would have to be largely self-sufficient in the remote Fish River area, Jarvis suggested that potatoes and turnips be planted as soon as possible and that Nye should manage the forces under his command "as if they were in your employ for commencing a large farm, having their arms at hand."¹⁹

Nye and his troops faced an arduous passage to the Fish River. They traveled up the Little Machias, across the portage to the southernmost of the Fish River lakes, down the lakes and thoroughfares — some of which were no longer frozen — and down the Fish River.²⁰ Approximately eight and a half miles upriver from the mouth of the Fish River, at present-day Soldier Pond, they stopped to establish their post. Writing to Jarvis on April 23 from that location (which Nye perhaps facetiously called Fort Jarvis), Nye reported that they had completed a boom 400 feet in length across the Fish River and that the blockhouse was nearly finished. "We shall move in the house tomorrow," he wrote, "it is very strong built ... of hewn timber 20 inches thick The French have been here and they are glad that we Americans are going to have their land."²¹

In the same letter, Nye also mentioned to Jarvis the possibility of constructing a boom at the mouth of the river. The English, he reported, had surveyed the ground on the opposite bank and were planning to build a blockhouse.²² This notion, derived from an indeterminate source, was the seed that led to the establishment of Fort Kent. It also began a confused and contentious struggle between Maine and New Brunswick, and their respective national governments, over the character and limits of Maine's presence in the territory along the St. John River.

Contentions stemmed from an agreement forged by General Winfield Scott and signed by Governor Fairfield and Lieutenant Governor Harvey in March 1839. This accord did not establish the international border, but simply ended the war and provided a means for the state and province to coexist while the boundary was being negotiated. A key part of the



A reproduction of the "Plan of Aroostook and Fish River Road Surveyed and Located July, August, and September 1839." The map, drawn some time after the date indicated, shows the Fort Kent blockhouse as well as the earlier fortification at Soldier Pond. The dark blobs on the sketch (green in the original) are "hardwood swells of land, over, and by which, the road passes." Maine State Library collections, courtesy of the author.

agreement was that Maine and New Brunswick would each hold in possession some part of the disputed territory. New Brunswick thus held the Madawaska settlement, and Maine, the territory along the Aroostook River. Neither government

conceded the ultimate right of the other to the territory under its jurisdiction. The exact meaning of this agreement was unclear and interpreted variously by each nation to forward its aims, especially concerning the territory along the St. John River. This area consequently became a focus of contention following the Aroostook War.

A month after Nye had suggested the advisability of a boom at the mouth of the Fish River, a member of the New Brunswick militia, sent to investigate the area, reported the existence of a force there. John Sutton related that about twenty-five Americans had erected a camp on an island in the St. John opposite the mouth of the Fish River. The camp had two sentries, one at each end of the island, with fixed bayonets. Sutton apparently spoke with Captain Nye and was informed that Nye was empowered to protect and detain timber, and that his jurisdiction extended over the whole disputed territory.²³

Sutton's report stirred protests by the New Brunswick government. In early June Land Agent McIntire met in Bangor with Thomas Baillie, the commissioner of crown lands for the province of New Brunswick. McIntire acknowledged that Nye had exceeded his instructions by moving a portion of the posse to the island and reported that he had ordered Nye to confine his posse to the Fish River.²⁴

Referring to the March 1839 agreement between Fairfield and Harvey that gave jurisdiction of the Madawaska settlement to New Brunswick, McIntire told Baillie that he perceived a difference of opinion between the two governments as to what constituted the Madawaska settlement. The Americans, he stated, supposed that only the north bank of the St. John was so called (and in fact Nye's instructions strictly stated that he should not cross the St. John to the north).²⁵ Great Britain, on the other hand, considered all her subjects on the St. John, both to the north and south, above Grand Falls as part of the Madawaska settlement. McIntire also reported to Baillie that Maine was surveying a road, to be started without delay, from the Aroostook to the Fish River, where the posse had built the boom and blockhouse. Baillie remarked that the road — indeed

any American presence on the St. John — would be considered interference with British jurisdiction.²⁶

McIntire's assurances that Nye had been recalled to the post eight and a half miles away from the river may have appeared to Baillie as an acquiescence to Great Britain's claims. Maine officials had, however, no intention of acceding so readily. McIntire promised the withdrawal not because he believed in Great Britain's jurisdiction on both sides of the river, but because Maine had no means of sustaining and supplying a force "sufficient to take a post on the St. John's [sic]." ²⁷ As McIntire wrote to Fairfield:

I know it was your wish if practicable to have a party on the south bank of the St. John's I supposed, however that it would not be desirable to do so unless it could be done effectually and not by a weak force that might be forced or defeated in their object by bands of [timber] trespassers.²⁸

Thus, while officials in state, provincial, and national capitals fielded complaints of infractions of the March 1839 agreement and negotiators tried to set the international boundary, Maine began to position itself on the St. John.

The mission, as far as Maine's government, land agent, and civil posse were concerned, was clear. They had authority in the agreement with New Brunswick to "protect the timber recently cut and to prevent further depredations."²⁹ Maine officials were certainly aware of the other advantages such a move would bring, however. Over the past fifteen years Maine had developed an interest in the St. John River and hoped to embrace the territory within the state's borders and draw the fruits of its fields and forests to the state. A post on the St. John would bring those interests one step closer to reality.

Accordingly, Maine, through the land agent, launched two efforts to facilitate the posse's presence on the south bank of the St. John River. In late May 1839, Captain Nye and his posse, who had not likely retreated from the St. John River as promised, constructed a "slight temporary boom stretched across the channel, between the Island and southern Maine land." With

this, the posse stopped between six and eight hundred tons of timber. Convinced of the strategic importance of the St. John, the land agent turned his thoughts to a more substantial boom. Charles Jarvis encouraged this thinking. A boom of about 300 feet connecting the island to the mainland, supplemented by a guide boom at the upper part of the island to direct every stick of timber into the southern channel would serve well, he wrote. "Indeed it is difficult to conceive of a situation where a boom could be erected on so large a river, with so much security, at so little expense, and at the same time to answer so effectually the purpose intended."³⁰

Maine also opened a road from the Aroostook River at the mouth of the Little Machias to the Fish River. McIntire placed Jarvis in charge of this daunting task, which meant orchestrating plans, coordinating work crews, and mustering supplies to clear nearly forty-five miles of road. In authorizing money for the road work, the Maine legislature had permitted a certain latitude in selecting a route. McIntire and Jarvis thus made a strategic alteration in the road's course so that it could meet the St. John at the mouth of the Fish River. Here, it could best serve Maine's purpose of establishing an American posse at the mouth of the Fish.³¹

After four months of work from late July through late October 1839, Jarvis pronounced the road completed at a cost of \$8,514. He described his personal inspection tour:

The route was performed with ease, and without the slightest accident. From this day, then, may be dated the opening of the fine valley of the St. John's to the rest of the State, from which until now it has been separated by an impassable barrier of forty-five miles of unbroken forest.³²

The idea of booming the St. John River thus evolved from "utterly chimerical," as Charles Jarvis wrote, to "easy of execution."³³ With a road from the Aroostook to the St. John in place, it would not be long before Maine's civil posse moved to take full advantage of a position at the Fish River's mouth. In August, a veteran of the posse's actions in the disputed territory, Captain Stover Rines, was summoned to relieve Captain

Nye at Fish River.³⁴ Rines probably arrived the next month and began working with Jarvis to establish the post, which would eventually be known as Fort Kent.

Rines's force at the mouth of the Fish River grew to a total of thirty-five by the year's end. The work that lay ahead for this division of the civil posse was especially formidable due to the season. As three who "enlisted into employment" there described, "when we arrived here [in October], the weather was cold and our situation was very uncomfortable on account of having no suitable buildings in which to live."³⁵ Rines, however, was anxious to complete the necessary business and joined the crew in the hard work of establishing the post, with its blockhouse, cookhouse and other buildings, and boom.

Once again the posse's preemptive move to the mouth of the Fish River did not escape the attention of British officials. The protests of November 1839, conveyed through diplomatic channels to Governor Fairfield, did not vary substantively from earlier complaints about Maine's actions on the St. John. The armed posse, asserted British Minister Henry S. Fox, had taken on a military posture "something more like a permanent national possession." The road connecting the Fish River to Bangor, together with authorized land grants in the disputed territory, constituted additional infractions.³⁶

Asked to explain Fox's charges, Fairfield replied in a letter to President Martin Van Buren that the posse at the mouth of the Fish River had done nothing but what was necessary to prevent timber depredations, as authorized in the March 1839 agreement. Further, Fairfield characterized the posse as hired labor, not a militia, protecting public property. And finally, wrote Fairfield, neither the construction of a road nor the marking and selling of lots represented new initiatives on the part of Maine. Rather both activities had been in process in the territory for a number of years and with "no propriety could ... be made a matter of complaint."³⁷

Fairfield had cause for indignation, for Maine officials were documenting similar actions by British provincial forces. From Maine's perspective, British troops were taking on an overtly threatening tone in the area. Fifty members of the

British militia, "bearing the queen's arms, and otherwise suitably equipped, headed by a veteran militia captain, made an assault in the dead of night" upon Maine's new St. John River post.³⁸ Rines had also reported that 200 British troops were quartered at the head of Temiscouata Lake on the road to Lower Canada, and that military buildings were under construction at the foot of the lake and upon either side of the St. John at the mouth of the Madawaska.³⁹ John Baker, a firebrand from the St. John Valley's American settlement, reported that a British armed force on the march to Madawaska had disclosed an intention of destroying the Fish River establishment. In December, a British officer had employed Baker's neighbor to ferry him to Fish River at night. As they approached the garrison, Baker related, they were discovered by the sentinel. The officer retreated, saying that the post "should be destroyed by New Year's Day."⁴⁰

Ironically, the post at Fish River was likely much less a threat than the British imagined. The land agent's office was very short of money to support the activity there, and, despite the new road, supplying it was difficult.⁴¹ The post was without a cannon and Rines was instructed to reduce the force there to twenty-five, due to a shortage of funds. McIntire complained that he found it "impossible to raise funds to meet the amount of expenses and pay off what is due the men"⁴²

The juxtaposition of Maine's posse and the British military continued as a point of contention, however, through 1840. Fox continued to deny that Great Britain had increased troops in the territory and called for Maine to retire from the valley of the St. John and confine its operations to the Aroostook, thereby placing itself in the situation where it stood prior to the March 1839 agreement.⁴³ The Maine legislature called on the federal government to take military possession of the disputed territory unless the British government made a satisfactory proposal to end the boundary question. The legislature appeared once more on the brink of sending troops to war when it asserted in a March 1840 resolve that, should the federal government's actions prove disappointing, "it will become the

imperative duty of Maine to assume the defense of our state and national honor, and expel from our limits the British troops now quartered upon our territory.”⁴⁴

In their own way, Maine’s land agent and the posse at Fish River responded to the heightening tensions. Despite the persisting financial problems in his office, Land Agent McIntire wrote to Stover Rines in April 1840 that he had decided a larger force at Fish River was warranted, “lest it might appear we were abandoning the post”⁴⁵ McIntire continued:

You will see by the papers that the object of our post at Fish River and the English troops at Madawaska is the matter of a controversy. Our general government has taken the right ground, and fully sustained us. It is important therefore we stand fast where we are, and give no new occasion to change the question. I think no attempt will be made to drive you off by force unless war is determined on. But it is still important you keep guarded and not be taken by surprise.⁴⁶

Despite these brave words, McIntire concluded the letter with a surprising announcement concerning his cramped budget and his plans for Rines:

Now the booms and buildings have been completed. I think the business in the future will not require the same skill and qualifications and that a man fully competent to the duties for the coming season can be employed for about two dollars a day. I would not ask you to stay for that wage unless you choose to If you think that compensation not enough, please notify me immediately and I will send someone to relieve you if you wish it, but I wish you to remain until relieved. You must consult your own feeling and wishes in the matter. If you are relieved, your successor will not receive more than the sum I name.”⁴⁷

Nevertheless, Rines continued at the Fish River post, supervising the labors of eighteen men.⁴⁸ As month after month passed with boundary negotiations stalled in the national capitals,

tensions eased somewhat, and the day-to-day operations of the post assumed more the character of a farm than a fort girded against imminent siege. Rines had directed considerable improvements in the post's agricultural operations, to the extent that they could nearly cover all the expenses.⁴⁹ A settler described the conditions there:

I am pleased to testify to the general appearance of neatness and propriety observable in the conduct of the affairs and especially in the cook and Block-houses whose appearances show a very proper degree of attention to decorum and economy.⁵⁰

Reflecting the current lull in tensions, McIntire informed Rines that, if matters remained quiet, the number at the Fish River post could be reduced to twelve once the season's crop was secured.⁵¹

Amid this delicate calm, it took only one event along the St. John River to renew the threats of outright conflict. That event took place in November 1840, when the valley's Americans met at the Fish River settlement to cast their votes in that year's presidential election. Provoked by this gathering, New Brunswick magistrate Francis Rice, who lived in the province's Madawaska settlement, presented himself at the meeting and, by virtue of his authority, attempted to disperse the people there. Rice was consequently threatened and driven from the meeting.

Lieutenant Governor Harvey informed Governor Fairfield that Rice had been "grossly insulted, threatened with personal violence, and obstructed in the discharge of this duty by persons professing to be citizens of the State of Maine."⁵² James MacLauchlan, the provincial warden of the disputed territory, had also been threatened, apparently on another occasion, in the discharge of his duties by "the person in charge of the armed posse stationed at Fish River."⁵³ Fairfield replied that "instead of finding the acts against Rice reprehensible," he could "only wonder at [Rines's] forbearance in not causing him [Rice] to be arrested and subjected to trial and punishment."⁵⁴ These attacks on Rice and MacLauchlan provoked the governor

general of the British provinces to move troops to the Madawaska settlement to “give support to the civil authorities of that settlement.”⁵⁵ A significant step, this move represented the first time — rumors and American reports to the contrary — that British troops openly established residence in the Madawaska settlement. Personally, Harvey considered the actions a violation of the March 1839 agreement and argued for a provincial civil force, similar to that at Fish River. He was overruled, however, and the military troops stayed. Fairfield lost no time in forwarding the letters between himself and Harvey to President Van Buren along with the following harsh words:

Maine is again subjected to the mortification of having foreign troops quartered upon her territory That the alleged causes are entirely insufficient to justify so direct and palpable a breach of the subsisting agreement between the authorities of this State and the Lieut. Governor of the Province of New Brunswick is clear I trust that the Executive Government of the United States will forthwith take measures to ensure the immediate withdrawal of these troops from our territory, or to expel them.⁵⁶

The federal government’s reactions to Maine’s indignation brought little more direct action than past responses to flare-ups along the St. John River. President Van Buren assured Maine’s governmental officials that the United States and London were in the process of negotiating for a boundary survey to end the dispute, but past delays left Governor Fairfield and his successor, Edward Kent, decidedly pessimistic.⁵⁷

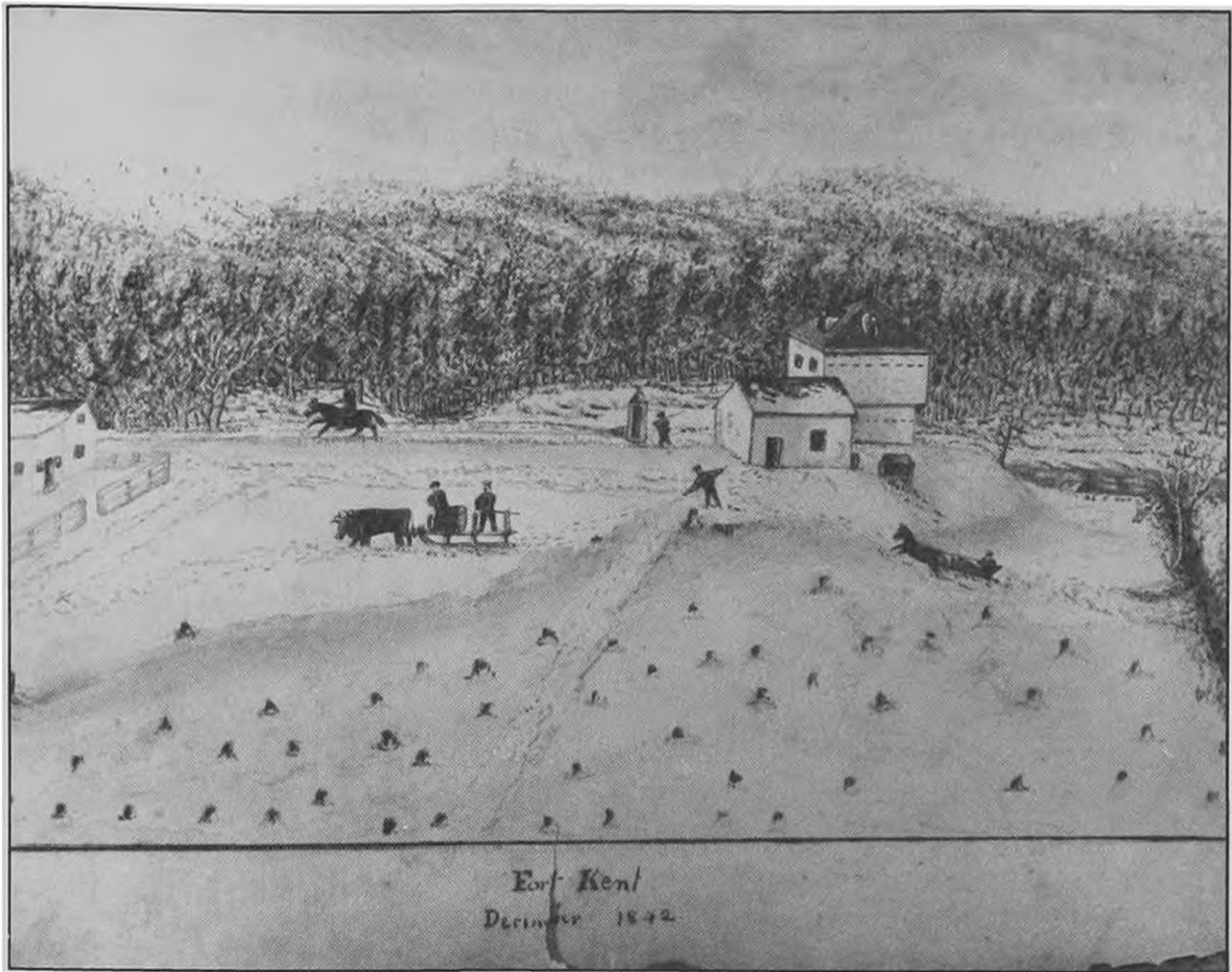
Following a comprehensive committee report, the legislature echoed Governor Kent’s concerns and once again called upon the federal government to fulfill its obligations and maintain Maine’s rights to the territory by negotiation or arms. The federal government did, in fact, arrange for its troops to take over the forts at the Aroostook and Fish rivers and relieve the civil posses in August 1841. Prior to that time, however, Maine’s financially cramped land agent’s office received help from another quarter in sustaining the civil posses in the territory.

That help came from Massachusetts when, in February 1841, the land agents of Maine and Massachusetts jointly appointed Zebulon Ingersoll to “superintend” the protection of public lands on the St. John.⁵⁸ Although Massachusetts still owned significant property in the disputed territory, the commonwealth had not contributed to financing any fortifications. When finally asked by the Maine land agent in 1841, however, Massachusetts Land Agent George Coffin “signified his entire willingness to defray one-half of all expenses necessary for the protection of the public property on the northeastern frontier.”⁵⁹

Ingersoll’s work led him directly to evaluate the posses at Fort Fairfield and Fish River. He promptly reduced the force at Fort Fairfield, which had recently numbered as high as thirty-five, to a captain and three men, because the area around the Aroostook River was under no immediate danger from trespassers. The post at Fish River, however, was sustained at its current strength of one captain and ten men, because of its importance in commanding a large territory subject to extensive depredations.⁶⁰

Fort Kent, as the post at Fish River came to be called in 1841, was important as a symbolic and tangible statement of Maine’s land claims in the volatile atmosphere along the river. The sensitivity of this position was not lost on either Land Agent Elijah L. Hamlin, who had replaced Rufus McIntire, or on Massachusetts Land Agent George Coffin. The pair visited the fort in July 1841 and learned that the British at Madawaska were about to make a tax assessment upon all inhabitants of the St. John, including those at Fort Kent. Ascertaining that the American citizen John Baker had been once again arrested by a New Brunswick officer, Hamlin wrote that “under these circumstances, we did not think it advisable to make any deduction from the force at Fort Kent.”⁶¹

Coffin echoed Hamlin’s analysis of the post’s importance and, in a letter to Massachusetts Governor John Davis, gave a description of the civil posse’s works there:



Maine Historical Society Collections.

At this place is a Block House built of hewn timber (but not secured by a stockade), a cook house, stables, and other convenient buildings, with the necessary utensils suitable for farming purposes, and about two hundred acres of land under good cultivation ... and is stocked with working oxen, horses, and about forty head of swine This post is protected by a Civil Posse, consisting of a Captain and ten men and effectually protects the booms across the river Saint Johns and over the mouth of the Fish River, thereby securing from depredation all the timber on the St. Johns and Fish Rivers above this station, consequently this is a very important command, and ought to be supported at all hazards.⁶²

THE WAR AFTER THE WAR

Hamlin dispatched a specially deputized sheriff to Fort Kent with instructions to arrest anyone attempting to collect the tax.⁶³ The dire reports from the St. John brought renewed calls for federal troops to take possession of Forts Kent and Fairfield.

This time, the request was granted. On August 14, General Winfield Scott directed Brigadier General Eustis at Hancock Barracks in Houlton to select two companies of the First Regiment of Artillery to relieve the armed civil posse at Forts Fairfield and Kent. President John Tyler's objects in making this move, wrote General Scott, were to relieve the state of Maine from the burden of keeping the posse, to preserve the tranquility of the territory while negotiations were pending, and to protect the timber on the south shores of the St. John. To allay British concerns that the federal move to the territory signaled heightened aggression, Scott instructed Eustis that the president's "pacific objects ought to be generally known on both sides of the river St. John."⁶⁴

Captain Lucien B. Webster, commanding Company C of the First Artillery, arrived at Fort Kent on September 17, 1841, after an eleven day march from Houlton. Rines and one additional member of the posse at Fort Kent stayed under the state's employ to protect the state's interests, which primarily concerned timber harvesting in the territory.⁶⁵

Webster and his company lost no time in trying to upgrade both the physical and logistical situations at Fort Kent. The blockhouse was the only building there, serving as both the fort's defensive work and quarters for the men. Webster reported that, upon his arrival, the blockhouse was in "an unfinished state," needing new floors and other repairs.⁶⁶ Nonetheless, it was comfortable, according to Webster. He maintained the use of the blockhouse's upper story and attic as quarters, and the lower story as a guard house and clothing store, while he concentrated on building a new officers' quarters, which was suitable for use by April of the following year.⁶⁷

Webster's most immediate concern, however, was transportation and communication between Fort Kent and the rest of the state, a familiar and as yet unsolved problem for virtually every Maine civilian and military concern that had settled in

the area. The forty-five mile road from the Aroostook River to Fort Kent, described so glowingly by Charles Jarvis two years before, was, according to Webster, nearly impassable for loaded wagons and dangerous to express riders because it passed through a dense forest, over streams roughly bridged, and across great distances “without a single human habitation or shelter of any kind.”⁶⁸ As a result of the road’s poor quality, wrote Webster to Assistant Adjutant General R. Anderson, “we are thus in a measure cut off from all communication with the rest of the U. States, except that obtained by passing through the British Provinces.” Webster estimated that a good road from Fort Kent to the termination of the state road at Masardis would cost \$57,000 — about \$1,000 per mile.⁶⁹

The lack of postal service to Fort Kent proved to be another vexing deficiency. The fortification had to rely on the English post office twenty-six miles downriver in Madawaska, or the federal garrison at Houlton, 110 miles away. Webster described Fort Kent as “more inaccessible and in a region of fewer resources than any other in the Union,” a situation made more deplorable by the proximity of “civil and military authorities of a foreign power.”⁷⁰

Tensions between Fort Kent and that “foreign power” had lessened considerably with the arrival of the federal troops. Rather than viewing Webster and his Company C as a stronger threat than Rines and the civil posse, the government of New Brunswick, according to Massachusetts Land Agent George Coffin, “considered them as having a tendency to quiet the borders.”⁷¹ Webster also reported that “public feeling throughout this whole line has not for years presented so quiet and peaceable an aspect as at present.”⁷² He apparently added his own diplomatic touch as well, extending courtesies to the nearby English officers. The costs of his efforts prompted him to request that Fort Kent receive double rations since there were no hotels in the vicinity and because Webster was expected to extend his courtesies to English officers stationed at the “four posts in our vicinity” who “have manifested every attention and good feeling towards us, and are frequently our guests.”⁷³

Despite its remoteness from sources of support in Maine, Fort Kent evidenced other signs of growth. "Owing to the new and unmilitary condition of the post when taken possession by the U. S. troops, the Company have had an unusual quantity of fatigue duty to attend to," wrote Webster at the inspection of the post in September 1842.⁷⁴ He reported the evidence of their labors: new floors in the blockhouse; new quarters for the officers; log huts for the company's laundresses; a hospital; and a post school for the children of some ten soldiers. There was also a "very good post garden."⁷⁵

On a diplomatic front, Secretary of State Daniel Webster had taken a new course in the boundary negotiations. Convinced that the entire process must be salvaged from the intricate maze of proposals and counterproposals that had dominated the negotiations since the conclusion of the Aroostook War, Webster began setting the stage at the end of 1841 for a boundary by compromise. Maine officials had consistently opposed a compromise line, insisting that the boundary as described in the Treaty of Paris was the state's true right. In May 1842, however, the Maine legislature agreed to Webster's proposal to appoint commissioners to act on behalf of the state in negotiations on a compromise line.

After a month-long exchange, Webster, British envoy Lord Ashburton, and the commissioners from Maine and Massachusetts reached a settlement. On August 9, 1842, Webster and Ashburton signed the treaty that would establish the international boundary as it is known today, and declare the right of free navigation on the St. John for both nations. Factions in Maine and New Brunswick and their respective national governments each felt that justice had not been fully served, but the agreement, known commonly as the Webster-Ashburton Treaty and formally as the Treaty of Washington, was proclaimed by both countries on November 10, 1842.

The process of effecting a new international border, where formerly only a river had divided the people of the St. John Valley, placed Fort Kent once more in a difficult position. The

first troubles came with a challenge by New Brunswick authorities to the treaty itself, when they arrested American settler Daniel Savage from an island south of the international border in March 1843. Captain Webster sent Fort Kent troops to protect Savage and arrest the New Brunswick constable who held him. New Brunswick officials justified the arrest by arguing that the Webster-Ashburton Treaty had not been sanctioned by an act of Parliament and was consequently null. The governor of New Brunswick later overruled local officials, and Webster regarded the difficulties as settled.⁷⁶ American residents in the area still perceived a threat, however, if not from New Brunswick officials then from Canadian lumbermen who had begun working in the area. They expressed their fears in September 1843 when rumors of a recall of troops from Fort Kent spread through the valley.

You are probably aware ... that there is no organized "civil authority" whatever anywhere in this vicinity and we are satisfied ... that the "Troops" have been the means of suppressing much strife and perhaps bloodshed. But if the country was in any dangerous state then, it is much more so now The Country literally swarms with strangers the principal part of whom are foreign lumbermen well known to be a lawless, reckless class of men and very dangerous.⁷⁷

They reported about 200 such men on the St. Francis River, who had been heard to threaten Fort Kent. Under these circumstances, the settlers urged the continued occupation of the fort, at least until the state could send a sufficient "civil force" to protect them.⁷⁸

Wishes of local settlers to the contrary, Webster and his troops, along with the troops at Fort Fairfield, were withdrawn under the recommendation of General Winfield Scott in September 1843. Four companies were left at Hancock Barracks in Houlton "to meet any border exigency that might occur higher up the frontier."⁷⁹ Scott gave three military reasons for the withdrawal: his troops were needed on the seaboard for the preservation of important works; there was nothing of similar

importance on either the Aroostook or Fish rivers worthy of a garrison; and the posts were distant, difficult, and expensive to supply, especially Fort Kent, which could not be maintained except at the cost of a road and bridges.⁸⁰ The Secretary of War added that the federal government should not be asked to “perform the police duty of guarding the property of a state or of individuals from expected trespasses”⁸¹

A state legislative committee reminded federal authorities of other valid reasons for retaining the Fort Kent garrison: the “unchecked lawlessness” among certain elements of the border area’s population; the great distance between Fort Kent and Houlton; the French population’s lack of experience with American laws; the need for protection from “powerful and armed bands of foreign marauders, encamped upon a weak and defenseless border”; and finally, the constitutional obligations of the federal government.⁸² Maine will vote “regiments without stint for ... wherever the honor of the country demands efforts and sacrifices,” the report concluded. “For herself, she now asks the small force of forty men to protect her citizens from the threatened invasion of ten times that number of lawless foreigners.”⁸³ With that, the Maine legislature passed a resolve on March 16, 1844, that the occupation of Fort Kent by U. S. troops was necessary to protect the citizens and property of Maine against foreign aggression. The legislature requested that the governor forward both the report and the resolve to President Tyler.⁸⁴ The actions of Maine yielded results: Federal troops stayed at Fort Kent — at least until the following year.

Following Fort Kent’s military use, the blockhouse went from federal, to state, to private ownership between 1845 and 1858. In 1891, after the blockhouse had fallen into disrepair and disuse, the Maine legislature authorized \$300 to purchase the structure, resolving to repair and preserve it.⁸⁵ This act was the first known state-funded attempt to preserve an historic fortification in the state of Maine, and was likely the earliest effort by the state generally to undertake the preservation of an historic building with public monies. The precise motives are not part of the historical record, but certainly the efforts to preserve the



Fort Kent Blockhouse, ca. 1890. Bureau of Parks and Recreation, courtesy of the author.

Fort Kent blockhouse, however, consciously driven, were well-placed and appropriate for a state-funded initiative.

Fort Kent played a key role in forming Maine's boundaries as they are known today. It protected the state's rights to a vital timber resource and provided a point of departure for both a state and national presence in the area. Fort Kent also resulted in the construction of a road which, although slow in full realization, brought settlers into the northern portion of Maine and eventually provided an important link to lands and population centers to the south. Most importantly, Fort Kent's presence in the harsh and remote environment along the St. John River sustained, with persistent determination, Maine's claims to the disputed territory during the critical period between the Aroostook War and the Webster-Ashburton Treaty.

THE WAR AFTER THE WAR

NOTES

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²*Resolves of Maine*, Chapter 1, "Messages of the Governor," January 23, 1839.

³*Resolves of Maine*, Chapter 9, p. 32, approved January 24, 1839.

⁴Charlotte Melvin, *Madawaska A Chapter in Maine-New Brunswick Relations* (Madawaska Historical Society, 1975), p. 52.

⁵John Fairfield to Anna Paine Thornton Fairfield, February 21, February 23, 1839, *Letters of John Fairfield*, Arthur Staples, ed. (Lewiston, Maine: Lewiston Journal Company, 1922), p. 266.

⁶*Resolves of Maine*, Chapter 33, approved February 20, 1839.

⁷*Annual Report of the Land Agent, 1840*, p. 6.

⁸*Resolves of Maine*, Chapter 3, "Messages of the Governor," January 23, 1839.

⁹*Resolves of Maine*, Chapter 3, approved March 8, 1839.

¹⁰John Fairfield, to Anna Paine Thornton Fairfield, *Letters of John Fairfield*, February 24, 1839, p. 267.

¹¹Rufus McIntire to John Fairfield, March 16, 1839, collection 145, 4/6, Maine Historical Society (hereafter MHS), Portland, Maine.

¹²Rufus McIntire to John Fairfield, March 11, 1839, MHS 145, 4/6.

¹³Charles Jarvis to John Fairfield, March 27, March 29, 1839, John Fairfield Papers, MHS 4/4, 4/5.

¹⁴Charles Jarvis to Alvin Nye, March 27, 1839, Fairfield Papers, 4/4.

¹⁵Adjutant General's Report, March 25, 1839, p. 20.

¹⁶Charles Jarvis to John Fairfield, March 29, 1839, MHS 145, 4/5.

¹⁷*Ibid.*

¹⁸Charles Jarvis to John Fairfield, April 5, 1839, MHS 145, 4/6.

¹⁹Instructions from Charles Jarvis to Alvin Nye, Fairfield Papers, April 5, 1839.

²⁰*Annual Report of the Land Agent, 1840*, p. 7.

²¹Alvin Nye to Charles Jarvis, April 23, 1839, William Parrot letterbook, Maine State Archives, Augusta, Maine.

²²*Ibid.*

²³Report from John Sutton, May 27, 1839, Fairfield Papers, box 5.

²⁴Minutes of meeting between Rufus McIntire and Thomas Baillie, June 6, 1839, Fairfield Papers, box 5; Parrot Letterbook, May 16, 1839.

²⁵Charles Jarvis to Alvin Nye, March 17, 1839, Fairfield Papers.

²⁶Minutes of meeting between Rufus McIntire and Thomas Baillie, June 6, 1839, Fairfield Papers, Box 5.

²⁷Rufus McIntire to John Fairfield, June 6, 1839, Fairfield Papers, box 5/1.

²⁸Rufus McIntire to John Fairfield, June 10, 1839, Fairfield Papers, box 5.

²⁹quoted in Henry Burrage, *Maine in the Northeastern Boundary Controversy* (August 1919), p. 273.

³⁰Report of Charles Jarvis to the Land Agent, January 1840, in *Annual Report of the Land Agent, 1840*, pp. 48-49.

³¹*Annual Report of the Land Agent, 1840*, pp. 10-11.

³²Charles Jarvis Report to the Land Agent, in *Annual Report of the Land Agent, 1840*, pp. 58-59.

³³*Ibid.*

³⁴William Parrot to Rufus McIntire, August 14, 1849, William Parrot Letterbook.

³⁵Deposition from Glidden, Emery, and Thurston, July 1840, Aroostook War Papers, Maine State Archives.

³⁶CADR, vol. 4, p. 275.

³⁷Burrage, *Maine in the Northeastern Boundary Controversy*, pp. 277-78; Rufus McIntire to John Fairfield, November 18, 1839, Aroostook War Papers, Maine State Archives.

³⁸Burrage, *Maine in the Northeastern Boundary Controversy*, pp. 277-78.

³⁹Rufus McIntire to John Fairfield, November 18, 1839, Aroostook War Papers, Maine State Archives.

⁴⁰Deposition of John Baker, February 18, 1840, CADR, vol. 4.

⁴¹Aroostook War Papers, Maine State Archives, November 18, 1839.

⁴²*Ibid.*

⁴³Burrage, *Maine in the Northeastern Boundary Controversy*, p. 286, Burrage's citation indicates Senate Document No. 319, 26th Congress, First Session, 1, 2.

⁴⁴*Maine Acts and Resolves, 1840*, Chapter 94, p. 227.

⁴⁵Rufus McIntire to Stover Rines, April 11, 1840, Aroostook War Papers, Maine State Archives.

⁴⁶*Ibid.*

⁴⁷*Ibid.*

⁴⁸July 18, 1840, Aroostook War Papers, Maine State Archives.

⁴⁹Deposition of John Baker, July 24, 1840, Aroostook War Papers, Maine State Archives.

⁵⁰Investigation of Stover Rines, Report of George Towle to Rufus McIntire, July 26, 1840, Aroostook War Papers, Maine State Archives.

⁵¹Rufus McIntire to Stover Rines, August 24, 1840, Aroostook War Papers, Maine State Archives.

⁵²*Acts and Resolves of Maine, 1841*, Messages of Governor Fairfield, p. 641.

⁵³*Ibid.*

⁵⁴John Fairfield to John Harvey, December 15, 1840, *Acts and Resolves of Maine, 1841*, Messages of Governor Fairfield, p. 643.

⁵⁵John Harvey to John Fairfield, December 10, 1840, *Maine Acts and Resolves, 1841*, Messages of Governor Fairfield, p. 641.

⁵⁶John Fairfield to Martin Van Buren, December 15, 1840, *Acts and Resolves of Maine, 1841*, Messages of Governor Fairfield.

⁵⁷Address by Governor Kent, January 15, 1841, *Acts and Resolves of Maine, 1841*, p. 667.

THE WAR AFTER THE WAR

⁵⁸Elijah L. Hamlin, "Report of the Land Agent in Reply to an Order of the House of Representatives, February 26, 1841," p. 22.

⁵⁹*Ibid.*

⁶⁰*Ibid.*, p. 22-23; *Annual Report of the Land Agent, 1841*, p. 3.

⁶¹*Annual Report of the Land Agent, 1841*, p. 4.

⁶²George Coffin to John Davis.

⁶³*Annual Report of the Land Agent, 1841*, p. 4.

⁶⁴Winfield Scott to Brigadier General Eustis, August 14, 1841, Coffin Letterbook, p. 135, Maine State Archives, p. 135.

⁶⁵*Annual Report of the Land Agent, 1841*, p. 5. Rines stayed until June 4, 1841, when he was dismissed in order to save money by employing someone else at a lower wage, according to a letter to Rines from Coffin and Levi Bradley, June 4, 1842, Coffin Letterbook, Maine State Archives.

⁶⁶Inspection by Col. Sylvester Churchill, September 1842, Lucien B. Webster Papers, MHS.

⁶⁷Lucien B. Webster to Brigadier General Eustis, June 1, 1842; Webster to Lieutenant Colonel B. K. Pierce, Commanding Hancock Barracks, April 1, 1842, Webster Papers.

⁶⁸Lucien Webster to Brigadier General Roger Jones, November 12, 1841, Webster Papers.

⁶⁹Lucien Webster to R. Anderson, November 25, 1841, Webster Papers.

⁷⁰Lucien Webster to Major General Jesup, November 10, 1842, Fairfield Papers.

⁷¹George Coffin to John Davis, September 30, 1841, Coffin Letterbook, Maine State Archives.

⁷²Lucien Webster to Capt. E. Schriver, January 18, 1842, Webster Papers.

⁷³Lucien Webster to Brigadier General Roger Jones, August 6, 1842, Webster Papers.

⁷⁴Lucien Webster to Col. Churchill, September 1, 1842, Webster Papers.

⁷⁵*Ibid.*

⁷⁶Lucien Webster to Colonel B. K. Pierce, March 23, 1843, Webster Papers.

⁷⁷Stover Rines, et al. to Lucien Webster, September 12, 1843, Webster Papers.

⁷⁸*Ibid.*

⁷⁹Winfield Scott to Governor Edward Kavanagh, *Maine Acts and Resolves, 1844*, p. 301.

⁸⁰*Ibid.*

⁸¹Secretary of War to Governor Kavanagh, November 30, 1843, *Maine Acts and Resolves, 1844*, p. 301.

⁸²*Maine Acts and Resolves, 1843*, p. 302.

⁸³*Ibid.*, p. 303.

⁸⁴*Maine Acts and Resolves, 1844*, chapter 278, p. 303.

⁸⁵*Resolves of Maine, 1891*, chapter 112.