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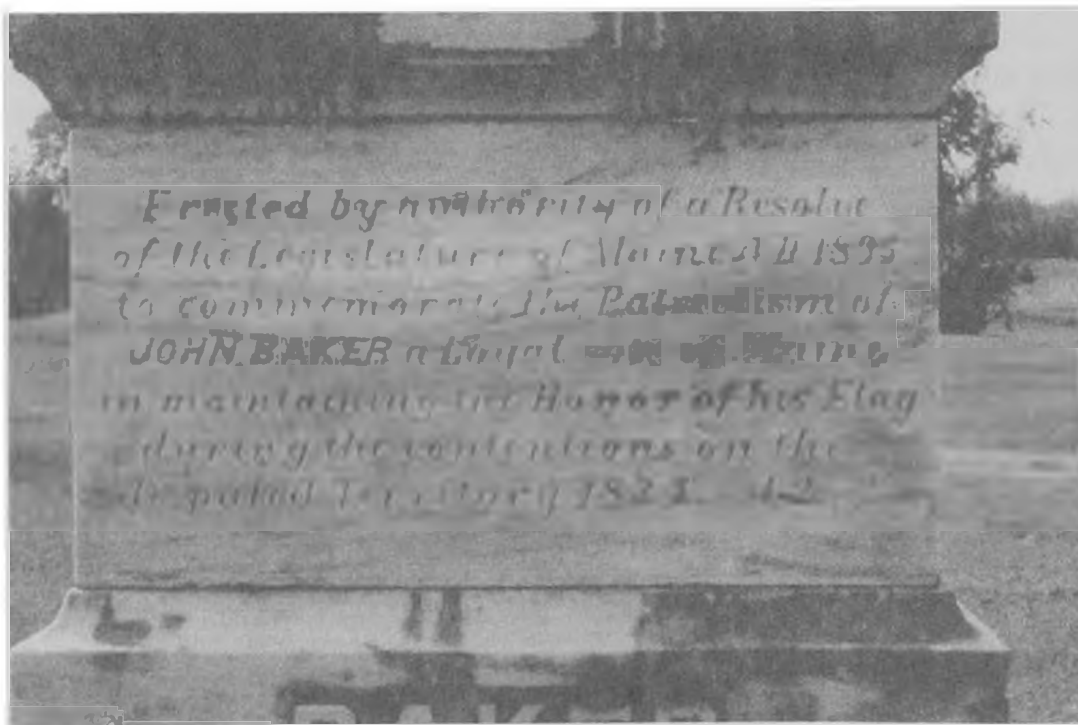
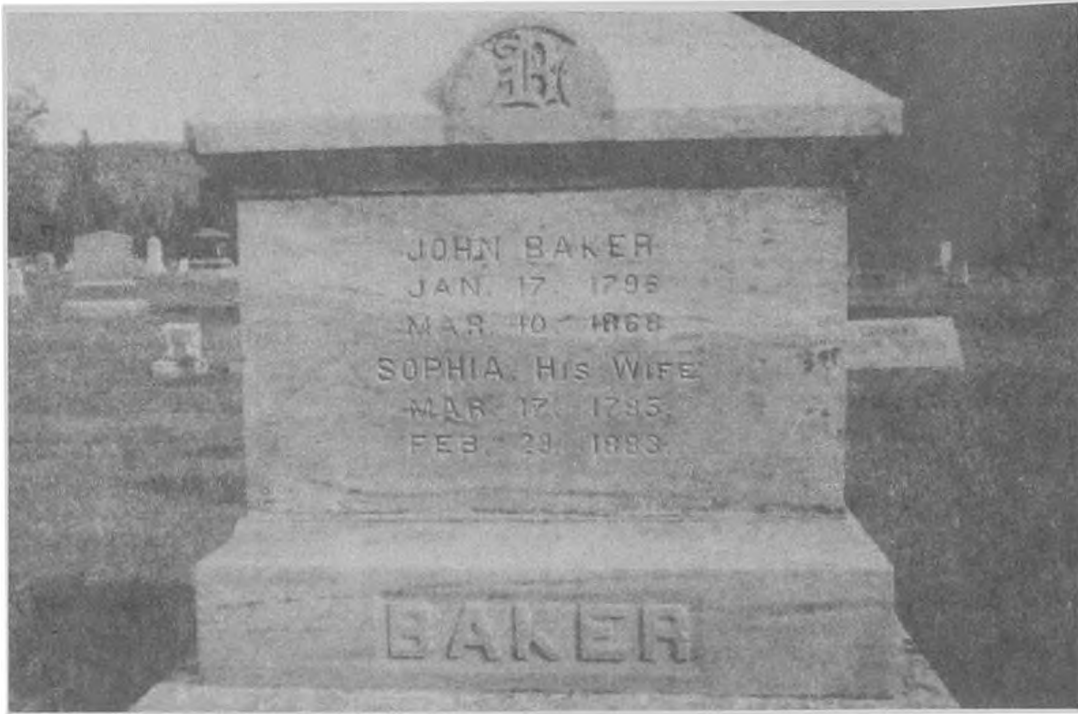
# UNDER HIS OWN FLAG: JOHN BAKER'S GRAVESTONE MEMORIAL IN RETROSPECT

BY GEORGE L. FINDLEN

*John Baker is an enigmatic figure, half hero and half scoundrel. His actions in raising the American flag on the north shore of the St. John River in July 1827, in defiance of British authorities, contributed to the tensions that resulted in the "Bloodless" Aroostook War in 1839, and this in turn provided the impetus for settling the U.S.-Canadian boundary along the St. John River according to the Webster-Ashburton Treaty of 1842. In 1868 the State of Maine erected a monument of sorts to the memory of John Baker in a cemetery near Fort Fairfield. Pondering why the monument was raised, and who the man behind the monument really was, sets the stage for a better understanding of collective memory in a northern Maine context.*

A GRAVESTONE inscribed with political rhetoric is rare, but this is what visitors will find in Riverside Cemetery, just across the Aroostook River from the town of Fort Fairfield. This particular gravestone is graced with the name Baker on the base and an Old English "B" carved in bas relief on the crown stone. The three-ton, five-foot-high stone is in excellent condition after 105 years of weathering, suggesting a good sum of money was spent on this expensive granite.<sup>1</sup> On the face, we read the names of a man and his wife: "JOHN BAKER / JAN. 17, 1796 / MAR. 10 1868 / SOPHIA, HIS WIFE / MAR. 17, 1785, FEB. 23, 1883"—a traditional inscription. But on the back, which we might expect to be blank, are the following words:

*Erected by authority of a Resolve  
of the legislature of Maine A.D. 1895,  
to commemorate the Patriotism of  
JOHN BAKER A Loyal son of Maine  
in maintaining the Honor of his Flag  
during the contentions on the disputed Territory 1834 - 42.*



The Baker monument, Riverside Cemetery, Fort Fairfield. The stone, “erected by authority of a resolve of the Legislature of Maine, A.D. 1895,” raises a number of interesting questions about Baker himself, about the role of the state in perpetuating the memory of this Madawaska patriot, and about the means and methods of memorializing heroic behavior in late-nineteenth-century northern Maine. *Photo by George L. Findlen*

We might be even more surprised to learn that John Baker was initially buried in the Saint Francis Baptist Church cemetery, not far from Baker Brook, the village he helped found in Madawaska County, New Brunswick.<sup>2</sup>

The headstone memorial raises three important questions. First, why would anyone in 1895 wish to erect a memorial to a forgotten figure who played a minor part in Maine's history sixty-one years earlier? Second, why did the state legislature authorize the memorial? And third, was John Baker—a resident of Baker Brook, New Brunswick—really a “loyal son of Maine” who defended the honor of his flag against attack? These questions help us understand the place of heroes and heroism in Maine's history. The first question deals with what makes a person extraordinary in this late-Victorian Maine context. The second deals with the public and private methods of memorializing this type of heroism. And the third reveals the changing nature of heroism and patriotism in the years before and after 1895. Together, the answers to these questions should help us decide whether to leave John Baker in the dust of history or to renew our respect for his deeds.

### **The Flag Incident**

The treaty that ended the American Revolution left the boundary between Maine and Nova Scotia (New Brunswick) vague, owing to the fact that no good maps of this borderlands region were available to the negotiators. In the decades after the Peace of Paris, tensions mounted as settlers and loggers moved into the “disputed territory” between northern Maine and western New Brunswick and tested the ambiguous claims to authority over the region. On the 4th of July, 1827, John Baker held a gathering at the confluence of Baker Brook and the St. John River. Most Americans in the settlement and several neighboring French habitants attended, and in the midst of the celebration Baker raised a flag made by his wife on a tall pole in his yard.<sup>3</sup> Had this been a mere commemoration of Baker's origins, nothing would have come of the event. But the flag-raising was not about celebrating Baker's past; it was about determining the future of the community, and more specifically about which country would control the upper St. John River Valley.

Three weeks later on July 25, militia adjutant Francis Rice complained to Justice of the Peace George Morehouse that there was “disorder amongst the people, occasioned by Baker and others in the upper settlement.”<sup>4</sup> The New Brunswick attorney-general contacted More-

house, who went to Madawaska and gathered the following sworn testimony from William Feirio (Béloni Thériault), who had been present at the flag raising: “Baker and the other American citizens then raised a flag staff, and placed the American flag thereon; . . . Baker then declared that place to be American territory, which he repeated to this deponent and other French settlers then there, and that they must for the future look upon themselves as subjects of the United States, who would protect them, and him in what he was doing.”<sup>5</sup> Morehouse next confronted Baker at his house on August 7. In sworn testimony he later recalled the incident:

I pointed to the flag, and asked Baker what that was. He said, “the American flag, . . . I asked him who planted it there: he said, “he and the other Americans there.” Bacon was present at the time: I required him in His Majesty’s name to pull it down. He replied, “no, I will not; we have placed it there, and we are determined we will support it, and nothing but a superior force to ourselves shall take it down; we are on American territory; Great Britain has no jurisdiction here; what we are doing we will be supported in; we have a right to be protected, and will be protected, in what we are doing, by our Government.”<sup>6</sup>

Baker was arrested in the following month. Eight months later, he was tried before a jury in Fredericton, found guilty of high misdemeanor, fined 25 pounds, and jailed for two months (or until he paid the fine).

This, then, is the incident memorialized on the back of John Baker’s headstone.

### Memorializing

The existence of the memorial leads to the first question posed at the start of this article: What, in 1895, made this flag incident important enough to be remembered by subsequent generations? In the late nineteenth century, communities all across America feared the loss of a unifying, abstract “collective memory”—the record of signal events that brought them together and defined their connectedness. To sustain this sense of self in the face of erosive modernizing forces, communities found ways of objectifying and thus protecting that memory through memorials, statues, pageants, old-home celebrations, and historical societies. The burden of keeping a memory alive—and presumably accurate—was transferred from the community’s members to a monument or cultural institution.<sup>7</sup>



Artist's interpretation of John Baker's flag. *Courtesy of the author.*

We only have to look at ourselves to see the need to create objective reminders of common memory. How many Mainers, especially lifelong residents outside Aroostook County, remember that Fort Kent and Fort Fairfield were initially the locations of blockhouses, each named after an early Maine governor, and that they were built in expectation that the Aroostook War would become a bloody exchange with England over the demarcation of the Northeast boundary of the U.S.? With each generation's passing, common knowledge fades into historical background, and what many once took for granted can be explained only through reference to dusty town archives.

The late-nineteenth-century movement to objectify memory helps to explain the attention given to Maine's Civil War regimental flags and the many busts or statues of Civil War soldiers in town squares all through the state. The flags in the state house remind us of the sacrifice Mainers made to preserving the Union.<sup>8</sup> These, however, are memorials to an epochal event; the effort to preserve collective memory does not explain the need to memorialize an obscure incident that did little to change the course of Maine history. Baker's flag, to be sure, is not preserved in Maine's Hall of Flags, and there is no steady trickle of tourists visiting Baker's homestead to see where the famous flag was unfurled against the afternoon sky.

Thus we can ask, "For whom was John Baker's memorial important?" Maine's Civil War flags and statues have meaning for thousands of

Mainers and Americans; Baker's flag was the simple creation of Sophie Rice Baker. The "white flag, with an American eagle and semicircle of stars, red" was not even the fifteen stars and fifteen stripes approved by Congress in 1795, some thirty-two years before the Baker incident. As the language of his memorial tells us, it was indeed "*his* flag," an important symbol for sixteen Yankee families in the upper settlement, but not a rallying standard for all Mainers, much less all Americans.<sup>9</sup> As for Baker's place in northern Maine history, in 1827 there was scarcely anyone living in this part of the state outside the Madawaska settlement; indeed, there were no roads connecting the upper St. John to the rest of Maine in 1827.<sup>10</sup> Nor were Baker's actions a positive symbol for those of Acadian or French-Canadian descent in the upper St. John Valley; French-speaking inhabitants apparently saw Baker's behavior as a source of exasperation rather than a source of patriotism. In short, it is difficult to imagine anyone living in Aroostook County in 1895 for whom a memorial commemorating John Baker's "Patriotism . . . in maintaining the Honor of his Flag" would be important. When we look at Resolve 249 from the 1894-1895 session of the Maine legislature, it appears that the memorial was important primarily to the person who petitioned the Maine legislature for the memorial—John Baker's daughter Adaline Baker Slocomb—and those with whom she socialized. Just as the flag was not the U.S. flag but John Baker's, John Baker's memorial is not Maine's but Adaline's.

Still, the large turnout at the unveiling of the memorial is evidence that some townspeople, perhaps the children of the original settlers of Presque Isle and Fort Fairfield, agreed with Adaline's interpretation of the incident. For them, the memorial validated their forebears' view that John Baker and the State of Maine were in the right in insisting that the boundary followed the height of land between the St. John and the St. Lawrence, and that the entire Madawaska settlement was in the United States. For them, the ceremony symbolized the aggressive frontier spirit: the man who stood up for what was right, consequences be damned. But showing up for a parade—and who in a small town would not turn out for a public spectacle?—is not the same as raising money for a memorial. It was Adaline Baker, not the people of northern Aroostook County, who got the legislature to agree with her request. The conclusion that few cared except Adaline Baker is supported by the fact that the state rather than a voluntary association paid for the memorial. Typically such monuments—Portland's tribute to Longfellow, for instance—were funded through public campaigns and voluntary associations.<sup>11</sup> When

we look for the individuals behind the Baker memorial, we see only Adaline Baker Slocomb's signature on a memorial petition attached to the draft language of the resolve. Baker's memorial does not represent the "collective memory" of Aroostook residents.

### Getting Legislation

The statement on the back of the stone explaining the state's involvement in the process leads us to the second question: why was the state memorializing a man in 1895 for a deed that took place nearly seventy years earlier? Baker, after all, died in 1868, almost thirty years earlier. The answer to this question leads us to the highly personalized legislative politics of nineteenth-century Maine, a world in which local social prestige and personal acquaintance with representatives and senators proved at least as important as social welfare in shaping the legislative process. Adaline Baker Slocomb wanted the state to put up a memorial to her father, and almost certainly she had the political connections necessary to get what she wanted. To understand these connections, we need only turn to the Fort Fairfield newspapers.

In this energized new community, several names regularly show up together in newspaper columns in 1895. State Senator E. L. Houghton and Secretary of State N. Fessenden were both officers of the Harrison Republican Club, and they frequently traveled together from Fort Fairfield to Augusta and back. Houghton and W. W. Slocomb, Adaline Baker's son, were both officers of the Eastern Frontier Masonic Lodge; both were active in the Board of Trade; and the Houghton and Scates families—Mrs. Scates being Adaline's daughter—left on vacation trips together. Adaline's husband, Caleb Slocomb, must have been a prominent member of the Masonic Lodge, since seventy-seven Masons, some from Andover, N. B., attended his funeral. In a town with a population of 1,469 in 1900, we can comfortably infer that the Slocombs, Houghtons, and Fessendens were sufficiently close that Adaline (or her son, a prominent clothing store owner) asked for Houghton's agreement to move a bill through the Maine legislature for the relocation of her father's remains and the erection of a memorial to him.<sup>12</sup>

According to the draft of Resolve 249, it was Senator Houghton who introduced the resolution, attached Adaline Baker Slocomb's memorial to it, and monitored its progress through three readings in the House and in the Senate. When the memorial was unveiled, Secretary of State Fessenden presented the keynote speaker. Adaline was in the front row,



and her son-in-law, Captain E. E. Scates of the Independent Order of Odd Fellows, led the ceremony.<sup>13</sup>

The effort was not a simple matter of political patronage, however. The petition was presented during a period marked by numerous efforts to erect memorials in communities all across America; memorial fever swept the country between 1890 and 1910. In Fort Fairfield and elsewhere the core function of these memorials was to give evidence of public commitment to a prominent event and to legitimize it as the embodiment of collective memory.<sup>14</sup> Thus Adaline's petition to the Maine's legislature was necessary to validate her father as a patriot whose actions were motivated by the widely shared belief that the 1783 treaty did in fact put all land south of the height of land within the boundary of the United States.

### The Memory

Memorial efforts always involve two core questions: "whose memory" and "what memory"?<sup>15</sup> In this case, Adaline's Statement of Facts, printed as part of Resolve 249, answers the first question. Her memory of events was most likely supplied by her parents. Born in 1827, she would have been far too young to remember her father becoming embroiled in the events leading up to the "bloodless" Aroostook War. She would have been fifteen when the Webster-Ashburton Treaty was signed, putting all her father's land on the Canadian side. And she was married and gone from the house for two years when her father received his grant of land from the provincial government in 1848. Thus, the bulk of what she heard in her parents' home would have been between 1835, when she was eight years old, and 1846, when she married at age nineteen.

Three sources of Adaline's memory stand out. One is her mother, who lived with her daughter in Fort Fairfield Village in her final years.<sup>16</sup> The second is her full-brother, John Jr., who mailed her a letter from Mecosta, Michigan, on December 4, 1890, sharing his recollections of his father's life; the letter includes a reference to the flag story. The third source is her half-brother Enoch's son Jesse, who also wrote to Adaline, likely in the same year, with some facts about his grandfather. His letter includes a physical description of John Baker which he obtained from his mother, Marie-Madeleine Ouellette, who grew up two farms upstream from the Baker homestead at the mouth of Baker Brook.<sup>17</sup>

The question's second half, "what memory," is more complicated. In

her statement, Adaline admitted that “the neighbors who were his contemporaries have joined him on the ‘other shore,’” and were not available to corroborate her understanding of events. It was, then, “upon that history and tradition that we have from the early settlers of that region [that] we must rely to satisfy your honorable body of the justice of my claim upon the consideration of the State.” Without documentation, Adaline appealed to oral tradition, handed down from those who knew her parents, to supplement what she had heard from them as a child.

This was the core of her memory: Her father went North from Moscow and settled on “land watered by the Upper Saint John”; he purchased land from Massachusetts and Maine land agents; he worked with “unremitting toil” to become “the possessor of a comfortable home and a very considerable property”; and his “most prominent trait” was “his intense loyalty to his country and his flag.” John Baker “offended” the provincials by raising the flag made by Adaline’s mother, and this action “brought upon him the vengeance of the Provincial authorities,” who “destroyed and confiscated” his property, leaving him to “end his days in poverty on a miserable remnant of his once fine property, which had all been conveyed by the Provincial Government to parties in Fredericton.”<sup>18</sup> In sum, Adaline recalls that her father was a patriot who paid a steep price—the loss of most of his property—for doing no more than proudly displaying the American Flag.

As with all memories about a person later idealized, Adaline’s memory is selective. Her first error concerns the amount of property her father possessed when he was arrested. In her Statement of Facts, Adaline says that her father cleared a farm in the Baker Brook area and built some mills, thus becoming the “possessor of a comfortable home and a very considerable property.” This is partly true; her father improved on the farm, but the initial clearing and building had been done by her uncle Nathan between 1816 and 1820. The comfortable home was not yet finished at the time of his arrest; he was living in the log cabin his brother Nathan had built. The “considerable land” was mostly the 100 acres that land agents James Irish and George W. Coffin sold him in October 1825—the standard allotment for a self-sufficient farmer. State surveyors John Deane and Edward Kavanagh noted the lot when they came through Madawaska in summer 1831. They also noted that in 1823 Baker began to clear land next to the 100 acres granted him by Massachusetts and Maine: a lot up on Baker Brook with seven acres cleared; a three-acre island in the St. John; and a lot at the west mouth of the Madawaska River.<sup>19</sup> If each lot, excluding the island, was 100 acres,

Baker was working upwards of 400 acres—much more than a land agent would have granted. Given the average farm size of 100 to 150 acres, Baker's holdings would be "very considerable property" indeed.

However, the lot at the mouth of the Madawaska River was not his to claim. In his 1819 report, Pierre Duperre wrote that John Herford "came down to make shingles, at the mouth of the Madawaska River, upon the land belonging to the Indians." When Deane and Kavanagh came through in 1831, Baker told them that John Harford cleared the west point at the mouth of the Madawaska River in 1817 and lived there one year; Baker purchased the improvements and sent Walter Powers to work the land.<sup>20</sup> When they reached the mouth of the Madawaska Deane and Kavanagh wrote that "the first lot, bounded Easterly by the Madawaska and Southerly by the St. John, is the place where John Harford began to clear and which John Baker claims. . . . It is said that Simon Hebert has a late grant or Certificate from the British of it, and under which he claims it. He is clearing it."<sup>21</sup> Baker may have bought the improvements from John Harford and may have claimed it, but someone else held legal title to it.

Moreover, as a report by Charles S. Daveis points out, no residents were entitled to acquire rights in real estate except British subjects. Since Baker insisted on remaining American, he could not have owned a "very considerable property" on the banks of the Madawaska. John Quincy Adams was correct in calling Baker a "squatter."<sup>22</sup> In fact, Baker was legally unable to own the land he worked at the time of his arrest and for the following twenty years.

Adaline's second error concerns the provincial authority's reason for his arrest. He was not arrested for treason, since he did not violate a trust owed as a citizen of New Brunswick. A person can betray only his own country for which he owes a citizen's duty of allegiance. Since Baker insisted on remaining an American citizen, he could not be treasonous against New Brunswick. In fact, he was charged with "high misdemeanor" for resisting His Majesty's authority and attempting to "seduce His Majesty's subjects . . . to depart from their allegiance."<sup>23</sup>

Her third error has to do with the event that triggered the arrest. Adaline claimed that Baker "offended the Provincials by raising on his premises on the Fourth of July, an American flag made by my mother." It was not the flag that offended but Baker's declaration that the land was American territory. He told the French settlers "that they must, for the future, look upon themselves as subjects of the United States."<sup>24</sup> The evidence at his trial makes it clear that there were several precipitating

events, separate from the flag incident, that led to the arrest: his ordering Captain Simon Hebert not to train with the militia; his preventing Constable Joseph Sansfaçon from carrying out an arrest; and his telling postman Pierre Sileste that he had orders from the U.S. government to stop the mails. The flag incident was one of many that “brought upon him the vengeance of the Provincial authorities.” Primarily it was his interference with the operation of British jurisdiction in the Madawaska settlement that led to his arrest.

Yet another error has to do with why he was “imprisoned for months.” Adaline claimed it was “the vengeance of the Provincial authorities” for having flown the American flag on the fourth of July. When arrested, Baker was given an opportunity to post bail, but he apparently could not. “On the criminal suit he was required to find bail for his appearance, in the sum of £100, which he informed [Special Agent Samuel B. Barrell] he could readily obtain if he could be discharged from the civil process.”<sup>25</sup> It was not vengeance that kept him in prison for seven months; it was his failure to pay a £228 judgment that Robert Sherar had won against him in a Québec court seven years earlier for failing to deliver merchandise in that value. Sherar had already gotten a Bailable Process issued in February 1827, seven months before Baker was arrested for high misdemeanor.<sup>26</sup> Sherar’s process kept Baker in the Fredericton jail until he paid up. That he remained there so long suggests that he did not have the means of paying his debt.

Adaline’s final error has to do with whether and why “his property was destroyed and confiscated” and given to others in Fredericton. We know from Barrell’s interviews with him that Baker could not pay both his bond and his long-overdue debt to Sherar. If some of his property was confiscated, it may be that Sherar was successful in getting parts of the sawmill in lieu of cash to release some of the debt. It was Baker’s inability to manage his affairs and to pay his fine, and his refusal to become a Canadian citizen (and thus qualify to own property) that explains why the land his brother and he developed was sold to “others in Fredericton.”

Finally, Adaline’s statement that her father ended his days in poverty “on a miserable remnant of his once fine property” is possibly in error. In 1848, six years after the border was settled, New Brunswick land agents granted the fifty-two-year-old Baker legal title to 534 acres, a substantial piece of land. The grant, necessitated by Article IV of the Webster-Ashburton Treaty, included everything that Deane and Kavanagh had noted in their visit of 1831 except the land at the mouth of the

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 Sixty-Seventh Legislature.

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 HOUSE No 249
 

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## STATE OF MAINE

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 RESOLVE for a Memorial commemorating the  
Patriotism of John Baker
 

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*Resolved*, That the sum of two hundred and fifty dollars be and the same is hereby appropriated for the purpose of removing the body of John Baker from British soil to the town of Fort Fairfield and erecting a suitable monument commemorating the patriotism, courage and sufferings of the said John Baker

## STATEMENT OF FACTS

To the Honorable Senate and House of Representatives of the State of Maine in Legislature assembled,  
A D , 1895 --

The memorial of Adeline Slocomb of Fort Fairfield in the county of Aroostook respectfully represents --

That she is the daughter of John Baker, late of "Baker Brook" in the Province of New Brunswick, who was an American citizen, a native of the town of Moscow in this state. About the year 1815, Mr Baker with a few neighbors started on a journey by river and lake through an almost unbroken wilderness of more than two hundred miles, to make homes and establish a settlement of Americans in that part of the State of Maine watered by the Upper Saint John

At the time the Government of the United States claimed the territory north of the St John, to the line dividing the waters flowing to the St Lawrence, from those flowing to the sea

It is chanced that Mr Baker selected a tract of land on the river, about six miles below the present town of Fort Kent, whereon he settled with his family, not doubting the right of his Government to the territory, or its willingness and ability to protect him in his rights. In a few years Mr Baker had cleared a farm in the wilderness, built mills, and by the almost unremitting toil of himself and family, was the possessor of a comfortable home and a very considerable property

A most prominent trait in my father's character was his intense loyalty to his country and his flag, and this patriotism never abated during all the troubles growing out of the boundary disputes

## STATE OF MAINE

House of Representatives,

February 28, 1895

Reported by Mr MILLETT of Gorham,  
from Committee on Military Affairs, and ordered  
printed under joint rules

W S COTTON, *Clerk*

He purchased his farm and adjoining tract from the land agents of Maine and Massachusetts, and when the first knowledge came to him of the designs of the Provincial government to send troops and take forcible possession of the territory, he started for Augusta alone making his journey through the wilderness on snow shoes, to notify the governor. He had previously offended the Provincials by raising on his premises on a Fourth of July, an American flag made by my mother

These acts of loyalty to his country brought upon him the vengeance of the Provincial authorities. He was accused of treason, carried to Fredericton, imprisoned for months, and his property destroyed and confiscated

He was suffered to end his days in poverty on a miserable remnant of his once fine property, which had all been conveyed by the Provincial Government to parties in Fredericton

The story of my father's efforts and sacrifices in endeavoring to obey the orders of the authorities of the State, are a part of the history of the "Aroostook war" period. The neighbors, who were his contemporaries, have joined him on the "other shore," and upon that history and the tradition that we have from the early settlers of that region, we must rely to satisfy your honorable body of the justice of my claim upon the consideration of the State

I ask nothing for myself—I want no money compensation as a recompense for his almost lifelong sacrifices—I respectfully ask his native State to cause his remains to be removed to American soil, and to cause the erection of a suitable monument to commemorate his patriotism

ADALINE SLOCOMB

Adaline Baker Slocomb's Resolve 249,  
"Memorial Commemorating the Patriotism of John Baker."

Madawaska River.<sup>27</sup> With 534 acres at his disposal, Baker should have ended his days in comfort.

Available public records give only a few clues as to whether John Baker died wealthy or impoverished. In 1850, Baker and his wife Sophie were residing in the household of Baker's son-in-law Jesse Wheelock and his daughter Sophronia. Baker's accomplice in the flag affair, Walter Powers, was also in the household, and two other accomplices, Daniel Savage and Barnabas Hannawell, were on either side of the Wheelock farm. The farms owned by Wheelock, Savage, and Hannawell—three men arrested and convicted in 1831 for sedition after forming the Madawaska township in territory under British jurisdiction—were valued at \$2,000, \$2,000, and \$3,500 respectively, indicating modest wealth for the time. John Harford, another co-conspirator, was six farms away from Jesse Wheelock's, with real estate valued at \$700. All four of Baker's associates were "farmers," whereas Baker listed himself as a "laborer." A year later, Baker, now a "farmer and lumberman," and Sophia Rice Baker were again enumerated, this time in the Canadian census for Saint Francis Parish in New Brunswick's Victoria (today Madawaska) County. Here he was listed as a head of household, with his son John Jr. and wife Sara living with them—although it may have been the other way around. Baker's daughter, Adeline Baker Slocomb, was four households away. Ten years later, John and Sophie were still living with John Jr., and John Sr. was still enumerated as household head. Presumably, they remained until Baker's death in 1868.<sup>28</sup> There are many reasons why a man and his wife would live in a daughter's household—bad health or an injury among them—but one possible reason John Baker, a laborer, resided with his daughter while his friends were still independent farmers was that his financial condition was poor.

A second clue comes from a deed John Baker signed in April 1848. Isaac Tarrington and Charles McPherson of Hancock Plantation owed him \$1,200, and he had initiated a lawsuit in Eastern District Court at Houlton to recover the sum. John Baker sold the right to the suit to his son-in-law, John Morton of Madawaska County, for \$300. It is rare for a person to exchange \$1,200 for \$300. It is possible that Baker had no funds to pursue the debt and was strapped for cash. Jesse Wheelock and Sophronia (Baker) Wheelock were witnesses, suggesting that he and Sophia were living with their daughter as early as 1848. The lumber market collapsed in 1848, which might explain not only John Baker's financial plight but that of every small operator in the valley.<sup>29</sup>

When we look at other deeds that have John Baker's name on them,

we see the origin of his daughter Adaline's view that "others in Fredericton" took away her father's land. Throughout his adult life, Baker defaulted on his financial obligations, and throughout his adult life his creditors turned to the courts for redress. In 1809 Baker's father sold Baker and his brother Nathan land near Moscow, Maine, for \$1,000; in November 1818 some of this land was sold at a sheriff's sale to pay a \$125.76 debt Baker owed to Moses Thompson. In November 1820, John defaulted on a debt of \$521.29 he owed C. Selden and Amos Fletcher, and they had to turn to the courts to obtain title to the remainder of Baker's Moscow land through a sheriff's sale. In 1823, a year after Robert Sherar won his judgment against Baker, Samuel Nevers went to court to collect £300. Years later in 1847, James Hatheway turned to the courts to collect £100 that Baker owed him and obtained a sheriff's deed for the eighty-six-acre hay farm at the end of lot sixty-seven that the provincial government granted John in 1848. However, when Hatheway asked the lieutenant governor for the grant to the lot, his petition was denied since Baker owned the farm in conformity with the Webster-Ashburton Treaty. Nevertheless, Hatheway held on to the sheriff's deed until, nine years later, in 1856 he sold the hay farm to John's wife, Sophia, for 5 shillings.<sup>30</sup>

It is no wonder that Adaline claimed "others in Fredericton" confiscated her father's land. They did. However it was not "the vengeance of the Provincial authorities" but rather her father's debts that led to this "miserable remnant." Nine days after John Baker died, his widow deeded the lower half of lot sixty-seven to Sara, wife of John Baker, Jr., her only son by John, and six days later deeded the upper half of lot 67 to Madeline, wife of Enoch, her only son by Nathan.<sup>31</sup> Since the custom of the time was to deed land to sons, not daughters, Sophia may have been trying to protect the home place and her daughters-in-law out of fear that her lumbermen sons would exercise the same poor judgment as her husband.

The discrepancy between Adaline's assertions and the facts relating to Baker's experiences are sufficient to demand explanation, and for that, we turn to those who study human memory. There is, as one expert relates, a dynamic, subjective component to remembering: "memories are records of how we have experienced events; [they are] not replicas of the events themselves." Freud, for instance, argued that recollections "are not pictures of reality; they are distortions or screens that allow us to avoid facing what really happened." Conscious recollections, he thought, were "inevitably distorted by a person's wishes, desires, and unconscious

conflicts.” Similarly, much of what we forget “occurs because events concerned . . . evoke anxiety and call up an automatic process that bars them from conscious awareness.” What people store in their memories is shaped by the feelings and beliefs they held at the time of the experience. Memories are, in short, “imaginative reconstructions of past events.”<sup>32</sup>

This would help explain the discrepancies in Adaline’s claims. Her father did, indeed, “possess” a great deal of land, on the pioneer’s assumption that one obtains possession by entering uninhabited land and improving it. If Baker had been a Canadian citizen, his flag-raising would have been treasonous, and compared to his peers in the 1850 census, he appears to have lived out his days short of cash.

Adaline, however, sees these facts through the prism of John Baker’s patriotism. Was he a patriot? The answer depends on the values we use. When we apply the values embraced by the fledgling United States in the 1820s and 1830s, Baker clearly appears patriotic, an individual who vigorously advanced the interests of the State of Maine. He was, after all, one among many voices urging American expansion across the continent. Nathan Baker’s attempt to incorporate a township in the Upper Settlement in 1818, and John Baker’s compact with fellow Americans to resist British jurisdiction in 1827 seems in conformity with events in Texas, Oregon, and elsewhere in the first half of the century. Americans had been interested in annexing Canada since Independence. “For many decades after 1783 the beacon of annexation glowed, at times at white heat, at times very dimly, but it was never completely snuffed out.”<sup>33</sup> The Baker brothers were just two more instances of that pressure.

Behind John Baker were many who thought the entire continent should and eventually would be part of the United States. John Quincy Adams, secretary of state under Monroe, was a strong expansionist, even an imperialist. On May 20, 1818, two months after Nathan Baker had his conversation with Pierre Duperre about annexing Madawaska to the United States, Adams wrote that it was “unavoidable that the remainder of the continent should ultimately be ours.” The arch-theorist of American expansionism was New York City newspaper owner John L. O’Sullivan, who coined the phrase “Manifest Destiny” in an 1845 editorial. When news of the annexation of Texas broke, he wrote, “Yes, more, more, more! . . . til our national destiny is fulfilled and the whole boundless continent is ours.” Joseph Chandler of Portland, Maine, gave a Fourth of July speech in 1804 saying the boundary of the new country should stretch to the Panamanian isthmus.<sup>34</sup>

Maine shared in this nationalistic fever. Following a threatening visit



from Justice of the Peace Morehouse, Baker and a neighbor, James Bacon, journeyed all the way to Portland to petition Governor Enoch Lincoln for protection and for deeds for the land they held. Three days later Governor Lincoln wrote to U.S. Secretary of State Henry Clay, pointing out that Maine owned “a tract not less than six millions of acres . . . generally valuable for soil and timber,” and sought federal protection for this real estate. “The materials for ship building on the disputed territory may be called inexhaustible,” he continued, “and the soil is so fertile, that the Matawascah settlement exports many thousand bushels of grain.” He ended by proclaiming to Secretary Clay that Maine would “never assent to the result of an arbitration unfavourable to her interests.”<sup>35</sup>

At the local level, Baker, too, was interested in extracting value from this portion of the disputed territory; he saw money in the thousands of pine trees there for the taking. He, too, wanted to use the land. And if Governor Lincoln had related his thoughts about holding firm to Maine’s interests, as is entirely possible, it is no wonder that Baker returned to the St. John River convinced that “the government had decided not to yield and to defend them.”

Baker, then, was a vanguard for American expansionism, backed by the resolution of his governor. His attitudes were similar to those of many in Maine: “politically radical, expansionist and frontier-minded, and strongly in favor of ‘states rights.’”<sup>36</sup> He pushed the limits of international tolerance, was arrested, and spent a year in the Fredericton jail insisting that his land was on American soil. His arrest and trial became an international incident that gave impetus to the need to settle the boundary, forty-four years after the treaty of 1783. In the milieu of 1827, John Baker was a patriot. In the memory of the events still strong seventy years later in 1895, he deserved to have a grateful State of Maine erect a memorial to his patriotism.

However, the intervening years since Baker’s arrest have produced some changes in our understanding of how to maintain good international relations. Using the values held by considerate thinkers today, we must revise the 1890s view of him. In today’s light, John Baker appears not as a patriot, but rather as an intemperate bully and a poor follower—strong words to describe a man who can no longer defend himself, but there is sufficient evidence to support their use.

First, his actions appear somewhat naive. Disagreements about where to put a border, after all, are matters best left to national governments. Baker should have heeded Pierre Duperre’s 1817 advice to his brother Nathan not to try to establish an American township and Amer-

ican laws until “the line was settled between the British government and the States.”<sup>37</sup> As Secretary of State Clay put it, Baker attempted, “on his private authority . . . [to] undertake the settlement of a national dispute.”<sup>38</sup> In this light, Baker appears foolhardy. Baker was also naive about common international practice: individuals are bound by the laws of the jurisdiction in which they act. Baker appeared not to understand—or even want to understand—what the New Brunswick court made clear at his trial: the “principle of public law, that the national character of the place agreed to be surrendered by treaty, continues as it was under the character of the ceding country, until it be actually transferred.”<sup>39</sup> In short, whoever has exercised jurisdiction over a space has a right to continue to exercise that jurisdiction until it is formally ceded. At both his 1828 trial and at the 1831 trial (which he did not attend since he escaped arrest), the court went through some pains to establish that the British government had exercised and continued to exercise jurisdiction throughout the Madawaska settlement. Even Barrell, charged with investigating that question for Secretary of State Clay, sided with the New Brunswick court.<sup>40</sup> In his single-minded pursuit of American status for the Madawaska settlement, Baker did not see the bigger picture and ignored legal precedent.

Second, Baker appears, by modern standards, as a bully. The Sileste, Hébert, and Sansfaçon affidavits suggest physical threats. With Sansfaçon, it was even more serious: Baker threatened “to take his life.” Baker was, as Morehouse put it, “banditti.”<sup>41</sup> Although an advocate for the interests of his state, his threatening behavior detracts from the image of Baker as a patriot. He was also uncooperative. After his meeting with Baker and Bacon, Governor Lincoln wrote Baker a strong note of admonishment: “In the mean time [until the federal government responded to Lincoln’s missive] your prudence and moderation are relied upon for preventing unnecessary excitement and omissions as well as fruitless disputes. The most quiet state in which you can remain will be most favorable to the success of the efforts which may be expected from the State.”<sup>42</sup> Lincoln’s caution was already too late: Baker was arrested almost immediately after his return. Governor Lincoln was not the only one urging restraint. Barrell ended his report to Henry Clay by repeating his admonition to the Americans in the Upper Settlement:

The undersigned recommended to the American settlers at Madawaska, forbearance and moderation in their future proceedings during the pendency of the existing negotiation between their government and that of Great Britain, in relation to the disputed territory; as-

sureing them, that if their conduct should be inoffensive and peaceable, they might rely upon the protection of their government. And he has the satisfaction to believe that reliance may be placed upon the assurances he received from the settlers generally, that they would hereafter abstain from all acts of individual violence, and from all unnecessary collision with the authorities of the neighboring province.<sup>43</sup>

It is obvious that Baker never made such a commitment. Three years later, he led an effort to create an American township, and New Brunswick officials issued a second arrest warrant. This time, the charge was "sedition." He escaped into the woods and was not arrested. In 1840, he was convicted and fined £20 for "having enticed several soldiers to desert from the detachment of the 58th Regiment stationed at Madawaska."<sup>44</sup>

Baker also proved to be something of an embarrassment to Maine and to the federal government. In November 1827 John Quincy Adams wrote in his journal that Baker's actions and subsequent arrest "will prove one of the most dangerous of our breakers."<sup>45</sup> Negotiations between the U.S. and Great Britain were difficult enough without individuals like Baker inflaming the situation on the border. Upon receiving Barrell's investigation of the circumstances surrounding Baker's arrest, Clay wrote in a letter to a British envoy "that there was some misrepresentation in the accounts of the disturbances which had reached the Government of the United States . . . and which . . . disclose some transactions which the President has seen with regret." In a follow-up letter, Clay wrote that "the President is far from being disposed to sanction of any acts of Mr. Baker."<sup>46</sup> The British envoy replied that it was "hardly necessary for the Undersigned to repeat the assurances which he has received from the Lt. Governor of New Brunswick, that His Excellency is convinced, that the Government of the United States, was not in any shape aware of the intentions of Baker and his Associates." Special Agent Barrell likewise felt it necessary to make a disclaimer in his report: "the undersigned deems it scarcely necessary to add, that the proceeding of the settlers on the fourth of fifth of July last, and on the 11th of August following, were without the authority or knowledge of the Executive of the State of Maine."<sup>47</sup> Both governments knew they were dealing with an independent actor who could not be contained by the niceties of international protocol.

In the hindsight permitted by documents available to us today, John Baker appears as an over-exuberant example of young America's expansionist spirit. He caused two international incidents, and he was active in

the efforts to bring about a war in 1838-1839. Today, the old disagreements between the fledgling United States and its parent nation, the acrimony between the State of Maine and the Province of New Brunswick, the competition between American and Canadian loggers, each seeking to extract the valuable virgin timber before the other got there, and the cultural clash between the brash Yankees and quieter Acadian and Canadian residents in the Madawaska settlement all gather dust on research library shelves. Their story is buried with the correspondence between Governor Lincoln and Lieutenant Governor Douglas and in formal exchanges between United States Secretary of State Henry Clay and Great Britain's Envoy Charles Vaughn. From today's vantage, John Baker's monument seems to be the effort of a daughter to get the State of Maine to say that her father was a patriot, and the State agreed with her. Once built, memorials and what they commemorate are usually forgotten and ignored.<sup>48</sup> The memorial to John Baker's impetuous flag is one of them.

## NOTES

1. *Presque Isle Star Herald*, September 26, 1895. Baker's memorial cost around \$4,800 in 2003 dollars.

2. André M. Godmer, *Esquisse Historique de Baker-Brook: Jubilé d'Argent de la Bénédiction Solonnelle de l'Eglise, 29 juillet 1928 - 29 juillet 1953* (n.p., 1953), p. 15.

3. Geraldine Tidd Scott, *Ties of Common Blood: A History of Maine's Northeast Boundary Dispute with Great Britain, 1783-1842* (Bowie, Maryland: Heritage Books, 1992), pp. 44-45.

4. Francis Rice to George Morehouse, 25 July 1827, in Samuel B. Barrell, "Report of the Special Agent," *Message from the President of the United States, with Documents Relating to Alleged Aggressions on the Rights of Citizens of the United States by the Authorities of New Brunswick, on the Territory in Dispute Between the United States and Great Britain*, 20th Cong., 1st sess., 1828, S. Doc. 130, serial 166: 36 (hereafter "Barrell Report").

5. Affidavit of William Feirio [Béloni Thériault], August 8, 1828, "Barrell Report," p. 37.

6. Testimony of George Morehouse, Baker trial, May 8, 1828, in *Presidential Message on Arrest of John Baker in New Brunswick and Boundary of Maine*, 20th Cong., 2nd sess., 1828, H. Doc. 90, serial 186 (reprinted in John Francis Sprague, *The North Eastern Boundary Controversy and the Aroostook War* (Dover, Maine: The Observer Press [1910?]), pp. 78-79.

7. Kirk Eugene Savage, "Race, Memory, and Identity: The National Monu-

ments of the Union and the Confederacy,” Ph.D. dissertation, University of California Berkeley, 1990, p. 4.

8. “The Returned Maine Battle Flags,” *Civil War Memorials Erected in the State of Maine*, compiled by Maurice J. Warner (Augusta: Maine Civil War Centennial Commission, 1965): p. 2; William F. Fox, *Regimental Losses in the American Civil War, 1861-1865: A Treatise on the Extent and Nature of the Mortuary Losses in the Union Regiments, with full and exhaustive Statistics Compiled from the Official Records on File in the State Military Bureaus and at Washington* (Albany, New York: Albany Publishing Company, 1889), p. 467.

9. “Stars and Stripes,” *Encyclopedia Britannica 2001*, CD (Chicago, 1994-2001); George Morehouse, “List of American Citizens in Possession of Lands in Madawaska, Quantity, Etc.,” “Barrell Report,” pp. 40-41.

10. The population of the Madawaska settlement (Penobscot County) was 2,487 in the U.S. census of 1830. U.S. Bureau of the Census, *Fifth Census, 1830* (Washington, D.C., 1832), p. 6.

11. “Money for the statue . . . was raised by penny donations from school children.” *Maine: A Guide ‘Down East’* (Boston: Houghton, 1970), p. 219.

12. The Houghton-Fessenden political association is found in *The Northern Leader*, August 25, 1892, February 22, 1895. The Houghton-Slocomb Masonic association is found in *ibid.*, January 3, 1893, February 7, 1893, January 12, 1894. The Houghton-Scates vacation travel association is found in *ibid.*, August 18, 1893. See Obituary, *The Northern Leader*, May 23, 1893; U.S. Bureau of the Census, *Twelfth Census, 1900* (Washington: D.C., 1901), p. 190.

13. *The Beacon*, October 3, 1895. The article is reprinted in Roger Paradis, ed., *Papiers de Prudent L. Mercure: Histoire de Madawaska* (Madawaska: Maine: Madawaska Historical Society, 1998), vol. 1, p. 155.

14. Savage, “Race, Memory, and Identity,” pp.116-117.

15. Savage, “Race, Memory, and Identity,” p. 5.

16. “Barbara Freitche of Aroostook,” *Fort Fairfield North Star*, August 14, 1883; *Papiers de Prudent L. Mercure*, 1: 128. The *North Star* article includes a reference to the flag story.

17. Letter of John Baker, Jr., to Adaline Slocomb and letter of Jesse Baker to Adaline Slocomb, Paradis, ed. *Papiers de Prudent L. Mercure*, 1: 153-154.

18. “Statement of Facts,” printed with Resolve 249.

19. Sophia Rice Baker to Governor Enoch Lincoln, August 12, 1828; John Deane to Governor Enoch Lincoln, August 20, 1828, Folder 17, Box 23, Exec. Council, 1828, Maine State Archives, Augusta; “Deed to John Baker,” *Message from the President of the United States . . . in Relation to the Arrest and Trial . . . of John Baker*, 20th Cong., 2nd sess., 1829, H. Doc.90, serial 186, p. 12; Report of John G. Deane and Edward Kavanagh to Samuel E. Smith, Governor of the State of Maine as reprinted in W. O. Raymond, “State of the Madawaska and Aroostook Settlements in 1831,” *Collections of the New Brunswick Historical Society* (Saint John, New Brunswick: Barnes & Co., 1914): 396.

20. Duperre to Wetmore, February 20, 1819, "Barrell Report," p. 32; Report of John G. Deane and Edward Kavanagh, p. 396.

21. Report of John G. Deane and Edward Kavanagh, pp. 445-446.

22. "Report of Charles S. Daveis, Esq, Agent appointed by the Executive of the State of Maine to Inquire into and Report upon Certain Facts Relating to Aggressions upon the Rights of the State, and of Individual Citizens Thereof, by Inhabitants of the Province of New-Brunswick," Maine Legislative Document 18 (Portland, 1828); Bagot to Colonel Barclay, December 8, 1818, "Barrell Report," p. 30.

23. Wetmore to Morehouse, September 7, 1827; Wetmore to Miller, September 7, 1827, "Barrell Report," pp. 42-43.

24. Affidavit of William Feiro [Béloni Thériault], "Barrell Report," p. 37.

25. Report of the Special Agent, "Barrell Report," p. 10.

26. Robert Sherar vs. John Baker, [December] 1827, RS42, Supreme Court Original Jurisdiction Cases, 1784 - 1836, Provincial Archives of New Brunswick, Fredericton (hereafter PANB); *Papiers de Prudent L. Mercure*, 3: 124.

27. Grant No. 4366, Lot 67, 534 acres, Book J, November 3, 1848, PANB; Grant No. 4430, Book J, November 27, 1848; "The Webster-Ashburton Treaty, August 9, 1842," Avalon Project, Yale Law School, [www.yale.edu/lawweb/avalon/diplomacy/br-1842.htm](http://www.yale.edu/lawweb/avalon/diplomacy/br-1842.htm); Despatch No. 17, 9 August 1842, Ashburton Papers, in Hunter Miller, commentary, Document 99, *Treaties and Other International Acts of the United States of America*, edited by Hunter Miller (Washington, D.C., 1934), 4: 401.

28. 1850 U.S. Census, Aroostook County, Maine (Hancock Plantation), National Archives Microfilm M-432, Roll 248, p. 126A; Jean-Guy Poitras, *Recensement 1851: comté de Victoria, incluant l'actuel comté de Madawaska, province du Nouveau-Brunswick* (Edmundston, New Brunswick: Jean-Guy Poitras, 1998): p. 129; Jean-Guy Poitras, *Recensement 1861: comté de Victoria, incluant l'actuel comté de Madawaska, province du Nouveau-Brunswick* (Edmundston, NB: Jean-Guy Poitras, 1998).

29. John Baker to John Morton, Northern Aroostook County Registry of Deeds, 1: 621-622; Béatrice Craig, "Agriculture et marché au Madawaska, 1799 - 1850," *Revue de la Société Historique du Madawaska* 26 (février 1999), p. 15.

30. Volume 8: pp. 159-160; volume 11: 100-102, Somerset County Registry of Deeds; Samuel Nevers vs. John Baker, 1823; Book C, p. 178, RS 42, Supreme Court Original Jurisdiction Cases, 1784-1836, PANB; James G. Hatheway vs. John Baker, 1847, RS 958, Supreme Court Original Jurisdiction Cases, PANB; F. W. Hatheway, 1848, RS 108, Land Petitions, Additions, 1787-1853, PANB; Deed, January 10, 1856, Book A, p. 586, Registry of Deeds, Madawaska County, Edmundston, New Brunswick.

31. Deed, March 19, 1868, Book B, p. 241; deed, March 25, 1868, Book B, p. 246, Registry of Deeds, Madawaska County, Edmundston, New Brunswick.

32. Daniel L. Schacter, *Searching for Memory: The Brain, the Mind, and the*

*Past* (New York: Basic Books, 1996), pp. 4, 6; Sigmund Freud in Schacter, p. 100; Freud as summarized in Alan Braddeley, "The Psychology of Remembering and Forgetting," *Memory: History, Culture and the Mind*, edited by Thomas Butler (Oxford: Basil Blackwell, 1989), p. 57; F. C. Bartlett as summarized in Schacter, p. 101.

33. Albert B. Corey, *The Crisis of 1830-1842 in Canadian-American Relations* (New Haven, Connecticut: Yale University Press, 1941), p. 12.

34. Frederick Merk, *Manifest Destiny and Mission in American History: A Reinterpretation* (New York: Alfred A. Knopf, 1963), pp. 13, 14; John Quincy Adams in Merk, p. 16; John L. O'Sullivan in Merk, p. 46.

35. Lincoln to Clay, September 3, 1827, *Documents Relating to the North Eastern Boundary*, pp. 205, 207, 208.

36. Charlotte Lenentine Melvin, "Madawaska: A Chapter in Maine-New Brunswick Relations," M.A. thesis, University of Rochester, 1955; reprint, *Madawaska, Maine: Madawaska Historical Society*, 1975), p. 29.

37. Militia Captain Pierre Duperre to New Brunswick Attorney General Thomas Wetmore, February 20, 1819, "Barrell Report," p. 31.

38. Clay to Vaughan, March 17, 1828, in William R. Manning, comp., *Diplomatic Correspondence of the United States: Canadian Relations, 1784-1860* (Washington, D.C.: Carnegie Endowment for International Peace, 1942), 2:169.

39. James Kent, *Kent's Commentary on International Law*, edited by J. T. Aldy, 2nd ed. rev. (Cambridge: Deighton, Bell, and Co., 1878), p. 394. The transcript of the trial, first printed in *The Fredericton Royal Gazette*, October 19, 1831, is reprinted as an appendix in *Remarks upon Disputed Points of Boundary under the Fifth Article of the Treaty of Ghent, Principally Compiled from the Statements Laid by the Government of Great Britain before the King of the Netherlands, as Arbitrator*, 2<sup>nd</sup> ed. (Saint John, New Brunswick: D.A. Cameron, 1839), pp. xxv-xxvi.

40. Attorney General Thomas Wetmore and Solicitor General Charles Peters to Lieutenant Governor Sir Howard Douglas, August 1827, *Documents Accompanying the President's Message to Congress*, 20th Cong., 1st sess., 1828, H. Doc. 2, serial 169, 29; "Barrell Report," p. 13.

41. Morehouse to Wetmore, August 11, 1827, "Barrell Report," p. 40.

42. Lincoln to Baker and Bacon, September 3, 1827, *Papiers de Prudent L. Mercure*, 1: 153.

43. Barrell Report, p. 130 (italics mine).

44. "Report of the Trial of Barnabas Hannawell, Jesse Wheelock, and Daniel Savage," *Fredericton Royal Gazette*, October 19, 1831, reprinted in *Remarks upon the Disputed Points of Boundary*, pp. xvii-xix; Colebrooke to Sydenham, May 1, 1840, in George S. Rowell, "John Baker, A Hero of Madawaska," pamphlet, November 28, 1911, p. 9.

45. *Memoirs of John Quincy Adams, Comprising Portions of His Diary from 1795 to 1848*, edited by Charles Francis Adams (Philadelphia: J. B. Lippincott, 1875), 7: 357-358.

46. Clay to Vaughan, February 20, 1828, *Message from the President of the United States*, 20th Cong., 2nd sess., 1829, H. Doc. 90, serial 186, p. 39; Clay to Vaughan, March 17, 1828, *Diplomatic Correspondence of the United States*, 2: 169.

47. Vaughan to Clay, November 21, 1827, *Diplomatic Correspondence of the United States*, 2: 658; Report of the Special Agent, "Barrell Report," p. 15.

48. Savage, *Race, Memory, and Identity*, p. 117.