

## A Reflection on Autumn

Bob Foster

A cracking good fall here at the lake - lovely sunshine and mild temps, great for the walking shoes and heart. While most 'lakers' have gone off to celebrate their Thanksgivings far far away, rest assured that the lake sky is blue, the trees are tall and water is still lapping on the shore.

While you are away, so many small creatures are keeping the camps company. Last week, a fox trotted by in the morning, pausing to inspect new holes dug by the skunk the previous night, dozens of exotic small white and black ducks - buffleheads I'm told - mill about the cove out front, beach rocks shelter salamanders and crayfish carcasses (some quite large) are common.

Late in the day, as a brilliant sun dips low, movement catches a hiker's attention. A deer cautiously breaks the tree line and tiptoes to the lakeshore for a cold drink. Wow, what a place! Another motion in the bushes and a second small doe appears, then another. Finally, a seventh deer slips into view, and there is more happening on this empty beach than at a Sunday School picnic.

I must be dreaming - does this paradise really exist? Of course it exists. We know because Frank writes about it, Bill emails us about it and we all pay our taxes. So the question is, why am I not here more often? A reminder of sage advice from a wise optometrist last summer: "We just don't know what we're missing." Thanks for the tip, Dr Ellis.

## The Chiputneticook Boundary Lakes

Frank Bolton

From time to time, one or another thing will pop into my head that I know I learned in high school history class. History was taught quite differently in the late 50's from how it is now and many of these remembrances are unattached to the history they refer to. For instance, I visited Ghent a year ago and I knew the Treaty of Ghent was significant but didn't remember what it did (more about that later). Some of these remembrances are slogans like "Pike's Peak or Bust" (the gold rush) or "Fifty Four Forty or Fight" (settling the Oregon territory border with Great Britain - the border was set at the 49th parallel and there wasn't a fight). But there was no slogan that I am aware of concerning the Massachusetts / New Brunswick border, nor was much made of it (at least as far as I remember) in history class in the greater New York area.

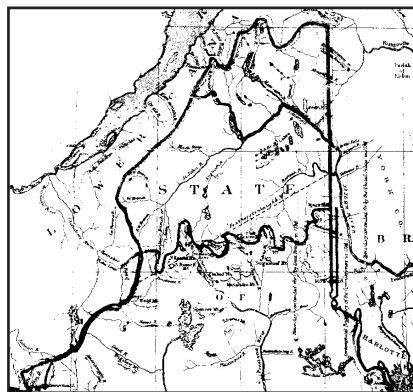
I heard about the bloodless Aroostock War from my wife shortly after we were married but never made much of a study of it until this past summer when I decided to read *Maine in the Northeastern Boundary Controversy* (Marks Printing House, Portland; 1919) by the Maine State Historian Henry S. Burrage. The book is available in the Houlton Library and will tell you more than most people want to know about the dispute (this essay might also tell you more than you want to know). His viewpoint is from the U.S. side of the border but he was sympathetic to the Quebec (later New Brunswick) side of the issue as well. I will use his point of view as I walk you through the boundary dispute, its resolution, and how our lakes became an international boundary. If you Google an unusual place name in this essay, you will find that the book is available on-line though some pages are bad scans. One name you might Google is Lake Genesagarumis.

Acadia was settled in 1604 by the French and the St. Croix River was named as the boundary between the French and the English settlements from early on. The boundary disputes that began after the American Revolution and continued for well over sixty years were caused because the Cobscook, the Schoodic and the Magaguadavic rivers, which all flowed into Passamaquoddy Bay, were each called the St. Croix at one time. Indian tribes did not know any river as the St. Croix.

In 1763, France ceded her rights to her territory in North America (except for two islands) to the British. This was at the end of the French and Indian Wars (the North American continent's phase of the Seven Years War in Europe). As a result, in 1764, a survey was conducted which established the Magaguadavic as the St. Croix. There was general agreement then that Samuel Champlain's 1604-05 account and description referred to this river but in 1765, another survey was conducted which maintained the Cobscook was the St. Croix. In 1771, while surveying land to find a good source of masts, it was reported that the river at the east end of Passamaquoddy Bay was "the true St. Croix" and the surveyers reported that the lands to the west "are very

good" - especially for masts, which Great Britain needed particularly for its navy.

During the American Revolution, a number of American colonists loyal to the crown took refuge in Castine, hoping that regardless of the



The map of 1830 showing various boundaries, from top to bottom, as claimed by the U.S., Great Britain and the Arbitrator.

outcome, the Penobscot would be the boundary between Massachusetts and Nova Scotia. The idea had been raised that the land between the Saco and the St. Croix would be a new province called New Ireland (as it lay between Nova Scotia and New England). But pressure was strong against the Penobscot being the border and appeals in London failed.

On the other side of the conflict were colonists in communities such as Gouldsboro, Pleasant River and Machias, including Captain John Allen. Allen was born in Nova Scotia the son of a British colonel (who received a large land grant in the territory formerly occupied by the Acadians). From his new home in Machias, Capt. Allen was put in charge of troops and in 1779 and again in 1782, asked the Massachusetts Council's approval of "the River St. Croix or Maggaguedaway (sic)[to be] the boundary between Acadia and the Province of Maine."

At the Treaty of Paris (to decide terms of settlement after the American Revolution), the only American negotiator present was Ben Franklin (John Jay was in Spain and Henry Laurens and John Adams were at the Hague negotiating a loan). Franklin reached an agreement with Richard Oswald, the English Secretary of State, that the Penobscot would be the western boundary. The other American delegates disagreed but Oswald had returned to England. Adams, himself from Massachusetts, especially insisted on the border desired by the Massachusetts Council. Franklin and Oswald agreed to have commissioners settle the boundary after the treaty was signed but Adams was adamant. The peace was preliminary, not being concluded until England and France arrived at peace terms. When the treaty was concluded, it settled the northern, western and southern boundaries of the United States but not the eastern one.

Although the boundaries were clearly defined in theory, the Loyalists had no intention of moving. In fact, within weeks of the treaty, towns were being laid out east of the St. Croix at St. Andrew. Gover-

nor Carleton of New Brunswick (made a province in 1784) declared the boundary river was the Schoodic with St. Andrew on its eastern bank. The Province also insisted citizens in the islands in the bay serve as jurors. Governor Bowdoin appealed to the federal United States government which was busy with other things. It told him to build garrisons. John Jay went to London and arranged for a commission meeting in Halifax, with a preliminary meeting in Boston. The site of the next meeting, for 1796, was moved during the initial meeting to St. Andrew.

The first mention of the Chiputneticook Lakes was made by the 1798 commission. Chiputneticook [sic] or Chibuitcook was named as "the source of the Schoodic River" and considered the north branch of the Schoodic. Two commissioners made the river's source out to be Lake Genesagarumsis, which would leave British military posts at Presque Isle, Grand Falls and even part of the St. John River north of Presque Isle within U.S. territory. On the other hand, it would leave large tracts of land granted to Massachusetts settlers in British territory. But the commission instead settled on the border being the river that flows north. This approach to a settlement didn't resolve the question of the islands in Passamaquoddy Bay either.

In 1817, three years before Maine became a state, families arrived in Madawaska and brought a magistrate with them to form a corporation and introduce U.S. law. When a group of French settlers told Nathan Baker, one of the settlers, not to cut timber on their lots, he told them it didn't belong to them but to the U.S. government. William King (as a Massachusetts state senator, one of the men instrumental in Maine becoming a state, of which he became the first governor) addressed the boundary issue in his first address to the Maine legislature.

The Treaty of Ghent (1814), which ended the War of 1812, saw Britain financially depleted after its primary battle with France during which Napoleon was defeated. Although the northeastern boundary dispute was an important part of the negotiations, it did nothing but establish yet another commission to study the boundary issue; the commission exchanged a declaration of disagreement in 1821. They had tried to find a disinterested sovereign to settle the dispute but could not agree on one: Great Britain wanted the king of the Netherlands while the U.S. wanted the sovereign of Russia.

Since no settlement of the boundary was imminent, in 1825 the Maine legislature appointed agents to go to the Madawaska settlement and conduct surveys of 100 acre lots, by request, and sell the lots to settlers for \$5.00 plus the cost of the survey. Meanwhile, though the U.S. federal government was determined not to cede territory to Great Britain, they were doing little to resolve the problem. Henry Clay, Secretary of State, did not want Maine to become directly involved as negotiations with Great Britain about the boundary might be damaged.

Great Britain, in the meantime, reassured the U.S. government that it would refrain from adopting new measures that would exercise rights of sovereignty but the assurances were meaningless. For example, a letter from Maine Governor Enoch Lincoln to Henry Clay said that the governor of New Brunswick denied Maine settlers the right to hold real estate, assayed an 'alien' tax on them and refused 'the transmission of their produce as American.'

In 1825, John Baker, a Madawaska settler, was arrested by New Brunswick authorities. The arrest became a rallying cry for war in the Maine legislature. He had been granted land by Massachusetts and

Maine but New Brunswick officials said that the province had never granted land above the Madawaska River where the St. John River crosses an imaginary line due north from the source of the St. Croix. Baker's arrest and conviction embittered Maine residents for many years. In 1827 or 1828, King William of the Netherlands, instead of choosing the better claim, suggested the northern border be "the highlands" above Mars Hill all the way to the Connecticut River. Also in 1828, the Hancock Barracks was established in Houlton. A military road from Mattawamkeag to Houlton was completed by 1831.

In 1830, there was a revolt in Belgium to separate it from The Netherlands wherein the Netherlands lost 3/5th of its population. The result, as far as the governor of Maine was concerned, confirmed that the Dutch king would be more dependant on Great Britain and less able to be a fair arbiter about the Maine - New Brunswick border.

In 1831, the town clerk and the selectmen of Madawaska were arrested by the New Brunswick Governor Archibald Campbell. Campbell, a British general, was the man who ordered the construction of the Royal Road from Fredericton to Grand Falls which, like the military road in Maine, was designed to move troops quickly. John Baker, who had hidden in the woods while these arrests took place, was told through his wife to surrender himself and report to court in Fredericton. While she was speaking, he saw 50 armed Canadians disembarking from a horseboat to go to the upper settlement. Baker warned the men there and only four more U.S. citizens were arrested.

Throughout the 1830's, negotiations see-sawed and tensions rose and fell. The U.S. federal government expressed at times that Maine citizens were "ill-advised" and former Maine governor Israel Washburn said that the state's behavior should be expunged, especially as it was in disregard of the U.S. Secretary of State. Loyalists in St. Andrews, who were ever vigilant for their own interests, proposed a survey for a railroad to Quebec (the plan was squashed when Great Britain told the Province to stop because the territory borders were in dispute). New Brunswick arrested Maine census takers in 1837. Maine sent Charles Daveis [sic] to Washington to work with Maine's representatives to Congress on the issue and Daniel Webster took up the cause in the U.S. Senate in 1838.

In the disputed territory, there were encroachments on both sides. An agent sent by Maine reported that several hundred Canadians were logging on the Fish, Green and Little Madawaska rivers. James McLaughlan, the New Brunswick Warden of the Disputed Territories, and twenty men were arrested, followed by the arrest of some of the Maine party, including the land agent Rufus McIntire, its leader. Ebenezer Webster was in Woodstock at the time and tried to secure the release of the Maine men but he was incarcerated. In 1839, the governor of Maine drafted first 1,000 and then 10,000 men. The federal government authorized \$10 million and raised a 50,000 man militia to defend Maine's border.

By 1840, General Winfield Scott was sent to Maine with a memorandum agreeing to joint management until the dispute was resolved. He convinced the governor to persuade the legislature to agree to removal of Maine's armed forces if New Brunswick agreed to the same. Scott knew John Harvey, the Lieutenant Governor of New Brunswick, from the War of 1812; he had in fact done Harvey a kindness then. Harvey agreed. While complaints continued, tensions subsided.

William Henry Harrison was U.S. President for little more than a month before he died, he appointed Daniel Webster Secretary of State. Webster saw the only solution was a 'conventional line,' a solution Maine did not want. Robert Peel became Prime Minister when Lord Palmerston retired and he sent Lord Ashburton to negotiate the boundary. Webster told Governor Fairfield that he wanted Maine representatives to sit in on the negotiations.

While Ashburton was in the United States and Governor Fairfield was encouraging the most serious negotiations, Jared Sparks, later president of Harvard University, found a letter from Ben Franklin dated December 1782. Enclosed was a map — long missing — which

For information about CLIC, contact the membership secretary:  
Bill Walton: 207•448•7758, cell 732•757•8324 for quick response or  
clictreasurer@aol.com

For submission to *From the Past* (reminiscences about the lakes), contact:  
Bob Foster at: FAX 902•457•5330 or fosterbo@nbnet.nb.ca

For information about or submissions to this newsletter, contact:  
Frank Bolton at 718•788•2282 or fxbolton@verizon.net

had a red line drawn below Mars Hill which kept all the streams flowing into the St. John on the British side of the boundary. Though the map was unauthenticated, he showed it to Webster who saw it as a bargaining point with Maine. He had Sparks show it to Governor Fairfield and prominent Maine legislators in Augusta and in May 1842, a joint committee of the legislature agreed to a conventional line as part of the boundary. Israel Washburn was prominent in the debate and said years later that he, as did many on the committee, expected to get *other* territory from New Brunswick.

When negotiations began in Washington, Lord Ashburton felt the case would be handled best by the two governments rather than by a third party. He also felt that the whole of the waters of the St. John belonged to Great Britain was the intent of the Treaty of Paris. He saw that some communities, like Madawaska, would be harmed by a separation from Great Britain. Webster felt that a river line is always clear and doubted anything south of the river could be ceded. The Maine agents said a line could not be on the south of the river to include Madawaska in the Province. But they agreed to unobstructed access from New Brunswick to Quebec Province. The most natural boundary would be the St. John and Madawaska River (to its source) — this would cut off some communities so the proposed line resolved the difficulty.

There were discussions and negotiations about the French settlements in the river valley, trade and the transport of products, and agreements about the property of those whose land ended up straddling the border. The federal government paid Maine and Massachusetts from its 'disputed territory fund' for assenting to the line drawn up in the treaty. The Senate Foreign Relations committee introduced the treaty to the floor of the Senate in August 1842 and after a few days of debate it was approved.

Reaction to the terms in Maine was generally in favor of the agreement except in the northeast part of the state. The Prime Minister explained to dissenters in Parliament that Webster met censure (not in the legislative sense of the word). He also pointed out Webster's good faith in showing him Jared Sparks' map — you don't show the

other side the weak points of your negotiations — indicating that the map was not "with" Franklin's letter. He also pointed out that a very early map (Mitchell's) supporting the American claim was found in the library of the late king, so success in the negotiations was not guaranteed.

Sir Howard Douglas, governor of New Brunswick from 1824-29, spoke up and blamed the ceding of territory on British weakness. Benjamin Disraeli was generally in favor of the agreement. While he felt that Great Britain had a right to the disputed territory, it could be generous of the right.

After the proclamation of the treaty, there was still need for a committee to draw up the line. In this agreement, the arbitrator said that Maine was right in her claim but wrong in forcing herself into the area which it was entitled to not by discovery, settlement or exploration, but 'by accident.'

It took nearly another 70 years for the question of the islands in Passamaquoddy Bay — Gran Manan, Campbello, and the like — to be resolved. A commission was appointed in 1892 but since it could not resolve anything, another was appointed in 1908. Finally, in September 1910, 117 years after the Treaty of Paris, the points that could not be settled at the end of the 19th century were finally agreed upon by compromise.

While there wasn't a slogan associated with the tensions, there was a fight song, composed in Bangor, to be sung to the tune of *Auld Lang Syne*:

We are marching on to Madawask, To fight the trespassers; We'll teach the British how to walk And come off conquerors.	We'll have our land, right good and clear, For all the English say; They shall not cut another log, Nor stay another day.
---	---

## A Little about Alewives

One of the sources of delight for many CLIC members is fishing. One can hear small motors leaving shore in the pre-dawn hours as fishermen (and women) head out in search of dinner and enjoyment. Some have GPS and depth-finders, many have two licenses, older fishermen have grandchildren in tow. Salmon, bass, perch, trout (in the streams) — the lure is strong.

The non-fishermen among CLIC members may appreciate the fisherman's interest and dedication and even be lucky enough to enjoy the results of a successful expedition when put on the table. but likely does not understand the ecology of the fish in our lakes. Last summer, the August 6 issue of the Bangor Daily News contained a piece that explained a small part of the environment of our lake system — an article about alewives.

Alewives are a river herring also known as a gasperau. Depending on who you talk with, they are wonderful or destructive. This explains why the non-fishermen might have been puzzled about alewives, if they had an interest in them at all. The debate about their effect on sport fishing has been debated for decades.

The International Joint Commission, established by the Boundary Waters Treaty of 1909 mentioned above, solves boundary disputes and advises both the United States and Canada on water flow and quality issues. They have recommended that a plan be implemented to allow alewives access into the middle and upper St. Croix water system but in such a way as to keep a balance with

the bass population. The question arises about whether this would re-introduce a native species to the system or would instead be introducing a foreign species to the waters.

At a meeting in Princeton that the BDN was reporting about, Lance Wheaton, a guide whose name is known to CLIC members, said that alewives are a predator fish. Others, including William Nicholas, the Passamaquoddy Governor of the Indian Township, agreed. "Alewives were a sustenance fish for our tribe but never at Grand Lake Stream," he said. Wheaton pointed out that in 1981, Canada blew up the dam at Milltown (a.k.a. Salmon Falls), destroying a natural barrier to the sea which had prevented alewives from traveling upstream.

Others at the meeting, from both Maine and New Brunswick, said that bass were the non-native species (introduced in the 1800's) and that the best bass fishing is where the alewives are.

Maine blocked passage for alewives at the Woodland Dam in 1995 but when the returning alewives dropped to 900 in 2002, Canada's Department of Fisheries began trucking them above Woodland. Maine opened Woodland in 2006 but continues to block them at Grand Falls, the next dam to the north. Scientists will study the interaction between alewives and bass over the next few years. The ultimate decision will be made by the governments, not the commission which will only make recommendations. Information on the draft alewife management plan is available at:

[www.ijc.org/rel/st-croix-alewife](http://www.ijc.org/rel/st-croix-alewife)

**Did you know that . . .**

**Our lake system** is the longest stretch of relatively undeveloped boundary water east of Minnesota.

**The garrison in Houlton** was built in 1828 to house seven companies of U. S Infantry. At that time, it was the most northeastern military post in the United States.

**What is now U.S. Route 2** was constructed as a military road from Bangor to Houlton in 1832.

**In 1839**, the United States sent twelve companies of infantry to Houlton, fearing the outbreak of war with Great Britain over the border. The troops were stationed there for twelve years.

**CLIC Board of Directors**

*The year directors go off the Board is in parentheses after their names.*

*The elected officers serve as your Executive Committee for decisions between scheduled Board of Director meetings.*

**Officers:**

Mike Saunders, President  
 Mike McBride, Vice-President  
 Bill Walton, Treasurer  
 & Membership Secretary

**Directors:**

Ann Barnes (2011)	Don Ellis (2012)	Mike Saunders (2013)
John Furrow (2011)	Bob Ellis (2012)	Torrey Sylvester (2013)
Mike McBride (2011)	Bill Walton (2012)	Rollie Tilton (2013)
	Paul Samek (2012)	Jerry Wilson (2013)



CLIC  
 28 Snowberry Lane  
 Orient, ME 04471-4320

TEMP - Return Service Requested

### A Request from the Editor

There have been times since I took over editing this newsletter when I sit down to begin an issue and think of the English philosopher John Locke. He is the philosopher most closely associated with the concept of the *tabula rasa* or blank slate. Joe Fagnant told me when I agreed to take this over from him that the hardest part would be getting material to put into the newsletter. . . . and he was right.

Locke had something much more profound in mind which I could write about but it doesn't have much to do with the Chiputneticook Lakes, so I'll pass.

But I will ask you to send me anything of interest about CLIC or the lakes and rivers in the system — even just an idea you'd like to see pursued. If you do that, I will write about it, with your input. Or I can edit what you write, if you ask me to. Beats an empty page.

**Needed:** Someone willing to join the CLIC board to serve as Secretary. Contact any of the officers by email or phone or email [CLICtreasurer@aol.com](mailto:CLICtreasurer@aol.com).

### Greenland Island

The Woodie Wheaton Land Trust has long viewed Greenland Island in East Grand Lake as a critical component of lake conservation. When the island came on the market in 2008, the trust acted quickly to purchase it via a mortgage loan. The next summer, WWLT board and staff gave the island an interior makeover. Filling plastic garbage bags with decades-old rubbish, they tidied up the grounds and transported the debris to the Danforth landfill. They also repaired the picnic table and improved the pathway on the south side.

For all lake users, Greenland Island is a precious oasis. WWLT is committed to permanently maintaining this scenic site for primitive picnicking and camping. The island can once again be enjoyed by all—guides who spin their stories at lunch, visitors who want to enjoy the natural setting, and local folks who wish to have a few moments “away from it all.” You can help pay off the mortgage by making a donation to WWLT, 2 Grove Road, Forest City, ME 04413.