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TO FREE UPPER CANADA: MICHIGAN AND THE PATRIOT WAR, 1837-1839

Michigan State University PH.D. 1983

TO FREE UPPER CANADA: MICHIGAN AND THE PATRIOT WAR, 1837-1839

By

Roger L. Rosentreter

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ABSTRACT

TO FREE UPPER CANADA:
MICHIGAN AND THE PATRIOT WAR, 1837-1839

By

Roger L. Rosentreter

The late 1830s produced excitement along the United States/Canadian border. Convinced that the British-controlled Canadian provinces were ripe for liberty, Americans and Canadian refugees, the latter having fled the aborted 1837 rebellions in Upper and Lower Canada, organized armies, issued proclamations and undertook filibustering forays into Canada. These forays, and American enthusiasm for these liberators, who were called Patriots, posed serious problems for United States authorities. The Patriots' activities violated American neutrality laws and moved the United States and Great Britain toward hostilities.

The Patriot War in Michigan demonstrates how Americans perceived their sense of mission in spreading the cause of liberty. Ignoring governmental pleas and efforts for restraint, Michiganians offered the Patriots support, which ranged from newspaper editorials to armed bodies crossing the border and invading Upper Canada. These actions, coupled with the politicization of Michigan society and at times vague lines of authority between federal and state

governments, created a dilemma for American authorities. Since the Patriot War was an international incident, state authorities, who were subject to political reprisals for their actions, were less willing to respond as effectively as federal authorities. Yet, confronting a situation where its citizens sought not to conquer a territory, but to export an idea--democracy, the federal government responded sluggishly.

The Patriot War did not succeed in liberating Canada, but it provides important clues to understanding the concept of Manifest Destiny, the recurring dilemma of order and individual freedom in American domestic politics and the lines of governmental authority during the antebellum period.

To my family, especially my father and grandmother

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Only one person receives credit for a dissertation, yet its contributors are many and varied. The person who had the greatest impact in aiding the completion of this work is Sandra Clark. As a friend and colleague, she has provided inspiration during what seemed like an unending ordeal and tolerance when the dissertation spilled over into the daily routine of publishing Michigan History. Finally, her editing skills are superior to any I have experienced.

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Thanks to LeRoy Barnett, who suggested the Patriot War as a topic; Doris Swanson, who made being a graduate student easy; my family, who supported me throughout my educational career, and Lanette, who endured many lonely evenings when I was at the library.

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INTRODUCTION

The Patriot War was an attempt by sympathetic Americans to aid Canadian refugees in the liberation of the Canadian provinces from British rule. From December 1837 to 1841, supporters of Canadian liberation, known as Patriots, organized armies, issued proclamations and undertook invasions of the Canadas from the relative safety of United States territory.

Michiganians demonstrated their support for Canada's liberation soon after the Canadian rebels organized a government in exile near Buffalo, New York, in December 1837. Throughout 1838 tensions ebbed and flowed along the Michigan/Upper Canadian border as Patriot filibusters created international incidents that embarrassed the United States government and threatened hostilities between the United States and Great Britain.

Michigan's role in the Patriot War has usually been relegated to a few paragraph in Michigan histories. Occasionally, isolated aspects, like the Battle of Windsor, have received greater treatment, but there exists no comprehensive treatment of Michigan's involvement in American-based efforts to liberate Upper Canada in 1837-1839.

By using materials that have attracted little attention from scholars--reports from U.S. authorities in Michigan, letters from Michigan Patriots, and letters from contemporary Michigan observers--this work explains how Michiganians, like Americans elsewhere along the United States/Canadian frontier, sought to secure the liberation of the Canadian provinces.

Section one, which includes chapters one and two, provides the background of events and conditions in Michigan and Upper Canada. Chapter one highlights the rapid growth of Michigan in the 1830s, placing particular emphasis on the chaotic nature of affairs in the new state, especially in politics and law enforcement. Chapter two provides a detailed look at the causes of the 1837 rebellion in Upper Canada.

Section two, which includes chapters three through seven, traces the events from late 1837 through 1839 that disrupted the Michigan/Upper Canadian frontier.

The final section, chapter eight, places Michigan's response to the Patriot War in the perspective of the American personality of the 1830s. Issues that are addressed include the American sense of mission to spread the cause of liberty; the perception that rights superceded laws; and the influence of both politics and differing lines of authority, which created dilemmas for American officials responding to the Patriots.

CHAPTER ONE: MICHIGAN IN THE 1830S

The year of the Canadian rebellions, 1837, began on an optimistic note for Michiganians. On January 26 the Michigan Territory entered the Union, ending a two-year struggle to achieve statehood. In that struggle Michiganians had demanded admission on their own terms, fought a bloodless war with Ohio over a strip of land near Toledo and finally forced by the federal government to accept a compromise that some resented. Nonetheless many were relieved that Michigan had finally entered the Union.[1]

While economic conditions in Upper Canada (now Ontario) and much of the United States worsened, Michiganians enjoyed the prosperity that accompanied admission to the Union. In 1834 their were 85,856 people in the Michigan Territory. By 1837 the population had doubled, and at the end of the decade it exceeded 212,000. In all, during the 1830s Michigan's population increased by 700 percent--the largest increase in population of any state or territory in

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1 Willis F. Dunbar and George S. May, Michigan: A History of the Wolverine State, 3rd ed. rev. (Grand Rapids: William Eerdmans Publishing Company, 1980), pp. 243-60.

the nation during the decade.[2] In 1836 land sales in Michigan, occurring almost exclusively in the southern Lower Peninsula, surpassed 4.2 million acres and represented one-fifth of all public land sales in the nation. Though much of the land was purchased by speculators, the enormous sales also reflected the wave of settlers descending upon the state.[3]

Following Michigan's admission to the Union, the state legislature initiated a program of government-sponsored internal improvements, which included three railroads and three canals. One canal, the Clinton and Kalamazoo, was to be 216 miles long. Besides the three main rail lines crisscrossing the state, by 1838 there were twenty-four private railroad companies in Michigan whose proposed trackage totaled over one thousand miles. At the same time the legislature, convinced that the state's seventeen banks did not adequately meet the needs of the growing state, adopted a banking bill that simplified the process of starting a bank. In a matter of eight months over forty new banks went into operation.[4]

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[2]Ibid., p. 195.

[3]John T. Blois, Gazetteer of the State of Michigan (Detroit: Sydney L. Rood & Co., 1838), p. 76; See also Silas Farmer, who observed that the Detroit Land Office was so overrun with purchasers in May 1836 that it closed its doors and only received applications through the window. (History of Detroit and Wayne County and Early Michigan, 3rd ed. rev. (1890, Detroit: Gale Research Company, 1969), pp. 37-38.)

[4]Dunbar and May, Michigan, pp. 266-73; Blois, Gazetteer,

This rapid growth brought a certain amount of chaos to the nation's twenty-sixth state, and nowhere was this more evident than in Detroit, Michigan's leading city. Located on a bluff overlooking the river of the same name, Detroit was the state's capital, the state's leading port and its largest city. Founded by Antoine de la Mothe Cadillac in 1701, Detroit had been the lower Great Lakes outpost first for the French, then the British and finally the Americans. Though part of the United States, Detroit remained under British control for thirteen years after the Treaty of Paris of 1783. When Great Britain reorganized its North American empire in 1791 Detroit was included in Essex County, Upper Canada. A year later the first election in Michigan history sent several Detroit residents to serve in that province's assembly.[5] The implementation of the Jay Treaty in 1796 finally installed American control over Detroit.

Well into the nineteenth century Detroit remained a sparsely settled community whose culture was dominated by the French. This all changed in the 1830s when the opening of the Erie Canal, technological advances in steamships and the availability of surveyed land beckoned many easterners west. As a result Detroit's population grew by more than 400 percent in the 1830s--a figure not even approached in

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pp. 78-96, 399-405.

[5]Dunbar and May, Michigan, p. 105.

the city's growth during the remainder of the nineteenth century.[6]

Detroit's port grew as well. Located less than twenty-five miles from Lake Erie, Detroit had been an important Great Lakes port for decades. In terms of tonnage, by the mid-1830s it was second only to Buffalo as the leading port on Lake Erie. British author Anna Jameson visited the state capital in July 1837 and was impressed with the "perpetual bustle, variety, and animation" resulting from "the number of steamers, brigs, and schooners always passing up and down the lakes." Ship tonnage in the Detroit district in 1830 was only 995 tons; seven years later it had increased seven-fold. Furthermore, as of 1 October 1836 Detroit had more registered ships operating out of its harbor than any city on the Lake Erie, including Buffalo, a community twice as large. During a single week in June 1837, fifty-five ships entered Detroit harbor, or over 1,800 when based on an eight month navigation season.[7]

Though numerous ships brought merchandise and goods from the east, they mainly carried passengers. In 1837 an average of three steamboats a day arrived with two to three hundred passengers each. In late May the Semi-Weekly Free Press reported that in only two days 2,500 persons had

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[6]Farmer, History of Detroit, p. 336.

[7]Blois, Gazetteer, pp. 165-67; Detroit Free Press, 26 June-4 July 1837.

arrived in Detroit. During her ten day stay at Detroit, Anna Jameson saw "emigrants constantly pouring through this little city," while Julius McCabe, compiler of the 1837 Detroit city directory, estimated that one thousand passengers arrived at Detroit daily--or two hundred thousand in a navigation season. The 1837 state census listed only 8,323 permanent residents in Detroit, but the temporary residents swelled the city's population, strained its services and added to its growing confusion.[8]

Detroit in 1837 was a city suffering from paradoxes evident in any booming community. In many ways it remained an untamed frontier town. As late as the mid-thirties "black bears would occasionally perambulate the streets," and the number of animals running loose prompted the city council to enact legislation banning this activity.[9] Traffic also proved a problem. According to Silas Farmer, Detroit's most distinguished nineteenth-century historian,

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[8]Farmer, History of Detroit, p. 335; Semi-Weekly Free Press, 26 May 1837; Anna Brownell Jameson, Winter Studies and Summer Rambles, ed. James J. Talman and Elsie McLeod Murray (1838, Toronto: Thomas Nelson and Sons, 1943), pp. 141-42; Julius P. Bolivar, Directory of the City of Detroit (Detroit: William Harsha, 1837), pp. 35-36. See also Blois who observed that "the city is mostly built of wood, and in a manner to accommodate its emigrant population, which it is supposed composes one half or two thirds of the city." (Gazetteer, p. 273.) On 24 May 1836 the Sandwich Emigrant reported that 30,000 immigrants arrived in Detroit during five weeks in the spring of 1836.

[9]Jameson, Winter Studies, pp. 11, 79-80.

migration through Detroit in 1837 was just as intense as it had been the year before when "a careful estimate" for June had shown that one wagon left the city every five minutes during the twelve hours of daylight.[10]

Many of the city's services were inadequate. Heavy traffic left the roads in horrible condition. One 1837 visitor observed that during winter and in rainy weather "you are up to your knees in mud, [while] in the summer [you are] invisible from dust."[11] Detroit had only four hotels, including the recently completed Michigan Exchange. The strain on these facilities led one visitor to complain that "the accommodations of Detroit are so insufficient for the influx of people who are betaking themselves thither, that strangers must patiently put up with much delay and inconvenience till new houses of entertainment are opened."[12]

Detroit's public services were equally inferior. In the 1830s Detroit responded to problems of law and order with temporary and inadequate measures. Though Detroit had a city marshall and several constables, there was no police force. A night watch had been established in 1835, but disbanded after only a month when half the force of twelve

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[10]Farmer, History of Detroit, p. 335.

[11]Frederick Marrayat, Diary in America, ed. Jules Zanger (Bloomington: Indiana University Press, 1960), p. 120.

[12]Harriet Martineau, Society in America 2 vols., (New York: Saunders and Otley, 1838), 1:232.

reported drunk and disorderly. Following an assault on local citizens by thirty or forty Irish laborers in 1835, "a hastily-formed posse of 'worthy citizens' was bloodied in attempting to arrest the mob." Following this fracas a militia company, the Brady Guards, was organized, but Detroit still did not have an effective police force.[13]

The 1835 disturbance climaxed a two-year period during which the city's sudden growth forged a new concern for order and prompted experimentation in methods of control. Between 1833 and 1835 Detroit had combatted crime with a paid watchman, volunteer patrolmen, the militia, the posse comitatus, and the quasi-vigilante. This disparate approach to maintaining order established a pattern for the next decade as the city became conditioned to meet its occasional police needs with a variety of temporary expedients. With the exception of the Brady Guards, those expedients often proved ineffective.[14]

Detroit's city government--a primitive ward system that failed to encompass all parts of the city--often responded ineffectively to the problems created by rapid growth. Though the Common Council, which consisted of the mayor, the

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[13]Farmer, History of Detroit, pp. 202-03; John C. Schneider, "Urbanization and the Maintenance of Order: Detroit, 1824-1847," Michigan History 60 (Fall 1976), p. 267.

[14]Schneider, "Urbanization," p. 268.

recorder and seven aldermen, passed ordinances improving the city and its services, its efforts usually proved futile. For example, the city jail, damaged in an 1834 jail break, was "occasionally repaired" but became "increasingly insecure."[15]

Detroit's frontier status was evidenced by delays in communicating with the east. In 1836 it took two weeks for a letter to reach Detroit from New York City. The frozen Great Lakes during the winter meant overland mail and even greater delays. In December 1837, sixteen bags of mail from Sandusky, Ohio, less than one hundred miles distant, took twenty-eight days to reach Detroit. In the same month, the Detroit Daily Free Press reported it had received no mail from Washington in a week.[16]

However, Detroit offered many "civilized" amenities. In 1836 the enormous migration had caused "such a demand for goods of all kinds that every house" that could be purchased on Jefferson Avenue, the principal business district, "was fitted up for a store and filled with goods."[17] By January

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[15]Farmer, History of Detroit, pp. 136, 147, 202-03, 215. In 1835 the city council ordered the installation of gas lights along Woodward Avenue, one of the city's main thoroughfares. But no Detroit streets were lighted until 1851. (Farmer, History of Detroit, p. 469). On 1 February 1837 the council voted to pave a number of city streets, but all action was postponed until the late 1840s. (Farmer, History of Detroit, p. 929.)

[16]Farmer, History of Detroit, p. 880; Detroit Daily Free Press, 8 December 1837.

[17]Farmer, History of Detroit, p. 770.

1838 new immigrants found numerous mercantile establishments in the Michigan capital, including 27 dry goods stores, 25 groceries, 14 hardware stores, 7 clothing stores, 18 druggists, 3 bookstores and 8 silversmiths and jewelers. The city was also served by 37 attorneys, 22 surgeons and doctors and two dentists.[18]

Newspaper advertisements often belied Detroit's frontier status. Merchant D. J. Campau offered a fall stock of dry goods that included "Rich Black, Blue Black and Colored Silks; Rich Dark and Light French Prints...Fancy Chally and Silk Dress Handkerchiefs." Patterson, Gardner & Mather, "at the sign of the large pitcher," sold china, glass and earthenware "at the lowest New York prices," while Benjamin Le Berton, opposite the Michigan Exchange Hotel, purportedly stocked the city's best spirits, as well as Havana cigars. The few local bookstores carried Gibbon's Rome, Shakespeare's Works and the Encyclopedia Americana. The city of less than ten thousand had four printing offices, three of which issued a total of nine newspapers, including three dailies.[19]

Detroit also had a flourishing construction industry. Besides houses and warehouses, new construction included a city water works system, which opened in 1838. It used iron

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[18]Blois, Gazetteer, pp. 274-75.

[19]Semi-Weekly Free Press, 3, 14, 21, 24 March 1837; Blois, Gazetteer, p. 274.

pipes and quadrupled the existing reservoir capacity. The city's first underground sewer was built in 1836 in response to complaints about the open ditches that "offended the eye and outraged the nostrils."[20]

As the eastern terminal for most main routes of transportation into Michigan, Detroit witnessed the hustle and bustle of traffic into the state's interior and an array of internal improvements projects. By January 1838 the Detroit and St. Joseph Railroad, later known as the Michigan Central, was completed to Ypsilanti, twenty-five miles away. On 3 February 1838 Governor Stephens T. Mason inaugurated the line, riding to its western terminus where he was greeted by a large crowd and invited to a barbecue.[21]

Detroit's largest industries were related to the Great Lakes. Throughout the 1830s fishing and shipbuilding expanded rapidly. The largest vessel to sail the Great Lakes, the Michigan, was launched at Detroit in 1833. In 1837 seventeen of the thirty-seven steamships plying the Great Lakes were owned in Detroit. They had made their owners "enormous profits" of 70 to 80 percent the previous

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[20]Farmer, History of Detroit, pp. 60, 64-65.

[21]Dunbar and May, Michigan, p. 274. Stages departed daily on the Territorial and Chicago Roads, as well as daily to Buffalo and the Flint River. Besides the Detroit and St. Joseph, the Pontiac and Detroit Railroad was under construction, with the first 12.5 miles to be completed by 1 April 1838. (MacCabe, Directory, pp. 104-05, 36.)

year.[22] On land, the City Brewery opened in 1837. With an annual capacity of 25,000 barrels, it was hailed as "the largest west of Albany."[23]

Culturally the city offered various fraternal and professional organizations, including the Historical Society of Michigan, the newly formed State Horticultural Society and the Young Men's Society, whose three hundred members met weekly for "the general diffusion of knowledge" and for their own "intellectual and moral improvement." Detroit's educational institutions included a branch of the state university, St. Phillip's College (a catholic academy for men founded in 1836), three seminaries for women and several other private schools for men and women.[24]

For entertainment residents and visitors could visit either Major D. C. McKinstry's museum or garden. The former had opened in 1834 and contained "some of the finest specimens of Ornithology, Minerals, Coins, Natural and artificial curiosities," as well as thirty-seven wax figures "of some of the most interesting characters." The Michigan Garden covered four acres at the northern extremity of town and contained a restaurant and many kinds of fruit trees and plants. Detroit also boasted a theatre, whose productions

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[22]Farmer, History of Detroit, pp. 16, 909.

[23]Blois, Gazetteer, p. 275.

[24]Farmer, History of Detroit, 16, 731-32; MacCabe, Directory, pp. 29-33.

in 1837 included "Macbeth," "Catching an Heiress," and "William Tell," about which the editor of the Free Press reported that he "scarcely ever saw the attention of an audience more deeply engrossed than on that occasion." Other forms of entertainment included the weekly gathering of prominent merchants for either a game of "football" or the "rolling of cannon-balls on Jefferson Avenue." If one sought intellectual stimulation, Detroit offered a circulating library where Anna Jameson found "some of the best modern publications in French and English."[25]

The 1830s was a period of optimism for many Americans. The term Manifest Destiny had yet to be coined, but Americans of the late thirties had long believed that they were destined to move westward across the continent spreading liberty and self-government. This belief encouraged individualism and adventure. Michiganians in the 1830s were part of the continuing march westward during the first third of the nineteenth century. Their sense of destiny was apparent, for example, in an 1837 Detroit Independence day celebration toast drunk to "Texas--the infant Republic--daughter of American freedom; may she never prove recreant to the principles of her Alma Mater."[26]

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[25]Farmer, History of Detroit, pp. 351-52; MacCabe, Directory, p. 29; Detroit Daily Free Press, 6, 17, 27 June 1837; Jameson, Winter Studies, pp. 143-44.

[26]Detroit Daily Free Press, 7 July 1837.

At the same time reform movements, intent upon ridding American society of its shortcomings, sprang up. Religious revivals in western New York in the 1820s had destroyed Puritan resignation toward a wicked world and substituted the view that it was a Christian's duty to make the world a better place. Besides spreading the gospel, the revivals imparted to religion the zeal to change society, to convert the heathen, to convey religion to the frontiersmen and eradicate evil and injustices. This spirit expressed itself in many different ways--temperance, abolitionism, utopian socialism, prison reform, and new schemes for education and woman's rights. Western New York was "the fountainhead" of most of these reform movements, and since many of the people moving to Michigan came from this area, it is not surprising that their "luggage" included support for almost all of these reforms.[27] In the 1830s Michiganians formed state societies supporting abolitionism and temperance. The 1835 Michigan constitution included educational programs that were innovative, even when compared to the more refined eastern regions of the country.[28]

Preoccupation with building houses, breaking ground and raising crops forced many Yankee immigrants to put aside active participation in these reform programs until the

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[27]Dunbar and May, Michigan, pp. 351-52.

[28]Ibid., pp. 329-36, 352-59.

1840s and 50s, but that was not true in the case of political activity. Michigan Democrats had organized in the early thirties and for several years enjoyed virtual domination in the Michigan Territory. In the state's first official election in September 1835, held before Michigan was granted statehood, Democratic candidate and Territorial Governor Stephens T. Mason was elected governor by a nine to one margin over his closest rival. But in mid-1837, wealthy Detroiters organized an opposition party, the Whigs, and political competition, particularly in Detroit, became intense.[29]

While the entire Democratic slate was elected in Detroit's spring 1837 election by a 250 vote margin out of 1,100 cast, voter sentiment changed drastically in the special congressional election in September, and in the general election in November. Rancorous accusations and incriminations, daily announcements of imminent political political conventions, and reports of these events filled the Detroit press in the summer and fall of 1837. The Detroit Free Press criticized Detroiter and Whig gubernatorial candidate Charles C. Trowbridge for an extravagant lifestyle, while defending Mason from "sordid" and "puerile" Whig accusations of vote buying and ballot box stuffing.[30] The Detroit

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[29]Floyd Streeter, Political Parties in Michigan: 1837-1860 (Lansing: Michigan Historical Commission, 1918), pp. 4-19.

[30]Detroit Daily Free Press, 1 July, 7, 8, 15, 27 September 1837.

Advertiser, the Whig's leading organ, attributed the sluggish economy to a loss of faith in Democratic office-holders. Referring to the elaborate internal improvements programs, the Whig press responded that the five million dollars in bonds to be sold to finance the projects were as good as lost in "the depths of Lake Erie."[31]

In the November elections, the Democrats retained control of the state legislature and reelected Mason, though only by eight hundred votes out of almost 30,000 cast. In Wayne, the county surrounding Detroit, the Whigs defeated Mason, and elected one of two state senators and five of eight state representatives. Though the Democrats won in the City of Detroit, they saw their earlier margins shrink considerably.[32] Shocked by the setback, the Free Press explained that the Democrats had lost in Wayne County because it was the seat of the state's aristocracy and "the theatre of the greatest exertion of their power."[33]

As Michiganians braced for their first full winter as a state, there was an optimism in the air. Another navigation season had brought thousands of settlers, which meant new

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[31]Detroit Daily Free Press, 3 October 1837; Detroit Daily Advertiser, 23 June, 12-13 July, 10 August, 21 September 1837.

[32]Streeter, Political Parties, p. 10; Detroit Daily Free Press, 2 December, 9 November 1837.

[33]Detroit Daily Free Press, 14 November 1837.

towns, farms and roads. Internal improvements had moved ahead. The Detroit and St. Joseph Railroad was forging west, and Michiganians everywhere anxiously awaited work on other projects. In Mt. Clemens interested citizens reassured state officials of their desire to be the eastern terminal of the proposed Clinton and Kalamazoo Canal, while in the center of the state, a group of Vermonters started a village on land they purchased because it was within a mile of the proposed canal--a guarantee of economic prosperity. In short, the Michigan wilderness was being tamed.[34]

On the other hand, the nation's economy was worsening, especially along the Atlantic coast. Throughout the summer Detroiters watched as banks across the nation suspended specie payments, partly as a result of President Andrew Jackson's 1836 decree that only gold and silver would be accepted for payment for public lands. Though Michigan remained unaffected at this point, some feared that these negative influences would soon reach the frontier.[35]

Politics, too, tempered some of the optimism. The Democrats controlled the state's executive and legislative branches and Detroit's city government, but they were

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[34]Semi-Weekly Free Press, 18 April 1837; Edward W. Barber, "The Vermontville Colony: Its Genesis and History, With Personal Sketches of the Colonists" Michigan Pioneer and Historical Collections 28 (1900), p. 198.

[35]Dunbar and May, Michigan, pp. 272-73.

understandably disturbed with the erosion of their their margin of victory. Conversely, the Whigs had tasted only a few minor victories, but enjoyed confidence over the rapidity with which they had become a viable political opponent. As Michigan ended its first year as a state, John Blois, author of the Michigan Gazetteer, wrote, "Michigan is a new State. Her existence is still inchoate."[36] After rebellion broke out in neighboring Canada that December, his observations would be repeatedly confirmed.

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[36]Blois, Gazetteer, p. 28.

CHAPTER TWO: REBELLION COMES TO UPPER CANADA

From his jail cell in Montreal in June 1838, Dr. Wolfred Nelson, one of Lower Canada's most militant reformers, wrote, "We rebelled against neither Her Majesty's person nor her Government, but against Colonial misgovernment."[1] Nelson exempted the British crown as a casus belli in an attempt to save himself from the gallows. But there can be little doubt that he was correct regarding the focus of the Canadian Rebellions of 1837.

The uprisings that plagued Canada in late 1837 were responses to frustrations caused by the ruling elite. In Lower Canada (now Quebec) Louis Joseph Papineau, a respected seigneur and lawyer, led a revolt against English-speaking colonial authorities. A major cause of the uprising was the influx of non-French immigrants, who jeopardized the French-Canadian traditional way of life. Closer to Michigan, rebels in Upper Canada (now Ontario), led by William Lyon Mackenzie, sought to overthrow the oligarchy that had a stranglehold on the governmental system. Though Papineau's efforts garnered more popular support than those of

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[1]John Charles Dent, The Story of The Upper Canadian Rebellion (Toronto: C. Blackett Robinson, 1885), title page.

Mackenzie, both uprisings were quickly suppressed.

Upper Canadians took up arms against their government in 1837 following a dozen years during which reformers had enjoyed intermittent successes at the polls, but were denied any real power because of the oligarchy that controlled the province. Besides a governmental system that perpetuated political stagnation, Upper Canadians watched as Americans across the border outdistanced them in self-government, internal improvements and western settlement. While British imperial and provincial leaders denounced democracy, Canadians saw Americans take a more active role in their own self-government, enjoy expansive government-sponsored improvements in transportation and communications, avail themselves of cheap public land, and benefit from commercial advances caused by westward migration. Though land sales and several internal improvements projects were undertaken in Upper Canada, they never enjoyed the same success as their American counterparts. Frustrated with the diminishing prospects of any real change, a few radicals resorted to their remaining untried weapon--armed rebellion.

Upper Canada's government had evolved from British reorganization of what remained of their North American empire following the American Revolution. Reacting to what they considered the main causes of that rebellion, the British organized Canada with the deliberate aim of instilling an oligarchy. According to the British government, the Americans had enjoyed too much democracy and too

little monarchy, while lacking both a true aristocracy and an established church. Though there were upper houses in the American colonial legislatures, they were filled with members elected by the lower house rather than appointed by the crown. Furthermore, the colonial governor had surrendered or been stripped of various powers or prerogatives. To prevent such mistakes, the British government sought to strengthen the aristocratic and monarchial elements in Canada through the Constitutional Act of 1791.[2]

The act divided Quebec into two provinces, Upper and Lower Canada, and provided each with a lieutenant governor, an appointed executive council, a legislature consisting of a legislative council appointed for life and a house of assembly elected by property holders.[3] The government's real power lay with the executive. The provincial governor, a military officer from Britain, who was appointed by the king, exercised extensive powers. Besides appointing the executive and legislative councils, the governor's patronage included the executive council, the officers of the assembly, all provincial militia officers, and many local

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[2]Gerald M. Craig, Upper Canada: The Formative Years, 1784-1841 (Toronto: McClelland and Stewart, Ltd., 1963) pp. 9-17; J. L. Finlay and D. N. Sprague, The Structure of Canadian History (Scarborough, Ontario: Prentice-Hall of Canada, Ltd., 1979), p. 106.

[3]Norah Story, The Oxford Companion to Canadian History and Literature (Toronto: Oxford University Press, 1967), p. 187.

officials, including justices of the peace whose power and influence at the local level was extensive. In addition to his power of appointment, the governor was provided with lands, known as the Crown Reserves, which he could sell to defray the cost of government. The reserves were also provided to guarantee freedom from legislative control that might be exercised through the power of the purse.[4]

The executive council advised the governor in a manner similar to the British Privy Council, but he was under no obligation to seek or follow its advice. The main function of the legislative council, the colonial counterpart of the British House of Lords, was to initiate bills instituting legal reforms. But the legislative council usually considered bills sent up by the assembly, and it was here that the governor exerted his influence. No measure he disapproved was allowed to pass the council and become law. As for the assembly, it was as democratic as its American colonial counterpart. Members were chosen from districts based upon population, but unlike assemblies in the former American colonies, the Canadian provincial assembly had few powers to generate finances.[5]

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[4]Aileen Dunham, Political Unrest in Upper Canada: 1815-1836, 3rd ed. rev. (Toronto: McClelland and Stewart, Ltd., 1965), pp. 30-31, 35-37, 40-41; Finlay and Sprague, The Structure, pp. 106-07.

[5]Dunham, Political Unrest, pp. 31-34.

The Constitutional Act of 1791 met no resistance in Lower Canada when it was enacted because it guaranteed the continued protection of the French-Canadian language, religion and seigniorial system of land tenure. In Upper Canada it was also unopposed because it gave the English-speaking population a province they could develop free of French-Canadians. But with the coming of the new century, the attempt to maintain an oligarchy encountered opposition. As early as 1800 oligarchic exclusiveness in Great Britain and the United States, the two countries with the greatest influence upon Canada, was under intense scrutiny.[6]

As the Constitutional Act had intended, an aristocracy came to dominate the positions of political and economic privilege in Upper Canada. But like the aristocracy of the American colonies, the Canadian aristocracy lacked a stable foundation. The Canadian elite, better known as the Family Compact in Upper Canada, has been described by one historian as "a local oligarchy composed of men, some well-born, some ill-born, some brilliant, some stupid, whom the caprices of a small provincial society, with a code all its own, had pitchforked into power."[7] In the face of growing opposition the Family Compact maintained a firm hold upon Upper

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[6]W. L. Morton, The Kingdom of Canada: A General History from the Earliest Times (Toronto: McClelland and Stewart, Ltd., 1963), p. 190. See also Quebec Gazette, 16 July 1795.

[7]Dunham, Political Unrest, pp. 41-46; Robert F. Saunders, "What Was the Family Compact?," Ontario History 49 (1957):173-78; W. Stewart Wallace, A Chronicle of the

Canada's political and economic development throughout the 1820s and 30s.

In Upper Canada two main issues, the influx of American immigrants and the state-supported church, inaugurated a decade of intense political controversy that led to rebellion.

Many Americans had migrated to the Canadas after 1783. Attracted by cheap land, fewer Indian difficulties and the belief that life under the Union Jack offered greater stability than was available in the newly created United States, Americans headed north in large numbers. By 1812 an estimated eight of every ten persons in Upper Canada were of American descent or birth. Until the War of 1812 these American immigrants enjoyed the privileges of regular British citizens. Toward the end of the war, however, the British sought to discourage American immigration to the Canadas. Not only did the sheer numbers pose a threat, but the British hoped that keeping Americans out would prevent democratic notions from entering. In 1814 grants of land to settlers from the United States were forbidden and magistrates were prohibited from administering oaths of allegiance without special permission. Three years later the

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Rebellion in Upper Canada (Toronto: Glasgow, Brook and Co., 1920), p. 7; S.F. Wise, "The Family Compact: A Negative Oligarchy," in The Family Compact: Aristocracy or Oligarchy, ed. David W. L. Earl (Toronto: Copp Clark Publishing Co., 1967), pp. 142-45.

British government declared that Americans could only be naturalized by an act of the crown. Furthermore, a seven-year residency requirement and subscription to various oaths and declarations became a condition for holding land. These actions produced fears among former Americans, who held over half of Upper Canada's lands. The former Americans, many who had held elected and appointed positions or served in the militia, were offended by the actions.[8]

What became known as the alien issue was finally resolved in 1827. Succumbing to assembly pressure, the British colonial office directed the provincial government to enact legislation giving full British citizenship privileges to all persons who had received a grant of land from the government, held public office, taken an oath of allegiance or settled in the province before 1820. American immigrants that arrived after 1820 were given these privileges following a seven-year residency.[9]

Though resolved a decade before the rebellion, the American immigrant issue is important because its resolution stemmed in part from the assembly's sending Robert Randall, a native Virginian, to Britain. As a result of Randall's lobbying, the colonial office rejected Maitland's solution

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[8]Craig, Upper Canada, pp. 114-15; Finlay and Sprague, The Structure, p. 99; Dunham, Political Unrest, p. 74.

[9]Craig, Upper Canada, pp. 116-19.

and accepted the more liberal resolution of the problem. Besides the practice of going over the governor's head to Britain for solutions, the alien issue showed that reform was possible under the colonial system. It also left American immigrants the single largest element in the growing movement to reform the province's governmental system--a movement that won decisive victories in the 1824 and 1826 assembly elections.[10]

The other great issue of the twenties was religion, specifically the state-supported Anglican Church. British colonial policy contended that a state-supported church was essential to lessen the growth of democracy and to neutralize the influence of the Catholic Church in Lower Canada. John Strachan, a member of Upper Canada's executive and legislative councils and later archdeacon of York, defined the oligarchy's position on the established church in 1824. "The great bond of attachment between the colonies and Great Britain depends entirely upon the progress and influence of the Church principle."[11]

To guarantee the existence of the Anglican Church, the Constitutional Act had provided an appropriation of lands for religious purposes to maintain and support the Anglican clergy. These Clergy Reserves consisted of one-seventh of

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[10]Ibid., pp. 120-22.

[11]George W. Sprague, ed., The John Strachan Letter Book: 1812-1834 (Toronto, 1946), pp. xiv-xv, in Changing Perspectives in Canadian History, eds., K.A. MacKirdy, J.S.

all land granted before 1791 and all land allotted in the province after that date. By the mid-1820s over two million acres had been reserved in Upper Canada. But slow settlement and the availability of other land from the government had nullified any real revenue to be realized by leasing the Clergy Reserves. As a result provincial revenue was provided to support the Church of England. Since the Clergy Reserves include many small two-hundred-acre plots scattered all about the province, they proved to be an economic nuisance, especially in the building of roads.[12]

The issue of state-supported religion assumed additional importance in the mid-1820s when other denominations grew in strength without receiving the preferential treatment given to Anglicans. Led by Egerton Ryerson, the Methodists, Upper Canada's dominant religious group, initiated aggressive opposition against John Strachan, the Church of England and the Clergy Reserves.[13]

Responding to the Methodists' attacks, Strachan issued his analysis of the church situation in Upper Canada in 1827. Completely disregarding the facts that confirmed the

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Moir, Y.F. Zoltvany (Toronto: J.M. Dent and Sons, 1967), p. 122.

[12]Craig, Upper Canada, p. 132; Robert Gourlay, Statistical Account of upper Canada, 2 vols. (1822, reprint ed., New York: Johnson Reprint Corporation, 1966), 1:280.

[13]Craig, Upper Canada, pp. 165-74.

minority status of the Anglican clergy and congregations, Strachan stated that revenue from any sale of the Reserves should go to the Anglicans because they had the most clergy in the province. With the exception of a few Church of Scotland ministers, he added, "the other dissenting ministers came from the U.S. and disseminated doctrine hostile to the civil and religious institutions of the mother country."[14]

Having received a six-thousand-name petition protesting Strachan's report, the assembly investigated the religious controversy and concluded that "a country in which there is an established church from which a vast majority of the subjects are dissenters, must be in lamentable state." At the same time, a group of reformers returned to the successful strategy used in the alien controversy and sent an eight thousand signature petition critical of the provincial government to Egerton Ryerson's brother in England, who had it placed before a House of Commons committee. Other petitions from Lower Canada arrived at the colonial office, while the forces of the Church of England also circulated petitions that were sent to England. Inundated by this flood of paper, a parliamentary committee researched the government situation in Canada. Though the committee devoted most of its attention to the problems in Lower

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[14]Dunham, Political Unrest, p. 91.

Canada, it recommended that all Protestant clergy should benefit from the sale of the Clergy Reserves.[15]

A related issue that generated political controversy was education. Throughout the 1820s the Anglicans took a prominent role in advancing schools in the province. In 1827 the crown issued a charter to Strachan authorizing him to establish in Upper Canada a college with Anglican administrators and teachers. At once the assembly and the Methodists assailed the undertaking. The college controversy led the provincial governor to delay the school's opening. In the meantime the legislative council rejected proposals for a secular college.[16]

Though in 1832 the British reduced the stipend paid Anglican clergy, and the Methodists settled many of their differences with the provincial government (they even accepted a small government stipend in 1833), the Clergy Reserves and the state-supported church remained unresolved problems that disturbed the peace and tranquility of the province throughout the 1830s. As Governor Poulett Thomson declared in 1840, the Anglican Church "has been, for many years, the source of all the troubles in the province; the

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[15]Craig, Upper Canada, pp. 175-76; A. G. Doughty and N. Story, eds., Documents Relating to the Constitutional History of Canada, 1819-1828 (Ottawa, 1935), pp. 379-80 in MacKirdy, Moir, & Zoltvany, Changing Perspectives, p. 123.

[16]Craig, Upper Canada, pp. 182-85.

never-failing watchword at the hustings; the perpetual spring of discord, strife and hatred."[17]

Both the religious controversy and the alien issue fueled a reform movement that first got its start when Robert Gourlay, a Scot who had come to Canada in 1817, stirred up much resentment toward the provincial government and was expelled from the country in 1819.[18] During the 1820s the reform movement drew strength from the unpopular and arbitrary actions of Governor Maitland, who urged that the crown strengthen the Church of England and believed that only "gentlemen" should be placed in political positions.[19]

One of Maitland's most vocal critics was William L. Mackenzie. Born in Ireland in 1795, Mackenzie moved to Canada in 1820 and became a shopkeeper. In 1824 Mackenzie began printing a new journal, the Colonial Advocate. During the same year he moved from Queenston to York (later Toronto), the provincial capital. Reacting to the viciousness and partisanship of Mackenzie's press, the government soon refused to pay him for printing the assembly debates (an important source of income for early

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[17]Ibid., pp. 179-81, 186-87; Dunham, Political Unrest, pp. 97-101.

[18]Dunham, Political Unrest, pp. 51-61; Fred Coyne Hamil, "The Reform Movement in Upper Canada," in Profiles of a Province: Studies in The History of Ontario (Toronto: Ontario Historical Society, 1967), pp. 9-19.

[19]Dunham, Political Unrest, p. 103.

newspapers). Mackenzie countered by distributing his papers gratuitously. The Advocate was on the verge of bankruptcy in 1826 when it attacked a member of the Family Compact, who had been acquitted following a duel in which his opponent was killed. Outraged, a group of government clerks and sons of officials broke into the Advocate's offices, overthrew Mackenzie's press and tossed some of his type into the bay. Mackenzie sued for damages and won.[20]

With improved finances and growing support, Mackenzie became a central figure in the reform movement. On 3 January 1828 the Advocate, referring to the Constitutional Act, charged "this is not a constitution, it is not freedom, it is a government which will be submitted to." Defining a constitution as an element that is not imposed upon a people by its government, "nor of any distant authority," Mackenzie reasoned that "the example of the American colonies plus the 'old whigs of England' provided ample proof that the imposition of such a pseudo-constitutional government was wrong and resistance to such a system was lawful and right."[21]

Mackenzie's editorial inaugurated a year during which the reform movement enjoyed several important triumphs, including Maitland's dismissal and an electoral victory.

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[20]Ibid., pp. 107-08; William Kilbourn, The Firebrand: William Lyon Mackenzie and the Rebellion in Upper Canada (Toronto: Clarke, Irwin and Co., 1956), pp. 47-49.

[21]Colonial Advocate, 3 January 1828.

Though the reformers obtained a majority in the assembly, they still lacked any real power. Not only did they not control the government purse strings, but the legislative council continued to block any reforms. Between 1828-30 the assembly passed fifty-three bills that the legislative council vetoed, including acts to abolish primogeniture and reform the jury laws. Not only was it apparent that a Tory assembly could accomplish more than a reform one, but Governor John Colborne, Maitland's successor, proved less of a liability to the Tory cause. Colborne was a staunch Tory whose intellect, social urbanity and zeal for the prosperity of Upper Canada prevented him from being a personal factor increasing political unrest. As a result, the Tories were victorious in the 1830 assembly elections.[22]

Though the Reformers had experienced a setback, their effectiveness increased. Better led and organized than their Tory opponents, they refined their program, borrowing repeatedly from American practices. Energy and enterprise were becoming an American trademark. Since this was not the case in Canada, the Reformers blamed provincial leaders for the differences between the United States and Upper Canada. Land policies and internal improvements were continually cited to show the economic dissimilarities between the two countries.

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[22]Dunham, Political Unrest, pp. 115-20.

American lands were both readily available and in most cases fully surveyed. (Purchasing land in Canada was neither simple nor cheap.) As one critic observed in 1826, the prospective buyer in Upper Canada "is tormented with office fees, petitions, affidavits, council days, locations...and is weaned out of his life before he gets his business done...but let him go to Michigan, appear at the land office, state the lot he wants,--the moderate price asked, and he is lord of the soil in fifteen minutes."[23]

Upper Canada lacked not only a comprehensive land policy, but tens of thousands of acres were not available by virtue of their inclusion in the Clergy and Crown Reserves--lands that the oligarchy jealously guarded. Governor Maitland regarded the Crown Reserves as the "best source of future influence and link of attachment between the Province and the Mother Country."[24] In 1824 the crown allowed the formation of the Canada Company for the dual purpose of lessening its financial obligation to the province and speeding up the distribution of the reserves. The land company was to be given all the Clergy and half the Crown Reserves. But John Strachan's opposition to the proposed

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[23]Colonial Advocate, 18 May 1826; Gerald M. Craig, "The American Impact on the Upper Canadian Reform Movement before 1837," Canadian Historical Review, 29 No. 4 (December 1948), pp. 334-35.

[24]Craig, Upper Canada, p. 134.

selling price led to the withdrawal of the Clergy Reserves from the company's purview. (The Canada Company did eventually receive a million acres that were sold.) Even though part of the company's sales were contributed to the provincial government, the Reformers attacked the Canada Company for its financial support of the government when it fell under the oligarchy's domination.[25]

Considering the flurry of internal improvement projects across the border, it is no wonder that the absence of such construction in Upper Canada concerned the Reformers. Men like Mackenzie urged the province to undertake similar projects. Referring to the Erie Canal, the Colonial Advocate declared in 1824,

> The state of New York has given to the world a useful lesson--it has shown what a million of freemen may and can effect, in a country where their freedom is built on a solid basis, where the citizens unite talent and address with prudence and profits in commercial transactions....[26]

Others agreed with Mackenzie. Some businessmen looked to neighboring states whose governments were often sympathetic to commercial interests, and questioned the adequacy of a colonial system marked by extravagance, unpredictable interference from imperial authorities, and insufficient attention to local needs.[27]

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[25]Ibid., pp. 132-38.

[26]Colonial Advocate, 27 September 1824; Craig, "The American Impact," p. 339.

[27]Craig, "The American Impact," p. 339.

But even when the provincial government promoted improvements it was criticized. The Welland Canal, connecting Lakes Erie and Ontario, opened in 1829. Unlike the Erie Canal, however, the Welland brought no prosperity to the province. Critics charged mismanagement and corruption in its building. More importantly, while the Welland helped merchants and vessel owners, it did little for provincial farmers who were unable to enjoy the benefits of shipping their grain to eastern markets because of the province's abysmal roads. As one visitor observed in April 1838, the canals were "too much in advance of the country; and had the Government spent one-half the money in opening communications and making good roads, the province would have been much more benefited."[28]

American political practices also influenced Canadian Reformers. In their 1828 petition to the crown, the Reformers demanded a government that responded to public opinion. Electing representatives to the assembly was of little value when an oligarchy held all the jobs, the direction of the provincial economic development and a monopoly of public land that benefitted a minority religious denomination. The American system offered remedies. State governors and both houses of state legislatures were elected by the voters. Reformers suggested that the legislative

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[28]Ibid.; Marryat, Diary in America, pp. 200-01; Arthur R. M. Lower, Colony to Nation (Toronto, McClelland and Stewart, Ltd., 1977), p. 234.

council be elected and serve as an upper house similar to the American senate.[29]

Reformers compared the salaries of their government officials to those of their counterparts and found much to criticize. American state governors were paid on the average $2,000 annually, while the provincial governor received over $15,000, and an additional $7,000 as military pay and expenses. The chief justice of Upper Canada received $7,000 annually; lower judges, approximately $5,000. Their American counterparts were paid only $5,000 and $900 respectively. These evidences of extravagance received sympathetic attention from a rather impoverished population.[30] Other Reform programs were derived from American practices by urging an end to primogeniture and the election of juries by ballot. (The Reformers' argued that appointment of juries resulted in biased juries.) The Reformers also favored the use of the secret ballot as was done in most neighboring American states. Reformers believed that the ballot would not only improve their political support by ending the intimidation associated with voice voting, but also make provincial elections more peaceful.[31]

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[29]Craig, Upper Canada, pp. 193-94; Craig, "The American Impact," p. 345.

[30]Craig, "The American Impact," p. 340; Dunham, Political Unrest, pp. 39-40.

[31]Craig, "The American Impact," pp. 340-43.

Even though the Reformers solidified their programs during the early 1830s they were not a single-minded, cohesive group. Throughout the twenties the Tories had criticized the Reformers for the republican nature of their program. But as long as settlers of American descent composed a majority of the province this tactic showed little promise of success. The influx of British immigrants, especially Protestant and Anglican Irish, which increased the province's population by fifty percent between 1830-33, provided the Tories with new followers. Supporters who detested both the thought of American dominance or the severance of British ties. The Reform movement was also weakened by the withdrawal of Egerton Ryerson and the Methodist Conference, which made peace with the government in 1833. At the same time, a division occurred within the Reformers' ranks. The dogmatic Mackenzie, always more concerned with principles than processes, was slowly splitting from the more moderate faction led by Robert Baldwin. The moderates were no less critical of the Family Compact, but more concerned with the practice of government and its results, rather than moral purity.[32]

Even though he was still the movement's inspirational leader, Mackenzie's accusations and demands often embarrassed the moderate Reformers. Expelled from and

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[32]Finlay and Sprague, The Structure, p. 118; Craig, Upper Canada, pp. 227-32; Hamil, "The Reform Movement," pp. 15-16.

reelected to the Tory-controlled assembly four times during the period 1831-33, Mackenzie became the movement's martyr. His battles helped unify the Reformers, albeit temporarily, in time for the 1834 assembly elections. As in 1828, the Reformers won overwhelming control of the assembly. With Mackenzie as their spokesman, they launched another offensive against the provincial government.[33]

In December the more radical Reformers in Upper Canada organized the Canadian Alliance "to exercise the duties of a political vigilance committee, by watching the proceedings of the legislature." Besides devoting themselves to political education by distributing pamphlets and tracts, members formed a close alliance with any similar associations that were formed in Lower Canada. The Alliance's various goals included responsible government, abolition of the legislative council, discontinuance of undue interference by the colonial office in the local affairs of the province, secularization of the Clergy Reserves and assembly control of the province's revenues. Mackenzie served as the association's corresponding secretary. During the next several months the Alliance established branches in many parts of the province.[34] Reelected to the 1834 assembly while serving as Toronto's first mayor, Mackenzie became

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[33]Craig, Upper Canada, pp. 220-21

[34]Ibid., p. 222; Charles Lindsey, The Life and Times of William Lyon Mackenzie, 2 vols. (Toronto: Samuel Pike, 1863), 1:319.

chairman of a newly created committee on grievances and undertook a grand inquisition on the province's executive. His committee produced a five-hundred-page report, entitled the Seventh Grievance Report, which the assembly accepted without reading. A blanket indictment against most provincial officers, the report came back to haunt moderate Reformers when its many factual errors were exposed. In Britain, however, the colonial secretary presumed the report characterized the actual conditions in Upper Canada and replaced Governor Colborne.[35]

But a new governor was not the answer. Mackenzie and the radicals believed Upper Canada could not flourish until it had a written constitution and an elected governor. Convinced that the discontent in Upper Canada was widespread, the crown directed Colborne's successor, Sir Francis Bond Head, to cooperate with the assembly in correcting abuses in every possible way short of seriously changing the basic form of government. But the nature of the new governor guaranteed that antagonism would prevail rather than subside.[36]

Historians have regarded Sir Francis Bond Head's appointment as one of the strangest ever made by the colonial office.[37] A former military engineer with no colonial

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[35]Craig, Upper Canada, pp. 224-25.

[36]Ibid., pp. 225-26, 233.

[37]Ibid., p. 232.

or political experience (he had never even bothered to vote), Head proved the worst possible appointee for an assignment that required delicacy and diplomacy. He was sworn in on 15 January 1836 and took an immediate dislike to the Reformers. An ardent foe of democracy, he believed that concessions to the radicals were to be avoided, and the "captious assembly passed over in an effort to win the people."[38] A month after his inauguration he appointed three moderate Reformers, including Robert Baldwin, to the executive council. Several weeks later the council informed the governor of his obligation under the Constitutional Act to consult with them on items of public business. Head's reply made the council appear to be an usurper of the executive's power and led to their resignation. The assembly responded with a resolution emphasizing the importance of an executive council to advise the governor. Shortly thereafter the assembly adopted a lack of confidence motion, an action that they were not legally allowed to take.[39]

In mid-April an assembly committee investigating the matter recommended that the assembly withhold supply as a means of enforcing its wishes. On 18 April 1836 the assembly voted to stop funding the government's operations--

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[38]Dunham, Political Unrest, p. 168.

[39]Ibid., pp. 169-71.

the first time supply had been withheld in Upper Canada. Head responded by dissolving the assembly and in an unprecedented retaliatory measure, halted all monies for schools, roads, bridges and all public improvement. He then became the first colonial governor to appeal directly to the people in an election.[40]

In the ensuing assembly elections Head campaigned vigorously. Labeling the Reformers republicans and Americans, he warned that if the Tories lost, the province's ties with Britain would soon be broken. Continually emphasizing that the election was between a loyal people and a disloyal faction, Head dramatically declared, "In the name of every regiment of militia in upper Canada, I publicly promulgate--let them [American invaders] come if they dare."[41] Shocked by the executive's aggressive campaign, the Reformers suffered an overwhelming defeat and were left with a two to one disadvantage in the new assembly. Even Mackenzie was defeated.[42]

Though the Reformers and Tories claimed their programs would be more beneficial to the province, by the mid-1830s the only thing that was certain was that a decade of

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[40]Ibid., pp. 171-72.

[41]Fred Landon, Western Ontario and the American Frontier (Toronto: Ryerson Press, 1941), p. 163; Craig, Upper Canada, pp. 236-38.

[42]Dunham, Political Unrest, pp. 173-74.

political turmoil had left Upper Canada economically stagnate. An influx of immigrants had boosted Upper Canada's population to almost 400,000 by 1837.[43] But the province, which bordered on four of the five Great Lakes, was largely wilderness. Most Upper Canadians were farmers, and whatever industry existed was in its infancy. Upper Canada's backwardness stretched all across the province. Throughout the 1830s visitors, especially those from Great Britain, expressed shock and dismay at the conditions they encountered.

Upper Canada's capital was York. Located on Lake Ontario, York was founded in 1793. Four years later the provincial assembly gathered there for the first time. York remained small until the early 1830s. Then came an influx of immigrants, and in 1834, when it was incorporated as Toronto, the population stood at six thousand.[44] Englishwoman Anna Jameson, wife of Robert Jameson, first Vice Chancellor of the Court of Equity, visited the city in December 1836 and wrote that the capital was "a little ill-built town on low land, at the bottom of a frozen bay, with one very ugly church, without tower or steeple; some government offices, built of staring red brick, in the most

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[43]J. Bartlet Brebner, Canada: A Modern History, 2nd ed. rev. (Ann Arbor: University of Michigan Press, 1970) p. 228.

[44]Edwin C. Guillet, Early Life in Upper Canada (1933, reprint ed., Toronto: University of Toronto Press, 1963), p. 322.

tasteless vulgar style imaginable." After spending two months in Toronto, she likened the city to "a fourth or fifth rate provincial town with the pretension of a capital city."[45]

Conditions throughout the province differed little from those in the capital. Visiting Niagara along the American border in the spring of 1837, Jameson wondered why "ignorance, recklessness, despondency and inebriety" prevailed in an area where taxes were so low and the land cleared, fertile and cultivated, especially when across the border, Buffalo was all "bustle, animation and activity."[46]

Travelling from Hamilton, at the western tip of Lake Ontario, to Detroit, Jameson endured miserable roads, great expanses of untamed wilderness and few signs of progress. Regarding the agricultural potential of the province's southern counties, Jameson observed that "the want of a line of road, of an accessible mark for agricultural produce, keeps this magnificent country poor and ignorant in the midst of unequal capabilities." The terrible roads confirmed the need for internal improvements in Upper Canada. Between Bratford and London Jameson confronted roads that she "never beheld or imagined."

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[45]Jameson, Winter Studies, pp. 1, 30.

[46]Ibid., pp. 22, 69.

> The roads were throughout so exerably bad that no words can give you an idea of them. We often sank into mud-holes above the axle. . . . By the time we arrived at the township of Blandford, my hands were swelled and blistered by continually grasping with all my strength an iron bar in front of the vehicle, to prevent myself from being flung out, and my limbs ached woefully.[47]

Jameson was not alone in her observations. After visiting the United States and then travelling in Upper Canada, Captain Frederick Marryat noted that the province had some of the most beautiful land he had seen and "the most infamous roads that are to be meet with in all America."[48]

It is no wonder that after crossing Upper Canada travellers expressed ecstasy upon reaching Detroit. Jameson turned "giddy with excitement" after emerging from "the solitary forests of Canada" and being "thrown suddenly into the midst of crowded civilized life." "Detroit is the great market of Western Canada," wrote Englishman Patrick Shirreff, whose travels to North America preceded Jameson's by three years. "Since leaving Montreal,"he added, "I had seen no place bearing the marks of age and wealth, and the town of Detroit, . . . ranks next to that city in appearance."[49]

Though located in a rich agricultural region, the

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[47]Ibid., pp. 73-74, 82-83.

[48]Marryat, Diary, pp. 201-02.

[49]Jameson, Winter Studies, pp. 138-39; Patrick Shirreff, A Tour Through North America With a Comprehensive View of The Canadas and United States (Edinburgh: Oliver and Boyd, 1835), p. 216.

Canadian settlements along the Detroit River paled in comparison to their neighboring Michigan communities. French farmers had cultivated the lands on the eastern side of the river as early as the mid-eighteenth century, but the first real settlements had come in 1796 when the British evacuated Detroit.[50] Soon the Canadian shore of the Detroit River flourished. In 1799 D. W. Smith wrote, "there are several windmills on the Detroit [River], and an orchard adjoining almost every house. The settlers are numerous, and the improvements handsome and extensive. When the fruit trees are in blossom, the prospect as you pass through the strait is perhaps as delightful as any in the world."[51] Twenty years later John Howison wrote, "The banks of the Detroit River are the Eden of Upper Canada, in so far as regards the production of fruit. Apples, pears, plums, peaches, grapes, and nectarines attain the highest degree of perfection there, and exceed in size, beauty, and flavour, those raised in any other part of the Province."[52]

At the time of Howison's visit Sandwich Township had one thousand inhabitants. Its only community was Sandwich, two miles downriver from Detroit. South of Sandwich was Malden Township with fewer than seven hundred residents. Malden's only community, Amherstburg, was located twelve

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[50]Guillet, Early Life, p. 144.

[51]Ibid., p. 146.

[52]John Howison, Sketches of Upper Canada (1821; reprint ed., New York: Johnson Reprint Corporation, 1965), p. 200.

miles from Detroit at the mouth of the Detroit River. Founded in 1784, Amherstburg soon became the leading Canadian community on the eastern side of the river. One 1821 visitor observed, "Many of the inhabitants...are persons of wealth, and respectability, and the circle which they collectively compose is a more refined and agreeable one than is to be met in any other village in the Province."[53] Part of Amherstburg's dominance was caused by the proximity of Fort Malden. Built after the evacuation of Detroit, the fort was the only British military post in southwestern Canada.[54]

Though the population of Essex County, which included both Malden and Sandwich townships, doubled during the thirteen years from 1824-37, progress was virtually nonexistent when compared to settlements in eastern Upper Canada or Michigan.[55] Visitors to Amherstburg in the 1830s described the town of six hundred as a compact village built "in an indifferent manner," and as a place with natural potential but where "no progress" was being made.[56] One visitor observed that "everything, with the exception of the

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[53]Ibid., p. 201.

[54]Francis Cleary, "History of Fort Malden or Fort Amherstburg," Michigan Pioneer and Historical Collections 38 (1912), pp. 370-86.

[55]Guillet, Early Life, pp. 131, 323.

[56]John Blois, Gazetteer of Michigan (Detroit: Sydney L. Rood and Co., 1838), p. 248; Jameson, Winter Studies, p. 147.

two handsome residences below the town, seems in a state of listless decay."[57] In 1834 Shirreff remarked that houses were "arranged into streets, at right angles with each other, and almost bespeaking poverty and meanness."[58] As for Fort Malden, Jameson recounted that it was a "Wretched little useless fort, commanding, or rather, not commanding, the entrance to the Detroit River," and garrisoned by "a few idle soldiers."[59]

If Shirreff thought Amherstburg disappointing, he was appalled by Sandwich. Convinced that its status as the county seat was its only redeeming quality, he did not think it had any chance of progressing. By 1838, it had only five hundred residents, two churches, two mills, a brewery and three taverns.[60]

The only other community along the eastern shore of the Detroit River was Windsor. Two miles north of Sandwich and directly opposite Detroit, Windsor was where the ferry connected Upper Canada and Michigan. Though the settlement consisted of only fifteen or twenty wooden houses in the early 1830s, by 1838 John Blois in his Michigan Gazetteer described it as a village of considerable capital and

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[57]Guillet, Early Life, p. 148.

[58]Shirreff, A Tour Through North America, p. 215.

[59]Jameson, Winter Studies, p. 147.

[60]Shirreff, A Tour Through North America, p. 216.

enterprise "in a flourishing condition."[61] Others were less complimentary. Harriett Martineau thought it looked dull.[62] Jameson wrote of Detroit and the Canadian settlements:

> I hardly know how to convey to you an idea of the difference between the two shores; it will appear to you as incredible as it is to me incomprehensible. Our shore is said to be the more fertile, and has been the longer settled. But to float between them, to behold on one side a city, with its towers and spires and animated population, with villas and handsome houses stretching along the shore, and a hundred vessels or more, gigantic steamers, brigs, schooners crowding the port, loading and unloading; all the bustle, in short, or prosperity and commerce;--and, on the other side, a little straggling hamlet, one schooner, one little wretched steamboat, some windmills, a Catholic chapel or two, a supine ignorant peasantry, all the symptoms of apathy, indolence, mistrust, hopelessness!--Can I, can anyone, help wondering at the difference and asking whence it arises?[63]

Travel and trade between both sides of the river was frequent and easy. Blois noted that Windsor's "great and principal support arises from an illicit trade" between the Canadian village and Detroit; an activity "by which the revenue of Government annually loses thousands, and the mercantile interest of Detroit is much injured."[64]

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[61]Guillet, Early Life, p. 148; Blois, Michigan Gazetteer, p. 382.

[62]Martineau, Society in America, p. 233.

[63]Jameson, Winter Studies, pp. 144-45.

[64]Blois, Michigan Gazetteer, p. 382.

Though the Canadian villages along the Detroit River lacked economic and social progress, their citizens seemed most hostile toward the province's reform movement. In the 1834 elections, which gave Reformers control of the assembly, the Sandwich Emigrant, the area's only newspaper, urged voters to "Enshew [sic] Mackenzie and his revolutionary tools as you would the 'Devil and his Works!'" Heeding the advice, the voters elected two representatives who were "staunch loyalists...worthy of a conspicuous place on Mackenzie's Black List."[65]

In early 1836 the Emigrant bade farewell to Governor Colborne and wished his successor good luck, but added that the new governor would have a difficult time "considering the worthless demagogues he will have to deal with."[66] Later that year, as the assembly and Governor Head exchanged blows, the Emigrant lambasted the Reformers, especially Mackenzie. Proud of its assemblymen, who were "battling on the side of loyalty and truth against a miserable set of grievance whiners who form the majority of the of Assembly," the Emigrant described the Reformers as men whose corrupt nature will not allow them

> to be respected, and who instead of putting their shoulders to the wheel and their hands to the plough...choose rather to obtain a distinction

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[65]Sandwich Emigrant, 4, 18 October 1834.

[66]Ibid., 24 January 1836.

> in depravity by clamouring about imaginary evils, and promoting a discord by which they hope to obtain an aggrandizement which in their indolence or their dishonesty will not let them obtain by other means.[67]

In the July elections Essex County again returned Tories to the assembly. The Emigrant expressed "heartfelt thanks to Providence, that Britons are now free from the impended yoke of a heartless and despicable faction."[68]

The Emigrant gave thanks too soon. The Reform movement was defeated and disorganized, but not destroyed. Continuing political problems, the worsening financial crisis in North America and the various differences between Upper Canada and the United States prompted Mackenzie to intensify his attacks through his favorite medium--the newspaper. The first issue of Mackenzie's Constitution symbolically appeared on 4 July 1836. In it he invited patriots to join him in a "dangerous" course in "preparing the public for nobler actions than our tyrants dream of."[69]

In the Constitution Mackenzie reaffirmed his faith in the American system by publishing lengthy comparisons of the institutions of Upper Canada and the United States. "In old times," he argued, the uneducated and ill-formed common people "were obliged to labour hard and fare poorly by

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[67]Ibid., 9 February 1836. See also 5, 12 April 1836.

[68]Ibid., 26 July 1836.

[69]Kilbourn, The Firebrand, p. 159.

whichever faction ruled in the state." But in America, where more correct notions have prevailed,

> The labourer and mechanic, no longer deceived by high sounding titles, ask themselves why it is that Ohio and Michigan prosper while Upper Canada is depressed. They hear a great deal about reform, revolution, republicanism, democracy, and so forth, and are told that self-government is a dreadful thing, almost too awful to name. Still, they ask, why does property rise in value, in Ohio, and emigration pour into Michigan while the Canadas are torn with faction and their progress to a prosperous condition marred?

Since the Canadians and Americans "are the same people, having the same native energy, the same origin, and speaking the same language," Mackenzie concluded the difference lay with the civil institutions, which revealed "the great secret of our poverty and their grandeur, of our dependence and their wealth."[70]

The radicals' efforts were aided by the actions of the provincial government. Not content only to defeat the Reformers, Head pressed to destroy them. Defying superiors in England who sought conciliation between the Reformers and Tories, Head appointed men whom he admitted were inferior except for their opposition to "the low grovelling principles of democracy." The assembly demonstrated the same oligarchic spirit. In anticipation of King George's death, the legislators secured their places by obviating the usual custom of fresh elections in case of the monarch's death.[71]

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[70]Constitution, 24 August 1836.

[71]Klibourn, The Firebrand, pp. 161-62.

By the summer of 1837 Mackenzie had decided on an armed uprising. Prime Minister John Russell had ended any conciliatory policy in Lower Canada by allowing the governor to take monies from the treasury despite the assembly's refusal to vote supply. Indignant, Mackenzie charged that the resolutions were more suitable for the Russian Czar in his dealings with Poland.[72] In late July Toronto radicals organized the Committee of Vigilance and issued a declaration of independence. As agent and corresponding secretary of the committee, Mackenzie toured the province organizing other vigilance committees. At one town banners along Main Street proclaimed "Liberty or Death." At another, armed farmers escorted Mackenzie into town. Elsewhere Tory papers threatened him with assassination if the meetings continued.[73]

While Mackenzie's hypnotic presence as an orator made his proposals--even rebellion--seem the proper course, the worsening economy aided his cause. In Upper Canada jobs were scarce and money scarcer. The assembly had done nothing to improve the economic prospects. One thousand mechanics were reported to have left Toronto for the United States in search of jobs.[74] Others felt the same

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[72]Ibid., p. 163; Craig, Upper Canada, p. 244.

[73]Kilbourn, The Firebrand, pp. 164-65.

[74]Ibid., pp. 164-65; Sandwich Emigrant, 24 May 1836.

desperation that farmer Robert Davis expressed in a book that he published in 1837.

> ...the author has been in Canada since he was a little boy,...He had in most instances to make his own roads and bridges, clear his own farm, educate himself and children, be his own mechanic, and except now and then, has had no society but his own family. Has had his bones broken by the fall of trees, his feet lacerated by the axe, and suffered almost everything except death. He waited year after year in hope of better days, expecting that the government would care less for themselves and more for the people. But every year he has been disappointed, and instead of things getting better, in many instances they have been getting worse. The Church ascendancy has been getting worse and worse...the Orange mob [Irish Protestants] is worse every election, so that it is impossible for any honest, peaceable reformer to give his vote for a member of parliament without the fear or realization of having his head broken. Also, honest reform magistrates are almost daily getting their discharge from the commission of the peace, and Court of Requests: while the most ignorant and worthless of the tories are becoming magistrates.[75]

In the midst of all this dissension Governor Head refused to take any precautions. Even as vigilance committee members held rifle practice at their meetings, Head sent the few British troops stationed at Forts York and Henry to Lower Canada to bolster forces there. With the troops away and Head's refusal to place even the militia on standby, Mackenzie urged an attack. But his more cautious comrades delayed.[76] In the meantime, Mackenzie's press was active.

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[75]Robert Davis, The Canadian Farmer's Travels in the United States of America (Buffalo, 1837), preface, pp. 3-4, in Fred Landon, Western Ontario and the American Frontier (Toronto: Ryerson Press, 1941), p. 159.

[76]Craig, Upper Canada, p. 245; Kilbourn, The Firebrand,

Confident that Upper Canada would fare much better as part of the United States, he published his proposed constitution for the State of Upper Canada. About the same time he distributed a handbill calling for Canadian independence.

> We cannot be reconciled to Britain--we have humbled ourselves to the Pharoah of England, to the Ministers and great people, and they will neither rule us justly or let us go. Up then, brave Canadians! Get ready your rifles, and make short work of it. Woe be to those that oppose us, for "In God is our trust."[77]

By late November plans were put into motion for an uprising. When word arrived that Lower Canada had rebelled, Mackenzie was sure the time had come. On the evening of 4 December several hundred rebels rallied at Montgomery's Tavern, north of Toronto. The following day, with Mackenzie in the lead, this ragtag army, whose weapons were mainly pitchforks and pikes, headed for the capital. Encountering the sheriff and two dozen men along the way, the insurgents exchanged fire and retreated to the tavern. On 6 December Colonel Allan McNab and over a thousand militia put the outnumbered rebels into demoralized flight. Further to the west Dr. Charles Duncombe raised the standard of revolt between London and Brantford, but was quickly dispersed.[78]

With the revolt a failure, Mackenzie, Duncombe and other rebels fled to the United States. The Canadian

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pp. 168-69.

[77]Kilbourn, The Firebrand, pp. 178-79.

[78]Ibid., pp. 179-206; Craig, Upper Canada, pp. 247-49.

Rebellions of 1837 might have ended there had it not been for the Americans who had watched as events unfolded that autumn. Convinced that this was a popular uprising against British oppression and tyranny, Americans from Vermont to Michigan offered their sympathies and active support to the demoralized Canadians.

CHAPTER THREE: MICHIGAN RESPONDS TO THE PATRIOT CAUSE

In early December 1837, as rebellion flared in Lower Canada and promised to explode in Upper Canada, U.S. Secretary of State John Forsyth ordered the governors and U.S. district attorneys in Michigan, Vermont and New York "to be attentive to all movements of a hostile character contemplated or attempted within your district, and to prosecute, without discrimination, all violators of those laws of the United States which have been enacted to preserve peace with foreign powers."[1] Forsyth's warning of the possible disruption of over twenty years of peace between the United States and Canada was prophetic. Americans, especially along the U.S./Canada border had watched at a distance as the Canadian provinces neared civil war in 1837. But as the defeated rebels fled to the United States that interest turned into sympathy and in some cases active involvement.

The greatest outpouring of support for the Upper Canadian rebels came at Buffalo, New York. On 5 December--even before Mackenzie's uprising was known to

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[1]Forsyth to Mason, 7 December 1837, in Niles National Register, 13 January 1838; Forsyth to Daniel Goodwin, 7 December 1837, in ibid.

Americans--1,500 people poured into Buffalo's largest hall and passed resolutions endorsing rebellion in Upper Canada. Support for the rebels in this Lake Erie port city intensified when William Mackenzie sought refuge there a week after his defeat at Toronto. Pledges of food, money and arms, as well as the active recruiting of volunteers, soon led to the formation of the so-called Patriot Army. At the same time Mackenzie created the Provisional Government of the State of Upper Canada, whose objects included "a government of equal rights to all, secured by a written Constitution . . . Civil and Religious Liberty, in its fullest extent . . . The Abolition of Hereditary Honors," as well as a popularly elected governor and bicameral legislature. On 13 January Mackenzie announced that volunteers to the Patriot Army would receive 300 acres and $100 in silver on or before 1 May 1838.[2]

By Christmas the provisional government, including an army of five hundred ill-clothed, ill-housed, badly armed, yet enthusiastic men, had gathered on Navy Island, on the Canadian side of the Niagara River. From this island sanctuary, Mackenzie planned a three-prong movement to capture Toronto. New Yorker Renssaeler van Renssaelar, the twenty-seven-year-old son of a War of 1812 hero, was chosen to lead the forces from Navy Island. At Hamilton, west of

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[2]Albert Corey, The Crisis of 1830-1842 in Canadian-American Relations (New Haven: Yale University Press, 1941), pp. 30-31; Lindsey, Mackenzie, 2:363-69.

Toronto, Renssaeler was to rendezvous with Dr. Charles Duncombe, who was operating northwest of Toronto, and Thomas Jefferson Sutherland, who had been sent to Detroit to coordinate the campaign in western Upper Canada.[3]

Poor communications with the east did not delay Michigan's response to the Patriot cause. On 12 December--the day after Mackenzie reached Buffalo--Detroiters gathered at city hall to demonstrate their support for the Canadian rebels. Presided over by John Langy, a local hotel owner, the assemblage resolved that while Americans should not violate U.S. laws or jeopardize our neutrality with Great Britain, "every American citizen is free and at liberty to act for himself . . . in the cause of an injured and oppressed people." Such actions included offering their services as soldiers.[4]

On Christmas Day at the City Theatre, a meeting to ease the suffering of Canadian refuges, netted $134.56 and ten rifles. According to the Detroit Morning Post, "the theatre was thronged to excess" as the Canadian refugees told "of their sufferings, and the murderous, blood-hound cruelty of the British soldiery." The Post reported that the stories elicited "the most lively indignation" from the audience.[5]

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[3]Corey, Crisis, pp. 34-36.

[4]Detroit Morning Post, 13 December 1837; Farmer, History of Detroit, pp. 481.

[5]Detroit Morning Post, 27 December 1837. The City Theatre had a capacity of four hundred. (MacCabe, Directory, p. 28).

The following day another meeting at the city hall resulted in the creation of a committee to establish a depot for provisions, arms and munitions of war "necessary to protect the refugee patriots, who seek our protection, from insult or from the kidnapping agents of any country or power." The committee was also charged with enrolling volunteers to "peaceably and quietly" protect the refugees. All of these efforts were to be conducted "within the pale of the laws of our country."[6]

Support for the Patriots was demonstrated in other ways. On 23 December D. D. McKinney, proprietor of the City Theatre, donated all the proceeds from that evening's performance to "the struggling people of Canada." At the theatre meeting, Horace Heath, owner of the Eagle Tavern, claimed that he was already boarding thirty refugees and promised that as long as he had one shilling, they would have half.[7] Support for the Canadian rebels even surfaced at the weekly debate of Detroit's Young Men's Society. Following two separate debating sessions, a highly partisan audience--the largest in the society's history--overwhelmingly adopted the report justifying the rebellion.[8]

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[6]Detroit Daily Advertiser, 29 December 1837.

[7]Detroit Morning Post, 27 December 1837.

[8]Detroit Daily Advertiser, 18, 25 December 1837.

Michiganians outside of Detroit also sympathized with the Patriots. On 21 December citizens of Monroe, a town of over two thousand at the mouth of the Detroit River, gathered at the courthouse and unanimously adopted resolutions supporting the rebels' cause. Led by some of the community's most prominent citizens, the assemblage pledged that all people had a right to resist tyranny and cheered "the enslaved Canadians" onward in their course "to rid themselves from oppression."[9]

Even communities a considerable distance from the Detroit River boundary expressed approbation for the rebels' goals. On New Year's Eve, a Patriot rally was held in Pontiac, over twenty miles northwest of Detroit.[10] In Ann Arbor on 5 January, "A large and crowded meeting" resolved to "aid the Patriots of Canada, by every lawful means against the oppression and tyranny of England." Recalling the "indomitable spirit of liberty" that the Americans and Canadian Patriots shared, those who gathered at C. S. Goodrich's Hotel expressed pleasure that "the spread of liberal principles in Canada" confirmed that Canadians had come to realize the importance of those "great and invaluable rights of 'life, liberty and the pursuit of happiness.'" Before adjourning, a committee of seven was

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[9]Monroe Gazette, 30 December 1837.

[10]Pontiac Courier, 5 January 1838.

appointed to accept contributions to assist the Patriots.[11]

The Patriots also received support from the Michigan press. On 30 November amidst reports of the outbreak of rebellion in Lower Canada, the Detroit Daily Advertiser, the city's Whig paper, enthusiastically responded, "The struggle for liberty on one side, and government coercion on the other has commenced. . . . As Americans, sons of those who fought for and achieved independence, we cannot witness these movements without the most thrilling emotions. May the God of battles speed the right!"[12] A week after Detroit's first Patriot rally, the Detroit Morning Post, one of the city's two Democratic dailies, boasted that the Patriots "have the hands of thousands in the United States to aid them, and twelve million hearts beating with sympathy."[13] At the same time the Advertiser announced that it agreed "with a large portion of our citizens," who sympathized with the Canadian quest for liberty.[14] Proclaiming that the rebels were overthrowing a century of British persecution, the Pontiac Courier offered its sympathies because "Our citizens . . . always sympathize with the oppressed."[15] On 4 January 1838 the State Journal (Ann

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[11]State Journal (Ann Arbor), 11 January 1838.

[12]Detroit Daily Advertiser, 30 November 1837.

[13]Detroit Morning Post, 19 December 1837.

[14]Detroit Daily Advertiser, 14 December 1837.

[15]Pontiac Courier, 5 January 1838.

Arbor) rejoiced "that the time has come when this people are resolved to throw off the shackles of foreign power, and take a stand, if possible, among the independent nations of the earth."[16]

Heavily partisan, newspapers occasionally dramatized their allegiances by publishing letters that confirmed their positions. Such a letter appeared in the Detroit Morning Post during the last week of December. Authored by an Upper Canadian, the five-part epistle dramatized the need for American assistance if the Canadian rebellion were to succeed. It began by thanking the citizens of Detroit for their support. "It proves that the glorious principle of liberty," the author argued, "is not selfish but social, and that those who have tasted of its sweets, wish the whole human family to drink of the fountain and live free men."[17]

The Patriots and their American allies also benefited from numerous rumors of British hostilities toward Detroit. The most outlandish report involved the proposed burning of Detroit because of the city's demonstration of support for the rebel cause. The canard became even more intriguing when reports said the arson was to be accomplished by black Canadians with assistance from their Detroit counterparts. Detroit was never burned, but the rumors increased tensions,

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[16]State Journal (Ann Arbor), 4 January 1838.

[17]Detroit Morning Post, 25, 27, 28, 29, 30 December 1837.

resulting in mobilizing the militia and convening Detroit's blacks to reassure the city's white population of the absurdity of such accusations.[18]

As American support for the Patriots intensified all along the border, both federal and state governmental officials took precautionary measures. After revolt broke out in Lower Canada in mid-November, President Martin Van Buren, fearful that American filibustering would eventuate in armed conflict, issued an uninspiring, if not timorous, proclamation that ordered all Americans to obey U.S. laws. Van Buren also reminded filibusterers that if they fell into the hands of the Canadian officials they would receive no aid from their government. In his message to Congress in late November, Van Buren underscored the dilemma American officials faced in preventing American filibustering. While recognizing an obligation to remain neutral and restrain American citizens, Van Buren also admitted the propriety of an expression of sympathy for Canadians in their struggle for freedom.[19]

Besides his sincere sympathy for anyone who sought

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[18]Detroit Daily Advertiser, 29, 30 December 1837, 1 January 1838. See also Detroit Morning Post for a report of an American crossing from Detroit and being shot at from the Canadian side (29 December 1837). It was also rumored that a U.S. officer had been shot to death while in Sandwich. (Pontiac Courier, 5 January 1838).

[19]Corey, Crisis, pp. 44-46.

freedom, Van Buren's lack of authority to deal adequately with filibustering hindered his ability to respond to the situation. Not only did the president have no control over the state militia, he was only expected to use the army and navy to curb rebellion and repel invasion. Finally, while the Neutrality Act of 1818 provided fines and imprisonment for any person who instigated a military expedition against a foreign power, this measure was penal, not preventive. Aware of the law's shortcomings, Van Buren instructed Congress to determine whether the existing neutrality laws were adequate to meet the conditions on the Canadian frontier.[20]

In Michigan Governor Stephens T. Mason informed Secretary of State Forsyth on 21 December that he knew of no Michiganian who planned to interfere in the Canadian crisis. However, a week later Mason issued a formal proclamation cautioning and enjoining residents of the state, as well as all other persons residing within its borders, "to abstain and desist from the commission of any act which may, in the least degree, violate the laws of the United States, or disturb the peace and amity now existing between the people of this Union and the government of Great Britain." Mason also ordered the arrest of all persons violating U.S. neutrality laws.[21] The Detroit Daily Advertiser, agreed

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[20]Ibid.

[21]Mason to Forsyth, 21 December 1837 in U.S. Archives, S-797, Burton Collection, Detroit, Michigan (hereafter BC);

with the governor and cautioned Patriot supporters to beware of the neutrality laws and how they tampered with them.[22]

But many Michiganians, confident that the Canadian rebellion represented a widespread popular movement against oppressive British rule, rejected the government's pleas. The persistence and magnitude of this support led one public official to express great astonishment at the strong interest felt "by a proportion" of Detroit's citizenry.[23] The Detroit Morning Post believed that the governor's timely declaration would prevent the overly zealous Patriot supporters from initiating efforts "which would have ultimated in deep mortification." But added that these cautionary remarks would not "dampen the noble ardor, so honorable to free-born American citizens, in this holy cause."[24] Recalling the recent war for Texas independence, the Pontiac Courier declared that individuals in almost every state prepared and sent military expeditions to fight Mexico--a nation with which we were at peace. Characterizing Mason's December proclamation as "humbug," the Courier presaged that it would

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Executive Proclamation, 28 December 1837, in Pontiac Courier, 5 January 1838.

[22]Detroit Daily Advertiser, 29 December 1837.

[23]Hugh Brady to Winfield Scott, 6 January 1838, in Francis Paul Prucha, ed., "Reports of General Brady on the Patriot War," Canadian Historical Review, 31 (March 1950), p. 58.

[24]Detroit Morning Post, 30 December 1837.

not dampen the enthusiasm for the Canadian Patriots. "People will meet in public. They will pass resolutions. And if they think proper to shoulder their rifles, go over to Canada and join the Whig cause, they will do it."[25]

The determination expressed by the Courier and others was increasingly demonstrated across southeastern Michigan as meetings and resolutions were transformed into semi-organized armies intent upon invading Canada. Before Patriot General Sutherland left Buffalo, Michiganians and Canadian refugees had organized the Patriot Army of the North West. Harry S. Handy of Illinois commanded the army, and Detroiters Elijah J. Roberts and Edward A. Theller were appointed brigadier generals. Other officers were sworn in, while a "council of war," which allegedly included "some of the leading men of Michigan," recruited and collected supplies.[26]

On 31 December a dozen volunteers were enlisted at a rally in Pontiac, while reports of similar meetings in Macomb County, the state's sixth most populous county, purportedly raised an additional three hundred volunteers to aid in Upper Canada's liberation.[27] A 6 January meeting in Ann Arbor resulted in twenty-four volunteers leaving for

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[25]Pontiac Courier, 5 January 1838.

[26]Lindsey, Mackenzie, 2:167-68.

[27]Pontiac Courier, 5 January 1838.

Detroit. According to the Ann Arbor State Journal, they "were going to attend a great bear hunt at [Fort] Malden, where . . . some three hundred black bears . . . threaten ruin and devastation to the surrounding country."[28] Two days after the Ann Arbor meeting, the Detroit Advertiser affirmed Patriot volunteers were "hourly arriving from the interior."[29] Besides Michigan residents, the Patriots' ranks were swelled with refugees fleeing Upper Canada.[30]

By the end of the first week of January, several hundred Patriots had gathered at various points along the Detroit River. One Detroit observer reported that "subscription papers" being circulated contained over one thousand names, while an estimated seven hundred men had been enrolled from Michigan counties along the Detroit River.[31] During the previous week rebels had stolen over

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[28]State Journal (Ann Arbor), 11 January 1838.

[29]Detroit Daily Advertiser, 8 January 1838.

[30]According to Hamish Leach, there were 320 refugees in Detroit by 1 January 1838. ("A Politico-Military Study of the Detroit River Boundary Defenses During the December 1837-March 1838 Emergency" (PhD. diss., University of Ottawa, 1963), p. 61). On 23 January 1838 the Sandwich Western Herald claimed that since Mackenzie had been driven into exile, many Canadian refugees had fled to Detroit "fearing the vengeance of the laws they had openly violated." These men crossed "without the least attempt having been made by our magistrates to intercept them." Dr. Charles Duncombe, a prominent rebel from the London area, reached Detroit "a mere skeleton" after hiding in cellars, woods and swamps for six weeks. (D. McLeod, A Brief Review of the Settlement of Upper Canada (1841), in Guillet, Early Life, pp. 683-84.)

[31]Unidentified Detroit correspondent, 7 January 1838, in National Intelligencer, 23 January 1838. The Detroit

eight hundred stand of arms from the Detroit city jail and the state arsenal in Monroe. Two cannon at abandoned Fort Gratiot near Port Huron, seventy miles northeast of Detroit, were also pilfered.[32]

Michigan officials sought to discourage the Patriots. Because of the ordnance thefts at Detroit and Monroe, Brigadier General Hugh Brady, commandant of the U.S. Seventh Military District, not having a single man in that department that he could order for guard duty, federalized a company of Michigan militia. Known as the Brady Guards, the company of fifty-two men was divided between the Dearbornsville arsenal and the Detroit magazine. Brady had also sent a squad of men to remove the arms and munitions from Fort Gratiot to Detroit. The troops arrived too late to prevent the loss of the two cannon, but many other stores were transported to the Michigan capitol, while provisions

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Daily Free Press reported that between four and eight hundred Patriots were gathering at the mouth of the Detroit River (8 January 1838). A report to the U.S. District Attorney from Toledo, Ohio, indicated that many men were eager to follow the Patriots "as soon as they can find an efficient leader." E. D. Potter to H.G. Rogers, 7 January 1838, National Archives and Records Service, Records of U.S. Army Continental Commands, 1821-1920, Eastern Division, Letters Received, Record Group 393 (hereafter NARS, Eastern Division, RG 393).

[32]Unidentified Detroit correspondent, 7 January 1838, in National Intelligencer, 23 January 1838; Brady to Scott, 6 January 1838, Prucha, "Reports," p. 58; Brady to Scott, 14 January 1838, National Archives and Records Service, Records of the Adjutant General's Office, 1822-1860, Letters Received, Record Group 94 (hereafter NARS, AGO, RG 94).

were enacted to protect those that could not be moved.[33]

On 6 January the rebels seized the schooner Ann, moored at the Detroit wharf, loaded it with the stolen ordnance, a quantity of provisions and over one hundred men. The vessel immediately headed downriver for Gibraltar, a hamlet of not more than twenty families. On the twenty mile journey, the Ann was joined by several smaller boats carrying Patriot volunteers. That same evening Sutherland reached the Gibraltar encampment with a force of sixty-two men who had volunteered when he stopped in Cleveland.[34]

Although Sutherland's arrival swelled the Patriot's ranks, it created confusion when he demanded command of the Patriot Army of the North West--an organization that Mackenzie's government did not know even existed. General Handy, rushing from a Patriot encampment north of Detroit, resolved the matter by giving the New York general command of the downriver expedition and the stolen schooner Ann. Sutherland then directed General Theller, a druggist and Detroit city water tax collector, to command the Ann.[35]

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[33]Brady to Scott, 6 January 1838, Prucha, "Reports," p. 58; Brady to Scott, 14 January 1838, NARS, AGO, RG 94.

[34]Unidentified Detroit correspondent, 7 January 1838, in National Intelligencer, 23 January 1838; Nathaniel W. Brooks to Caroline Jeffords, 16 January 1838, Nathaniel Wilson Brooks Papers, BC; Robert B. Ross, "The Patriot War," Michigan Pioneer and Historical Collections, 21 (1892), p. 522.

[35]Lindsey, Mackenzie, 2:170-71; John T. Blois, Gazetteer of Michigan (Detroit: Sydney L. Rood & Co., 1838), p. 290.

That same night back in Detroit, at the urging of Governor Mason, a public meeting was held at the city hall to denounce the Patriots' activities. Presided over by Detroit Mayor Henry Howard, the assemblage resolved that regardless of their personal sympathizes, Michiganians were obligated to refrain from interfering in the internal affairs of "any colony, district or people with whom the United States are at peace." Critical of the enrollment of men, the organization of armies and the collection of war material on Michigan soil, those in attendance were unable to escape an overriding compulsion to aid the liberty-seeking Canadians. Refusing to question the "purity" of their fellow citizens' motives, the gathering deemed "it proper" for concerned citizens to go to Canada and lend their "personal aid to either of the contending parties." Before adjourning, a motion was passed to organize a body of one hundred men to protect the city.[36]

But governmental officials realized that resolutions would not stop the Patriots. On the same day that the Ann left Detroit, U.S. Marshall Conrad Ten Eyck organized a posse, headed downriver, confronted the Patriots and ordered their surrender. The rebels refused and according to one source, Ten Eyck's men were "threatened with the contents of an eighteen pounder if they approached nearer than

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[36]Detroit Daily Free Press, 11 January 1838.

hailing distance."[37]

Following Ten Eyck's failure, Mason, at the urging of the U.S. District Attorney, Daniel Goodwin, mobilized two hundred state militia. Leaving at 1:00 a.m. on the eighth, Mason's force proceeded to Dearbornsville where it was armed at the U.S. arsenal. Returning to Detroit by mid-afternoon, the governor and his force, intent upon dispersing the Patriots and returning the stolen ordnance, boarded two schooners. Reaching Gibraltar, they discovered that the Patriots had left. Late in the evening Mason and the militia returned to Detroit where they dispersed "a large body of men," who had attempted to seize the schooner Brady and head "to the seat of the war." The governors' troops also confiscated the Patriots' weapons following what the Free Press described as a "slight skirmish."[38]

Although apprehensive, the Canadians along the Detroit River did not appear unduly alarmed about events in Michigan. On 26 December volunteers gathered at a public meeting in Sandwich to enroll their services to defend the border. Two days later the Sandwich force totaled 150,

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[37]Unidentified Detroit correspondent, 7 January 1838, in National Intelligencer, 23 January 1838.

[38]Brady to Scott, 14 January 1838, NARS, AGO, RG 94; Detroit Daily Free Press, 8, 9, 10, 13 January 1838; Daniel Goodwin to Forsyth, National Archives and Records Service, General Records of the Department of State, Miscellaneous Letters, 1789-1906 (hereafter, NARS, DOS, Misc, RG 59); Executive Order, 7 January 1838, Stephens T. Mason Papers, BC.

although most lacked weapons or discipline.[39] In response to the rumor that Canadians planned to burn Detroit, the Sandwich magistrates on 30 December expressed their intent to use the law to ensure that violence was not initiated from their side of the river.[40] A few days later Henry C. Grant, editor of the Sandwich Western Herald and Farmer's Magazine, hoped that the harmony existing between the two shores, "would never be disturbed for the sake of a few worthless beings, who but occupy a space in the world that might be better filled were they out of it."[41]

But as support for the Patriots had intensified, Canadians became outraged. Recounting all the aid given the Patriots, the Western Herald expressed "no small degree of astonishment and righteous indignation." Regarding several "inofficious" Michiganians who visited Sandwich "to quiet our apprehensions," the Western Herald denounced them as "treacherous villains," who sought that "we should continue in a defenceless state."[42]

As the Western Herald intimated, the Canadians were not going to be caught unprepared. Since most of the province's

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[39]Alan R. Douglas, ed., John Prince: A Collection of Documents, (Toronto: The Champlain Society, 1980), p. 16.

[40]Magistrates Proclamation, 30 December 1837, in Sandwich Western Herald, 3 January 1838.

[41]Sandwich Western Herald, 3 January 1838.

[42]Ibid., 23 January 1838.

military forces had been concentrated opposite Buffalo, western Canadians proceeded without aid from the central government. Lacking any British regulars, as well as ample rifles, the defense consisted of militia and their Indian allies. Fearing that they might be marched to Lower Canada, many French-Canadians refused the call to arms. As a result, the defense of western Canada fell to a small corps of four hundred poorly-armed volunteers; men who were convinced that this new emergency had little to do with Canadian liberty, but was an American invasion of conquest. As the threat of invasion moved closer to reality, powder was collected, lead was cast into musket balls and Colonel Thomas Radcliff, a Napoleonic War veteran in command of the western frontier, positioned most of his troops at Amherstburg by 9 January.[43]

Aware of Mason's excursion to disperse them, the Patriots, with or totaling approximately three hundred men, moved to Sugar Island on the American side of the boundary between Gibraltar and Amherstburg on the eighth. On the same day, as smaller vessels transported the army off the mainland, General Theller aboard the Ann exchanged gunfire with Fort Malden. Early the next morning Sutherland and his army occupied Bois Blanc, a Canadian island opposite Amherstburg. Hoisting the Patriot flag of two stars on a

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[43]Albion (Albany, New York), 24 February 1838; Hamish, "A Politico-Military Study," pp. 62-64.

field of red, white and blue, Sutherland reported that approximately two hundred Canadian militia and Indians on the island had fled after firing a few ineffective shots. "So precipitate were the enemy to get beyond the reach of our guns," he boasted in his report to Renssaeler, "they ran off, leaving us most of their camp equipage--a large quantity of provisions and stores, with some munitions."[44]

Described by a subordinate as a man "whose lungs were certainly creditable," Sutherland began his occupation of Canada by issuing proclamations. He ordered his victorious army to remain disciplined and show "mercy to a subdued army." Hoping to arouse sympathy among disenchanted Upper Canadians, Sutherland offered a second decree.

> You are called upon by the Voice of your bleeding Country to join the Patriot Forces, and free your Land from Tyranny. Hordes of worthless parasites of the British Crown are quartered upon you to devour your substance, to outrage your rights, to let loose upon your defenceless Wives and Daughters a brutal soldiery. Rally then around the Standard of Liberty, and Victory and a glorious future, of independence and prosperity will be yours.[45]

Unfortunately, the general's bombast did not provide his troops with the necessary clothing and shelter for a winter campaign. Although Theller recalled several years later that

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[44]Sutherland to Renssaeler, 9 January 1838, in Niles National Register, 3 February 1838; Brady to Scott, 14 January 1838, NARS, AGO, RG 94; Lawton T. Hemans, Life and Times of Stephens T. Mason (Lansing: Michigan Historical Commission, 1930), p. 340.

[45]Sutherland's Proclamations, 9 January 1838, Public Archives of Canada, State Papers Addressed by the Secretaries of State for the Colonies to the Lt. Governors

"mirth and merriment" prevailed among the Patriots, a Patriot captain, E. M. Townsend, wrote from the Detroit River that conditions were "horrible."[46]

On the evening of the ninth the Ann, boasting one small cannon, raised anchor and "threw some round shot and grape" into Amherstburg.[47] As the vessel neared the Canadian shore, Colonel Radcliff's militia opened fire, damaging the Ann's rigging. The Ann quickly ran aground and was captured. Of the twenty-one men aboard, only David Anderson, a Canadian refugee, was killed. Several others were wounded, including Theller and Colonel W. W. Dodge of Monroe. Besides the prisoners, the Canadians captured three hundred muskets, ten kegs of powder, three cannon and miscellaneous armaments. The prisoners, including thirteen Americans (nine of whom were Michiganians), were incarcerated in Amherstburg.[48]

On the tenth, as the Canadians braced for the next Patriot assault, Sutherland who had observed the Ann's cap-

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or Officers Administering the Government of the Province of Upper Canada, 1838 (hereafter PAC, State Papers), RG 7, SG 1, vol. 88; E. A. Theller, Canada in 1837-38, 2 vols., (Philadelphia: Henry F. Anners, 1841), 1:128.

[46]E. M. Townsend to Friend Umbstaeter, 12 January 1838, In National Intelligencer, 25 January 1838; Theller, Canada in 1837-38, 1:134.

[47]Thomas Radcliffe to John Strachan, 10 January 1838, in Detroit Daily Free Press, 20 February 1838.

[48]Ibid., E. A. Theller to Friend Peltier, 23 January 1838, in Pontiac Courier, 9 February 1838.

ture, issued yet another proclamation. Addressing the "deluded supporters of British Tyranny in Upper Canada," the Patriot general ordered Canadians to lay down their arms and return to their homes. Desirous of avoiding further bloodshed Sutherland added

> You are enjoying a moiety of liberty Vouchsafed to you from motives of caprice or interest on the part of your rulers. We will secure to you all the blessings of freedom by a permanent and honourable tenure. Avoid then the horrors of War--enrage not the Soldiers already exasperated by oppression. Save yourselves from Confiscation. Cease resistance, and all will be well with you.[49]

Inexplicably, after issuing this bold announcement, Sutherland ordered a retreat, abandoned his troops and returned to Detroit.[50]

On the same morning, Detroit Patriots seized yet another vessel, the Erie, to carry supplies and recruits to the Patriot camp. Although opposed by General Brady and a few militiamen, the Patriots succeeded because of the aid they received from sympathetic bystanders, as well as the American officials' refusal to open fire to stop the Patriots.[51]

Activities along the Detroit River had reached the critical stage. Described as "the theatre of intense, almost

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[49]Sutherland Proclamation, 10, January 1838, PAC, State Papers.

[50]Albion (Albany, New York), 24 February 1838; Daniel Goodwin to Forsyth, 17 January 1838, NARS, DOS, Misc, RG 59.

[51]Daniel Goodwin to Forsyth, 9, 17 January 1838, NARS, DOS, Misc, RG 59; Ross, "The Patriot War," p. 527.

uncontrollable excitement," Detroit was in turmoil.[52] One Detroiter wrote, "You cannot conceive the intensity of the excitement in this city."[53] All intercourse between the two sides of the river had ceased and the safety of both public and private property was of great concern.[54] Merchant John Brooks ordered his son to arm himself and find "someone of good pluck" to sleep in the store with him.[55] The Sandwich magistrates asked Governor Mason if he considered the attack upon Canada by the Ann, a vessel armed in Michigan, an invasion. Furthermore, they inquired if Mason would consider it an invasion "of your country" if the Canadians attacked the Patriots "wherever we can find them."[56] Mason immediately responded that he wanted peace along the border preserved, adding that he could not "permit, without resistance," any invasion of the sovereign and independent state over which he presided.[57] Realizing that the situation required more than written assurances,

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[52]Detroit Daily Advertiser, 13 January 1838.

[53]Nathaniel Wilson Brooks to Caroline Jeffords, 16 January 1838, Nathaniel Wilson Brooks Papers, BC.

[54]Detroit Daily Advertiser, 8 January 1838; unidentified Detroit correspondent, 13 January 1838, in National Intelligencer, 27 January 1838.

[55]John Brooks to Nathaniel Brooks, 23 January 1838, Nathaniel Wilson Brooks Papers, BC.

[56]Robert Mercer et al., to Mason, 9 January 1838, in Pontiac Courier, 19 January 1838.

[57]Mason to Magistrates of Sandwich, 9 January 1838, in Pontiac Courier, 19 January 1838.

Mason proceeded to Sugar Island, where the Patriots had retreated when Sutherland deserted them, ferried the three-hundred-man Patriot army there to Gibraltar, confiscated their weapons and persuaded them to disperse.[58]

By mid-January a tense calm had returned to the Detroit River. But pessimism and apprehensions abounded. General Brady informed his superiors that if the British forces met with any defeat in their efforts to oust the Patriots from Navy Island, he would "not be surprised if one-third of the able bodied men of this State would join the Patriots."[59] Another Detroiter cautiously added, "Our troubles with the Canadians are over, but, I fear, only temporarily."[60]

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[58]Brady to Scott, 14 January 1838, NARS, AGO, RG 94; Hemans, Mason, p. 344; Goodwin to Forsyth, 17 January 1838, NARS, DOS Misc, RG 59.

[59]Brady to Scott, 14 January 1838, NARS, AGO, RG 94

[60]Unidentified Detroit correspondent, 13 January 1838, in National Intelligencer, 27 January 1838. Another matter that created controversy was the case of Andrew Grimes of Swanton Creek, Monroe County. Grimes claimed that he was fired upon by Canadians when he left the Patriot encampment at Bois Blanc for Detroit on 9 January 1838. Grimes was forced to dock at Amherstburg and was imprisoned for several days. He claimed that during his imprisonment that he was mistreated and almost died for want of "proper food and raiment." Grimes was discharged, although he claimed that his schooner, the George Strong, was "plundered" and the goods aboard taken off for which he was paid a lower price than he would have "otherwise obtained." Responding to Governor Mason's request for the Canadian version of the episode, Colonel Prince charged that while Grimes was docked at Bois Blanc he fraternized with the Patriots. Prince also asserted that the George Strong was not fired upon and the crew not mistreated during its captivity. Prince added that Grimes's accusations that he was underpaid for his goods or

Although government officials, newspapers, citizens' groups and even the U.S. Army sought to preserve the tenuous peace along the border, filibustering persisted and with it the possibility of war between the United States and Great Britain.

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that his vessel had been plundered was "absolute perjury." Prince attached an affidavit from the deputy commissariat at Amherstburg verifying that a fair price had been paid, which Grimes had received with "full satisfaction." (Sandwich Western Herald, 23 January 1838; Detroit Daily Free Press, 24 January 1838).

CHAPTER FOUR: FILIBUSTERING ALONG THE DETROIT RIVER

Although the first invasion of Upper Canada had proven disastrous, the Patriots along the Detroit River remained confident. In the face of governmental pressure, including the arrival of U.S. troops at Detroit, they planned a two-pronged invasion of western Upper Canada, which commenced in late February. Military preparations on both sides of the river, wild rumors and actual fighting kept the border between Michigan and Canada in chaos through early March.

Patriots all along the border between the United States and Canada received a renewed boost of support following the sinking of the Caroline, an American vessel ferrying men and material to Mackenzie's government on Navy Island. A Canadian raiding party burned the vessel in American waters near Schlosser, New York, in late December 1837. The action left one American dead. In its wake Canadian officials publicly praised the raiders, which left Americans furious. In New York defense preparations were undertaken and noisy demonstrators took to the streets demanding satisfaction from Great Britain.[1]

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[1]Corey, Crisis, pp. 37-38.

The Caroline affair forced the U.S. government to intensify its efforts to maintain peace along the border. On 5 January 1838, Secretary of War Joel R. Poinsett ordered Major General Winfield Scott to the northern frontier. Unfortunately, the U.S. Army's five thousand men were fighting Indians in Florida and unavailable. Instead, Poinsett instructed Scott to call out the state militia, as long as he did it "discreetly" and extended the call "only so far as circumstances may seem to require."[2] On the same day President Van Buren issued yet another proclamation threatening arrest and prosecution of anyone who violated American neutrality laws.[3]

Word of the sinking of the Caroline reached Michigan in the midst of the Ann fiasco. In the Michigan House of Representatives, Alexander W. Buel offered a resolution that the destruction of the Caroline and the "inhuman massacre of a portion of its crew [estimates ranged as high as twenty-two]. . . . is an indignity to our common country, which calls loudly for reparation."[4] Although the Detroit Advertiser claimed the Caroline sinking "has done more for the Patriot cause then all the public expressions of sympathy could have effected in months," Michigan approbation

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[2]Ibid., p. 57; Poinsett to Scott, 5 January 1838, in State Journal (Ann Arbor), 25 January 1838.

[3]Corey, Crisis, p. 49.

[4]Michigan. House Journal, 1838, p. 54; Monroe Gazette, 13 January 1838.

of the affair was often tempered by reactions to the capture of the Ann.[5]

The Detroit Daily Free Press charged that any American who did not "feel the emotions of indignant patriotism rise, at the recital of the murderous deed, would be unworthy of a place in the American confederacy." The Free Press warned their neighbors across the river that if they undertook a similar invasion, the yeomanry of Michigan would rise as one man and avenge the outrage."[6] However the Democratic daily added that it planned to continue its editorial policy "to avoid all remarks which might have any tendency to create excitement or lead any of our citizens to take sides with either of the contending parties." In a lengthy editorial a week later, the Free Press concluded that in light of the opportunities offered them in the American Revolution and War of 1812, the Canadians were too "subserviently attached" to the British crown. Although "ardently" wishing that the rebellion had succeeded, the Free Press surmised that the Canadians "are not prepared, morally and physically, to make the exertions or sacrifices necessary to achieve their independence." The Free Press then declared that "there is

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[5]Detroit Daily Advertiser, 10 January 1838. See also State Journal (Ann Arbor), 25 January 1838, Pontiac Courier, 19, 26 January, 16 February 1838 and Monroe Gazette, 13, 20 February 1838 for similar responses.

[6]Detroit Daily Free Press, 10 January 1838.

no reason to believe that any further collection of men on this frontier, for hostile demonstrations against Canada, will again be attempted."[7]

The conservative Detroit Daily Advertiser responded to the Caroline that "no aggressions upon any portion of our soil will be permitted for one moment; the whole people will rise as one man to resist it."[8] But the Advertiser also expressed a desire to avoid increasing the excitement already prevailing in the community when it decided not to publish Sutherland's Bois Blanc proclamations. Pledged to remain open-minded, the Advertiser printed a long letter from an Upper Canadian Loyalist explaining that most Canadians had no desire to overturn their government. Referring to a newly established, American-supported republic, the correspondent concluded by warning that "Americans should examine before they act, and ever remember that Upper Canada is not Texas; that Canadians are not Texans, and that Great Britain is not Mexico."[9]

Several Michigan newspapers also published letters from two men who had renounced their Patriot allegiances after being captured on the Ann. W. W. Dodge and Stephen Brophy, both of Monroe, claimed that they had been deceived into

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[7]Ibid., 10, 16 January 1838.

[8]Detroit Daily Advertiser, 9 January 1838.

[9]Ibid., 13, 23 January 1838.

believing that the Canadians were ready to overthrow their government. According to Dodge, who addressed his letter to General Sutherland, "As far as I can learn, see and judge, so far from being dissaffected to their laws, Constitution and government, they are as much attached to them, and as determined to support them, as any people in the civilized world." From his jail cell in Amherstburg, Dodge implored Sutherland to disperse his forces and go home.

> To gain the point we aimed at is utterly impossible. To prevent further blood-shed is our duty. Nothing can be gained by further hostile operations, and as your friend and comrade engaged, as I foolishly thought, in the cause of liberty--an opinion based upon false reports and misrepresentations--I again implore you to separate--to return home, and to abandon a cause so utterly hopeless, and I as now perceive, so thoroughly unjust.[10]

Dodge's letter was accompanied by a note from John Prince, a Sandwich magistrate, attesting to its accuracy.[11]

On 13 January--the day after Governor Mason dispersed the Patriot force at Sugar Island--Detroiters gathered at city hall with Mason, Mayor Henry Howard and U.S. District Attorney Daniel Goodwin and pledged support for the government's efforts to preserve neutrality.[12] To prevent

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[10]W. W. Dodge to Thomas Sutherland, 13 January 1838 in Monroe Gazette, 27 January 1838. Brophy's letter appears in Detroit Daily Free Press, 1 February 1838.

[11]John Prince to Warner Wing et al., 15 January 1838 in Monroe Gazette, 27 January 1838.

[12]Hemans, Mason, pp. 344-45.

a recurrence of the seizure of the Ann and the raids on arsenals, Detroit officials organized a town guard, which patrolled the city and river bank every night. If an emergency arose, an alert was sounded by ringing the bell of the Presbyterian church.[13]

The various federal and state governmental agencies also sought to maintain control of the fragile peace along the border. Their efforts ranged from Michigan Attorney General Peter Morey's publicly cancelling his subscription to the Detroit Morning Post because of its excessive zeal for the Patriots, to General Brady's federalizing six companies of Michigan militia to meet a rumored Patriot threat.[14]

In Detroit, General Sutherland was arrested and on 13 January brought before U.S. District Court Judge Ross Wilkins on suspicion of violating U.S. neutrality laws. Although poor witnesses and weak testimony resulted in his release due to insufficient evidence of his guilt, Sutherland was arrested again. This time he was charged with preparing a military expedition from western New York. Convinced that sufficient evidence existed to warrant a trial, Wilkins order the Patriot general to post $5,000 bond

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[13]Ross, "The Patriot War," pp. 528-29.

[14]Detroit Daily Advertiser, 16 January 1838; Brady to Mason, 10 February 1838, NARS, Eastern Division, RG 393.

and appear at the U.S Circuit Court in that district.[15]

Given the "extraordinary state of excitement and exasperation manifested by the inhabitants, not only of Canada but of this state," the Michigan House of Representatives overwhelmingly resolved on 11 January that the governor request that no less than two regiments of U.S. troops be sent to Michigan.[16] General Brady concurred and informed General Scott that while the two stolen cannon from Fort Gratiot had been recovered, these "acts of folly" would persist "untill [sic] a portion of the regular Army is within supporting distance of the Civil authority."[17] In response to these and other pleas, Secretary Poinsett ordered four hundred army recruits to the border.[18]

In late January, Colonel W. J. Worth, commandant of the frontier at Buffalo, journeyed to Detroit with approximately 160 men aboard the Robert Fulton. Leaving New York on 21 January, Worth dispersed a Patriot camp and seized several hundred stands of arms along the way. Hampered by ice and cold weather, Worth reached the mouth of the Detroit River

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[15]Detroit Daily Free Press, 19 January 1838.

[16]Michigan. House Journal, 1838, p. 58. The governor also was requested on 24 January to report to the House, "with as little delay as possible," the quantity of ordnance available in Michigan to arm the militia (House Journal, p. 100).

[17]Brady to Assistant Adjutant General, 17 January 1838, NARS, AGO, RG 94.

[18]Poinsett to R. Jones, 3 January 1838, NARS, Eastern Division, RG 393

at 10 p.m. on 26 January. Fearing that the Canadians at Fort Malden might mistake the Fulton for a hostile expedition and open fire, Worth laid anchor. The following day the Fulton docked at Detroit. According to Worth, their arrival came as a "great surprise" and brought joy to "at least three-fourths of the inhabitants," as well as General Brady, "who without troops, has found himself in circumstances of great difficulty & harassment."[19]

Born in Pennsylvania in 1768, Hugh Brady had entered the U.S. Army in 1792 and saw action in the Indian wars of the 1790s and the War of 1812. In 1822 he was commissioned brigadier general and six years later stationed in Detroit. At the outbreak of the Patriot War he commanded the Seventh Military District, which extended from Buffalo to the Mississippi River.[20]

Worth transferred most of his troops to Brady, who quickly sent small contingents to Fort Gratiot and the Dearbornsville arsenal, while retaining the remainder at Detroit.[21]

With troops to command, Brady's optimism surged. He

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[19]Worth to Scott, 28 January 1838, NARS, Eastern Division, RG 393; E. D. Keyes to N. Towson, 2 February 1838, ibid.; Worth to Brady, 27 January 1838, Hugh Brady Papers, BC; letter from unidentified correspondent in Columbus, Ohio, 24 January 1838, in National Intelligencer, 1 February 1838.

[20]Saturday Night, 7 July 1923, Hugh Brady Papers, BC.

[21]Brady Order No. 1, 27 January 1838, NARS, Eastern Division, RG 393.

reported that "the border war for the present is over."[22] Worth concurred, and after returning to Buffalo he reported that the trip tended "to disperse the hostile enterprise & reassure the well disposed portion of the our people." Worth optimistically concluded that the Patriots had been taught "the ability and determination" of the authorities to maintain the laws.[23]

On 2 February, Brady informed Scott that since the border was so quiet, he saw no need to muster into service any portion of the Michigan militia. "Indeed I am so fully persuaded that the U. States troops under my command are sufficient for these purposes," he added, "I . . . ordered the 'Brady Guards' . . . be discharged." Four days later Brady predicted that "no further effort will be made in this State to embody men for the purpose of invading her Majesty's dominions."[24]

But even as General Brady penned these words, the tranquility along the border was in jeopardy. On 14 January, Van Rensselaer evacuated Navy Island, prompting the National Intelligencer (Washington, D.C.) to predict that when the news reached Detroit it would "be the signal for a

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[22]Brady to Adjutant General, 27 January 1838, NARS, AGO, RG 94.

[23]Worth to Scott, 28 January 1838, NARS, Eastern Division, RG 393.

[24]Brady to Scott, 2 February 1838, NARS, Eastern Division, RG 393; Brady to Worth, 6 February 1838, Hugh Brady Papers, BC.

general dispersion of those who have banded together in that quarter for the invasion of Canada."[25] The newspaper could not have been further from the truth. The Navy Island Patriots headed west and renewed their war of liberation from southeastern Michigan and northwestern Ohio.

The first official report of the westward movement of the Navy Island Patriots came from U.S. Navy Lieutenant James T. Homans. On 5 February, Homans wrote Brady from Milan, Ohio, that he had encountered detachments of self-proclaimed Patriots numbering about 250. Conversing with them, Homans learned that there were eight hundred "of them scattered on the road," in addition to five hundred Indians. Homans added that he had passed twenty wagons, "half that number boxed up, purposely to resemble pedlars' [sic] wagons, but containing their arms and accoutrements." The other wagons contained powder and other munitions "put up in pork barrels and other deceptive cases." But what probably worried Brady the most was Homan's observation that these Patriots, who claimed they were "daily augmenting their numbers" with volunteers from the towns and villages through which they passed, were "destined to rendezvous at some place near Detroit most favorable to effect a landing in Canada."[26]

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[25]National Intelligencer, 23 January 1838; Corey, Crisis, pp. 38-39.

[26]Homan to Brady, 5 February 1838, NARS, AGO, RG 94.

The commander of the westward-bound Patriot force was Donald McLeod, adjutant general of the Patriot army. Born in Scotland, McLeod had served in the British navy from 1803 to 1808. He then joined the British army, in which he saw action in the Peninsular Campaign, in Canada during the War of 1812 and against Napoleon at Waterloo. Returning to Canada after his discharge in 1816, McLeod embroiled himself in provincial politics. As editor of a Reform newspaper, his press was destroyed by a Tory mob when fighting broke out in December 1837. He then fled to Navy Island where he was commissioned.[27]

On 29 January at Conneaut, Ohio, McLeod met with other Patriots and planned a two-pronged invasion of Upper Canada. While one body invaded Pelee Island, north of Sandusky, Ohio, another under McLeod would cross south of Detroit and capture Fort Malden. The two forces would then join and march eastward.[28]

McLeod arrived in Sandusky, Ohio, by 14 February. During the next week he corresponded with Patriot sympathizers in both Michigan and Ohio and urged them to send money, men and material to support his invasion plans.[29]

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[27]Marc La Terreur, ed., Dictionary of Canadian Biography, Vol. X, 1871-1880 (Toronto: University of Toronto Press, 1972), p. 483.

[28]J. P. Martyn, "The Patriot Invasion of Pelee Island," Ontario History 56 (September 1964), p. 153.

[29]Various letters to and from McLeod are in "The Woes of a Patriot Leader," Frank Severance, ed., Publications of the Buffalo Historical Society, 8 (1905), pp. 134-41.

His efforts were fruitful. By mid-February hundreds of Patriots were reported in the Detroit River area. The Monroe Gazette affirmed on 13 February that five to six hundred Patriots were "strolling about our streets."[30] Other reports indicated that as many as one thousand Patriots had gathered at Gibraltar.[31] Although exact numbers conflicted, it appeared certain that the Patriots were growing in strength and preparing to cross the Detroit River. A Detroit correspondent wrote on 13 February that he had just discovered that three wagons of Patriot "volunteers" had reached the Michigan capitol.[32] The Pontiac Courier declared that on 15 February an "express" from Van Rensselaer had arrived ordering the Patriots to prepare for action. A few days later twenty "northern volunteers" reached Pontiac, while on 20 February two hundred Patriot volunteers arrived. The following day they headed for Detroit.[33] On 23 February it was reported that the road south of Detroit "was completely lined with men supposed to be patriots, and numerous loaded teams, believed to contain munitions of war."[34]

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[30]Monroe Gazette, 13 February 1838.

[31]State Journal (Ann Arbor), 15 February 1838.

[32]Unidentified Detroit correspondent, 13 February 1838, in National Intelligencer, 27 February 1838.

[33]Pontiac Courier, 23 February 1838.

[34]Detroit Daily Advertiser, 23 February 1838.

Besides reports of troop movements, Patriot leaders were also active. It was rumored that Van Rensselaer and Duncombe, as well as Mackenzie, were in or near Detroit. In addition, Sutherland, who had not returned to New York as Judge Wilkins had ordered, continued to rally Patriot support. In Ann Arbor he appeared "in full uniform" where a courthouse gathering listened to him "with respect and attention."[35]

On 23 February McLeod, now at Monroe, received a communique from D. D. McKinney, propreitor of the Detroit City Theatre, indicating that he had just "dispatched an express to Pontiac, likewise to Mt. Clemens, Ann Arbor, Ypsilanti, &c., for the purpose of mustering into service the above-named companies which form the best of my Battalion." Prepared to follow McLeod "'to the death' in the Glorious Cause," McKinney promised that he would join the Patriots shortly.[36]

The Patriots were confident of their imminent success. Detroiter James L. Schoolcraft boasted on 22 February that

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[35]State Journal (Ann Arbor), 15 February 1838; Pontiac Courier, 23 February 1838; unidentified Detroit correspondent, 13 February 1838, in National Intelligencer, 27 February 1838; E. Kendall to Abner Morton swore in an affidavit that Duncombe was in Monroe in late February (Detroit Morning Post, 4 June 1838); Charles Duncombe to Monroe Gazette, 24 February 1838, U.S. Archives S-797, BC; History of St. Clair County, (A.T. Andreas & Co., 1883), pp. 75-76; Sutherland was also reported having attended a meeting in Pontiac (Pontiac Courier, 26 January 1838).

[36]D. D. McKinney to McLeod, 23 February 1838 in Severance, "Woes of a Leader," pp. 140-41.

while the queen of England might send ten thousand troops to prevent the Canadian independence movement, "these 10,000 can be cut and sliced just as were the forces of Burgoin [sic], Cornwallis and Packingham [sic]." Since the Patriots fought for liberty, Schoolcraft asserted "we can't be whiped [sic], or when they whip us, we won't stay whipped."[37]

As the Patriots moved toward Detroit, U.S. and state officials were not idle. As soon as Brady received Homan's letter, he requested that Governor Mason mobilize six companies of militia.[38] The governor complied immediately and ordered the approximately 450 troops to rendezvous "with all possible dispatch" at Gibraltar, where the Patriots were gathering.[39] From Washington, Secretary of State Forsyth ordered both District Attorney Goodwin and U.S. Marshall Ten Eyck to keep an eye on the Patriots moving toward Detroit, and "so far as your efforts may avail" prevent any infraction of U.S neutrality laws. Offenders were to be arrested and prosecuted. Forsyth added that "if the civil power should prove insufficient, you will have the aid of the military force stationed in the vicinity."[40]

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[37]James L. Schoolcraft to George Johnston, 22 February 1838, George Johnston Papers, BC.

[38]Brady to Mason, 10 February 1838, NARS, Eastern Division, RG 393; Brady to R. Jones, NARS, AGO, RG 94.

[39]Order from J. E. Schwarz in Detroit Daily Free Press, 12 February 1838.

[40]Forsyth to Ten Eyck, 17 February 1838, National Archives and Records Service, Domestic Letters of the Department of State, 1789-1906, Record Group 59 (hereafter

Unbeknownst to Forsyth, Michigan authorities faced a situation that promised havoc, if not doom, to their efforts. Only a few days after mobilizing the Michigan militia, Brady disbanded them because he feared "that by furnishing arms and ammunition to the Battalion . . . I should sustain the cause I was desirous to suppress."[41] Brady's action was motivated by several events, not the least of which was the conduct of militia Lt. Colonel Charles Jackson.

Sent to Dearbornsville to transfer four hundred stands of arms to Detroit, Jackson not only declined a guard proferred by Brady, but left the weapons unattended when they reached Detroit. As a result, 240 muskets were stolen. To this act of negligence or "connivance with those against whom [Jackson] was especially selected to act," Brady added information that some of the conscripted militia were friendly to the Patriot cause. "At least one of the Captains," Brady declared, "had openly avowed, in the event of a collision between his company and the Patriots, to give them his arms." Even more distressing, Brady discovered that "fifteen or eightteen [sic] of Van Rensallaer's [sic] men from Navy Island," as well as "many more of the same

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NARS, DOS Domestic, RG 59).

[41]Brady to Scott, 15 February 1838, NARS, Eastern Division, RG 393.

class" from Monroe, were among the militia conscripts.[42]

Even though the Patriots seized one hundred barrels of Canadian flour from a vessel in Monroe on 13 February, Brady remained convinced that he had no recourse but to demobilize the militia.[43] The general must have been distressed in that he had only 150 regular army troops to oppose a Patriot force, which by his own admission was well over twice that size. Fortunately, he was able to augment this force by the Brady Guards, "composed of some of [Detroit's] most respectable young men," and sixty additional recruits that Colonel Worth had dispatched from Buffalo. Brady also ordered eighteen recruits from Chicago to proceed to Detroit.[44]

As the Patriots gathered along the Detroit River, one Detroit correspondent concluded that since the river was frozen, "if the invaders act with promptitude and energy, it is possible they may gain a temporary foothold in Canada."[45]

The observation proved prophetic. Informed by Governor Mason that the Patriots were about to cross the St. Clair River over twenty-five miles north of Detroit, Brady

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[42]Ibid.

[43]Unidentified Detroit correspondent, 13 February 1838, in National Intelligencer, 27 February 1838; Sandwich Western Herald, 17 February 1838.

[44]Worth to Brady, 9 February 1838, NARS, Eastern Division, RG 393; Brady to Scott, 15 February 1838, ibid.

[45]Unidentified Detroit correspondent, 10 February 1838, in National Intelligencer, 24 February 1838.

gathered the available regulars and the Brady Guards and left immediately. Accompanied by Mason and Marshall Ten Eyck, Brady's force reached Mt. Clemens the next morning. At this juncture, Brady--ever mindful of the persistent rumors that a Patriot invasion might originate south of Detroit--ordered the Brady Guards back to the capital. Having reached the mouth of the St. Clair River without seeing "any body of men armed or unarmed," Brady returned to Detroit on the twenty-third.[46]

The next morning a communique from District Attorney Goodwin, who was at Gibraltar, indicated that the Patriots "'about five hundred strong & still collecting'" intended to cross that night. Goodwin believed that a "sufficient force forthwith" might stymie their plans. With the Brady Guards and all available regulars, Major John Garland, Brady's second-in-command, headed downriver via sleigh. By the time Garland reached Ecorse, nine miles from Detroit, the Patriot's had crossed over to an island in Canadian waters. Garland positioned his troops to intercept any Patriot retreat.[47]

On the other side of the Detroit River, the events of early January had left the Canadians dismayed yet determined. On the day after the Ann fiasco, the Detroit Daily

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[46]Brady to Scott, 26 February 1838, NARS, Eastern Division, RG 393.

[47]Ibid. According to a letter to the Detroit Morning Post on 20 July 1838, McLeod asked his men if they wanted to head for Fighting Island to avoid U.S. troops sent to

Advertiser reported, "The Canadians are in great consternation, and a few families in Sandwich have actually taken refuge in this city."[48] But the Sandwich Western Herald confidently responded in mid-January,

> Away . . . ye American sympathizers with the ridiculous notion of imposing upon a free and loyal people, the detestable bonds of Republicanism! We want none of your boasted self-eulogized Constitution. We want none of your laws, and Sovereign Mob law breakers.[49]

The people of Sandwich met on 6 February and pledged that loyalty to the queen and devotion to the British Empire would urge them "to undiminished efforts" if they were again invaded by "a foreign and astute foe."[50]

After the arrival of several companies of British regulars, Essex County residents rested more securely. On 30 January the Board of Western Magistrates, which had conducted the area's defense during the trying days of late December and early January, was disbanded.[51] Tranquility in Upper Canada was so widespread that on the same day, Lt. Governor Sir Frances Bond Head announced that he planned to

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disperse them. They said "Yes." McLeod was cheered when he said the Patriots motto would be "God and the Rights of Man." The Republic of Upper Canada was then cheered three times.

[48]Detroit Daily Advertiser, 16 January 1838.

[49]Sandwich Western Herald, 23 January 1838.

[50]Ibid., 17 February 1838.

[51]Leach, "A Politico-Military Study," pp. 187-88.

"effect a considerable reduction" of the militia forces under arms. Convinced that "the causes which called them into action have ceased to exist," Head asserted that "nothing but fear . . . keeps up Forces in the Canadian and American Frontier."[52]

But the tenuous peace along the Detroit River did not mean that western Canadians were without problems. In addition to fears of imminent Patriot attack, they faced a shortage of provisions. Western Canadians were dependent upon imported American foodstuffs, especially from Michigan, and ridicule and abuse of Detroit merchants who sold to the Canadians now prevented a reliance upon those suppliers. To make matters worse, the need to keep several hundred troops on alert placed an additional strain upon the already limited supplies. By mid-February the situation had worsened to the point that some sources declared that western Canada was on the verge of famine.[53]

By the time McLeod reached Michigan, the Canadian defense consisted of approximately two hundred militia along the St. Clair River and approximately 120 regulars and 400 militiamen between Sandwich and Amherstburg. These forces included a two-gun section of Royal artillery, the St.

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[52]Head to Lord Glenelg, 30 January 1838, Public Archives of Canada, Letters and Despatches from Sir Francis Bond Head to Lord Glenelg, letter no. 12, RG 7, G 12, vol. 28.

[53]State Journal (Ann Arbor), 15 February 1838; C. Foster to Deputy Assistant Commissary General Miller, 11 February 1838, Public Archives of Canada, Military Staff Letter Book

Thomas volunteer cavalry and various Indian allies available upon call.[54]

But the confidence provided by the military presence, which inspired the Western Herald's editor to taunt the Patriots to "come if they dare," did not eliminate the tensions created by almost two months of hostilities.[55] On 12 February a Canadian sentinel shot and killed a militia officer, whom he mistook for an invader.[56] A week later Detroit physician James C. White attended a patient in Windsor only to be arrested and incarcerated because he had praised the U.S. and criticized the British government. Released on bail after two days of captivity, White claimed he had been confined in "a cold cell" and subsisted on bread and water.[57] As expected, the action infuriated some Michiganians, who warned Canadian authorities that such actions would not "be tolerated with impunity."[58]

Tensions along the Detroit River climaxed on 25

1, 1838 (hereafter PAC, Military Letter Book), RG 8 SG C vol. 642, pp. 65-66; Sandwich Western Herald, 10 February 1838.

[54]C. Foster to General Miller, 11 February, PAC, Military Letter Book; Leach, "A Politico-Military Study," p. 236.

[55]Sandwich Western Herald, 17 February 1838.

[56]Ibid.

[57]Detroit Daily Free Press, 27 February 1838.

[58]Ibid.

February as gunfire once again echoed across the Michigan/Canadian boundary. That day the Patriots crossed the ice to Fighting Island, a swampy thin islet seven miles long. They imprisoned the island's two French-Canadian inhabitants. Then, according to one participant, the liberators built fires, sang songs and recounted their military exploits on Navy Island. McLeod addressed the invaders contrasting the differences between American and Canadian institutions and, according to one Canadian Patriot, concluded that their expedition was undertaken "in defence of the rights of man, and to extend to our suffering Canadian brethren the enjoyment of equal rights, and of civil and religious liberty." The invaders raised a tri-colored flag of two stars and the air resounded with cries of "'God save the Republic of the Canadas'" and "'God save the people and equal rights.'" A proclamation from the Provisional Government of Upper Canada was also issued urging Upper Canadian Indians to join the Patriot cause. Besides a guarantee of independence, the Indians would be paid the same wages, rations and bounty as white men.[59]

Though the Patriots, who were reported to number from one to three hundred, had ample provisions, they had invaded Canada with six rifles, one musket and a carriage less six-pound cannon mounted on a dry-goods box. The stolen rifles

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[59]Robert McFarlan, "The Patriot War: The Battle of Fighting Island," Michigan Pioneer and Historical Collections, 7 (1884), p. 91; Charles Duncombe to Monroe

entrusted to Major Jackson had been discovered by the authorities, and efforts to procure additional arms from public arsenals had failed. During the night, however, thirty-five serviceable muskets were added to their arsenal.[60]

Notified of the Patriots' arrival on the evening of the twenty-fourth, the Canadians mobilized their forces. At 3:00 a.m. on the twenty-fifth, two companies of British regulars and one artillery piece, left Fort Malden. They arrived opposite Fighting Island at 6:30 a.m. and were joined by Colonel H. D. Townshend, commander of the 24th Regiment, and the St. Thomas Cavalry. At 7:00 a.m. nearly four hundred militia from Sandwich joined Townshend and the regulars.[61] According to Robert McFarlan, a Michigan Patriot on Fighting Island, the arrival of the British regulars "with their bright muskets flashing in the morning sun" did not inspire confidence in the minds of the Patriots.[62]

Gazette, 24 February 1838, in U.S. S-797, BC; February proclamation in National Intelligencer, 13 March 1838.

[60]R.W. Ashley to Dr. Bond, 1 March 1838, Severance, "The Woes of a Leader," pp. 141-42; Brady to Scott, 15 February 1838, NARS, Eastern Division, RG 393; Detroit Daily Free Press, 26 February 1838.

[61]H. D. Townshend to John Maitland, 25 February 1838, Public Archives of Canada, Lt. Governor of Upper Canada Internal Letter Book, 1837-1838 (hereafter PAC, Internal Letter Book), RG 7 SG 16A vol. 4.

[62]McFarlan, "The Patriot War," p. 91.

Ordered to quickly dislodge the intruders before they strengthened their position, Townshend opened a steady artillery fire on the island. According to the British colonel, the Patriots became "much discomposed by the precision and rapidity of the fire," and he ordered an assault. With the regulars in the center and the militia on the flanks, the British force fired several volleys, which were returned by the relatively few Patriots who possessed weapons. One firing of the Patriot cannon dislodged it from its makeshift carriage, rendering it useless. Outnumbered and outgunned, the Patriots fled back across the ice into Michigan. There they were disarmed, arrested and transported to Detroit.[63]

During the skirmish, the British suffered no casualties. Various reports indicated that five Patriots were wounded. The spoils of war included the carriageless cannon, various small arms, including some new U.S. Army muskets, and "provisions of every kind," including boxes of smoked herring, which, Townshend observed, were "contributed

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[63]Ibid., pp. 91-92; Townshend to Maitland, 25 February 1838, PAC, Internal Letter Book; R. W. Ashley to Dr. Bond, 1 March 1838, Severance, "The Woes of a Leader," pp. 141-42. A controversy developed after the Battle of Fighting Island when British Colonel John Maitland claimed that once back on Michigan soil the fleeing Patriots fired back at the British troops, but with no effect. According to American army officers present, the firing resulted from discharging the seized Patriots weapons and not because U.S. authorities allowed the Patriots to commit such an aggression. Additional firing came from the Brady Guards, who also unloaded their weapons before heading back to Detroit. (John Garland to Brady, 24 March 1838, NARS, AGO, RG 94;

by a sympathizing public rather than by a Commissariat."[64]

The British regulars had returned to Malden and the militia to Sandwich by noon of the twenty-fifth. Nevertheless, Colonel John Maitland, commandant at Fort Malden, remained alert in anticipation of a rumored assault by a force of two thousand Patriots.[65]

On 26 February, General Scott arrived in Detroit for a week's stay. On the same day, General John Vreeland, Patriot ordnance officer, was arrested in Detroit.[66] The Fighting Island Patriots were soon released, and under orders from General Scott, their weapons were returned. But they had to agree never to use them again in violation of the nation's laws. Scott also ordered that if any of the incarcerated Patriots sought to recover their weapons by writ of replevin or other legal means, they were to be prosecuted for violating the 1818 neutrality laws.[67]

Much of the Michigan press viewed Fighting Island as

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extracts from John Maitland's report on the battle, 25 February 1838, ibid.; S. J. Jamison to John Garland, 12 March 1838, ibid.; Isaac Rowland to John Garland, 16 March 1838, ibid.; Alex Johnston to John Garland, 14 March 1838, ibid.; Brady to Scott, 27 March 1838, ibid.)

[64]Detroit Daily Free Press, 26 February 1838; Townshend to Maitland, 25 February 1838, PAC, Internal Letter Book.

[65]Maitland to C. Foster, 25 February 1838, PAC, Internal Letter Book.

[66]State Journal (Ann Arbor), 1 March 1838; Detroit Daily Free Press, 26, 27 February 1838.

[67]E. D. Keyes to Brady, 28 February 1838, in Detroit Daily Free Press, 1 March 1838.

the Patriot's death knell.[68] Ever optimistic, General Brady concurred. Citing disorganization and their lack of provisions and weapons, Brady concluded that "they must soon be convinced, if they are not already, of the utter futility of such an undertaking and will disperse and return to their homes."[69]

But not all of the Fighting Island Patriots had been captured. General McLeod, his aide, R. W. Ashley, and several others escaped. By 1 March they had reached Sandusky, just in time to watch the second prong of their invasion fail.[70]

On the same day the Patriots were routed from Fighting Island, a force of four hundred men under the command of Colonel H. C. Seward had left Sandusky for Pelee, a rectangular-shaped Canadian island in the middle of western Lake Erie sixty miles from Detroit. On 26 February the Patriots landed on Pelee and either dispersed or captured its inhabitants. On 1 March, intent upon dislodging the invaders, Colonel Maitland left Fort Malden with a large force consisting mostly of regulars. Maitland's force sleighed thirty-five miles over the frozen expanse of Lake

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[68]Pontiac Courier, 2 March 1838; Detroit Daily Free Press, 27 February 1838.

[69]Brady to Scott, 26 February 1838, NARS, Eastern Division, RG 393.

[70]R. W. Ashley to Dr. Bond, 1 March 1838, Severance, "The Woes of a Leader," pp. 141-42.

Erie and engaged the Patriots on 2 March.[71]

The ensuing battle left the British force with 5 killed and 28 wounded (2 mortally), while the Patriot losses were approximately 11 killed, 45 wounded (1 mortally) and 11 captured (of which five were wounded). Having stopped another invasion, the British regulars returned to Amherstburg an incredible thirty hours after they had departed.[72]

Though responsible for the defense of northwestern Ohio, as well as Michigan, Brady had too few troops and apparently too little forewarning to respond to the Pelee invasion. As a result, his forces were not involved in the campaign.

An anticlimactic event of McLeod's two-pronged invasion occurred on 4 March when General Sutherland and his aide Captain Spencer, bound for Pelee Island, were arrested by Sandwich Magistrate John Prince. Though some question existed as to whether Sutherland had been captured on American or Canadian soil, eventually he was transported to Quebec where we was incarcerated.[73]

Events following Fighting Island bore a resemblance to the days after the Ann incident. Once again Michigan

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[71]Martyn, "The Patriot Invasion," pp. 154-60.

[72]Ibid., pp. 159-62.

[73]Jno. Farmer to Daniel Goodwin, 18 June 1838, NARS, DOS Misc, RG 59; Detroit Daily Free Press, 6 March 1838; committee report of 12 March 1838 in Detroit Daily Free Press, 14

public officials, private citizens and journalists expressed concern about events along the border. But this time their concern included a greater fear of war with Great Britain, as well as a corresponding need to strengthen the state's defenses.

John Bond, a Detroiter in Amherstburg in search of employment, wrote, "England and [the] united states [sic] is i Know Going to war it will be the Dreadfulest thing we ever saw."[74] In early March, John Anderson of Monroe wrote his brother that many in that city anticipated war with Britain. Although some citizens, including Anderson, were horrified at this prospect, he admitted, that among many others "a desire for War is Manifest."[75] The Monroe Gazette regretted that the frontier troubles might result in war, but added, "if this is to be brought upon us by causes beyond our control, we can yield a willing sacrifice the blood and treasure it will cost. Let the honor of the nation be at stake."[76] At the same time, some of Detroit's

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March 1838.

[74]John Bond to Richard Bond, 25 February 1838, John Bond Papers, Bentley Historical Library, Michigan Historical Collections, Ann Arbor, Michigan (hereafter Bentley).

[75]John Anderson to Alexander D. Anderson, 7 March 1838, John Anderson Papers, Bentley. See also E. B. Ward to E. Ward, 18 February 1838, Ward Family Papers, BC and James L. Schoolcraft to George Johnston, 25 February 1838, George Johnston Papers, BC.

[76]Monroe Gazette, 13 March 1838. See also Detroit Daily Free Press, 7 March 1838.

leading citizens "strongly urged" General Brady to mobilize the militia "to protect this frontier from invasion."[77]

Others were convinced that war was neither imminent nor called for. The Detroit Daily Free Press argued that the British did not want war with the United States. Not only would such a conflict result in French involvement against the British, but "the British government will never hazard its empire in the eastern hemisphere to gratify the the childish vanity of her weak, expensive and puling colonies in America."[78] Other newspapers downplayed the chances of war by reporting on Patriot fiascos elsewhere along the border and ridiculing their farcical efforts to invade Canada.[79]

Regardless of the possibilities of war, Michiganians were concerned about their defenses and undertook measures to fortify them. Amidst rumors that the Canadians were constructing rocket batteries opposite Detroit, the state legislature revised the state militia system. Although it is

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[77]Brady to Scott, 14 March 1838, NARS, Eastern Division, RG 393. There were also reports from Detroit and Monroe to the Michigan House of Representatives requesting permission to incorporate militia companies in those cities (House Journal, 1838, pp. 204, 159). Representative J. M. Howard introduced legislation on 6 March to equip a company of militia artillery. (House Journal, p. 248). On 7 March 1838 the Detroit Daily Free Press hoped the legislature would not adjourn before revising the militia laws that it considered "little better than nothing."

[78]Detroit Daily Free Press, 7 March 1838.

[79]Ibid., 12, 16 March 1838; Pontiac Courier, 23 March 1838; Monroe Gazette, 20 March 1838.

questionable whether the new system would have, in the Free Press's words, led to Upper Canada's capture in two weeks should war break out, it did result in the state's forty thousand eligible militiamen being ordered to gather on Saturdays in March, April and May for "martial exercise."[80]

In addition to reorganizing the militia, the state legislature urged the federal government to deepen and straighten the Detroit River, specifically the channel closer to Michigan. "In the event of any disturbance of that peace and amity" between the U.S and Great Britain, the legislature feared Great Lakes shipping would be "in the most imminent danger of injury and of destruction" by having to navigate the main channel that ran between Bois Blanc and Fort Malden.[81]

Appalled by rumors of British rocket batteries and mistreatment of Patriot prisoners, Detroiters gathered on 7 March and appointed a committee to cross the river and investigate these and other allegations. The committee, which included C. C. Trowbridge, 1837 Whig gubernatorial candidate, and A. D. Frazier, Detroit city recorder, spent

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[80]General Orders from J. E. Schwarz in Detroit Daily Free Press, 9 March 1838; quoted in ibid.; eligible militia strength in Detroit Daily Free Press, 7 March 1838. There are repeated references to the militia debate in the House and Senate Journals for 1838. The revised militia system was implemented in General Orders No. 1, 2, 3, 31 March 1838, in Monroe Gazette, 23 October 1838.

[81]State senate resolutions adopted 14 March 1838, in Monroe Gazette, 20 March 1838.

two days travelling from Windsor to Fort Malden. On 12 March it reported to an assemblage estimated by the Free Press to be one of the largest ever convened in Detroit.[82]

In addition to being well-treated by Canadian authorities, the five-member committee witnessed no offensive military preparations. It reported that the Canadians not only desired to continue the longstanding "friendly feelings" between the people on each side of the river, but also that Patriot prisoners taken at Pelee Island had "expressed themselves perfectly satisfied" with their treatment. The assemblage adopted resolutions deprecating the insults and injuries committed to Canadians who visited Michigan and once again pledged support for the government's neutrality efforts. Finally, the assemblage approved the measures taken by both public and military authorities.[83]

Two days before the Detroit meeting, the U.S. Congress, after two months of debate, had finally adopted a new neutrality law. The law enlarged the preventive powers of the government and made their exercise more comprehensive. Under the 1818 law, authorities could detain only vessels manifestly built for warlike purposes and carrying a cargo principally of arms and munitions. The 1838 law empowered authorities

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[82]Detroit Daily Free Press, 14 March 1838.

[83]Ibid.

> to seize and detain any vessel or any arms or munitions of war which may be provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign prince or state, or of any colony, district, or people conterminous with the United States and with whom they are at peace [and to] retain possession of the same until the decision of the President be had thereon.[84]

Another section provided that any vessel or vehicle and all arms and munitions "about to pass the frontier of the United States" could be seized when "probable cause" indicated a military expedition was being carried out.[85]

On 14 March, General Brady informed General Scott that "perfect tranquility" pervaded the Michigan frontier. In an isolated incident a few days earlier, several persons had fired weapons at Windsor, and a few Patriots in Detroit were spreading rumors that according to Brady "kept an excitement up amongst our citizens." But the Patriot forces by late March were no longer congregating along the Detroit River.[86]

Having experienced defeats and disasters all along the international border, the Patriots reassessed their situation. The presence of well-led military forces, coupled with a growing realization among the general public

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[84]Charles G. Fenwick, The Neutrality Laws of the United States (Washington: Carnegie Endowment for International Peace, 1913), pp. 43-44, 179-81.

[85]Ibid.

[86]Brady to Scott, 14 March 1838, NARS, Eastern Division, RG 393; Detroit Daily Advertiser, 12 March 1838.

that they were aiding a cause that was unwanted by most Canadians--a cause that might easily lead to war with Great Britain--resulted in a minimal amount of filibustering along the Michigan frontier during the spring and summer of 1838. Instead the Patriots established an extensive underground system dedicated to their goal of liberating the Canadians.

CHAPTER FIVE: THE RISE OF THE HUNTERS LODGES

Convinced that their defeats during the winter occurred because of a lack of secrecy, the Patriots organized semi-underground societies in mid-1838 to continue their war of liberation. Although Patriots in Michigan and Ohio minimized their filibustering during this period, their earlier setbacks did not prevent their creating a new provisional government for Upper Canada and planning another series of invasions. In the meantime authorities on both sides of the border strengthened their defenses and prosecuted those who had violated their laws.

Although tranquility pervaded the Michigan/Canadian frontier during the spring of 1838, political and economic developments perpetuated the turbulence prevalent in the state during the 1830s. For the first time the Whigs ousted the Democrats for control of Detroit's city government. Though the navigation season opened with the bustle of immigration and commerce, the nation's worsening economy was beginning to affect Michigan. The Pontiac Courier bemoaned that while cash was in short supply, everyone was calling for their bills to be paid. Everywhere farmers were heavily in debt, and the instability of Michigan's banks--many not

even a year old--only increased concern. Finally, the overextension of Michigan's grandiose internal improvement scheme seemed to guarantee a dismal economic future for the new state's budget.[1]

Throughout the summer the deteriorating economic conditions dominated the news. In mid-June Detroiters were invited to attend a meeting "for the purpose of consulting together on the present embarrassed state of the currency, and of devising suitable means to restore the same to a sound, uniform and permanent condition." Later that summer Lenawee County residents requested a special legislative session to deal with economic problems, and on 5 August Monroe County Whigs expressed dismay at "the present depressed and unhappy situation of our once flourishing State."[2]

Across the Detroit River western Canadians were anxious to put the terrible winter behind them. Two months of martial law in Upper Canada ended on 27 April, and the Sandwich Western Herald expressed optimism because "peace and tranquility once more reigns in our borders." Recalling the shortage of supplies that winter, the Western Herald declared that it was time that western Canadians become

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[1]Detroit Daily Free Press, 4 April 1838; Pontiac Courier, 8 June 1838; State Journal (Ann Arbor), 31 May 1838; Hemans, Mason, pp. 378-79; Dunbar and May, Michigan, pp. 261-76.

[2]Detroit Daily Free Press, 18 June, 13 August 1838; Monroe Gazette, 21 August 1838.

self-sufficient. As a beginning the newspaper urged that a wharf be built so that ships could discharge their cargoes at Sandwich.[3]

But concern with economic problems on both sides of the Detroit River did not prevent the animosities created by the Patriots' filibustering from occasionally flaring. During the spring and summer months, isolated incidents of hostility, the exodus of Canadians from Upper Canada and the treatment of Patriot prisoners by their Canadian captors, kept the Patriot cause active in Michigan.

Visiting Detroit in May, Captain Frederick Marryatt was confronted by an angry mob of Patriot sympathizers. One of England's best-known novelists in the 1830s, Marryatt toured North America in 1837-38. While in Toronto in April 1838 he offered a toast honoring the Canadian raiders who sank the Caroline. When he reached Detroit Marryatt was greeted by the Detroit Daily Advertiser's declaration that the British author had betrayed all the favors he had received in the United States. Asserting that the toast "can never be, nor ought to be forgotten," the Advertiser added that Marryatt had "forfeited all claims upon the reading public."[4]

Staying at the home of E. A. Brush, Marryatt wrote that the anti-British sentiment in Detroit was "the very worst of

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[3]Sandwich Western Herald, 24 April 1838; Corey, Crisis, p. 68.

[4]Arno L. Bader, "Captain Marryatt in Michigan," Michigan History 20 (Spring-Summer 1936), pp. 163-72; Detroit Daily Advertiser, 17 May 1838; Detroit Weekly Post,

all" American cities he had visited. On 14 May a mob gathered outside Brush's house and burned the British author in effigy. According to the Detroit Weekly Post, the mob cheered Edward Theller and all Patriots, but jeered "the murderers" who sank the Caroline. After the effigy had been consumed, hundreds of Marryatt's books were also burned. The thousand people who watched the conflagration, many who had followed fire engines to the site, dispersed after conducting themselves, in the Post's words, with "the utmost decorum." A few days later it was reported that both President Van Buren and Governor Mason were burned in effigy at Windsor in retaliation.[5]

A few days after the Marryatt incident, three British officers, in full dress uniform, crossed over to Detroit only to be greeted with stones and eggs. Assaulted by the cry of "Tory! Tory!," the British officers were awaiting the ferry when they were surrounded. According to the Sandwich Western Herald, "the mob of twenty or thirty scoundrels" used "disgusting, insulting and brutal language, evidently with the view of provoking them to draw their swords." Using "the greatest forebearance," the officers

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23 May 1838.

[5]Florence Marryatt, Life and Letters of Captain Marryatt, 2 vols. (London: n.p., 1872), 2:36-38; Detroit Daily Free Press, 16 May 1838; Detroit Weekly Post, 23 May 1838. In Frederick Marryatt's Diary, there is a footnote (#24, p. 307), about a handbill organizing a book burning in Lewiston, Michigan. That event occurred in Lewiston, New York. (Bader, "Marryatt in Michigan," p. 171). About the

boarded the ferry amidst a shower of stones and eggs.[6]

Labelling the incident typical of the conduct of the "free and enlightened citizens of the Greatest Republic in the world," Western Herald editor Henry Grant chided American readers to "confess the rottenness of your republic institutions, and your inability to control the despotism of 'His Majesty the mob!'"[7] The pro-Patriot Detroit Post rebutted a few days later that the attackers were not Americans, but Canadian refugees provoked to such actions by oppressive British policies. Citing various complaints about British actions, including the Caroline, the Post concluded, "While the British complain of foul words, we complain of foul deeds."[8]

On 23 May, Sandwich magistrate John Prince created a stir in Detroit when he addressed the district court in Sandwich. Shocked that the Upper Canadian provisional government planned to treat the Patriots captured at Pelee Island as prisoners of war, not murderers, Prince expressed disbelief. Dramatically pointing to Michigan, he charged

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same time Marryatt was burned in effigy, the editor of the Western Herald claims that he was threatened with tar and feathers while visiting Detroit. (Western Herald, 22 May 1838.)

[6]Sandwich Western Herald, 22 May 1838.

[7]Ibid.

[8]Detroit Daily Post, 25 May 1838.

that the "most unfriendly race" lived across the Detroit River. Several Detroiters took exception with Prince's remarks and charged that Prince was trying to provoke a war between the United States and Great Britain.[9]

The Post and Western Herald continued exchanging salvos. On 19 June the Herald defended the "brave and gallant" magistrate by declaring that Prince possessed "a mind conscious of rectitude, which neither the lying 'apostate' of the 'Post' or his whole troops of 'Patriot' scribblers cannot deprive him of." Prince attached a note to the Sandwich editorial describing Post editor Benjamin Kingsbury as a "lying knave."[10] Referring to Sutherland's capture, Kingsbury rebutted that Prince had lied about where he had captured Sutherland in hopes of being knighted.[11]

In early July, just as the National Intelligencer reported Michiganians were "in danger" from the bad feelings held by Upper Canadians, an innocent Detroiter was seized and imprisoned after crossing the river to collect a debt. Held for nine days, Samuel Flanigan, a naturalized American who had been in the United States for fourteen years after migrating from Ireland, was released when no charges were

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[9]Sandwich Western Herald, 29 May 1838.

[10]Ibid., 19 June 1838. Additional criticism is found in 17 April, 3, 25 July, 1838.

[11]Detroit Daily Post, 2 June 1838.

filed against him.[12]

During the summer the emigration of Upper Canadians also fueled Michigan's sympathy for the Patriots. On 8 June General Brady observed that Canadian refugees were arriving in Michigan "in great numbers."[13] Although there had been a steady flow of Canadian emigrants into Michigan during the 1830s, the troubled conditions in the province during and after the rebellion accelerated the flow. On 7 June the Detroit Free Press described the exodus from Upper Canada as "immense." Reporting that twelve well-filled covered wagons had crossed the day before, the Free Press claimed this had been a common occurrence for the past several weeks.[14]

Besides reports of migrations elsewhere along the border, there were indications from within Canada that the exodus was becoming a serious problem. In August, as two hundred emigrants boarded a boat in Toronto bound for the United States, the Toronto Mirror feared that "at the present rate," half of Canada would soon be in that country. Later that year the provincial governor expressed concern over the "astonishing" number of persons who were leaving

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[12]National Intelligencer, 7 July 1838; Detroit Daily Post, 13 July 1838. See also Lucius V. Bierce's 13 July 1838 letter to President Martin Van Buren about a boat from Detroit to Cleveland that had been fired upon three times as it passed Fort Malden a few days earlier. One shot allegedly struck the vessel. (NARS, DOS, Misc. Letters, RG 59.)

[13]Brady to Jones, 8 June 1838, NARS, AGO, RG 94.

[14]Detroit Daily Free Press, 7 June 1838.

the province.[15]

Regardless of why Canadians left their country, Americans viewed the migration as an escape from oppression. In late June the Detroit Post suggested that the exodus was caused by Canadians escaping "miserable topers and heartless tyrants." Dramatizing its point, the Post recounted the recent arrival of one farmer who exclaimed upon reaching the Michigan shore, "THANK GOD, I AM, AT LAST, ON FREE SOIL."[16]

Many Canadian immigrants, like the pioneers of the Toronto Emigration Society that homesteaded in Iowa, settled away from the border and did not ally themselves with the Patriots. But as Brady observed in mid-summer, the refugees in southwestern Michigan made the task of maintaining peace along the border even more difficult.[17]

Michigan residents also remained critical of Canadian authorities for the trial and treatment of the prisoners taken from the ill-fated Ann, especially its commander

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[15]Ibid., 7, 11 June 1838; Landon, Western Ontario, p. 199; Toronto Mirror, in Landon, Western Ontario, p. 198; Arthur to Colborne, 8 December 1838, The Arthur Papers, ed. by Charles R. Sanderson, 3 vols. (Toronto: University of Toronto Press, 1957), 1:429-30; R. S. Longley, "Emigration and the Crisis of 1837 in Upper Canada," Canadian Historical Review 17 (March 1936), pp. 29-40. See also "London and Vicinity, 1837-38," by Fred Landon, Ontario Historical Society Papers and Records, 24 (1927), pp. 419-20 and Hamilton Express in Detroit Daily Free Press, 9 July 1838.

[16]Detroit Morning Post, 29 June 1838.

[17]Brady to Jones, 8 June, 27 June 1838, NARS, AGO, RG 94; Longley, "Emigration," pp. 35-40.

Edward Theller.

Born in Ireland, Theller had become a naturalized American in 1826. After his imprisonment he sent impassioned pleas for help to President Van Buren and Kentucky Senator Henry Clay. At the same time Detroiters gathered at the City Theatre in early February to raise money for Theller's wife and five children. When the Patriot brigadier was convicted of high treason and sentenced to be hanged in April, his friends and relatives denounced the court's decision to try him as a citizen of the British Empire rather than of the United States. From as far away as Philadelphia and Washington, D.C., there were efforts to secure U.S. intervention. U.S. Secretary of State Forsyth sent an agent to Canada to investigate the fate of American prisoners, but Theller's subsequent stay of execution and the commutation of his sentence to life imprisonment probably resulted from British leniency rather than U.S. intervention.[18]

As late as September, not long after the escape of Stephen Brohpy of Monroe, one of Theller's comrades on the Ann, Theller's wife sent a petition to Van Buren pleading for the president to secure her husband's release. Signed by such Michigan notables as Governor Mason, U.S. Senators John Norvell and Lucius Lyon and U.S. District Judge Ross

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[18]Detroit Daily Free Press, 9 February 1838; National Intelligencer, 2 February 1838; Theller to Van Buren, received on 5 March 1838, DOS, Misc. Letters, RG 59; John

Wilkins, the petition described Theller's incarceration as "an arbitrary exercise of power on the part of England, over the rights of an American citizen."[19] But Ann Theller's efforts followed a summer of renewed Patriot activity and received no response from a president desperate to control his citizens and avoid war with Great Britain.

Events at other points along the border also affected Detroit in the early summer. On the night of 29 May, the Canadian steamer Sir Robert Peel landed at Well's Island, near Clayton, New York. Disguised as Indians and crying "Remember the Caroline," a small band of Patriots captured the vessel. The crew, passengers and their luggage were

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Norvell to Forsyth, 24 April 1838, U.S. Archives S-797, BC; John Oakford et al. to Forsyth, 22 April 1838, ibid.; S. Burch to Forsyth, 24 April 1838, ibid.; Alex Diamond to Senator John Norvell, 23 April 1838, ibid.; Arthur to Colborne, 5 April 1838, Sanderson, Arthur, 1:70-71; Detroit Daily Post, 5 May 1838; Petition of Ann Theller, NARS, DOS, Misc. Letters, RG 59. See also Patrick Gallaher's affidavit, dated 19 April 1838, swearing that Theller was an American and "an active partisan" in the 1838 elections. (Sanderson, Arthur, 1:83-84.) Michiganians also expressed a concern for two other Ann prisoners, Stephen Brophy and W. W. Dodge. See Wm. H. Winder to Forsyth, 22 May 1838, NARS, DOS, Misc. Letters, RG 59 and A. E. Wing to Forsyth, 15 September 1838, BC, U.S. Archives, S-797. The people of Monroe gathered on 24 May 1838 and sent a memorial to Van Buren asking his intervention in the release of Brophy, Dodge and two other local citizens captured on the Ann. The meeting also criticized "the arbitrary doctrine contended for by Great Britain 'once a subject always a subject.'" (Monroe Gazette, 29 May 1838.) See also a letter from W. W. Dodge to C. H. VanCleve of Monroe asking Americans to make a greater effort to secure their release. (Monroe Gazette, 15 May 1838.)

[19]Petition of Ann Theller, DOS, Misc. Letters, RG 59; Theller, Canada in 1837-1838, 2:95-97.

placed ashore before the Peel was burned.[20] The sinking created such an outcry in Upper Canada that the new lieutenant governor, George Arthur, demanded redress from the United States and warned "that injury offered to one British subject, is felt by all, and that the mutual ties of duty and affection which band a free and loyal people and their Sovereign together, give the strength of the whole Empire to an injured individual." Arthur concluded by reminding Upper Canadians that while traveling the Great Lakes they would have to take extra precautions since they "may be sometimes placed in the power of a lawless banditti, when they imagine themselves within the protection and authority of a friendly Government."[21]

The destruction of the Peel created excitement along the Detroit River where General Brady in his 8 June report indicated that a large number of Canadian refugees, "in connection with certain desparate and uneasy" Americans, were "making exertions to fan into a flame the expiring embers" of the Patriot cause.[22] At the same time the U.S. Customs Collector in Detroit, John McDonald, reported rumors that

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[20]Edward O. Tiffany, "The Relations of the United States to the Canadian Rebellion," Publications of the Buffalo Historical Society, 8 (1905), pp. 54-55.

[21]Arthur's Declaration, 31 May 1838, in Sandwich Western Herald, 12 June 1838.

[22]Brady to Jones, 8 June 1838, NARS, AGO, RG 94.

Canadian refugees in southeastern Michigan were up to no good. But McDonald expressed even greater concern that Canadian authorities across the river were trying to provoke hostilities between the United States and Great Britain. The collector urged Captain D. Dobbins, commandant of the revenue cutter Erie, to patrol the Detroit River "to prevent any aggreassion [sic] that may possibly be attempted from the other shore."[23]

The burning of the Peel was followed in June by two Patriot invasions in the Niagara region of New York State. The most ambitious was at Short Hills, twenty-five miles west of the Niagara River. There, a small band of Patriots fired on a tavern and captured a party of lancers. When the local populace did not rally to their standard, the invaders fled to the United States, leaving thirty of their number imprisoned by the Canadians.[24]

In Michigan, late springtime had witnessed the reappearance of Patriot General Handy, who organized a secret organization dubbed the Sons of Liberty. Seeking to rally Upper Canadians into revolutionary societies, the Sons of Liberty had numerous spies and couriers throughout Upper

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[23]John McDonald to D. Dobbins, 11 June 1838, in "Illustrative Documents Bearing on the Canadian Rebellion," Frank Severance, ed., Publications of the Buffalo Historical Society, 8 (1905), p. 127.

[24]Tiffany, "Relations," pp. 55-56.

Canada granting officers' commissions and gathering information. With an alleged strength of twenty-thousand men ready to move on a moment's notice, Handy planned to capture Windsor on 4 July. Once the Patriot flag was raised, the Upper Canadians would mobilize and a general uprising would result.[25]

Although the magnitude of this Upper Canadian revolutionary movement was undoubtedly exaggerated, rumors that some type of Patriot action would occur in early July left General Brady apprehensive. On 27 June he observed that, "A feverish state of excitement exists along this border." Although no overt acts had been committed, the large numbers of Canadian refugees between Detroit and Fort Gratiot appeared "ready for some desparate enterprise." Owing to the "great secrecy with which they concert their plans," Brady had been unable to discover their exact intentions. But he was confident that the Michigan Patriots awaited the movement "of their friends in Canada," which was to take place on or about 4 July.[26]

Brady thwarted Handy's plans only indirectly. On 28 June approximately twenty-five men claiming to be Patriots crossed the St. Clair River and plundered a general store in Moore Township opposite the Michigan community of Newport.

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[25]Lindsey, Mackenzie, 2:192-94.

[26]Brady to Jones, 27 June 1838, NARS, AGO, RG 94.

The Moore militia were alerted and pursued the marauders, who landed back in Michigan, confident that they were safe. However, a Canadian force of seventeen militiamen and seven Indians boarded canoes and followed them to Michigan. Through the intercession of Captain John Clark, a justice of the peace who lived near where the marauders reentered the state, a fight on Michigan soil was averted. Denying the Patriots' request for refuge, Clark ordered them to surrender their arms, which they did before fleeing. Taking charge of the Patriots' abandoned sloop, Clark assured the pursuing Canadians that the stolen goods would be returned. According to one witness, the militiamen "gave three cheers," and paddled back to Canada.[27]

Fearful that the excitement on both sides of the St. Clair River might lead "to acts of violence greatly to be deprecated," Brady moved swiftly. The day after the St. Clair raid he dispatched Captain L. J. Jamison with twenty men to make a reconnaissance of the St. Clair River and assist the marshal in making arrests and seizures. Brady chartered and armed a vessel to patrol the St. Clair River and sent word to the British troops at Sandwich that he feared an invasion of Canada and doubted that he could prevent it. The Michigan general added that he had ordered an armed steamer to patrol the Detroit River throughout the

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[27]Sandwich Western Herald, 10 July 1838; Dorothy M. Mitts, That Noble Country: The Romance of the St. Clair River Region (Philadelphia: Dorrance and Co., 1968), pp.

night of 4 July to prevent any Patriot sorties.[28]

Responding to the St. Clair skirmish, the Canadians armed the schooner Thames with fifty rangers and sent it up the St. Clair River. The vessel also provided the Canadians in Moore Township and Port Sarnia with "a liberal supply of arms and ammunition." At the same time the Sandwich magistrates proclaimed a state of nonintercourse with Michigan and prohibited all but steamships to cross between the two sides of the river.[29]

By mid-July calm had been restored to the St. Clair River and Brady discontinued his schooner patrol. Captain Jamison's troops had arrested six St. Clair Patriots, but all were released by Judge Ross Wilkins. Although war had been averted, Brady confessed to U.S. Adjutant General R. Jones that his force was too meager to guarantee that similar raids would not be attempted. With only four officers and about ninety recruits to patrol a frontier of over one

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140-42. The Western Herald's correspondent also reported that a U.S. Marshall named Cornwall crossed from Palmer, Michigan (now St. Clair), near where the Patriots had landed, to Sutherland's Landing, where the Canadian militia were headquartered. According to this correspondent, Cornwall was sent by state authorities to assure the Canadians that the peace would be preserved. The marshall planned to pursue the thieves once the schooner General Gratiot arrived from Detroit. (Sandwich Western Herald, 10 July 1838).

[28]Brady to Jones, 29 June 1838, NARS,, AGO, RG 94; Arthur to Colborne, 30 June 1838, Sanderson, Arthur, 1:215; Sandwich Western Herald, 10 July 1838.

[29]Sandwich Western Herald, 10 July 1838; Douglas, John Prince, pp. xxvi, 25.

hundred miles, Brady saw a vast disproportion "between the duties to be performed and the means available for that purpose."[30]

Unbeknownst to Brady, the paucity of troops did not matter. He had prevented Handy's 4 July invasion without firing a shot. The Windsor campaign planned by the Sons of Liberty had depended upon obtaining weapons from the state arsenal. The plan to secure those weapons with the cooperation of certain sentinels was thwarted when events on the St. Clair River led Brady to increase his vigilance. Desperate, Handy sent a delegation to Cleveland, Ohio, to seek aid from Patriots located there. This expedition proved unsuccessful, and both Handy and the Sons of Liberty disappeared from the Patriot War.[31]

The demise of the Sons of Liberty and their invasion efforts was followed by a period of tranquility along the Michigan/ Canadian border. The Brady Guards travelled to Buffalo in early July in an "interchange of friendly feelings of the military of the two sister cities."[32] In late summer Brady returned to his native Pennsylvania to be honored by the state legislature. Even Captain Marryatt's

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[30]Brady to Jones, 29 June 1838, NARS, AGO, RG 94; Detroit Morning Post, 3 July 1838; unidentified correspondent, 12 July 1838, in Albion, 21 July 1838.

[31]Lindsey, Mackenzie, 2:194-95.

[32]Detroit Daily Free Press, 12 July, 30 June 1838.

books once again became available in Detroit.[33]

The absence of Patriot filibustering did not keep American authorities, in both Washington and Michigan, from preparing for future Patriot excursions or prosecuting those who had already violated existing neutrality laws.

Aware of the importance of an adequate military presence along the frontier, Congress in early July, after two months of rancorous debate, increased the army by 4,650 non-commissioned officers and men. At the same time, Major General Alexander Macomb arrived on the frontier to coordinate the military there. Headquartered at Sackett's Harbor, near Watertown, New York, Macomb first instructed the officers along the border to distribute copies of neutrality laws "under which they are authorized to adopt measures for repressing all hostile acts against the subjects of a friendly Power."[34]

Besides ordering two unarmed steamers carrying fifty soldiers each to patrol Lakes Erie and Ontario, the U.S. government sent additional troops to the border. In late July the 2nd U.S. Artillery was ordered north from Tennessee. Upon reaching Cleveland the regiment sent three companies to Brady, who kept one in Detroit and sent the

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[33]Jones to Brady, NARS, Records of the Adjutant General, Letters Sent, 1800-1890, 3 August 1838; Detroit Daily Free Press, 1 October 1838; Detroit Morning Post, 31 August 1838.

[34]Corey, Crisis, pp. 57-61; Detroit Daily Free Press, 26 June 1838; Macomb's Order No. 1, 23 June 1838 in National Intelligencer, 7 July 1838.

other two to Fort Gratiot. Although pleased with additional troops, Brady's euphoria was probably tempered when he discovered his military district had been expanded to Oswego, New York--over one hundred miles east of the Niagara River.[35]

The government ordered U.S customs agents to use vigilance to obtain witnesses and evidence to aid in prosecuting anyone violating the neutrality laws. In early July the sloop Texas was seized in Detroit because it was fitted out with armaments "for the purpose of committing hostilities against a foreign country." The armaments--sixteen rifles, a pair of pistols and a sword--were seized because they also had been imported and not declared to the port collector.[36] On 13 August, Detroit customs officers discovered and seized three dissembled cannon in crates aboard the vessel Bunker Hill.[37]

The courts in Michigan were also active. In March, as a result of the mid-February theft of ordnance entrusted to his care, Major Charles Jackson was courtmartialed for

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[35]J. R. Poinsett to Forsyth, 11 June 1838, DOS, Misc. Letters, RG 59; Scott's Special Order No. 68, 21 July 1838, NARS, Eastern Division, RG 393; Macomb's General Orders, No. 2, 11 August 1838 in Detroit Daily Free Press, 17 August 1838; Macomb's General Orders No. 9, 20 September 1838, in National Intelligencer, 29 September 1838.

[36]Pontiac Courier, 4 May 1838; Detroit Daily Free Press, 14 July 1838.

[37]Detroit Daily Free Press, 14 August 1838; Sandwich Western Herald, 21 August 1838.

negligence and conduct unbecoming an officer.[38] In mid-summer Patriot ordnance officer John S. Vreeland, arrested in Detroit in late February, was found guilty of violating U.S neutrality laws by preparing and participating in a military expedition against Upper Canada. Vreeland was fined $1,000 and sentenced to a year's imprisonment.[39]

During the summer and fall the Canadians strengthened their defenses. When George Arthur arrived in Toronto in late March 1838 to take office as Upper Canada's newest lieutenant governor, he discovered a weakly fortified province threatened by invasion and torn by internal dissension. Conducting what called by some as "a reign of terror," the provincial conservatives had arrested and imprisoned many former Reformers on mere suspicion of being a rebel or a Patriot sympathizer. Public works were at a standstill, enormous debts were piling up, and hundreds, if not thousands, of Upper Canadians were emigrating to the United States.[40]

A veteran of colonial service, Arthur had served the previous twelve years as lieutenant governor of the convict colony at Van Dieman's Land (now Tazmania).[41] Working

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[38]Detroit Daily Free Press, 14 March 1838.

[39]Ibid., 14 July 1838; Detroit Morning Post, 16-19 July 1838.

[40]Landon, Western Ontario, pp. 172-78; Craig, Upper Canada, pp. 252-53.

[41]Craig, Upper Canada, p. 254.

closely with Sir John Colborne, commander-in-chief of British forces in Canada, Arthur restored order and strengthened provincial defenses.

By spring 1838 the British had bolstered their forces in the two provinces from a paltry two thousand regulars, at the end of 1837, to over nine thousand. By early June three thousand regulars were deployed across Upper Canada. Colborne ordered the engineers to establish a line of posts and barricades along the frontier from Montreal to Sandwich. Canadian authorities also hired secret agents to operate in the U.S. and report on Patriot activities. Like the Americans, the British increased the numbers of ships patrolling the Great Lakes. Unlike the Americans, they viewed the Rush-Bagot Treaty of 1817, which limited each country to two armed vessels on the Upper Great Lakes, as a peacetime measure that was inoperative during this period of border raids. Although informing the U.S. government that their actions were defensive, the British did not ask to negotiate the matter. By early autumn Arthur had four vessels on Lake Erie alone and was making provisions to increase his fleet to five.[42]

Despite these efforts Upper Canada's defensive posture was far from ideal. Arthur wrote Colburne on 17 June that the militia's weapons were "very bad." In addition to

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[42]Corey, Crisis, pp. 66-69, 105, 110.

twenty-thousand stands-of-arms, Arthur believed the province needed various military supplies. Convinced that he had ample troops "to crush rebellion or to repel Invasion," Arthur's greatest concern was his inability to prevent either from being attempted.[43]

The governor's conclusion that "confidence cannot be restored until security is felt," was readily apparent among western Canadians.[44] The euphoria of repelling the Patriots' earlier invasions disappeared as defense of the Detroit River frontier became immersed in a discomforting predicament: To keep costs down, Colborne and the British Colonial Office sought ways to keep the militia off active duty. To prevent desertion, they discouraged stationing British regulars close to the border. To western Canadians the result was clear. In spite of their exertions during the recent months, and their unwavering loyalty to the crown, the provincial government treated their concerns with "singular indifference."[45]

At a 9 June meeting in Sandwich, the provincial government was criticized for neglecting the defense of western Canada.[46] A few days later Sandwich and Amherstburg

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[43]Arthur to Colborne, 17 June 1838, Sanderson, Arthur, 1: 202.

[44]Ibid.,

[45]Corey, Crisis, pp. 66-67; Sandwich Western Herald, 12 June 1838.

[46]Sandwich Western Herald, 12 June 1838.

magistrates petitioned Arthur expressing "the deepest anxiety, alarm and astonishment" over the withdrawal of all British regulars from the Detroit River. The petitioners reminded the governor that three times the Patriots had aimed their invasions at Amherstburg, "the key to the Upper Province." Finally the magistrates warned that withdrawing the regulars would destroy the confidence of the local residents, while "raising that of the brigands."[47] Arthur assured western Canadians that he was not indifferent to their needs and sought to relax their anxieties by expanding the period of active service of the militia by one month.[48]

On 30 July General Colborne visited Amherstburg and heard complaints by area residents that the western frontier needed to be put "into a proper state of defence."[49] Colborne, a Napoleonic War veteran who had received accolades for his actions at the Battle of Waterloo, listened and responded by ordering five companies of British regulars to remain at Amherstburg. A small detachment of regulars was sent to Sandwich and a gunboat was stationed at Windsor. Colborne, soon promoted to lieutenant general, also agreed with Governor Arthur that two militia companies should be stationed at various points along the Detroit and St. Clair

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[47]Petition in Sandwich Western Herald, 31 July 1838.

[48]John Macaulay to John Prince et al., 19 June 1838, in Sandwich Western Herald, 31 July 1838.

[49]John Prince et al. to John Colborne, 30 July 1838, in Sandwich Western Herald, 14 August 1838.

rivers. Finally, the commander-in-chief directed that Fort Malden be repaired and armed for the reception of the militia in times of emergency.[50]

By autumn the defense of the western boundary had stabilized. Admitting that the western townships "can never prudently be left without at least militia on permanent duty," Colborne had directed the stationing of a militia company at Amhertsburg and another between Sandwich and Windsor. Although the border defense would rely upon the regulars, the militia would be used for various odd jobs, including wharf duty and occupying Fort Malden should the regulars be forced to march.[51]

Aware that withdrawing the regulars from the frontier would produce "a great want of confidence," Colborne recommended to Arthur that the 34th Regiment be kept at Fort Malden. The general only hoped the militia's presence would minimize the desertion dilemma. Colborne also suggested that Arthur keep his gunboats sailing between Sarnia and Amherstburg until the rivers froze in mid-January.[52]

Besides preparing the province's defense, Arthur had to

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[50]Dictionary of Canadian Biography, 11 vols., (Toronto: University of Toronto Press, 1966), 9:137-43; Colborne to Arthur, 16 August 1838, Sanderson, Arthur, 1:256-57. See also Arthur to Colborne, 17 June 1838, Ibid., 1:201.

[51]Colborne to Arthur, 28 September, 1 October 1838, Sanderson, Arthur, 1:286-88, 292-94.

[52]Ibid.

decide what to do with the several hundred Patriot prisoners. Though he did not prevent the 12 April hangings of Samuel Lount and Peter Mathews, two Upper Canadians captured while trying to escape to the United States after their involvement in the December 1837 rebellion, Arthur realized that leniency would be a more profitable policy in countering American sympathy for the Patriots.[53] But Canadian public opinion, particularly in those areas that had suffered from Patriot aggressions, often greeted this policy with contempt.

In western Upper Canada the governor's decision to treat the captured Patriots as prisoners of war to be tried in military courts sparked outrage. In late May the Sandwich Western Herald described Arthur's decision as "impoverished and vacillating" and claimed that his "pseudo-magnanimity and unparalleled, misapplied lenity" did an injustice to law-abiding Canadians.[54]

At a grand jury called on 23 May to try nine Pelee Island prisoners, Sandwich Magistrate John Prince tried to

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[53]Story, The Oxford Companion, pp. 470, 520; Arthur to Colborne, 5 April 1838, Sanderson, Arthur, 1:70-71; Craig Upper Canada, pp. 255-56. Curiously, Lount's widow, Elizabeth, addressed a letter to William Mackenzie on 8 December 1838 from Utica, Michigan. Mrs. Lount emphasized her husband's devotion to Upper Canadian liberty and his respect for Mackenzie. It is unclear if Elizabeth Lount moved to Michigan following her husband's death. (Lindsey, Mackenzie, 2:190-91.)

[54]Sandwich Western Herald, 29 May 1838.

enter an indictment for murder and give supporting testimony. Although Queen's Counsel, Sir Allan N. MacNab rejected the indictment, he did nothing to prevent Prince from addressing the court and denouncing the government. MacNab and Judge Jonas Jones urged Prince to accept the governor's decision, but it was to no avail. Demanding that those "who have been the principal sufferers" should determine the fates of the "ruffians and lawless banditti," the militia colonel, who was accompanied by witnesses, recounted the events at Pelee. Declaring that "the whole country claims through me . . . that retributive and evenhanded justice should be fearlessly, firmly and promptly administered," Prince denied that the Patriots were, "by any Law," prisoners of war. Verging on disrespect, if not insubordination, the magistrate denied the legality of the governor's directive under English law or tradition. Following his impassioned oration, Prince received "a burst of applause" from the courtroom audience. The following day the Grand Jury assured Prince that they agreed entirely with him and that only "delicacy and deference" prevented their making a similar statement "in spirit and in substance."[55]

Two weeks after the courtroom episode, western Canadians, at the urging of various local public officials, gathered in Sandwich to adopt resolutions criticizing the

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[55]Ibid.

provincial government's indifference to their needs. Recounting in detail all the sacrifices made in repulsing Patriot invasions, the assemblage denounced Arthur's prisoner-of-war decision, which it labeled "unwise . . . impolitic . . . and extremely unjust." Citing the Magna Charta's guarantee "that right and justice shall neither be denied nor delayed to any," the dissatisfied Canadians declared the delay in meting out justice to the Pelee prisoners not only degraded Great Britain in the eyes of the world, but convinced "ignorant" Americans "to commit fresh outrages upon us."[56]

Prince attended the meeting and addressed the assemblage "in a most impressive and forcible manner." He was thanked for "the straightforward, manly and independent course" he had pursued earlier with the grand jury.[57] As for the Pelee prisoners, they were sent to Toronto, where they were finally tried in mid-1839. Some were released, while others were transported to Van Dieman's Land.[58]

Although Prince failed to reverse Arthur's commitment to leniency, the Sandwich magistrate did not admit defeat. At the General Quarter Session of Magistrates in Sandwich on 10 July, Chairman Prince, according to the Western Herald,

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[56]Ibid., 13 June 1838.

[57]Ibid.

[58]Martyn, "Pelee," p. 162.

dwelt "at considerable length" upon the circumstances of the rebellion and invasions and charged the grand jury "to exercise every possible vigilance and activity in their respective neighborhood, to detect and apprehend all suspected persons without reference to rank or property, and to take them before the Magistrates for examination." Convinced that the previous nine months were unparalleled in history, Prince, according to the Herald, declared that "traitors and American citizens" were again . . . using their arts and devilish machinations to entrap the ignorant, to seduce the unwary, and to make them swerve from their loyalty and attachment to their sovereign."[59]

But Prince's impassioned outbursts could not alter the central government's commitment to tolerance and leniency. Those policies were reinforced when Lord Durham, Canada's new governor general, arrived in late May. Sent to conduct a thorough investigation of Canadian affairs, Durham, known in England as the "people's peer," cultivated goodwill between the United States and Great Britain. His favorable reception by Americans all along the border was instrumental in preserving the tenuous peace between the two countries. Like Arthur, Durham saw the value of leniency. He pardoned many Lower Canadians who had participated in the province's 1837 rebellion. His actions were applauded by Americans.

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[59]Sandwich Western Herald, 17 July 1838.

On 17 July the Monroe Gazette proclaimed that Durham's leniency would eliminate the Patriot's most powerful argument for meddling in Upper Canada's affairs.[60]

The Monroe Gazette was wrong. During autumn of 1838 the Patriots organized their most aggressive effort to push their cause to victory. To coordinate this undertaking, Patriots in Michigan and Ohio replaced the disbanded Sons of Liberty with a stronger organization. Known as Hunters Lodges, because armed Patriots evaded inquisitors by saying they were going on "a great hunt in the north woods," this new organization began in Lower Canada and rapidly spread westward.[61]

The central or grand Hunters Lodges were located in Detroit, Cleveland and Buffalo, while smaller local lodges were formed in many border communities and even in more distant cities like Chicago and Cincinnati.[62] The primary function of the grand lodges was to collect and disburse funds. The grand lodges used the funds to pay expenses, purchase presents for Patriots in Canadian prisons and to

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[60]Craig, Upper Canada, pp. 254-59.; Corey, Crisis, pp. 93-95; Monroe Gazette, 17 July 1838.

[61]Oscar A. Kinchen, The Rise and Fall of the Patriot Hunters (New York: Bookman Associates, 1956), p. 31. The terms Hunter and Patriot are used interchangeably, which is consistent with contemporary use. All Patriots did not belong to the Hunters, but Hunters were known as Patriots. (Corey, Crisis, p. 81.)

[62]Chicago Democrat in Detroit Daily Free Press, 19 December 1838; Corey, Crisis, p. 77; Charles Latimer to Hugh O'Beirne in Landon, Western Ontario, p. 190; H. S. Fox

reward Patriots for destroying loyalist property in Canada.[63]

In addition to forwarding money to the grand lodge, local lodges initiated new members, recruited volunteers and collected arms and clothing. Lodge meetings usually occurred in secluded houses or vacant buildings, but more prominent locations were also used. In Detroit, Heath's Tavern was a favorite Patriot gathering place. One Detroiter later recalled that Heath spread his tables with an abundance of food to entertain the Patriots and nightly the "walls rang . . . with inflammatory harrangues and with addresses, some of which would have done credit to the palmiest days of the era of seventy-six."[64]

Imitating Masonic lodges, the Hunters used secret oaths and membership degrees. A candidate swore not to divulge any Patriot secrets, to come to the aid of a brother Hunter and to "aid the cause of liberty, equality, and fraternity" whenever he could do so "without injury" to himself or his family.[65] Within each lodge there were a series of rankings. The lowest, Snowshoe, was followed by Beaver,

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to Aaron Vail, 3 November 1838, Sanderson, Arthur, 1:342-44.

[63]Kinchen, Hunters, p. 50-51.

[64]Ibid., pp. 52-55; Levi Bishop, "Recollections of the 'Patriot War' of 1838-39 on this Frontier," Michigan Pioneer and Historical Collections, 12 (1887), p. 415.

[65]Charles Duncombe to Thomas D. Morrison, 27 October 1838, in "The Hunters Lodges of 1838," New York History, 19 (January 1938), pp. 64-69.

Grand Hunter and Patriot Hunter. Members of each vowed to not reveal their degree's secrets to members of lower degrees. Signs of recognition were also used. One of the principal ones was made by crossing the hands in front of the body, the left above the right, then letting the hands fall to the sides. Another was made by the question: "Are you a Hunter?" If the day was Thursday, the proper answer would be "Yes, on Friday," the day after the question was asked. Each degree also had its own signs. One of the more peculiar was used by the Beavers, who when asked, "Do you know the Beaver to be an industrious animal?" would respond by placing the thumb between the teeth, with the nail upward, and the fingers curled beneath the chin to imitate a beaver gnawing a tree.[66]

Although spies, particularly loyalist Canadians, moved easily among the lodges obtaining information, the Hunters issued threats of death if members violated their oaths. It was reported that one Hunter accused of revealing Patriot secrets was drowned in the Detroit River.[67]

After being initiated into the Hunters, an Ohio newspaperman found it to include some of the community's most notorious lawbreakers. But he also witnessed city coun-

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[66]Ibid.; William Jones Kent's deposition of 22 October 1838, in Kinchen, Hunters, pp. 128-29.

[67]Kinchen, Hunters, pp. 58-59.

cilmen, as well as lawyers, judges and doctors participating in the Hunters Lodges.[68] A Canadian spy who gained entrance to several western New York lodges "was surprised to see the respectability of the people who attended these lodges and the large amounts of money they subscribed and paid."[69] Geirge H. McWhorter, U.S. Collector of Customs at Oswego, New York, observed that "no small number of the middle classes, comprehending many persons of enterprise, industry, and property are engaged heart and hand in the cause."[70]

Through the lodge the Patriots once again began flexing their muscles. In mid-September, McWhorter rejected reports of forty thousand or more Hunters along the border. Instead, he believed that twenty thousand was "within the truth."[71] A lodge in Amherst, Ohio, organized by General Winfield Scott's nephew, Orrin Scott, had 135 members, while New York's Jefferson County allegedly had 1,500 members in its Hunters Lodge. One of Governor Arthur's spies reported "great numbers of adherents" on the Michigan frontier.[72]

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[68]Carl Wittke, "Ohioans and the Canadian-American Crisis of 1837-1838," The Ohio State Archaeological and Historical Society Quarterly, 58 (1949), p. 22.

[69]Kent deposition in Kinchen, Hunters, p. 132.

[70]Geirge H. McWhorter to Secretary of Treasury, 14 September 1838, in Kinchen, Hunters, p. 126.

[71]Ibid., p. 125.

[72]Kent deposition, in Kinchen Hunters, p. 127; Anthony Hood's deposition of 21 November 1838, in Kinchen, Hunters, p. 132.

In mid-September, 162 delegates from lodges in Michigan, Ohio, western New York and Upper Canada gathered in Cleveland. After seven days of sessions, the Patriots created a provisional republican government for Upper Canada, organized a Patriot army and navy, and established a bank to finance the Patriot cause. A. D. Smith, a Cleveland justice of the peace, was elected the republic's president; Nathan Williams, an Ohio militia officer, vice-president; Donald McLeod, secretary of war; and Ohioan Lucius V. Bierce, commander of the western army. The Patriot navy on Lake Erie was commanded by Gilman Appleby, former master of the Caroline, and on Lake Ontario by Bill Johnson, who had sunk the Sir Robert Peel.[73]

The Patriot banking plan, the brainchild of Dr. Charles Duncombe, who had led an ill-fated uprising in December 1837 in London, Upper Canada, was headed by J. Grant, a former New York customs collector. It provided for a capital stock of $7,500,000 divided into 150,000 shares of fifty dollars each. Pledged to the cause of liberty, equality and fraternity, the Republican Bank of Canada, as it was known, was to make its first loans to the republic's president. Funds deposited in the bank and notes issued were to be secured by public property in Upper Canada that would be confiscated in later invasions. Although the Cleveland convention pledged

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[73]Lindsey, Mackenzie, 2:199-200; Wittke, "Ohioans," p. 31; Kinchen, Hunters, p. 39.

to raise $10,000 for the bank within two weeks, by early November a Cleveland Patriot reported that only three hundred dollars in stock had been subscribed.[74]

Although their fundraising may have been unsuccessful, the Patriots were not discouraged. Hoping to coordinate its efforts with Patriots in Lower Canada and along the border, the Upper Canadian provisional government planned to launch invasions of both provinces on 1 November.[75]

The Cleveland conference, coupled with an abundance of rumors regarding the Patriots' strengths and intentions, renewed the apprehensions of both American and Canadian authorities. Following the Patriot gathering, Acting U.S. Secretary of State Aaron Vail urged District Attorney Goodwin "to use increased vigilance . . . and to spare no exertions in detecting and preventing" any Patriot actions that might "disturb the neutral position of the United States in the contest between Great Britain and her Canadian possessions."[76]

On the other side of the border, Canadian leaders continued to fortify their frontier in anticipation of renewed Patriot assaults. On 4 October, British ambassador to the

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[74]Lindsey, Mackenzie, 2:201-03; "An Address to the Different Lodges on the Subject of a Joint Stock Company Bank," in Kinchen, Hunters, pp. 39-40, 133-35.

[75]Duncombe to Morrison, 27 October 1838, in "The Hunters Lodges," pp. 64-65.

[76]Vail to Goodwin, 27 September 1838, NARS, DOS, Domestic Letters, RG 59.

United States Henry S. Fox wrote Governor Arthur that the growth of the Hunters Lodges convinced him that a majority of Americans supported the Patriots. Furthermore, he doubted that local American authorities would make any serious attempt to stop future invasions.[77]

The concern expressed by both governments was justified. As winter approached, the Patriots undertook the most serious violation of Canadian sovereignty since the War of 1812.

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[77]Colborne to Arthur, 10, 21 October 1838, Sanderson, Arthur, 1:298-99, 310-12; Colborne to Captain Williams Sandom, 15 October 1838, Ibid., 1:306; Fox to Arthur, 4 October 1838, Ibid., 1:294-95.

CHAPTER SIX: WINDSOR: THE FINAL CAMPAIGN

In the fall of 1838 the Patriots undertook their boldest moves yet. Border invasions left dozens of casualties among both the Patriot invaders and the Canadian defenders. The new aggression kept the governments on both sides of of the border strengthening their defenses and moved the United States and Great Britain closer to war.

In late October, Colonel Nathan Williams, vice-president of the provisional government for Upper Canada, distributed circulars entitled "General Orders from the Commander-in Chief," which declared that preparations were underway for a 1 November invasion of Upper Canada. At the same time reports indicated that arms were being collected at a main Patriot arsenal west of Cleveland.[1] In Michigan the Patriots continued to strengthen their position. The Sandwich Western Herald reported that Detroit Patriots met on 26 October, and a week later Canadian refugee Lewis Farnsworth informed William Lyon Mackenzie that Detroit's Hunters lodge had many members and was "doing well."[2]

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[1]Hunters, p. 64; Geirge H. McWhorter to Secretary of Treasury, 14 September 1838, in ibid., p. 126.

[2]Sandwich Western Herald, 30 October 1838; Lewis

Although the Patriots' exact plans remained a mystery to both U.S. and Canadian authorities, their renewed activity jeopardized the fragile peace between the U.S. and Great Britain. During the previous winter war had been avoided because the Patriots' invasion had quickly failed and because the Canadian and British governments had tolerated the U.S. government's inability to stop the Patriots. As the Patriots threatened another series of invasions in late 1838, British officials were indignant over the ineptitude, if not the complicity, of the American government in dealing with the Patriots. As winter approached the prospect of war was broached.

In a letter to General Brady on 26 October, Governor Arthur expressed dismay at the failure of American authorities to take "immediate and divided action" against the Patriots. "I have had the mortification to receive continual information, . . ." Arthur continued, "that so far from the secret society of 'Hunters' being suppressed, [it] . . . has been secretly, but rapidly extending itself and that it has now become serious, and even formidable." Emphasizing that Upper Canadians had suffered greatly "from the state of continual alarm in which they have been placed, the governor urged the American general to "think no pains

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Farnsworth to Wm. Mackenzie, 1 November 1838, James H. Whelan Papers, BC.

too onerous" to prevent a reoccurance of the previous winter's "very painful events." Arthur concluded by reiterating that while he had faith in U.S. military officials, he was prepared "for the worst."[3]

On 3 November, British Ambassador to the United States Henry Fox informed acting U.S. Secretary of State Aaron Vail that the "mischief" on the border had reached a point where the president's "immediate interference . . . can alone avert the most terrible and afflicting consequences." Fox explained that for a year the Canadian provinces had been in a state of "warlike alarm" defending themselves against "the hostile citizens of a friendly State." He added that if the anticipated Patriot invasions occurred, disastrous consequences "would ensue." The British ambassador concluded by warning that if these invasions enjoyed even "transient" success" the United States would necessarily become answerable to Great Britain for "the whole amount of the damage sustained."[4]

Western Canadians showed less restraint than the ambassador. On 13 November the Sandwich Western Herald charged that the "mob-directed, irresponsible Government" of

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[3]Arthur to Brady, 26 October 1838, PAC, C.O. 42 (Q Series), vol. 409-1, pp. 235-45. See also Arthur to Lord Fitzroy Somerset, 30 October 1838, Sanderson, Arthur, 1:334-36.

[4]Fox to Vail, 3 November 1838, Sanderson, Arthur, 1:342-44.

the United States could no longer be depended upon to restrain its citizens. "Our only dependence," the Western Herald reasoned, "must be placed upon the God of battles, the justice of our cause [and the] guns, pistols and stalwart arms to wield them." The Western Herald added that the U.S. government's failure to prevent American filibustering gave Canadians the "perfect right to exercise restraint . . . by every attainable means, even to the securing of their arsenals on their own territory, and pursuing the aggressors and punishing them in the very heart of the non-governed country from whence they sallied." The Western Herald dismissed the consequences if war followed such a course. Recounting the prevailing condition of western Canada--"the depopulation of our country, the depreciation of real estate, and the utter stagnation of business and enterprise,--the Western Herald asserted that the area was already experiencing the "inconveniences of open warfare."[5]

Anglo-American tension increased with the Hunter-inspired rebellion in Lower Canada in early November. Although the envisaged large-scale uprising of French-Canadians supported by American Patriots was suppressed in less than a week, attention quickly focused on

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[5]Sandwich Western Herald, 13 November 1838.

northern New York where one of the war's bloodiest battles occurred.[6]

On 11 November four hundred Patriots, led by Generals John W. Birge and Nils Von Schoultz, had embarked at Sacketts Harbor, New York, and headed down the St. Lawrence River for the Upper Canadian village of Prescott. The invaders planned to capture the community then invade eastern Upper Canada. Although Birge and half the invasion force soon deserted to Ogdensburg, New York, opposite Prescott, the remaining troops under Van Schoultz, a former Polish Army officer, took possession of several stone buildings and a windmill below Prescott. Von Schoultz was soon reinforced by one hundred additional troops, but the arrival of the British steamer Experiment and U.S. forces under Colonel W. J. Worth severed the Patriot's communications with the American side. In the meantime British regulars and Canada militia separated Von Schoultz from potential Canadian sympathizers. On 13 November the British attacked. The Battle of Prescott lasted several days, involved nearly two thousand militia and regulars, and left dozens of casualties on both sides. The 157 Patriots taken prisoner were sent to Kingston to await trial. The leaders, including Von Schoultz, were hanged. Some more fortunate captives were

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[6]Kinchen, Hunters, pp. 64-69.

imprisoned, while others were released.[7]

The defeat at Prescott ended filibustering along the New York frontier, but these events placed additional strain upon U.S. and British relations. On 20 November the Western Herald proclaimed that the time had come to "scourage" Americans with "hot shot, blazing rockets and bursting bomb-shells." In a savage attack upon their American neighbors, the Western Herald concluded, that democracy was a "hydra-headed monster which, for the safety of the nations bordering on this territory, must be literally crushed; and the sooner the better."[8] Four days later Governor Arthur noted the reported transfer of 10,000 stands of arms to the Dearbornsville arsenal west of Detroit. According to the Canadian executive, either the weapons were intended for the Patriots, or the U.S. government had "an eye to the probability of immediate war." Recent events led Arthur to suspect the latter.[9]

In addition to continuing to operate more armed vessels on Lakes Erie and Ontario than they were allowed under treaty obligations with the United States, the British suggested that the U.S. government sanction any invasions of its territory by British or Canadian troops in pursuit of

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[7]Ibid., pp. 69-78.

[8]Sandwich Western Herald, 20 November 1838.

[9]Arthur to Lord Fitzroy Somerset, 24 November 1838, Sanderson, Arthur, 1:397-99.

Patriot filibusters.[10] Forsyth rejected the proposal and informed the British ambassador that the U.S. government expected that under "no pretext" whatever would British forces violate U.S. territory. Forsyth added that such an occurrence "could not fail to have a most injurious effect on the friendly relations . . . between the Two Countries; and might . . . lead to their entire disruption."[11]

Fox understood that it was political suicide for President Van Buren to negotiate a violation of U.S. territory, but the proposal received additional impetus when British Foreign Lord Palmerston instructed his ambassador to inform Forsyth that since Americans were committing acts of war upon Canada, the U.S. government should "see in the circumstances of the moment a sufficient excuse for the irregularity" of retaliation. Palmerston added that such retaliation would not be for "the sake of vengeance," but to abate a danger that U.S. authorities had been unable to control. Though Palmerston's message was never delivered, the two countries veered closer to hostilities. On 19 November Fox informed Palmerston that British retaliation of

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[10]Fox to Arthur, 10 November 1838, Sanderson, Arthur, 1:361-62; Fox to Palmerston, 19 November 1838, PAC, C.O. 42, (Q Series), vol. 250, pp. 257-70; Palmerston to Fox, 15 December 1838, PAC, C.O. 42 (Q Series), vol. 250, pp. 311-16; Fox to Forsyth, 25 November 1838, NARS, Department of State, Notes From the British Legation, 1791-1906, RG 59.

[11]Forsyth to Fox, 15 November 1838, Sanderson, Arthur, 1:370-71.

Patriot filibustering was "inevitable" and could easily result in a flame being lighted that neither government would be able to extinguish.[12]

During this diplomatic exchange Upper Canadian officials continued to strengthen their province's defenses. Not only were supplies and weapons in short supply, but the unenthusiastic response of the militia plagued their efforts. On 24 October Arthur despaired that the militia were coming forward with "great hesitation." By early November conditions had worsened. On 5 November Arthur mobilized thousands of militiamen, some to serve for up to eighteen months. There was a shortage of all necessary supplies and those items that were available were expensive. The recruitment of militia went so slowly that Arthur suggested that each militiaman be given fifty acres as an inducement to offer his services. The governor reasoned that it would be better "to give up a million acres . . . than to let the Traitors have them." Besides clandestinely purchasing supplies from American retailers, Arthur offered a bounty to militiamen who supplied their own muskets and blankets. Arthur's defense preparations were further complicated by the continued desertion of British regulars

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[12]Palmerston to Fox, 15 December 1838, PAC, C.O. 42, (Q Series), vol. 250, pp. 311-316; Corey, Crisis, pp. 107-08; Fox to Palmerston, 19 November 1838, PAC, C.O. 42, (Q Series), vol. 250, pp. 257-70.

stationed on the frontier.[13]

In addition to defense problems, Arthur remained apprehensive as reports of continued Patriot activity along western Lake Erie reached Toronto. In late October he received information that Ohio militia companies "have declared that their arms were at the disposal of the Patriots." Furthermore, state government officials, including Governor Mason, were allegedly assisting the Patriots, while public arsenals "were purposely left unguarded."[14] Following the invasion at Prescott in late November, Arthur believed that an attack upon western Canada was expected anytime. The governor's fears were based on reports indicating that as many as a thousand Patriots were bivouacked opposite Sandwich and Amherstburg. Arthur also learned that Patriots were training further north near Fort Gratiot.[15]

By 2 December reports that the Michigan-based Patriots were "much discouraged," led Arthur to relax slightly and conclude that the liberators had "no stability in their

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[13]Arthur to Glenelg, 24 October 1838, Sanderson, Arthur, 1:318; Colborne to Arthur, 29 October 1838, ibid., 1:332-33; Arthur to Colborne, 24 October 1838, ibid., 1:318-19; Arthur to Colborne, 8 November 1838, Ibid., 1:354-55; Arthur to Richard Airey, ibid., 21 November 1838, ibid., 1:384; Corey, Crisis, pp. 104-05.

[14]Arthur to Brady, 26 October 1838, PAC, C.O. 42, (Q Series), vol. 409-1, pp. 35-45.

[15]Corey, Crisis, pp. 104-07; Arthur to Charles Chichester, 18 November 1838, Sanderson, Arthur, 1:376-78; Arthur to Colborne, 20 November 1838, ibid., 1:381; Arthur

Plans."[16] Anxiety-ridden western Canadians would not have been comforted by the governor's observations. Since early fall western Canadians had lived with fears of another Patriot invasion. In mid-October Colonel Richard Airey, commandant at Fort Malden, received a detailed description of an attack on Fort Malden. Five steamers were to ferry men from Buffalo and Cleveland to destroy the village and fort. The report proved false, but not before the militia was mustered.[17] In early November the militia cavalry patrolled the lake and river shores near Amherstburg, and later that month the Sandwich Western Herald reported that residents from Windsor to Amherstburg were "kept on the qui vive every night of last week" in anticipation of invasion. By the first of December the situation had worsened as "the old and the young, the rich and the poor," were kept "marching and countermarching, patrolling and keeping sentry."[18]

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to Colborne, 30 November 1838, ibid., 1:404-05; Glenelg to Colborne, 11 December 1838, PAC, C.O. 42, (Q Series), 256-B, pp. 223-26.

[16]Arthur to Sir Allan MacNab, 2 December 1838, Sanderson, Arthur, 1:410-11; Arthur to Colborne, 30 November 1838, ibid., 1:404-05.

[17]Sandwich Western Herald, 30 October 1838; R. Alan Douglas, "The Battle of Windsor," Ontario History, 61 (September 1969), p. 139; Douglas ed., John Prince Diary, pp. xxvi, 25; Arthur to Brady, 26 October 1838, PAC, C.O. 42, (Q Series), vol. 409-1, p. 35-45.

[18]Sandwich Western Herald, 6, 27 November, 4 December 1838.

Throughout the fall American officials in both Washington and Michigan sought to prevent a repeat of the previous winter's filibustering. With Governor Mason in New York on business from mid-September until mid-December, General Brady and U.S. Marshall Ten Eyck played a greater role than during the previous winter in the state's preparations. Late in October, Ten Eyck reported that he had appointed at least twenty additional deputy marshalls at various places along the border. Ten Eyck also employed spies to trace the Patriots' movements.[19]

On 5 November acting Secretary of State Vail urged the border state governors to pay particular attention to the security of arsenals within their states. A week later U.S. Adjutant General R. Jones ordered Brady to determine how much security was needed to prevent the weapons in arsenals in his jurisdiction from falling into the Patriots' hands. Later that month Secretary of War Joel R. Poinsett instructed Brady to disarm any armed body taking refuge in the United States. Any Americans found in that body were to be arrested and delivered to the nearest civilian authority.[20]

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[19]Hemans, Mason, pp. 452-53; Vail to Daniel Goodwin, 27 September 1838, NARS, DOS, Domestic Letters, RG 59; Forsyth to Ten Eyck, 10 November 1838, ibid; Ten Eyck to Vail, 29 October 1838, NARS, DOS, Misc. Letters, RG 59; Brady to Jones, NARS, AGO, RG 94.

[20]Vail to Mason, 5 November 1838, NARS, DOS, Domestic Letters, RG 59; Jones to Brady, 12 November 1838, NARS, AGO, Letters Sent, 1800-1890, RG 94; Poinsett to Brady, 14

As the federal government instructed its officers to be vigilant, it also sought to relieve the pressure on its relations with Great Britain. On 15 November Secretary of State Forsyth informed Ambassador Fox that while President Van Buren regarded reports of Patriot activity as exaggerated, "every precaution that the most watchful prudence can suggest, will continue to be taken, to avert the threatened mischief." Asserting that Van Buren did not believe that the Patriots' activities could seriously jeopardize "the friendly relations" between the U.S. and Great Britain, Forsyth urged that discretion and vigilance were necessary from officers on both sides of the border to counteract what he perceived as an attempt to involve the two nations in a war.[21]

A week after Forsyth's letter to Fox, Van Buren once again called on Americans

> neither to give countenance nor encouragement of any kind to those who have thus forfeited their claim to the protection of their country; upon those misguided or deluded persons who are engaged in them, to abandon projects dangerous to their own country, fatal to those whom they profess a desire to relieve, impracticable of execution without foreign aid, which they cannot rationally expect to obtain, and giving rise to imputations (however unfounded) upon the honor and good faith of their own Government.[22]

November 1838, NARS, DOS, Misc. Letters, RG 59.

[21]Forsyth to Fox, 15 November 1838, Sanderson, Arthur, 1:370-71.

[22]Van Buren Proclamation, 21 November 1838, in National Intelligencer, 24 November 1838.

The president also instructed all civilian and militarily officials to arrest anyone violating U.S. neutrality laws. Finally, General Scott was ordered to the northern frontier to solidify the U.S. military presence.[23]

These instructions and demands for vigilance gave the impression of action, but they lacked the necessary element that might have controlled the Patriots--a large U.S. military presence. Even though additional troops had been sent to the northern border throughout 1838, by autumn there were only two thousand U.S. soldiers guarding the thousand-mile frontier.[24] Brady repeatedly informed his superiors that the few troops under his command were spread too thin to prevent effectively Patriot filibustering. On 24 October, Brady requested that one hundred men be sent to Detroit to bolster the existing companies, which were "very deficient in their numbers of men."[25] A month later, Brady reiterated his plea to Adjutant General Jones. "I hope you will see the great necessity of sending more troops to this Frontier. . . . I have an Arsenal & Magazine to guard, a Fort to garrison and a frontier of one hundred miles to cover, with four companies averaging about eighteen men for

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[23]Ibid.; Scott to Brady, 30 November 1838, NARS, Eastern Division, Letters Sent, RG 393.

[24]Corey, Crisis, p. 103.

[25]Brady to Scott, 24 October 1838, NARS, AGO, RG 94.

duty to a company."[26] Even with his additional deputies and spies, Marshall Ten Eyck was not certain he could keep the Patriots under control. In late November he reminded the Secretary of State Forsyth that his district covered 140 miles and that every village and town along the way contained Patriot supporters.[27]

Although frustrated by a shortage of men and the Patriot secrecy, Michigan officials acted quickly to squelch the Patriots. In early November, Brady informed Ohio Governor Joseph Vance of reports of Patriot movements and suggested that "timely interference" might stifle their plans.[28] When news reached Detroit that a Patriot force was gathering at Put-in-Bay near Sandusky, Ohio, Brady immediately sailed there. The report proved erroneous, but Brady seized a vessel carrying 140 stands of arms and a quantity of ammunition, which he believed to be intended for the Patriots. Besides chartering a steamboat to "run constantly" until the Detroit River froze, Brady also ordered Captain D. Dobbins, commandant of the U.S. Revenue Cutter Erie, to sail to western Lake Erie from Erie,

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[26]Brady to Jones, 22 November 1838, ibid.

[27]Ten Eyck to Forsyth, 23 November 1838, NARS, DOS, Misc. Letters, RG 59.

[28]Brady to Vance, 6 November 1838, in "A Sidelight on the Hunters' Lodges of 1838," William D. Overman ed., Canadian Historical Review, 19 (June 1938), pp. 170-71.

Pennsylvania, in order to keep an eye on the Patriots.[29]

With the exception of the Detroit Morning Post, the Michigan press supported efforts to subdue the Patriots. Besides publishing reports of Patriot activity elsewhere on the frontier, which were void of editorial support for the invaders, newspapers reprinted articles from eastern papers that either criticized the Patriots or discredited their leaders. Most newspapers agreed with the Adrian Whig of Lenawee County, which charged that it was "unwise" for Americans "to be zealously engaged in collecting men and munitions of war to send to Canada, when the great majority of the Canadians themselves appear inert or indifferent to the promotion of the revolt."[30]

Neither General Brady's sword nor the editors' pens prevented the Patriots rendezvous in southeastern Michigan in late November. Several Detroit hotels soon became Patriot organizational centers, and Brady reported that the city was "full" of Patriots and that many more were reported collecting along the Detroit River between the Michigan

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[29]Brady to Poinsett, 23 November 1838, in Prucha, "Reports," p. 66; Brady to Jones, 22 November 1838, NARS, AGO, RG 94; Brady to Dobbins, 23 November 1838, Severance, "Illustrative Documents," pp. 128-29.

[30]Adrian Whig in Detroit Daily Free Press, 11 December 1838. See also, Pontiac Courier, 23, 30 November, 7 December 1838; 21, 24 November, 2, 4 December 1838, Detroit Daily Free Press; Ann Arbor Argus in ibid., 10 December 1838; Monroe Times in ibid., 18 December 1838; Ann Arbor State Journal, 22 November 1838; Detroit Daily Advertiser in Ann Arbor State Journal, 13 December 1838; Adrian Whig in

capital and Monroe.[31] On 27 November the Monroe Gazette reported that two to three hundred men were bivouacked near Swan Creek in southeastern Wayne County. Although these men allegedly were cutting wood, the Gazette dismissed the obvious ruse and predicted that the coming winter would result in "a bloody tragedy" as these men undertook their "descent upon some part of the Upper Province."[32] At the same time Patriot William Putnam, a Canadian refugee, reported that the three hundred men at Swan Creek were "in good health and spirits." A descendant of American Revolutionary War hero Israel Putnam, Putnam added that it would be difficult to find "few more noble and sober men."[33]

Patriot reinforcements continued arriving from the east. In his letter of 24 November, William Putnam noted

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Detroit Free Press (weekly edition), 19 December 1838; Michigan Star and Pontiac Jacksonian in ibid., 26 December 1838; Detroit Daily Advertiser, 15, 16, 19 November, 1, 4 December 1838.

[31]Brady to Jones, 22 November 1838, NARS, AGO, RG 94; Brady to Poinsett, 23 November 1838, in Prucha, "Reports," p. 66. On 2 December 1838 the Detroit Daily Advertiser reported 300-500 Patriots in Detroit in 1 December 1838. PAC, London District: Militia General Courts Martial Proceedings, RG 5, B 37, Testimony of Mendon, Atwood, Aitchison, Nottage and Cunningham (hereafter PAC, Courts Martial, with prisoner's name); John C. William to Justus W. Williams, 17 January 1839, PAC, RG 5, A 1, vol. 215.

[32]Monroe Gazette, 27 November 1838.

[33]Putnam to A. D. McReynolds, 24 November 1838, PAC, C.O. 42 (Q Series), vol. 410-1, p. 112; John Morgan Gray, "The Life and Death of 'General'William Putnam," Ontario

that the Swan Creek Patriots were being "rapidly" reinforced.[34] On 1 December, Ohio attorney Ebenezer Lane sarcastically reported that "A Band of about 30 worthies, ragged, lousy, and patriotic" passed through Norwalk, Ohio, fifteen miles south of Sandusky, on their way "to conquer Malden."[35] At the same time a predominantly Canadian refugee force of over one hundred men arrived from Cleveland at the Swan Creek encampment.[36] The most extravagant report on the Patriots' westward movement came from Sandwich militia Colonel Prince, who informed General Brady that upwards of one thousand Patriots had left Buffalo. According to the outspoken magistrate, an "unquestionable source" had assured him that this force would gather reinforcements along the way and swell to five thousand by the time it reached Michigan.[37]

The Patriot activity on the Detroit River led General Brady to dispatch patrols to thwart Patriot invasion plans. In addition to sending an armed steamboat to watch the Patriot "wood choppers" near Monroe, Brady made "every

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History, 46 (June 1954), pp. 3-4, 16-17.

[34]Putnam to McReynolds, 24 November 1838, PAC, C.O. 42 (Q Series), vol. 410-1, p. 112.

[35]Wittke, "Ohioans," p. 32.

[36]Unidentified correspondent, 4 December 1838, James H. Whelan Papers, BC.

[37]Prince to Brady, 1 December 1838, Windsor Papers, Fort Malden National Historic Park, Amherstburg, Ontario, (hereafter Windsor Papers, Fort Malden). On 30 November 1838

exertion" to discover a cache of weapons destined for the Patriots and reportedly hidden in the Detroit area. When informed of the weapons' location on Sunday evening, 2 December, the American general immediately set out with several officers, a deputy marshall, the port collector and two dozen soldiers. Four miles out of town they seized 162 stands of arms, some thirty boarding pikes and a quantity of ammunition.[38]

Brady's actions, coupled with the chaos endemic to the Patriot movement frustrated the liberators' plans. Led by General Lucius V. Bierce, an Ohio lawyer, the Patriots had moved closer to Detroit and camped in Springwells Township. Brady's confiscation of arms near there caused the Patriots to move to yet another camp two miles north of the Michigan capital.[39] These frequent moves and weak leadership led some Patriots to conclude that their cause was hopeless. John H. Harmon, a Cleveland printer, later recalled that

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the National Intelligencer reported that 150-200 men from Buffalo were prevented from sailing to Detroit because of inclement weather. On 4 December 1838 the Detroit Daily Advertiser reported that since the Battle of Prescott "strangers have continued to arrive in town from below, and for the past few days, straggling groups have been seen wending their ways from almost every point of the compass to their quarters at the different taverns."

[38]Brady to Jones, 6 December 1838, NARS, Eastern Division, RG 393. The Detroit Daily Free Press reported that the Patriots guarding the weapons "fled like Florida Indians upon the advance of the U.S. soldiers." (4 December 1838).

[39]Theller, Canada, 2:294-96; Prince to Brady, 1 December 1838, Windsor Papers, Fort Malden; PAC, Courts Martial, Grason.

"quarrels and dissensions among the men and officers" reduced the force of four hundred Cleveland Hunters who had journeyed to Michigan to fewer than 140.[40] Another Patriot force of over one hundred Canadian refugees returned to Cleveland because they were unable to discover a central command. According to one Ohio liberator, it appeared that the invasion would "end in an [sic] faux pas."[41] A third Patriot reported that "a great many" invaders deserted after Brady's seizure of weapons, while still another attributed the desertion to the failure of Patriot leaders to act forcefully in organizing the invasion.[42]

Even in the face of these setbacks, Bierce and his second-in-command, William Putnam, were confident of victory. Reassuring his followers that they were the vanguard of fifty-thousand Patriots, half of whom were ready to cross at a moment's notice, Bierce showed his men letters from Upper Canadians indicating hostility to the existing provincial government and support for its overthrow. Bierce even told his troops that only officeholders remained loyal to the Canadian government and that Patriots in Upper Canada

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[40]John H. Harmon, "Battle of Windsor," Essex Historical Society Papers and Addresses, vol. II, (Windsor, 1915), p. 19.

[41]Unidentified correspondent, 4 December 1838, John H. Whelan Papers, BC.

[42]Chauncey Sheldon & James M. Aitchison, "Deceptions used by Patriot officers in Windsor Expedition," 6 April 1839, PAC, RG 5, A 1, vol. 219 (hereafter Sheldon & Aitchison,

had recently defeated British regulars near London. The Patriots were also led to believe that their force was to be augmented by five hundred Poles and eight hundred Kentuckians.[43]

Late on the afternoon of 3 December, Bierce addressed his force of approximately 150 men. Following the army's consumption of half a barrel of brandy, the general ordered the invasion of Upper Canada. About midnight on this cold, moonless night, the Patriots, possessing an inadequate number of weapons, stealthily marched to Detroit's wharf and boarded the steamer Champlain. Problems continued to plague the invaders. Some Patriots later claimed that their efforts to leave the Champlain had been thwarted by a guard of a dozen men. Several irresolute liberators cut the vessel's tiller ropes to sabotage the invasion, but the ropes were repaired. After a three-hour delay, the Champlain crossed into Canadian waters. About 4 a.m. four miles north of Windsor, the vessel dropped anchor. According to two participants, there was a great deal of "confusion" on the Champlain once it anchored. Some invaders resisted going ashore, but Bierce's threat to cut

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"Deceptions"); Theller, Canada, 2:295.

[43]Harmon, "Battle of Windsor," p. 19; Sheldon & Aitchison, "Deceptions;" PAC, Courts Martial, Tyrell, Cunningham, Gutridge & Snider; John C. William to Justus W. Williams, 17 January 1839, PAC, RG 5, A 1, vol. 215.

down anyone who refused convinced all to disembark.[44]

The invaders moved to the small community of Windsor where they surrounded a barracks housing two dozen Canadian militiamen. Ordered to burn the building, several Patriots went to a nearby house and seized a few brands. Homeowner William Milles, a black fifty-year-old barber, protested and was shot and killed. With the barracks in flames, half the militia escaped through a rear door, while the remainder were taken prisoner. Two militiamen died in the skirmish, one was killed in the fighting, the other perished in the flames. To the cries of "Remember the Caroline," the Patriots also burned the steamer, Thames, which was docked a hundred yards from the barracks. Bierce reorganized his forces and sent one hundred men under Putnam to the Francois Baby orchard south of the village to oppose any force headed from the larger town of Sandwich. The general, accurately described by a subordinate as "wanting in courage," joined the rearguard and the militia captives.[45]

Although the Canadians had dropped their vigilance when General Brady seized the Patriot's weapons a few days earlier, they responded immediately when word reached

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[44]Sheldon & Aitchison, "Deceptions;" Brady to Jones, 6 December 1838, NARS, Eastern Division, RG 393; PAC, Courts Martial, Woodman, Tyrell, Atwood, Barber; John C. Williams to Justus W. Williams, 17 January 1839, PAC, RG 5 A 1, vol. 215.

[45]Sheldon & Aitchison, "Deceptions;" Harmon, "Battle of Windsor," pp. 20-22; Robert Marsh, Narrative of A Patriot Exile, (Buffalo: Faxon & Stevens, 1848), p. 21; Harry J.

Sandwich of the invasion. As the ranking officer in Sandwich, Colonel Prince dispatched a courier south to notify Fort Malden. Two companies of the Provincial Volunteer Militia, approximately fifty men, hastily left for Windsor. Three companies of Essex militia, approximately sixty men, and a group of "gentlemen volunteers" soon followed.[46] Led by Captain Sparke, the Provincial Volunteer Militia, a uniformed, trained body resembling British regulars, arrived at the Baby orchard at 7:00 a.m. Simultaneously the Essex militia reached the orchard and moved on the Patriots' flanks. The outnumbered invaders fired one volley before they fled. Putnam and Colonel Harvell, a six-foot-two-inch, two hundred-pound Kentuckian, were killed. By 8:00 a.m. the Patriots in the orchard had been routed and Captain Sparke had turned his attention to Bierce's rearguard. At this point Colonel Prince arrived on the scene and ordered the entire militia force back to Sandwich to counter a rumored Patriot threat on the village. At that time, a Patriot prisoner was brought to Prince, who ordered his immediate execution. The militia reached Sandwich by 8:30. Informed that the Patriots still controlled Windsor, Prince refused to send any troops until

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Bosveld, "The Battle of Windsor," (University of Windsor, 1981), pp. 3-6.

[46]John Prince to Colonel Richard Airey, 5 December 1838, Windsor Papers, Fort Malden; Sandwich Western Herald, 11 December 1838; Bosveld, "The Battle Of Windsor," p. 6.

the British regulars arrived from Fort Malden. While at Sandwich, Prince ordered two additional Patriot prisoners executed.[47]

The British regulars, one hundred strong, with a field piece and forty or fifty Indian allies, reached Sandwich at 11:00 a.m. Commanded by Captain Broderick, the force headed for Windsor with Colonel Prince and the militia bringing up the rear. By noon Broderick's force had reached Windsor only to discover that the Patriots had fled upriver. According to one of Bierce's men, the fleeing Patriots reached their morning landing place only to discover that the Champlain had left. A search for anything that could float produced enough canoes to transport approximately thirty Patriots to an island in American waters. From there they found a boat and crossed over to the Michigan mainland. Several were arrested by American vessels patrolling the river. While making their escape, the Patriots came under British shellfire, which wounded Captain James B. Anderson. The Port Huron Patriot lost his arm to amputation upon reaching Detroit. After continuing on to Lake St. Clair to disperse any additional Patriot forces, Broderick's regulars returned to Sandwich, while his Indian allies scoured the woods for Patriots less fortunate than Bierce's rearguard. During this time, two more Patriots

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[47]John Prince to Colonel Richard Airey, 5 December 1838, Windsor Papers, Fort Malden; Sandwich Western Herald, 11 December 1838; Bosveld, "The Battle Of Windsor," p. 6.

were executed under Prince's orders. Only the intervention of townspeople prevented additional executions. By mid-afternoon all the regulars and militia had returned to Sandwich. Rumors of a possible Patriot attack on Amherstburg led Broderick to march to Malden. The following day British troops returned to Sandwich to prevent a rumored attempt to rescue the Patriot prisoners.[48]

The Battle of Windsor had decimated Bierce's army. Twnety-one were killed in action, five more were executed on Prince's orders, and at least forty-four were taken prisoner. The prisoners were tried in London, Upper Canada. Six were hanged, (three Americans, including Ann Arborite Hiram B. Lynn); eighteen were sent to Van Dieman's Land (Michiganians James D. Ferro and Chauncey Sheldon were among these), five were pardoned and deported, and the remainder were released after a short confinement. Four Canadians died, including a prominent Sandwich physician, John J. Hume, who had mistakenly identified the Patriots as militia and offered his services. Realizing his error, the doctor fled. He was captured by five Patriots, who stabbed him in the breast with a bayonet and mangled his arm with an ax

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[48]Harmon, "Battle of Windsor," pp. 23-24; Bosveld, "Windsor," pp. 13-17; Prince to Airey, 5 December 1838, Windsor Papers, Fort Malden; unidentified correspondent, 6 December 1838, in National Intelligencer, 18 December 1838; Alexander C. Robertson's diary, Windsor Papers, Fort Malden; Douglas, "The Battle of Windsor," pp. 144-45.

before robbing him of his fur cap and gloves.[49]

The day's activities were observed from the Detroit shore. One Detroiter awoke to "the melancholy spectacle of burning buildings, a steamboat wrapped in flames, and the flashes of the guns of contending parties on the opposite shore."[50] Charles W. Ford, wrote his sister that the battle commenced "amid the cheers and huzzas of the People on this side of the river (for the docks and roofs were covered with spectators.)"[51] The Detroit Free Press reported that "Great excitement prevailed in the city . . . the wharf and storehouses adjacent being lined, from morning till night, with thousands of spectators, anxiously watching every movement among the combatants."[52]

Two days after the battle Michigan militia General

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[49]PAC, Courts Martial, Barber, Bartlett, Goodrich, McDougall, Putnam; Fred Landon, "Trial and Punishment of the Patriots Captured at Windsor in December 1838," Michigan History, 18 (Spring 1934), pp. 25-32; Sandwich Western Herald, 15 January 1839; Bosveld, "Windsor," p. 10-11, 18; Prince to Airey, 5 December 1838, Windsor Papers, Fort Malden; John D. Sullivan, "The Canadian Rebellion of 1837-38," Essex Historical Society Papers and Addresses, vol. II (Windsor, 1915), pp. 11-12; material on Lynn in, "Reminiscences of Seventeen Years Residence in Michigan, 1836-1853," Michigan Pioneer Historical Collections (1892), p. 377-78.

[50]Unidentified correspondent, 6 December 1838, in National Intelligencer, 18 December 1838.

[51]Charles W. Ford to Mary A. Manning, 7 December 1838, Charles W. Ford Papers, BC.

[52]Detroit Daily Free Press, 5 December 1838.

J. R. Williams noted that it had produced "considerable excitement" in the Michigan capital and feared it might "lead to serious consequences."[53] His anxieties qwew justified. Dr. Hume's brutal slaying, Colonel Prince's execution of Patriot prisoners, rumors of invasions of Michigan and western Canada and threats of assassinations left residents on both sides of the Detroit River tense and angry during the days immediately following the Battle of Windsor.

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[53]Williams to Poinsett, 6 December 1838, J. R. Williams Papers, BC.

CHAPTER SEVEN: THE PATRIOT WAR IN MICHIGAN FADES

The days immediately following the Battle of Windsor were filled with foreboding for citizens and authorities on both sides of the Michigan/Canadian border. Although soundly defeated, the Patriots appeared stronger and better organized than at any previous time. The possibility of additional invasions loomed on the horizon. The prospect of an Anglo-American war also increased as British and Canadian authorities again criticized the American government for allowing an armed invasion to be organized on its soil.

On the American side, the first acknowledgment of the new serious tone occurred as the Patriot survivors fled back across the Detroit River. As the battle raged, General Brady's three-vessel flotilla cruised the Detroit River preventing reinforcements from reaching Bierce's troops. The U.S. force also fired a few warning shots at the fleeing Patriots and arrested about fifteen invaders. Upon discharging their prisoners at the Detroit wharf, the U.S. officials were greeted by an angry mob, which became so unruly that Brady, who met the returning vessel, was forced to draw his sword.[1] One Detroit resident reported a few

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[1]Elizabeth Campbell to Sophia Biddle, 5 December 1838,

days later that as a result of having "most fearlessly done their duty," Brady and other public officers were threatened with assassination.[2]

The greatest fear among Michigan officials was that more Patriot invasions would occur. Late on 4 December, one Detroiter observed that a large number of Patriots were in the city and predicted that they would attempt that night "to reinforce their friends opposite."[3] On the following day the Detroit Daily Advertiser reported that there were "a great many strangers in the city loitering about our public hotels without any visible means of support."[4] With bodies of their dead comrades still visible from the Michigan capital, Detroit Patriot George Heron was indignant over the U.S. government's attempts to stop the Patriots' movements. Heron predicted the day after the battle that a force "sufficient to sustain themselves" would soon cross into

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Sophia Biddle Papers, Bentley; Brady to Jones, 6 December 1838, NARS, Eastern Division, RG 393; unidentified correspondent, 6 December 1838, in National Intelligencer, 18 December 1838; Detroit Daily Advertiser, 5 December 1838. Some escaping Patriots eluded Brady's men. George Hunington Brown escaped and was hid in Detroit until smuggled out of the city a few days after the battle. (Ross, "The Patriot War," pp. 571-72).

[2]Unidentified correspondent, 6 December 1838, in National Intelligencer, 18 December 1838; Detroit Daily Advertiser, 7 December 1838.

[3]Unidentified correspondent, 4 December 1838, in National Intelligencer, 15 December 1838.

[4]Detroit Daily Advertiser, 5 December 1838.

western Canada.[5] On 6 December, Brady's informants claimed that at least four hundred Patriots were in the vicinity of Detroit waiting to renew the war. Brady despaired that his own observations indicated the numbers were not exaggerated. The discouraged general asked what was to be done when the Patriots were "fed, lodged & cheered on by a large portion of our own citizens." Brady believed that this "same spirit" of Patriot support prevailed "extensively" throughout the state.[6] Another prominent Detroiter claimed that one-third of the state's inhabitants were members of the Hunters Lodges.[7]

The Detroit Morning Post, a longstanding Patriot supporter, fueled the fire. It criticized General Brady for allowing his troops to fire on Bierce's men and dramatically claimed that the groans of the Patriot wounded and dying at Windsor could be heard in Detroit. The newspaper also published a Patriot proclamation, originating in Canada and distributed in Detroit on 4 December, that rejoiced over the Patriots' invasion and the arrival of the "Standard of

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[5]Unidentified correspondent, 6 December 1838, in National Intelligencer, 18 December 1838; George Heron to William Lyon Mackenzie, 5 December 1838, James H. Whelan Papers, BC.

[6]Brady to Jones, 6 December 1838, NARS, Eastern Division, RG 393.

[7]"Extract from a letter addressed by a respectable inhabitant of Detroit on 26 December [1838] to a Gentlemen of Toronto," PAC, MG 11, (Series Q), vol. 413, Part I, pp. 98-100.

Liberty."[8] The Post's reports on the battle were, in the words of the Sandwich Western Herald, a "perversion" of the truth.[9]

Edward Theller's arrival in Detroit on 4 December posed a new problem for Michigan authorities. Theller had escaped from his Quebec jailers in October. Incarceration had not dampened the former Patriot general's devotion to the cause. In November he had addressed audiences in New York, Philadelphia and Washington hoping to inspire aid and sympathy for the Patriots. Soon after Theller reached Detroit it was reported that he had declared his intention to raise a force of two thousand men "to lay waste" to western Canada.[10] On 5 December Theller was arrested for his activities of the previous winter. He was released on bail and his trial postponed until the federal district court's next

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[8]Detroit Daily Free Press, 5, 7 December 1838; Pontiac Courier, 7 December 1838. The proclamation signed by William Lount was dated 30 November 1838 from Sandwich. It was also published in the Free Press along with an address from the "Commander-in Chief of the Patriots forces previous to the battle of Sandwich." (Detroit Daily Free Press, 5 December 1838).

[9]Sandwich Western Herald, 18 December 1838.

[10]Ibid., 11 December 1838; Quebec Mercury and Quebec Gazette in National Intelligencer, 27 October 1838; Niles National Register, 24 November 1838; Theller, Canada, 2:294; Elizabeth Campbell to Sophia Biddle, 5 December 1838, Sophia Biddle Papers, Bentley. The National Intelligencer reported Theller and W. W. Dodge, who also escaped, addressed an audience of three thousand in New York City. (17 November 1838).

session the following year.[11]

On the same day Theller was arrested and released he played a prominent role at a rally supporting the Patriots. Many Detroiters attended the meeting, where they denounced the U.S. government and praised the efforts to liberate the Canadas. Declaring that the army should be used only in cases of treason or rebellion, and not to support the civil powers, the assemblage argued that their states' rights and individual liberties were being violated. Reciting the constitutional guarantees to bear arms and enjoy freedom of speech, the Patriot supporters asserted "that peace is a blessing when maintained with honor and by a constitutional means; but a curse to any people if at the price of national submission to foreign pride or the prostration of the civil rights of the citizens." The gathering also denounced Brady's men for firing on the fleeing invaders. Describing them as a "dangerous outrage," the body resolved that if those incidents resulted in the loss of life, Brady would be guilty of murder.[12]

The stories concerning Patriot support and activities were so boastful that Detroiter Elizabeth Campbell wrote, "You would think that instead of sustaining any loss they [the Patriots] had conquered Canada."[13]

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[11]Detroit Daily Advertiser, 6 December 1838.

[12]Theller, Canada, 2: 308-10; George Heron to William Mackenzie, 5 December 1838, James H. Whelan Papers, BC.

[13]Elizabeth Campbell to Sophia Biddle, 5 December 1838,

Another concern for Michiganians immediately following the Battle of Windsor was the prospect of British retaliation. On 6 December Michigan militia General J. R. Williams informed U.S. Secretary of War Poinsett that reliable information indicated that the British at Fort Malden were under orders to attack Michigan once the Patriot disturbances had quieted down. Williams' source had also heard British officers speak "contemptuously" of Michigan's defenses and express "a degree of presumptuous confidence in their troops to effect anything they may undertake against us." Reminding the secretary that the state's militia was "without discipline and without Arms or Ammunition and without a single piece of Ordnance," the general surmised that the Michigan capital could be burned if the British "should be disposed to do so." Williams noted that the considerable excitement in Detroit discouraged him from arming the militia and pleaded with the secretary to send a regiment of artillery to augment Brady's small force.[14]

A few days after Williams sent his letter, General Winfield Scott arrived in Detroit. He soon echoed the militia general's concerns. Expressing distrust of the Michigan militia "because they would almost certainly give their arms to the Patriots," Scott claimed that more troops were needed

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Sophia Biddle Papers, Bentley.

[14]J. R. Williams to Poinsett, 6 December 1838, J. R. Williams Papers, BC.

to defend the Michigan/Canadian frontier. The commanding general, fearing what would happen when the rivers froze over, informed Secretary Poinsett that he wanted "at least a regiment to guard the frontier from . . . Sandusky City to Fort Gratiot." Scott was also alarmed at the popular belief that any future Patriot filibustering would lead the British to retaliate by burning Detroit.[15]

Amidst these fears and rumors, some attempted to restore order. Most Detroit newspapers pleaded with Michiganians "to keep cool and prudent during the present excitement." The Free Press argued that bloodshed by Americans for Canada was in vain, especially since a successful revolution was impossible "until Great Britain engages in a war with the United States."[16] On the day of the battle, Detroit city authorities appointed a watch of forty men, not less than ten of them to be on duty each night. The following day 150 "prominent citizens" were appointed as an additional patrol.[17] Throughout the night of the fourth the Illinois, Erie and Macomb remained manned

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[15]Scott to Poinsett, 16 December 1838, Joel R. Poinsett Papers, Historical Society of Pennsylvania, Philadelphia, Pennsylvania; National Intelligencer, 22 December 1838.

[16]Detroit Daily Free Press, 5, 6 December 1838. See also ibid., 7,8 December 1838; Utica Macomb Enterprise in ibid., 2 January 1839; Detroit Daily Advertiser, 6, 8 December 1838. The Free Press carried reports of neutrality meetings in Oswego and Watertown, New York. (5, 7 January 1839).

[17]Farmer, History of Detroit, p. 203.

and ready for action.[18] On 5 December port collector McDonell seized the Patriots' invasion vessel, the Champlain.[19] The next day Brady ordered the Brady Guards into federal service for three months.[20] At least seven Windsor Patriots were brought before Judge Wilkins, who bound them over to appear at the court's next term.[21] Finally while he was in Detroit, General Scott addressed the citizenry and urged them to quit hindering the government's attempts to redress the Caroline sinking. Scott added that continued sympathy for the Patriot cause would only further damage the United States in the eyes of the world by demonstrating the government's inability to control its citizens or abide by its treaty obligations.[22]

The excitement in Detroit following the Battle of Windsor soon subsided. As early as 8 December Brady reported that "for the present" he feared no violations of U.S. neutrality. But the Patriots ended the turbulent year of 1838 with a rally in Detroit marking the one-year anniversary of the sinking of the Caroline. According to the

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[18]Detroit Daily Advertiser, 5 December 1838.

[19]Ibid.,

[20]Ibid., 8 December 1838.

[21]Ibid. Only one of the seven was from Michigan. Two were from Ohio, two from Canada and two from New York. (6 December 1838).

[22]Ibid., 18 December 1838; Detroit Morning Post, 17 December 1838.

Detroit Daily Advertiser, a great body of disorderly people gathered and burned the effigies of both Sandwich Colonel Prince and Colonel Allan McNab, a prominent provincial militia officer. The burnings were followed by the firing of a cannon, which led to the arrival of city authorities who "prevented any tumult."[23]

The days immediately following the Battle of Windsor were equally hectic on the Canadian side of the border. Rumors of another Patriot invasion made the already weary western Canadians apprehensive.[24] On 12 December, Alexander C. Robertson, a member of the 34th Regiment stationed at Fort Malden, wrote his wife, "We have no peace from them [the Patriots] neither day nor night. Every man," the British private added, "is drawn into militia regiments, Every body is under orders, rich and poor." Robertson doubted that the Patriots would invade again in the near future, but added that if they did, they would "get the same sauce: They have got a horrible thrashing this winter so far."[25]

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[23]Brady to Scott, 18 December 1839, NARS, Eastern Division, RG 393. The Detroit Morning Post reported eight hundred in attendance. (31 December 1838); Detroit Daily Advertiser in Sandwich Western Herald, 8 January 1839.

[24]A Patriot supply depot was reported at Put-in-Bay, near Sandusky, Ohio, after the Battle of Windsor. (Arthur to Col. F. A. M. Fraser, 14 December 1838, Sanderson, Arthur, 1:446).

[25]Alexander C. Robertson diary, Windsor Papers, Fort Malden. Arthur reported that he expected a large force of Patriots "being collected in the State of Kentucky--for the

Occasionally fears of another invasion led to imagined invasions. Early on 6 December the regulars at Fort Malden responded to a militia patrol's report that an enemy force had been sighted. The militia had fired upon the intruders, but retired when their foes attempted to flank them. The "enemy" proved to be a pack of horses that had galloped to the right when the militiamen fired.[26] In another instance the Canadians responded to a perceived invasion by firing Amherstburg's alarm gun, a 24-pounder loaded with grapeshot, which almost permanently ended a nearby sentry's guard duty.[27]

The threat of assassination of their leaders also worried western Canadians. A week after the Battle of Windsor the Sandwich Western Herald reported that Detroit merchants had offered $2,000 to anyone who brought Colonel Prince to Detroit. If the Sandwich magistrate were brought to Michigan dead, the premium fell to $1,500. The Western Herald also observed that other prominent Canadians were marked "as victims to the Yankee assassin's knife." The Western Herald warned its magistrates to "be particularly cautious in examining the bearers of passports from the

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purpose of joining in the invasion of this Province." (Arthur to Fox, 5 December 1838, Sanderson, Arthur, 1:415.)

[26]Ibid.

[27]Ibid.

Mayor of Detroit." The Sandwich weekly added that the manufacture and sale of passports had become "a lucrative business," especially since the name of the purchaser was not required and the passport could be transferred to anyone, including a potential assassin.[28]

In Toronto, Governor Arthur believed that Windsor was only a part of what was to be a long winter of filibustering. He immediately sent additional troops to western Canada.[29] Arthur expected that the Patriots would make another descent on western Canada, which would be "more serious" than the Battle of Prescott. He also feared that an Anglo-American war was imminent. In hopes of reducing that eventuality, he proposed working with Ambassador Fox to solicit the support of congressmen from the southern states to oppose any hostilities on the frontier. Should these leaders prove unmoveable, Arthur despaired that "War must be inevitable."[30]

At the same time Arthur proposed this plan, he was contending with the backlash against his overzealous militia officer, Colonel Prince. Upon receiving Prince's report of the Battle of Windsor, which the colonel had published in

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[28]Sandwich Western Herald, 11, 18 December 1838.

[29]Ibid., 1, 8 January 1839; Arthur to Col. F. A. M. Fraser, 14 December 1838, Sanderson, Arthur, 1:445-46; Arthur to Colborne, 18 December, ibid., 1:462-63; Arthur to Lord Fitzroy Somerset, 20 December 1838, ibid., 1:475-77.

[30]Arthur to Lord Fitzroy Somerset, 20 December 1838, Sanderson, Arthur, 1:476; Arthur to W. H. Hamilton, 2 January 1839, ibid., 2:4.

the Sandwich Western Herald by the time it reached the governor's hands, Arthur expressed outrage over the execution of the Patriot prisoners. Appalled that Prince had taken the law into his own hands, the governor feared that this "impolitic" action would be used by Americans "as grounds for making more proselytes to the Patriot cause."[31] Of even greater concern to the Canadian governor was that the executions might lead the American people "to force their Government into a war." On 10 December, Arthur wrote Colonel Richard Airey at Fort Malden urging him to ensure that General Brady understood that Prince's actions were "dictated by a sudden impulse in the Field."[32] Some local residents also expressed their dissatisfaction with Prince's battlefield conduct. The controversy soon escalated to a point where Prince quarrelled with, horsewhipped, and even dueled with several prominent area residents.[33]

Intent upon reviewing the situation himself, Arthur arrived at Amherstburg on 11 January 1839. The following day he indirectly reprimanded Prince in a Sandwich address. Declaring that if Americans "violate the laws of your country and their own, the wrong is not to be remedied by an equal violation on your part," Arthur argued that such

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[31]Arthur to Colborne, 11 December 1838, ibid., 1:437-38.

[32]Arthur to Airey, 10 December 1838, ibid., 1:431-32.

[33]Douglas, "The Battle of Windsor," pp. 146-48; Douglas ed., John Prince Diary, pp. 27-28, 31-32, 38.

actions embarrassed himself and deprived "Her Majesty's government of the strongest arguments which it can use in enforcing the justice of your cause." Arthur concluded by urging western Canadians to "Stand on the defensive, and to use every effort in preventing your justly excited indignation from betraying you into violations of British or American law."[34]

Following the governor's Sandwich address, the Western Herald, one of Prince's most ardent supporters, declared that the magistrate was western Canada's "best friend" and guilty of nothing except defending himself and his home from the "'GREAT VILLANS' [sic] who have lately invaded our peaceful soil."[35]

Several months later in mid-March, an official court of inquiry at Amherstburg exonerated Prince. After the acquittal Arthur, while still condemning the colonel's actions, privately admitted that the intense public support for Prince all across the province prevented any additional censure of the Sandwich magistrate "without leading to great excitement." As for Prince, a few months later he and his Sandwich critics reached a reconciliation.[36]

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[34]Sandwich Western Herald, 6 February 1839.

[35]Sandwich Western Herald, 15 January 1839. See also, 29 January, 14, 28 February, 21 March, 4, 18 April, 20 June, 10 July 1839, for additional Prince defense.

[36]Ibid., 25 September 1839; Arthur to Colborne, 30 March 1839, Sanderson, Arthur, 2:103; Arthur to Airey, 21 March 1839, ibid., 2:95-96; Douglas, "The Battle of Windsor," pp.

In Michigan the Patriot movement lay dormant during the early months of 1839. The tactic of using vanguards to establish a foothold in Canada that would lead to a large-scale uprising of Canadians, followed by American reinforcements, had failed miserably. In mid-January, Brady reported that excitement following the Battle of Windsor had cooled "considerably." Although Brady admitted that there were "still a few agitators at work" in Detroit, he did not expect any difficulties.[37] With the exception of a 14 February public meeting in Monroe, where citizens pledged their willingness to go to war with Great Britain unless they received a satisfactory resolution of the Caroline affair, February was also a quiet month.[38] In mid-February one Detroit Patriot glumly observed, "Patriot news is almost gone here."[39] On 22 February Brady reiterated that all was quiet.[40]

Tensions had also relaxed in Upper Canada. As early as mid-January, Governor Arthur wrote, "I do not think there is

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[37]Brady to Poinsett, 5 January 1839, NARS, AGO, RG 94; Brady to H. J. French, 18 January 1839, Sanderson, Arthur, 2:20-21.

[38]Monroe Gazette, 19 February 1839.

[39]George Heron to William Mackenzie, 10 February 1839, James H. Whelan Papers, BC.

[40]Brady to R. Jones, 22 February 1839, NARS, AGO, RG 94.

at present any thing to be apprehended beyond small parties of Brigands & for those we are well prepared everywhere." A month later Arthur expressed relief that "We are now quiet."[41] The border became so tranquil that the Brady Guards invited British officers stationed at Fort Malden and Sandwich to a military ball in Detroit in late February. The redcoats attended, and the event was enjoyed without incident. It was even reported that Edward Theller was in attendance and that at his own request, he took a drink with one of Her Majesty's officers.[42]

During this period of lessened tension the prospects of war decreased. Governor Arthur continued his leniency toward Patriot prisoners, most notably in the release of seven taken during the Ann fiasco a year earlier, as well as several captured at Windsor. Arthur also ordered only a minimal number of executions of Patriot prisoners captured at Prescott and Windsor.[43] Upper Canada's Solicitor General, William H. Draper, observed that the executions had definitely affected Patriot movements and predicted that

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[41]Arthur to Colborne, 18 January 1839, Sanderson, Arthur, 2:20; Arthur to Sir Henry Hardinge, 27 February 1839, ibid., 2:66.

[42]Sandwich Western Herald, 7 March 1839.

[43]Arthur to Colborne, 5 February 1839, Sanderson, Arthur, 2:38-39; Arthur to Colborne, 14 February 1839, British Parliamentary Papers: Correspondence Relative to the Affairs of Upper and Lower Canada, 21 vols (1840; reprint ed., Shannon: Irish University Press, 1969), vol. 13, part 2, pp. 101; Arthur to Marquis of Normanby, 20 April 1839, ibid., pp. 109-10.

they would provide security against future aggression.[44]

Equally important was the realization of what a war meant in loss of lives and in destruction to American border areas. Shortly after the Battle of Windsor, Detroiter Charles W. Ford wrote, "I happened to be an 'eye' witness to the whole operation and have seen enough to convince me that war is not the thing it has been cracked up to be."[45] The failure of Canadians to show any support for the Patriot cause, especially at Prescott and Windsor, also dampened American enthusiasm for the Patriot cause. As Britain's Ambassador Fox observed, the importance of no Canadian aid being given the invaders was "incalculable."[46]

Finally, the British and Canadian authorities became more convinced that the United States government, especially its military representatives, was trying to constrain the Patriots. In late January 1839 Fox, who frequently expressed great contempt for American officials, observed that the prospects for peace looked bright, especially since "a superior class of citizens, and men of more character and influence than before, are at length beginning to exert themselves . . . for the suppression of the piratical

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[44]Draper to Arthur, 21 January 1839, British Parliamentary Papers, vol. 13, part 2, pp. 55-56.

[45]Charles W. Ford to Mary A. Manning, 7 December 1839, Charles W. Ford Papers, BC.

[46]Fox to Arthur, 31 January 1839, Sanderson, Arthur, 2:31.

war."[47]

Although it appeared that the Patriot War on the western frontier was over, occasional incidents, tension and fears continued to plague the border. On 11 January, Michiganians on the St. Clair River claimed that "Amidst the shouts and Yells of Men and Indians," British troops fired two cannon rounds at the Michigan mainland.[48] A week later it was reported that a detachment of British regulars marching through Windsor were fired upon from Michigan.[49]

One of the most serious border incidents involved Howland Hastings, a former Upper Canadian living in Detroit. Hastings was arrested in late December while in Sandwich. According to Samuel Wilcox of Sandwich, Hastings was a Patriot who had struck and imprisoned Wilcox during the latter's visit to Detroit a few days after the Battle of Windsor. Wilcox also alleged that Hastings had boasted that he would soon collect the rumored reward for Colonel Prince's head. Hastings was found guilty of assault and sentenced to six months in jail by Magistrate Prince. The magistrate declared that there was no doubt that Hastings had visited Sandwich "for some hostile purpose against our

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[47]Ibid. See also Arthur to W. H. Hamilton, 2 January 1839, ibid., 2:4.

[48]George Clark to John McDonell, 12 January 1839, ibid., 2:21.

[49]Airey to Brady, 19 January 1839, ibid., 2:22; H. J. French to Col. Richard Airey, 18 January, ibid., 2:21-22.

people or myself." Upon hearing of the matter, Governor Mason informed Governor Arthur that this proceeding was "totally at variance with every principle of English law" and urged intervention. Arthur's subsequent investigation led him to admit that the Sandwich issue was "unsupported by law," and he directed that Hastings be released. Arthur added, however, that since the accused had made threats on Prince's life, he would be kept in custody until he gave "security for keeping the peace and for his future good behavior." Mason countered by sending port collector John McDonell, who was "well-acquainted" with the inhabitants of Sandwich and Windsor, to secure the release of Hastings. McDonell succeeded in obtaining bail for Hastings, but in the process was denounced by Colonel Prince "in a strain of vulgar abuse." In all Hastings spent six weeks under arrest.[50]

Both governments strengthened their defenses in early 1839. On the American side, security was enhanced by the arrival of additional U.S. regulars. Money was also made

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[50]Arthur to Mason, 14 February 1839, ibid., 2:84; Mason to Arthur, 11 January, 20 February 1839, NARS, DOS, Misc. Letters, RG 59; Arthur to Mason, 19 January, 20 February 1839, ibid.; Mason to McDonell, 19 February, ibid.; McDonell to Mason, 21 February 1839, ibid.; Deposition of Regina v. Howland Hastings, Minutes of the Trial, Court of Quarter Sessions, Western District, January 1839, Sandwich, ibid.; Prince to Arthur, 12 January 1839, British Parliamentary Papers, vol. 13, part 2, pp. 80-81; Chas. A. Hagerman to John MacCaulay, 22 January 1839, ibid., pp. 81-82; J. MacCaulay to Prince, 24 January 1839, ibid., p. 83; C. J. MacCaulay to R. Lachlan, 12 February 1839, ibid., p. 84.

available to pay informants.[51] The state legislature, in an attempt to eliminate confusion in the militia system, directed township assessors to determine the number of eligible men for militia duty by 1 April 1839. Curiously, the legislature also hoped to bolster the state's defenses by authorizing the governor to organize an "independent volunteer corps from the half breeds and Indians."[52]

In western Canada the 34th Regiment and several companies of the 85th, plus the local militia, comprised the defense along the Detroit River.[53] In addition to planning the construction of fortifications on Bois Blanc Island, Arthur suggested that Upper Canada should be "a strong Out Post of the British Empire," so that Americans would not view the province as "a weakly dependency wh[ich] they may threaten at their pleasure." The governor concluded "We ought to have Arms, Ammunition[,] Clothing, & Blankets for the Militia of the Country, with the Fortifications . . . approved some years ago, and then we sh[oul]d hold up our

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[51]Brady to Scott, 24 April 1839, NARS, Eastern Division, RG 393; Special Orders No. 89 (recd.), 13 December 1838, by Major General Macomb, ibid. Preparation also included the Michigan militia. Secretary of War Poinsett declared that, in accordance with Brady's recommendations, weapons would be issued to the Michigan militia if conditions warranted such action. (Jones to Brady, 29 March 1839, NARS, AGO, Letters Sent, RG 94).

[52]General Orders, No. 13, 14, 15, by J. E. Schwarz, 20 March 1839, in Detroit Daily Free Press, 22 March 1839.

[53]Sandwich Western Herald, 15 January 1839.

head."[54]

In February 1839 the Aroostock War broke out over the Maine-New Brunswick border. As both Maine and New Brunswick called out their militia, the Patriots watched, eagerly hoping that the crisis would precipitate conditions favorable to the liberation of the Canadas. In March the bloodless war ended when General Scott negotiated a truce, sending the dispute to an international commission for resolution.[55] The Maine border controversy prompted Scott to alert General Brady to watch for any possible Patriot movement.[56] In Michigan the events in Maine evoked fears that if war broke out neighboring British troops would "reduce Detroit to a heap of ashes in one night."[57] Fear of a British invasion led the Michigan legislature to consider strengthening the state's defenses by mobilizing five thousand militiamen.[58] Across the river, Colonel Airey, commandant at Fort Malden, worried about rumors that Detroit

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[54]Arthur to Col. F. A. M. Fraser, 14 December 1838, Sanderson, Arthur, 1:446; Arthur to Sir Henry Hardinge, 27 February 1839, ibid., 2:66.

[55]Corey, Crisis, pp. 114-15; Kinchen, Hunters, p. 92.

[56]Scott to Brady, 2 March 1839, NARS, Eastern Division, Letters Sent, RG 393.

[57]C. W. Penny to James K. Penney, 24 March 1839, C. W. Penny Papers, BC.

[58]Airey to Arthur, 27 March 1839, British Parliamentary Papers, vol. 13, part 2, p. 107.

was "very full of strangers."[59]

Fears resulting from the Aroostock War were followed by reports of renewed Patriot activity along the Michigan frontier. In addition to receiving letters from British subjects in Michigan and Ohio warning that "vast numbers of Citizens" continued to join the Patriot cause, Arthur learned from Colonel Airey that preparations were thought to be in progress in Michigan for a descent upon Upper Canada. Arthur concluded from these reports that Upper Canada would "have no peace in that Quarter & that our People will be harrassed [sic] & kept in a constant state of anxiety."[60]

Such reports were, however, often exaggerations, if not sheer fabrications. During the winter of 1839 Patriot General Henry Handy reappeared on the Michigan/Canadian border where he apparently ordered General Donald McLeod, who had planned the February 1838 invasions of Upper Canada, to proceed "to the West" and organize an army. This force was to be armed in part from a foundry near Detroit, which was to cast twenty to forty small caliber cannon. In early spring McLeod reported that he had gathered three thousand men, including 1,500 Indians, at Chicago, Illinois. McLeod arrived in Detroit, in mid-April 1839 without his army. There he was promptly arrested for his earlier actions.

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[59]Ibid.

[60]Arthur to Colborne, 30 March, 2 April 1839, Sanderson, Arthur, 2:103, 109; Arthur to Lord Fitzroy J. H. Somerset, 27 February 1839, ibid., 2:68; Airey to Arthur, 27 March

Nothing further was heard of the Illinois army. McLeod was released on bail, appeared in Federal District Court at Detroit in July and was acquitted of any neutrality law violations.[61]

In late March 1839, Detroit Patriots gathered and reaffirmed the sanctity of their cause, but they demonstrated little enthusiasm for another Upper Canadian invasion. Instead they sought respectability by entering the political process. On 23 March, Theller and other Detroiters gathered at the United States House to select a committee to nominate candidates for the upcoming city election. Preferred candidates were to be "true Patriots . . . favorably disposed and anxious that the principles of republicanism should be spread throughout the world, and particularly on this continent."[62] There were reports of secret Patriot meetings at the time Detroit held its elections in mid-April, but the Patriots' electoral efforts failed.[63]

1839, British Parliamentary Papers, vol. 13, part 2, p. 107.

[61]Niles National Register, 27 April 1839; Kinchen, Hunters, p. 94; Lindsey, Mackenzie, 2:235-38, Detroit Daily Advertiser, 10 July 1839. Lindsey also reported that "a gentlemen in Detroit had nearly brought to perfection a cannon that would be able to fire fifty to sixty times a minute" (p. 237).

[62]One page affidavit entitled "Patriot Meeting," which originally appeared in the Detroit Morning Post and Craftsman, 26 March 1839, in William Woodbridge Papers, BC; Sandwich Western Herald, 4 April 1839.

[63]McDonell to Levi Woodbury, 25 April 1839, NARS, Eastern Division, RG 393.

On 25 April the U.S. port collector, John McDonell, seized twelve kegs of powder, a quantity of muskets and sundry armaments in a wooded area thirty miles south of Detroit. The port collector was convinced that there were additional arms depots in the area, but he was unable to discover them.[64] During this period of rumors and reports of Patriot activity, isolated border incidents persisted. On 13 April, Moses Rumsey, a resident of Monguagon Township, Wayne County, was arrested while visiting Sandwich and imprisoned for having participated in the Windsor invasion. As in the Howland Hastings' case, Governor Mason intervened. Two months after his arrest, and only after his accuser's testimony was discredited, Rumsey was released.[65]

During the time of the Rumsey controversy, Edward Theller assaulted a British army surgeon in Detroit. According to the Detroit Daily Advertiser, Theller was provoked to attack Dr. Robert T. Reynolds because the doctor had "robbed" him of a watch and $83.00 when Theller was taken prisoner in January 1838. Shortly after the Reynolds incident, another visiting Canadian was attacked in Detroit for declaring his "unflinching loyalty to the British

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[64]Ibid., Detroit Daily Free Press, 18 April 1839.

[65]Forsyth to Mason, 5 May 1839, NARS, DOS, Notes to Foreign Legations, Great Britain, RG 59; R. A. Tucker to Mason, NARS, DOS, Misc. Letters, RG 59; Affidavits from George Walker, 13 April 1839, William G. Morrison, 13 April 1839, Harriet L. Rumsey, 16 April 1839, Levi Edwards, 16 April 1839, Sarah Ann Phelps, 16 April 1839, Daniel Stout, 15 April 1839, Merrick Rice, 15 April 1839, William Rose, 16

government."[66]

Though Brady reported that the border was quiet in early May, he feared that fresh Patriot disruptions were at hand. He informed Colonel Airey that he had learned that the Patriots "intend to commence operations about the time the farmers commence planting corn, and that their plan is to send small marauding parties to burn houses, and destroy other property, in hopes of producing retaliation, and thus keep up the excitement."[67] At the same time Airey reported fears "that a system of petty and simultaneous burnings, plunder, and mail-robbing" was to be the Patriots' summer plan along the St. Clair River.[68]

On 30 May the Sandwich Western Herald reported that "extensive preparations" were being undertaken for another incursion into Canada on 4 July. Citing a wide range of evidence, including the recent burning ("evidently" arson) of two Detroit buildings owned by Canadians, the Western

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April 1839, Daniel Rumsey, 16 April 1839, Anna Rice, 16 April 1839, George R. Upham, 16 April 1839, Henry Phelps, 16 April 1839, John M. Alford et al., 16 April 1839, ibid.; Mason to Airey, 22 April 1839, ibid.; Airey to Mason, 23 April 1839, ibid.; petition from residents of Monguagon, Michigan, ibid.

[66]Sandwich Western Herald, 9 May 1839; Detroit Daily Advertiser, 29 April 1839.

[67]Brady to R. Anderson, 3 May 1839, NARS, Eastern Division, RG 393; Brady to Airey, 4 May 1839, British Parliamentary Papers, vol. 13, part 2, p. 125.

[68]Airey to Capt. Halkett, 6 May 1839, British Parliamentary Papers, vol. 13, part 2, pp. 124-25.

Herald warned that soon western Canadians would be once again defending their homes and families.[69] On 3 July the Western Herald urged Canadian military authorities to remain alert for any possible Patriot aggression.[70] But the rumored invasion never materialized. Instead of raising arms on 4 July, veterans and supporters of the Patriot cause gathered at Ben Woodworth's Steamboat Hotel in Detroit and raised glasses toasting their heroes and recounting their most harrowing escapades.[71]

Except for a meeting in Detroit on 19 July condemning "certain foreigners" who had offered their services to support "British tyranny," the Patriots spent the remainder of the summer distributing petitions for the release of William Lyon Mackenzie, who had been convicted and imprisoned in New York.[72] They also supported a new Detroit newspaper. Edited by Theller, the Spirit of '76 and Theller's Daily Republican Advocate pledged to support "the extension of civil and Political Liberty throughout the world." In addition to opposing and exposing "the wickedness and injustice

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[69]Sandwich Western Herald, 30 May 1839.

[70]Ibid., 3 July 1839.

[71]Detroit Daily Free Press, 10 July 1839. The Sandwich Western Herald reported that officers of the 34th Regiment attended the Patriots' 4 July gathering. Buffalo's (New York) City Guards, who arrived in Detroit on 3 July for an Independence Day celebration, may have also deterred any Patriot invasion. (Detroit Daily Free Press, 4 July 1839).

[72]Detroit Daily Free Press, 17 July 1839; Sandwich Western Herald, 24 July 1839. The Patriots collected 1,500 signatures in Detroit, 220 in Ann Arbor and over 100 in

of the Laws of foreign governments, the Spirit of '76 promised

> to insist upon our government's demanding in its foreign treaties, the recognition of our citizenship and elevating to the knowledge of all civilized nations, the proud, and protecting title of American citizenship, as a sure shield against oppression, wherever or by whatever power attempted.[73]

The Sandwich Western Herald feared that Theller's paper would fan "the smouldering embers of discord . . . that shall eventually spread desolation and misery throughout the whole of this beautiful continent."[74] By repeatedly denouncing President Van Buren's "unmanly course" in the Caroline affair and by predicting that Canadians and Canadian refugees living in the United States would "meet in Freedom's fight" to oust the British mercenaries, Theller, recently acquitted of violating any U.S. neutrality laws, undoubtedly hoped to keep the Patriot movement alive.[75]

In late summer 1839 Brady expressed concern that the Patriots might still undertake another Canadian invasion.[76] Shortly thereafter a spy informed Governor Arthur that an eighteen-delegate committee of Patriots had recently gathered in Lockport, New York. The committee had reportedly

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Ypsilanti. (Detroit Daily Free Press, 7 August 1839).

[73]Spirit of '76, 15 August 1839.

[74]Sandwich Western Herald, 21 August 1839.

[75]Spirit of '76, 16, 30 August 1839.

[76]Arthur to Colborne, 26 August 1839, Sanderson, Arthur, 2:220.

collected seven hundred arms at Buffalo, as well as six cannon and "a quantity of arms" near Detroit. The Patriot committee also agreed that a successful invasion of Upper Canada should be effected "as soon as the canal-boats" were laid up. The planned invasion would be undertaken with three thousand reliable liberators. Believing that if Windsor could be held for a few days, large numbers of volunteers from the United States would come to their aid, the Patriots predicted that disaffected Upper Canadians would take up arms, distract the government and prevent troops from being sent west. Both McLeod and former General Thomas Jefferson Sutherland, who had been released by his Canadian jailers, were reported to be on their way to Detroit to make arrangements for the attack, which was to be led by a "British officer at Pennsylvania." The committeemen also vowed to neither accept nor give any quarter. Prisoners were not to be taken.[77]

Early in October, U.S. spies reported that at a meeting in Lewiston, New York, attended by McLeod and Sutherland, the proposed invasion of Windsor was postponed until the Upper Canadians had succeeded in a major uprising. To hasten such an uprising, arms were to be smuggled to the most disaffected parts of the province.[78]

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[77]Mr. "Hart's" affidavit, undated, in Arthur to Marquis of Normanby, 15 October 1839, British Parliamentary Papers, vol. 13, part 2, pp. 210-14.

[78]Kinchen, Hunters, p. 100.

Even though Theller boldly predicted that "the smouldering embers will soon again be lighted," there were only rumors of future aggression.[79] One of the more sensational stories came from the residents of St. Clair County, who alleged in early November that a visiting British officer had warned them that the Canadians were mustering a force of one thousand Indians to "massacre the Inhabitants on this Frontier."[80] Responding to continuous reports of caches of hidden Patriot weapons, Brady reported that "every method that could be devised" had been used to discover these weapons, but without success.[81]

In late October 1839, Brady observed that there was not the "least stir" among the Patriots on that frontier.[82] In early December the general concluded that in the future, neutrality violations by the Patriots would occur only if the Canadians "struck the first and determined blow."[83] Canadian Governor Arthur was equally convinced that the Patriot War had ended. In early autumn he concluded that

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[79]Spirit of '76, 7 October 1839.

[80]Affidavit of John Beach, 5 November 1839, Sanderson, Arthur, 2:299-300; Brady to Airey, 8 November 1839, ibid., 2:299.

[81]Brady to Scott, 23 October, 4 November 1839, NARS, Eastern Division, RG 393.

[82]Brady to Scott, 23 October 1839, ibid.

[83]Brady to Robert Anderson, 4 December 1839, ibid.

all the reports of the Patriots "gathering strength and augmenting terror . . . are founded upon what is the desire of the disaffected in the province and their partisans on the frontier, rather than upon what they will actually attempt."[84] In mid-November he confidently observed, "We shall have a quiet winter on the Frontier." Although the Patriot cause had "gone down more suddenly" than he expected, the executive was "quite satisfied" that the Patriot cause was "no longer Popular."[85]

Neither Michigan nor Canadian authorities expected another winter of hostilities, but preserving peace required continued vigilance. Several companies of the 4th U.S. Artillery arrived in Detroit in mid-October. At the same time Brady reassured General Scott that if the Patriots showed themselves, he rapidly could move an armed steamer anywhere between Fort Gratiot and Sandusky, Ohio.[86] In November, Marshall Ten Eyck appointed additional deputies at Detroit, Monroe and on the St. Clair River as a precautionary measure.[87] In Upper Canada, Governor Arthur did

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[84]Arthur to Marquis of Normanby, 17 September 1839, British Parliamentary Papers, vol. 13, part 2, p. 185.

[85]Arthur to Airey, 5 November 1839, Sanderson, Arthur, 2:299; Arthur to R. D. Jackson, 14 November 1839, ibid., 2:314.

[86]Brady to Scott, 23 October 1839, NARS, Eastern Division, RG 393; Spirit of '76, 14 October 1839.

[87]Ten Eyck to Forsyth, 3 December 1839, NARS, DOS, Domestic Letters, RG 59.

not think it prudent to send the militia home, even though he expressed confidence that even the most vulnerable stretches of the province's border were adequately defended.[88]

In December 1839 British Ambassador Fox warned the United States that renewed Patriot filibustering would be perceived by the British as a declaration of war.[89] Brady worried that Fox's remarks might "have the effect of driving the Patriots to action."[90] But the general was wrong. As he had observed a week earlier, the Patriots had neither the weapons nor the money to continue their campaign to liberate Canada.[91] The Patriot movement in Michigan and across the country had lost its credibility. Most Americans realized that most Canadians did not support an overthrow of their government. As Governor Arthur had observed in late July, "Many Americans are ashamed of the part they have taken; [while] others have no disposition to throw away more money in a bad speculation."[92] In addition to the loss of popular support, the Patriots were faced with a more efficient

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[88]Arthur to J. F. Love, 23 December 1839, Sanderson, Arthur, 2:362; Arthur to Sir R. D. Jackson, 14 November, 1839, ibid., p. 2:314.

[89]Brady to Scott, 25 December 1839, NARS, Eastern Division, RG 393.

[90]Ibid.

[91]Brady to Col. James Bankhead, 19 December, ibid.

[92]Arthur to Marquis of Normanby, 27 July 1839, British Parliamentary Papers, vol. 13, part 2, p. 153.

military presence along the border. One of the more effective measures was the creation of closer relations between U.S. and British military authorities. Along the Michigan frontier Brady repeatedly informed Colonel Airey of any Patriot activity. The general travelled to Ft. Malden on several occasions and conferred with visiting Governor Arthur in Amherstburg in August 1839.[93]

Infrequent border incidents persisted for several years, and Theller continued advocating the virtues of republicanism in his newspaper until late 1840. But the days of poorly-armed hordes of men seeking the liberation of the Canadas had ended. Western Canadians were ready to put the past two anxiety-filled years behind them when they gathered on 4 December to commemorate the first anniversary of their most satisfying victory over the "Brigands." The Western Herald concluded, "We heartily trust that a continuation of the peace at present so happily existing along our borders will make 'our folks' forget that anything so dreadful as the 'Battle of Windsor' ever happened 'at all at all.'"[94] Even Edward Theller realized that the Patriot War had ended. Still contemptuous of Upper Canadians for failing

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[93]Airey to Halkett, 6 May 1839, ibid., pp. 124-25; Corey, Crisis, pp. 85-90, 116-17; Kinchen, Hunters, pp. 101-02; Arthur to Lord Fitzroy J. H. Somerset, 27 February, 14 May 1839, Sanderson, Arthur, 2:68, 149-50; Arthur to Colborne, 15 April, 26 August 1839, ibid., 2:118, 219-20.

[94]Sandwich Western Herald, 12 December 1839.

to aid in their own liberation, the former general claimed that the Patriots and Canadians had reached an understanding. According to Theller, "we have come to the conclusion not to go until we are wanted; and they [Canadians] say when they want us, they will send."[95]

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[95]Spirit of '76, 15 December 1839.

CHAPTER EIGHT: CONCLUSION: AMERICA IN THE 1830s

An examination of Michiganians during the Patriot War reveals much about the American personality in the late 1830s. Americans during those years were nationalistic, confident, ambitious, boastful and anglophobic. They took great pride in their democratic form of government and believed that the liberties they enjoyed should eventually be experienced by peoples around the world. As President Andrew Jackson reminded his fellow countrymen in his farewell address, "You have the highest of human trusts committed to your care. Providence has showered on this favored land blessings without number, and has chosen you as the guardians of freedom, to preserve it for the benefit of the human race."[1]

American authorities charged with maintaining order faced three problems in restraining the Patriots: the sense of mission Americans felt in spreading liberty and the corresponding dominant belief that indiviudual rights superseded law; the politicization prevalent in many facets of American society; and the existing lines of authority bet-

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[1]James D. Richardson, ed., A Compilation of the Messages and Papers of the Presidents, 10 vols. (N.p., 1899), 3:308.

ween state and federal governments.

American political ideas were still dominated by the American Revolution. Americans believed England to be ruled by an archaic, oppressive government that was the antithesis of American institutions and America's natural enemy. Although the years following the War of 1812 witnessed the resolution of various disputes between the United States and Great Britain, American distrust of the British still pervaded U.S. public opinion. Following his visit to the United States, Alexis de Tocqueville noted that he could not conceive of a hatred more poisonous than that which the Americans felt for England.[2]

Americans were also confident that American democracy was a model for all the world to follow. Support for the French Revolution and later the Greek Revolution set the stage for Americans to assume blindly that Upper Canadians would welcome an end to British colonial rule. Moreover, their Revolutionary War heritage allowed Americans to easily more accept the notion of rebellion as a means of obtaining this end. In Canada many Reformers who supported Mackenzie in the early 1830s, and supporters who elected him in defiance of the wishes of British colonial authorities, did not believe that rebellion was a proper means to achieve change.

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[2]Bernard Bailyn et al., The Great Republic: A History of the American People, 2 vols. (Lexington, MA: D. C. Heth & Co., 1977), 1:594; Thomas A. Bailey, A Diplomatic History of

The universality of American belief in revolution, British corruption and the moral superiority of democracy, was evident in the widespread support for the Patriots, which crossed political and social lines. While only a minority of Michigan residents favored an active or official American presence in supporting the liberation of Canada, most, including their leaders, sympathized with the Canadian quest for liberty. Even the conservative Whig Detroit Daily Advertiser emphasized in December 1837 that "Individuals have a right to contribute of their sympathies, money and services to the aid of an oppressed people. . . . If any of our young men deem it a duty to volunteer in defence of their struggling bretheren [sic], and march to the seat of war, we say to them--God speed the right!"[3] Writing to Patriot General Thomas Sutherland after the dismal Bois Blanc campaign in January 1838, residents of Palmer, in St. Clair County, conceded that they were "bound to observe a strict neutrality," but added that "it would be deceptious [sic] . . . as citizens of this Republican Government, to conceal from you the fact that our feelings and sympathies are enlisted and excited in the revolution which is now going on in the two Canadian Provinces."[4]

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the American People (New York: Appleton-Century-Croft, Inc., 1958), pp. 204-05.

[3]Detroit Daily Advertiser, 14 December 1837.

[4]F. Beeby et al. to Sutherland, 13 January 1838, in Sandwich Western Herald, 23 January 1838.

Prevailing political philosophies growing out of the American Revolution presented grave problems for authorities attempting to control the Patriots. Prime among these was the belief that law came from the people and was valid only as long as it served the needs of and was upheld by the majority. As one astute Detroiter observed, "under a Government where the law is but the embodied spirit of public opinion, it becomes, in a great degree, inoperative, where that opinion does not sustain it."[5]

Efforts to prosecute those Patriots who fell into the hands of American authorities were almost always futile. In Thomas Sutherland's trial in January 1838, U.S. District Attorney Daniel Goodwin tried in vain to prosecute the Patriot general for preparing the military expedition that left Michigan and invaded Upper Canada. Goodwin faced both uncooperative witnesses and a federal judge who repeatedly sustained defense objections to evidence that might have confirmed Sutherland's activities.[6]

Judge Ross Wilkins's dismissal of Sutherland for lack of evidence was only the first of several similar cases. In July and December 1838 at least seven Patriots, arrested following filibusters into Upper Canada, were released by

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[5]Unidentified correspondent, 13 January 1838, in National Intelligencer, 27 January 1838.

[6]Thomas Sutherland case records in National Archives and Research Service, Chicago, U.S. Circuit Court, Eastern Division, Michigan, Record Group 21 (hereafter NARS, Circuit Court, RG 21); Detroit Daily Free Press, 19 January 1838;

Judge Wilkins for lack of evidence.[7]

In mid-1839, Attorney Goodwin tried to prosecute acknowledged Patriots Edward Theller and Donald McLeod. According to the Detroit Daily Advertiser, the district attorney was "met at every step, with unexpected opposition and censure." The Advertiser added that "the bias and sympathy of both the Court and Jury, was in favor of the accused, however imperative the law, and clear the facts might be." Thwarted in his efforts to enforce the laws, Goodwin apparently gave up trying to prosecute Patriots.[8]

The problem of securing a prosecution transcended civil courts. In 1838 a tribunal of state militia officers found itself able only to reprimand Lt. Colonel Charles Jackson and fine him $50 for negligence that resulted in the Patriots stealing 240 muskets entrusted to Jackson's care.[9]

The only successful prosecution of a Patriot in Michigan was that of John Vreeland in July 1838. However, his conviction may have resulted from factors other than his Patriot allegiance, including the allegation that he was a counterfeiter.[10]

Detroit Daily Advertiser, 18 January 1838.

[7]Unidentified correspondent, 12 July 1838, in Albion, 21 July 1838; Detroit Morning Post, 15 December 1838.

[8]Detroit Daily Advertiser, 3 July 1839.

[9]Detroit Daily Free Press, 14 March 1838.

[10]Ibid., 14 July 1838; Detroit Morning Post, 16-19 July 1838; John Vreeland case records in NARS, Circuit Court, RG 21; unidentified correspondent, 13 July 1838, in Albion, 21

The biggest difficulty in successfully prosecuting the Patriots was the inablity to gather evidence. Citizens apparently felt no obligation to incriminate people engaged in illegal actions if they did not themselves view these actions as wrong. On 9 January 1838 Goodwin admitted "the extreme difficulty" in acquiring a correct knowledge "of facts or of the doings" of the Patriots.[11] A year later, Judge Wilkins observed that enforcing neutrality laws was difficult because so "few are willing to give the requisite information."[12] Finding dependable juries made the prosecutor's job even more difficult. In mid-1838 members of a Detroit grand jury that had been convened to determine whether American neutrality laws had been violated were charged with having themselves given money and aid to the Patriots.[13]

The unwillingness to prosecute or cooperate in the

July 1838; R. W. Ashley, McLeod's aide, described Vreeland as a traitor, who "dressed himself in a stolen military dress, paraded himself before the U.S. Marshalls, and forced them to notice his conduct." (R. W. Ashley to Lyman Sherwood, 1 March 1838, in Severance, "The Woes of a Leader," pp. 141-42.)

[11]Goodwin to Forsyth, 9 January 1838, NARS, DOS, Misc., RG 59. On 24 February 1838 the Detroit Daily Free Press observed that "a thousand and one rumors are in circulation" and the only thing certain was that there was "little reliable information to be relied on."

[12]Wilkins to Van Buren, 7 January 1839, NARS, Eastern Division, RG 393.

[13]Unidentified correspondent, 30 June 1838, in National Intelligencer, 12 July 1838.

prosecution of Patriots is partly explained by what Henry Steele Commanger has described as the nineteenth-century American's "cavalier disrespect" for the law. According to Commanger, the American's "disrespectful attitude toward authority and his complacent confidence in the superiority of his institutions combined with prosperity and well-being to make the American lenient toward dissent and nonconformity."[14] Palmer residents expressed these sentiments when they casually observed during the early months of the Patriot War that "it is utterly impossible to restrain and control the feelings of some of our citizens, and the occassional outbreakings of their rejoices" for the Patriot cause.[15]

To Americans, enforcement of questionable laws clearly took a secondary position behind preservation of "rights." As the Patriots gathered near Detroit during the days before the Battle of Windsor, the Detroit Daily Advertiser grimaced about how difficult it was to convince "many of our sober-minded and peace loving citizens that the appearance of so many individuals, at the present juncture, and under the peculiar circumstances, indicated something wrong, or . . . that their existed any very urgent necessity for an

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[14]Henry Steele Commanger, The American Mind: An Interpretation of American Though and Character Since the 1880s (New Haven: Yale University Press, 1950), pp. 19-20.

[15]F. Beeby et al. to Sutherland, 13 January 1838, in Sandwich Western Herald, 23 January 1838.

efficient night patrol."[16]

A few weeks later Judge Wilkins reiterated this attitude. Deciding for the owners of the Champlain, which the Port Collector McDonell had seized on 5 December to prevent any further Patriot filibusters, Wilkins ordered the vessel released. Admitting that the fear of renewed hostilities explained McDonell's "over reaction," the federal judge declared that the guarantee of American civil liberties, even if they included violations of the peace, should outweigh efforts to enforce the laws. According to Wilkins

> Far different is it, and far more easy is it, in a despotic government to enforce the observance of Treaties. Where the sword and the bayonet spring into action, at the beck of a military monarch, and the supreme Law is written in and enforced by blood, our Institutions cannot but be misunderstood. But I fervently pray, that a sickly regard for this misunderstanding, and a dread of foreign displeasure, will never induce the alteration of a tittle [sic] of our fundamental law, or lead to the slightest disregard of the rights of the citizen.[17]

Michigan residents in the 1830s claimed other real and perceived rights and liberties guaranteed them under the Constitution. Among them were the right to bear arms, freedom from a standing army and freedom from excessive government. In mid-February 1838, at a time of imminent Patriot filibusters, stolen U.S. ordnance and untrustworthy Michigan militiamen, it was reported that four-fifths of

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[16]Detroit Daily Advertiser, 4 December 1838.

[17]Ibid., 29 December 1838.

Detroit's population thought government officials had become "unnecessarily rigid" in suppressing the Patriots.[18]

Legislative efforts to order militia units to engage in "martial exercise and company drill"--a direct response to the Patriots' activities--prompted criticism of this unconstitutional act. "If our country were in danger from threatened invasion," the Pontiac Courier argued, "the militia to a man would turn out to defend it. But there is no danger." The State Journal (Ann Arbor) also criticized General Brady for "tampering with the rights and feelings of our citizens" when he dismissed the militia following indications that several members sympathized with the Patriots.[19]

More serious criticism of violations of constitutional guarantees occurred in July 1838 when U.S. authorities raided the home of Edward Heath, a staunch Patriot. Although the authorities possessed a search warrant, no Patriot weapons were discovered. Citing the constitutional right to possess firearms, one Detroiter responded to the search by querying

> Shall a Brady, or a Garland [Brady's second-in-command], dressed in a little brief authority, and backed by United States soldiers, trample on our rights--search our houses--and by a display of bayonets still the exhibition of every independent emotion?[20]

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[18]Detroit Daily Free Press, 13 February 1838.

[19]Pontiac Courier, 16 March 1838; State Journal (Ann Arbor), 1 March 1838.

[20]Unidentified correspondent in Detroit Morning Post, 9

Similar criticism of government actions resulted in December 1838 when one Michigan resident described the efforts to arrest Patriots fleeing from the aborted Windsor invasion, as "shameful conduct of a free government."[21]

A greater U.S. military presence was essential to curtail the Patriots, yet Brady's constant urgings for more troops went largely unheeded. In July 1838 Brady informed Adjutant General Jones that "the conviction that military aid was at hand tended to encourage the deputy marshals in the performance of their duties," however six months later Brady's regular army force, including the garrisons at Fort Gratiot and the Dearbornsville arsenal, totaled just over one hundred men.[22]

Congress increased the size of the army in mid-1838, but the effort lacked the speed necessary to make it an effective deterrent to the Patriots' filibustering. Besides taking six months to debate the matter, the Congress increased the army to only 12,500 men, an official increase of a mere 5,000. In addition to the army's involvement in fighting Indians, the traditional aversion to a large standing army, especially in peacetime, was the culprit for the limited number of regular troops available for service

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July 1838.

[21]George Heron to William Mackenzie, 5 December 1838, James H. Whelan Papers, BC.

[22]Brady to Jones, 17 July 1838, NARS, AGO RG 94; Brady to Scott, 8 December 1838, NARS, Eastern Division, RG 393.

on the northern frontier. In December 1838 a Detroit rally denounced the way the army was being used on the frontier and circulated a petition criticizing President Van Buren for stationing a standing army "in time of peace," which endangered the lives of Americans and imprisoned others, all "on the mere pretence that a law of the Union has been or is about to be infracted." Decrying the nature of man to seize power, a tendency unchanged since the days of Caesar, the petition further criticized the use of the military in a role "calculated for a Civil Police."[23]

Civil and military authorities attempting to control the Patriots were hampered by popular beliefs of mission and the dominance of individual rights. However, civilian leaders were also political creatures, whose success depended upon election and appointment. As a result, officeholders were forced to consider the political ramifications of their every movement.

The 1830s marked the birth of mass political involvement in American society. The expansion of white male suffrage, greater voter interest and the development of a two party system highlighted the decade. Although both political parties had loyal supporters, public opinion was important since neither, especially in Michigan, commanded a dominant majority. While recent studies indicate that there

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[23]Theller, Canada, 2:308-10; Detroit Daily Free Press, 17 December 1838.

was little difference between Michigan Whigs and Democrats on political and economic issues in the 1830s, there are indications Democrats seemed to perceive themselves as more closely aligned with the masses. Their belief was reinforced during the state's 1835 constitutional convention battle over alien voting rights. The Democrats favored a more liberal franchise, while the Whigs tended to be nativistic with a particular aversion for the Irish and Catholic.[24]

Much of the domestic criticism of Governor Mason regarding his handling of the Patriots came from his political opponents. In early January 1838 the Detroit Daily Advertiser, the Whig's leading organ, repeatedly attacked the Democratic administration for being "spell bound with apathy" or taking actions that appeared "a good deal farcical." When the governor called a 6 January meeting to support the public officials' efforts to preserve neutrality, the Advertiser dismissed the rally as too little, too late. "The steed had been stolen," the journal submitted even before Sutherland's expedition had set foot on Canadian soil, "and it is of little use now to shut the door." Following the Ann fiasco, Detroit Whigs subtly noted that the actions of Democratic officeholders were being kept in a

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[24]Ronald P. Formisano, The Birth of Mass Political Parties, Michigan, 1827-1861 (Princeton: Princeton University Press, 1971), pp. 21-24, 31-47, 81-97.

diary for future use.[25]

Other Michigan officeholders also found themselves under political attack. On two separate occasions Detroit Port Collector McDonell, a Democratic political appointee, was forced to defend his actions against the Advertiser's criticism. The most serious case came after the Battle of Windsor when McDonell was charged with not discharging "the trust required in him" and allowing the Patriots to seize the Champlain. At McDonell's urging, General Brady issued a statement condemning these attacks and concluded

> the activity, vigilance and anxiety, exhibited by you, at all times, since the commencement of the late patriot disturbances, and your evident desire to perform your duty to your country to to the extent of your power, have been sufficient pledges to me, that nothing but deep deception practised upon you, could have led to the result which we all so much deplore.[26]

The depth of party solidarity is demonstrated by the fact that McDonell also received additional support from both President Van Buren and Michigan U.S. Senator Lucius Lyon at the this time.[27]

U.S. Marshall Conrad Ten Eyck, a prominent Detroit Democrat, also came under criticism for allegedly aiding the Patriots. Following the Battle of Windsor, General Winfield Scott reported that "all the friends of law & order there

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[25]Detroit Daily Advertiser, 10, 12, 13 January 1838.

[26]McDonell to Brady, 14 January 1839, in Albion, 9 February 1839; Brady to McDonell, 15 January 1839, ibid.

[27]Lucius Lyon to McDonell, 29 December 1838, in "Letters of Lucius Lyon," Michigan Pioneer Historical Collection 27 (1896):512.

[Detroit], without regard to parties," favored the Marshall's dismissal. According to the general, Ten Eyck gave information to the Patriots of "all intended movements against them" and did "as little as possible for law & order."[28]

Scott's denunciation of Ten Eyck came at a time when the general was particularly displeased, possibly embarrassed, with events on the border. The battles of Prescott and Windsor made it appear, at least in January 1839, as if the Patriot War was accelerating. At the same time Scott criticized Ten Eyck, he denounced civilian authorities and complained about how "we poor ignorant soldiers only profess to be the creatures & servants of the law."[29] Unsuccessful in stopping the Patriots, Scott may have used various political appointees as scapegoats. Certainly that was the opinion of Judge Wilkins, who informed President Van Buren in January 1839 that the outcry against the marshall arose from "political animosity." Attributing Scott's criticism to "prejudices" imbued by area Whigs, Wilkins concluded that he "frequently heard" accusations against Ten Eyck whenever General Scott was in

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[28]Scott to Poinsett, 16 December 1838, Joel R. Poinsett Papers, Pennsylvania Historical Society, Philadelphia.

[29]Scott to Poinsett, 12 January 1839, in C. P. Stacey, ed., "A Private Report of General Winfield Scott on the Border Situation in 1839," Canadian Historical Review 21 (December 1940), pp. 407-14.

Detroit.[30] The Whig criticism of Democrats was not purely political. District Attorney Goodwin, a Democrat, received plaudits from the Whigs for his efforts to uphold the laws.[31]

As the chief executive responsible for maintaining order, Governor Mason, a supporter of local rights during Michigan's quest for statehood a few years earlier, was in a particularly tenuous position. His actions risked not only his career, but the well-being of his entire party. Responding to the governor's 27 December pronouncement prohibiting Michigan residents from volunteering to join the Patriots' liberation of Canada, the Pontiac Courier argued that "when the governor's political success depended upon the admission of our state into the Union, he contended that the people had an undoubted right to act in their original capacity, without any regard to the forms of law." The Courier concluded that the governor's recent declaration violated the people's will.[32]

Mason's position was further complicated by certain Michigan Democrats, who were ardent Patriots, especially Benjamin Kingsbury, editor of the Detroit Morning Post. In

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[30]Wilkins to Van Buren, 7 January 1839, NARS, Eastern Division, RG 393.

[31]Detroit Daily Advertiser, 18 January 1838.

[32]Pontiac Courier, 19 January 1838.

early January 1838, Mason refuted a Post accusation that he secretly hoped that Michigan residents would violate American neutrality laws. Later that same year the Post mocked President Van Buren's demands that citizens obey neutrality laws by issuing a parody of his November proclamation. Besides not wanting to offend the British queen, the Post's version had the President issue an order enjoining "my army to kill and murder all who did not obey this proclamation."[33]

One of the tenets of the Hunters Lodges was support for political candidates who favored the liberation of Canada. Several observers agreed with one Michigan resident who predicted in December 1838, "political annihilation to that politician who lends his exertions to the futile efforts of quelling the wild-fire of Canadian liberty."[34] Edward Theller reported in October 1839 that he had received requests from all across the state asking him which candidates they should support. (The former Patriot general, demonstrating that philosophy is seldom everything in American politics, subsequently supported the Patriots' one consistent enemy, General Winfield Scott, for the 1840 Whig presidential nomination.)[35] Even as late as 1841 there

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[33]Detroit Daily Free Press, 9 January, 13 December 1838. See also a letter from Democrat T. C. Sheldon criticizing B. Kingsbury, in Detroit Daily Advertiser, 12 March 1838.

[34]Unidentified correspondent in Detroit Morning Post, 22 December 1838.

[35]Spirit of '76, 14 October, 14, 27 November 1839, 17

were indications that Patriot sympathizers in Dearborn intended to support only political candidates that favored Canada's liberation.[36]

Both political parties did their best to curry Patriot favor. At a gathering at the Detroit city hall on 23 March 1838, the Democrats adopted a resolution criticizing the Whigs' actions toward the Patriots. According to the Democrats, the Whigs' actions savored strongly of "the arrogance of aristocracy," and were "in perfect keeping" with the Whigs' favorite and adopted principle--"that the people are unqualified and uncapable of self-government."[37]

The Whigs, too, had to hedge their political positions. In January 1838 the Detroit Daily Advertiser responded to charges that it supported British colonial rule in Canada by declaring that "we yield to none in an ardent desire that Canadians may be successful in their efforts."[38] A year later the Advertiser, which had spent the entire year criticizing the Democratic authorities for incompetence and urging extreme caution in American involvement in aiding Canada's liberation, still believed that the cause of

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October 1840.

[36]Joshua Howard to William Woodbridge, 12 May 1841, William Woodbridge Papers, BC.

[37]Detroit Daily Free Press, 26 March 1838.

[38]Detroit Daily Advertiser, 8 January 1838.

Canadian freedom was "dear to every true American bosom."[39] There are indications that prominent Detroit Whigs George C. Bates and Edward Brooks, later appointed port collector and district attorney, were active Patriots.[40]

A third dilemma confronting American authorities dealt with lines of authority in controlling the Patriots. Faced with a situation where strong measures were needed to restrain American aggressors in matters dealing with a foreign nation, American leaders responded sluggishly.

During the early 1820s Americans supported the Greeks' struggle for freedom against the Turkish Empire. In the Michigan Territory, editorials and rallies among Detroit's fewer than two thousand residents hailed the freedom-loving Greeks. "Greek Fever" led to funds being collected for the Greeks and towns being named after Greek revolutionary heroes.[41]

Unlike this outpouring of support for distant Greece, which the United States government could pass off as a private matter not requiring government involvement, the American response to the liberation of Canada presented direct, unavoidable problems for the federal government. It

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[39]Detroit Daily Advertiser, 7 December 1838.

[40]George F. Griswold affidavit, 21 May 1841, William Woodbridge Papers, BC; George C. Bates to William Woodbridge, 21 May 1841, ibid.; A. Weeks to D. F. Webster, 21 May 1841, ibid.

[41]Eva C. Topping, "Philhellenes from Michigan," Michigan History 65 (March/April 1981), pp. 38-42.

created international incidents that could have easily led to war. The situation was further complicated since controlling the Patriots required the active involvement of the states' law enforcement agencies. However, the international nature of the crisis and the unwillingness of Americans to obey the laws left the federal government in a quandary on how to react. Furthermore, unlike in Texas during the same period, Americans were not conquering a new frontier, but exporting an idea--democracy.

On 9 January 1838 Governor Mason explained to Sandwich magistrates that intercourse with foreign nations specifically, "the preservation of neutrality and the guarantee of the faith of treaties," was a federal matter. Mason admitted he could aid in enforcing those laws, but said he could not do so before being requested to act by the various federal authorities in Washington and Michigan.[42]

That request was slow to come as federal officials, conscious of demands for limited government and sympathy for the spread of liberty, ordered enforcement of neutrality laws, but failed to provide the means necessary to accomplish that task. Besides failing to provide an adequate military force, the federal government dragged its feet in providing laws necessary to prevent violations of American neutrality. On 5 January 1838 President Van Buren

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[42]Mason to Sandwich magistrates, 9 January 1838, in Pontiac Courier, 19 January 1838.

asked Congress to revise the 1818 neutrality laws, which gave the government power to punish offenders only after acts had been committed. Concerned about increasing the civil powers of the executive, the Congress became absorbed "in acutely recriminatory political debate," about strengthening the law.[43] In the meantime authorities on the border pressed for more effective laws. In mid-February 1838 Governor Mason reminded Van Buren that existing laws did not allow for the seizure of arms and munitions of war, that upon "reasonable suspicion" were destined for an expedition against a foreign power at peace with the United States.[44] After over two months debate the more stringent neutrality laws were passed.[45]

The government's dilemma is best characterized by an episode in late 1838. Ordered "to use increased vigilance" in watching the Patriots' movements in September 1838, Marshall Ten Eyck appointed at least twenty new deputies along the Michigan/Canadian border. Upon learning of the appointments, U.S. Secretary of State Forsyth expressed shock. Conceding that Ten Eyck's presence made him the best judge as to how many deputies were needed, Forsyth added

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[43]Corey, Crisis, pp. 49-55. Quote on p. 50.

[44]Mason to Van Buren, 11 February 1838, in Detroit Daily Free Press, 2 March 1838. Brady also pleaded for a stronger neutrality law in Brady to Jones, 11 February 1838, NARS, AGO, RG 94.

[45]Corey, Crisis, p. 55. On the matter of too few troops to harness the Patriots, Secretary of War Poinsett revealed the federal government's dilemma when he urged the army's

that at $2 per day, plus expenses, Ten Eyck's appointees probably exceeded the number that were needed or could be afforded.[46]

The Patriot War did not succeed in liberating Canada. Its supporters, both Canadian and American, are often dismissed as brigands, pirates and criminals. However, the war played a role, especially in the border states, in the development of domestic political ideas and foreign policy. Widespread support for the Patriots, especially those who did not actively participate, should not be ignored by students attempting to understand the concept of Manifest Destiny, the recurring dilemma of order and individual freedom in American domestic politics or the lines of governmental authority during the antebellum period.

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increase in June 1838, but complacently added that "our little army is actively and usefully employed elsewhere, [fighting Indians] and cannot be withdrawn from its present stations, without serious injury to the public service." (Detroit Daily Free Press, 16 June 1838.)

[46]Ten Eyck to A. Vail, 29 October 1838, NARS, DOS, Misc., RG 59; Forsyth to Ten Eyck, 10 November 1838, NARS, DOS, Domestic Letters, RG 59.

EPILOGUE

For all purposes the Patriot War ended in 1839, but tensions and hostilities persisted between the United States and Great Britain for several years. Sporadic border incidents occurred in the early 1840s, including one in Michigan where two Canadians and a British soldier, all inebriated, shot at a boat load of ladies and children headed from Fort Gratiot to Sarnia. No one was injured.[1]

The most serious incident began in November 1840 when Canadian Alexander McLeod was arrested in New York for allegedly participating in the sinking of the Caroline. Charged with murder and arson, McLeod remained imprisoned for eleven months before coming to trial. War clouds again appeared on the horizon as Great Britain protested McLeod's arrest and the United States government sat helplessly as New York officials pressed their case against the former Upper Canadian deputy marshal. In September 1841, reports that the Patriots were collecting weapons to undertake new filibusters led new President John Tyler to order the Hunters Lodges to disband. McLeod was found innocent and released

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[1]J. L. Gardner to J. F. Love, 9 April 1840, Sanderson, Arthur, 3:16-18; S. H. Drum to J. L. Gardner, 8 April 1840, ibid., 3:18; Brooke Young to J. F. Love, 25 April 1840,

in October 1841.[2] With the exception of a bizarre scheme to recreate the McLeod incident with a different defendant, which failed miserably, Patriot activity finally had ended along the frontier.[3]

American interest in the liberation of Canada also dissipated following the release of Lord Durham's report in 1839 on conditions in the Canadian provinces. Critical of narrow-minded policies that had impeded the provinces' development and produced dissatisfaction, Durham attacked both the provincial and imperial governments for mismanagement. Many of Durham's recommendations, including a union of Upper and Lower Canada, were implemented by the British and a system of more responsible government evolved in the Canadas.[4]

In the 1840s both the United States and Great Britain bolstered their defenses. In Detroit, Fort Wayne, a massive masonry fortress, was constructed. But the signing of the Webster-Ashburton Treaty in 1842 resolved several outstanding disputes between the two countries and marks the

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ibid., 3:41-42; Kinchen, Hunters, pp. 103-04. Another Michigan incident occurred when several Canadians were arrested near Port Huron for allegedly trying to persuade two U.S. soldiers to desert. (J. L. Gardner to J. F. Love, 15 February 1840, Sanderson, Arthur, 2:429-30 and Wellington Davis affidavit, 14 February 1840, ibid., 2:431.)

[2]Kinchen, Hunters, p. 111; Corey, Crisis, pp. 130-45.

[3]Lindsey, Mackenzie, 2:280-81.

[4]Craig, Upper Canada, pp. 254-75; Chester Martin, "Lord Durham's Report and Its Consequences," Canadian Historical Review 20 (June 1939), pp. 178-94; George W. Brown, "The

end of concern over the Patriots' efforts to liberate Canada.[5]

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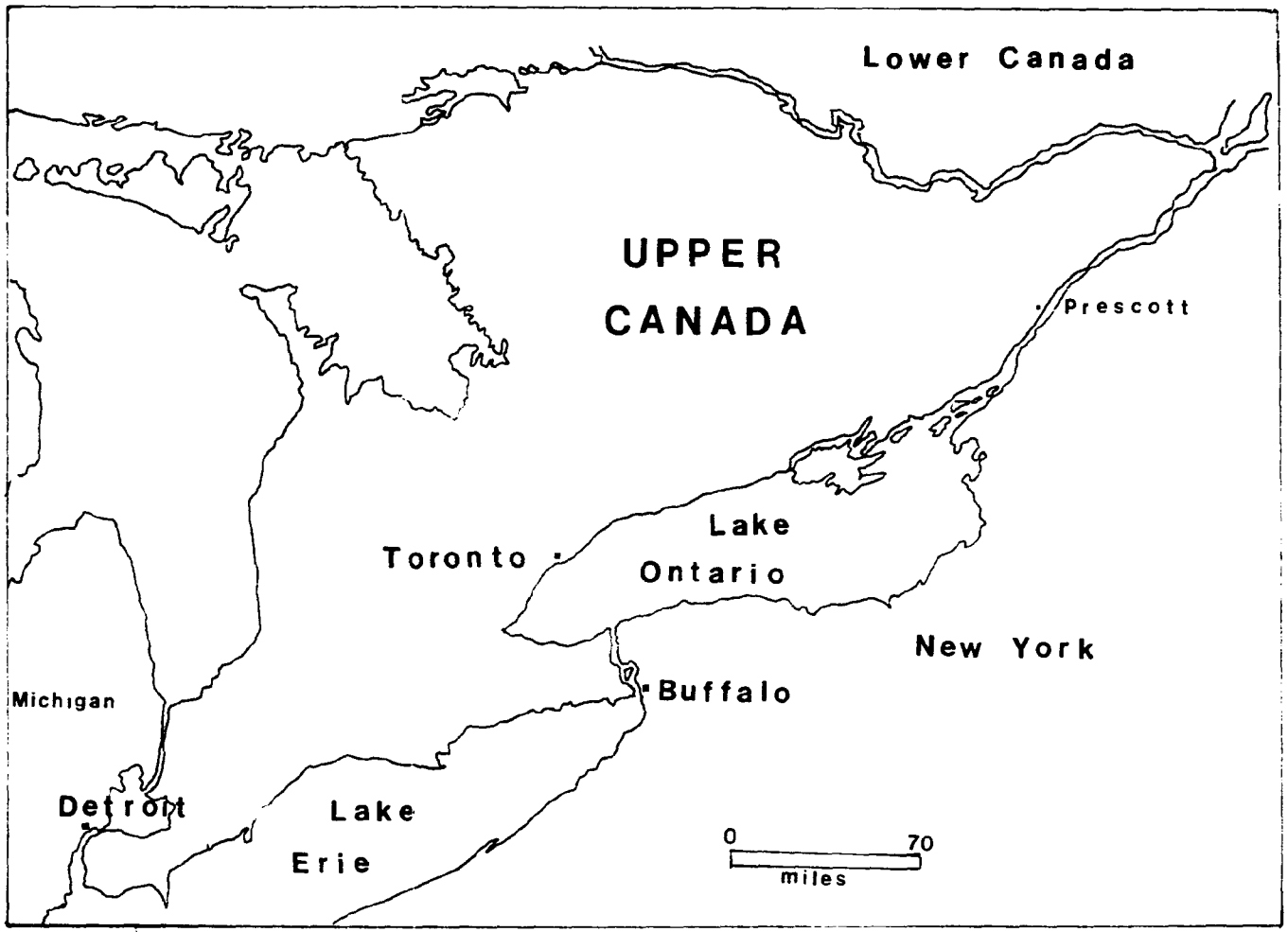
[5]Corey, Crisis, pp. 146-82; William P. Phenix, "Never A Shot in Anger," Michigan History 65 (May/June 1981), pp. 18-20; George Arthur memo on Upper Canadian defense, dated 7 May 1841, in Sanderson, Arthur, 3:410-18.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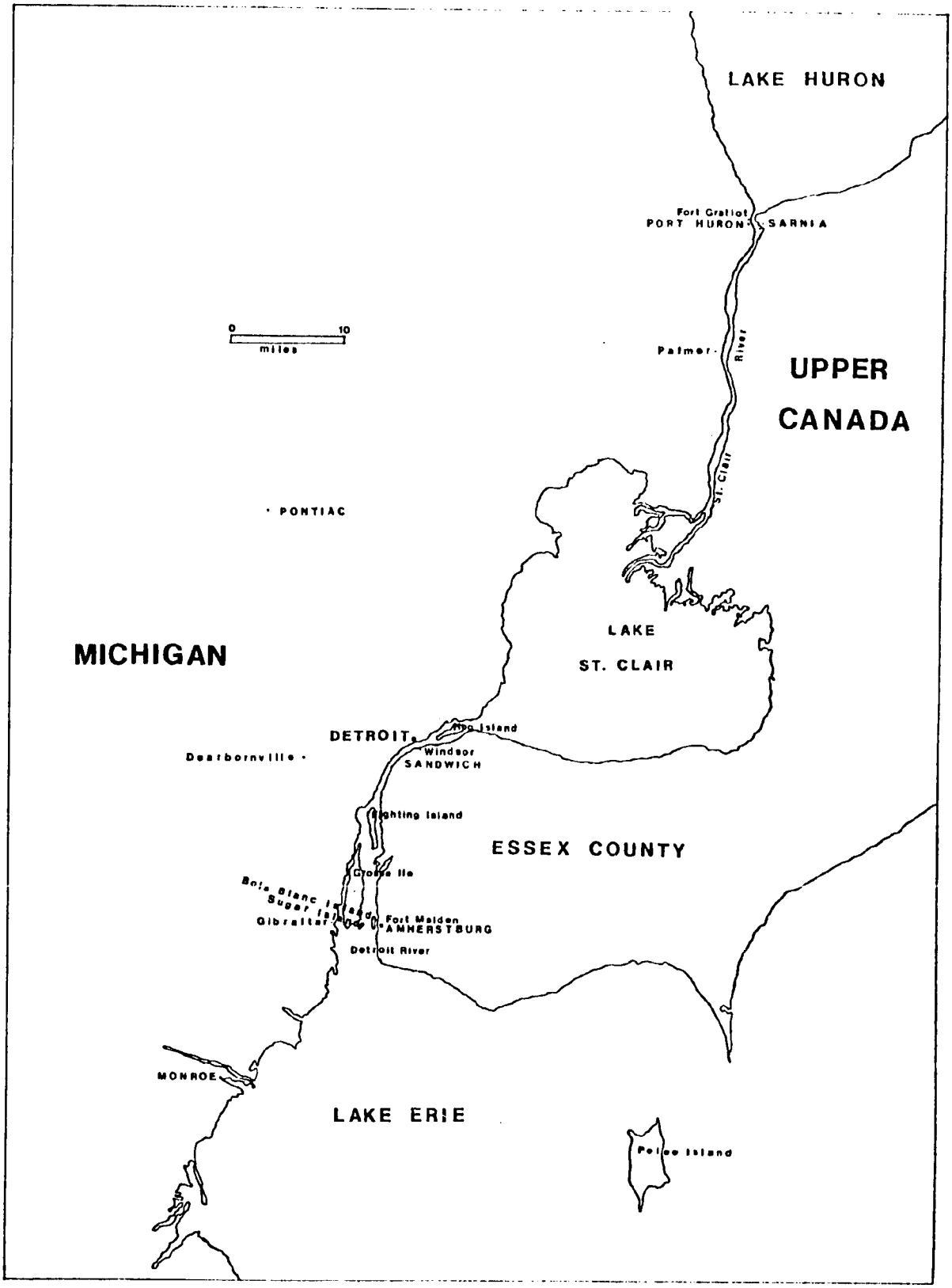
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