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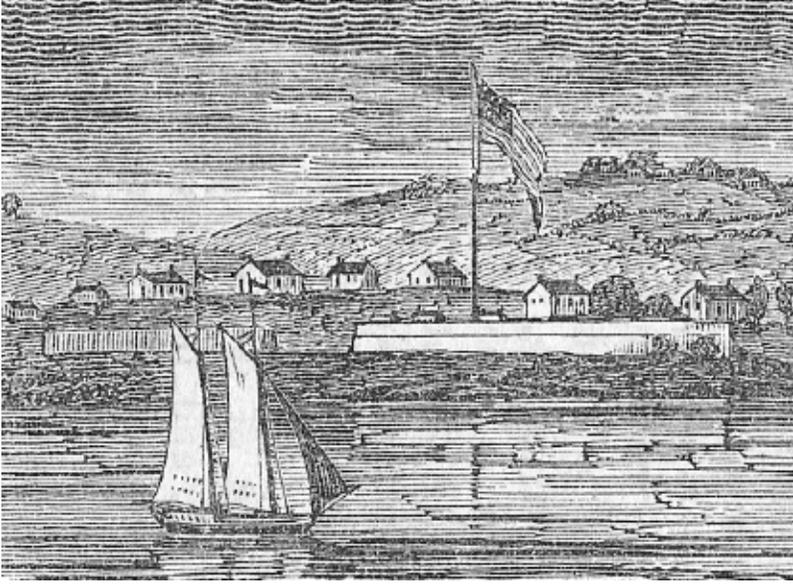
MAINE'S EMBARGO FORTS¹

BY JOSHUA M. SMITH

*The Embargo acts, passed in 1806-1808 during the Jefferson administration, were originally designed to punish Great Britain for violating American neutrality on the high seas during the Napoleonic wars. Increasingly, however, the acts were enforced against Americans seeking to defy the embargo and trade with England. Since Maine was heavily committed to trading with Great Britain — and with its colonies immediately to the north of Maine — the War Department ordered several forts built along the District's coast, ostensibly to protect American citizens from British reprisal or war, but in fact, to enforce the embargoes. The forts brought sharply divided feelings in Maine. Joshua Smith is assistant professor of history at the U.S. Merchant Marine Academy and a specialist in maritime history, naval history, New England history, and Canadian-American relations. He received his M.S. in maritime history and underwater archaeology from East Carolina University, an A.S. from Maine Maritime Academy, an M.A. from the University of St. Andrews in Scotland, in his Ph.D from the University of Maine. He published *Borderland Smuggling: Illicit Trade and the Formation of the U.S.-Canadian Border, 1783-1820* in 2005, and has published several articles in maritime and naval history and a two-volume edited series of documents in *American Maritime History*.*

BY THE SUMMER of 1808 the United States Congress had passed a number of embargo acts aimed at minimizing civilian trade with Great Britain. This legislation was to be supported with force, and given the unpopularity of these acts in New England, the enforcement provisions generated a great deal of heated discussion in the press. A newspaper editor for the *Alexandra Gazette* questioned President Thomas Jefferson's use of military power against civilians. While writing in general terms, he was clearly describing the situation in Eastport in the District of Maine:

“Come with me, sir, to yonder eminence that overlooks the union — cast your eyes eastward — do you see that vessel — that battery — those armed men — it is the *Wasp* sloop of war — he is stationed there in conjunction with the soldiers — for what? To attack our enemies?”



Fort Preble in Casco Bay, along with other installations dotting the coast, was built in the early nineteenth century to enforce the trade embargo against Great Britain. These “embargo forts” were symbols of partisan division in the early Republic. Federalists consistently opposed the embargo, protesting and sometimes actively resisting its enforcement. The embargo was a prelude to the War of 1812. *Illustration provided by the author.*

No such thing. All the energies of Mr. Jefferson are exhausted against our citizens. These warlike preparations are intended to prevent our merchants from selling their produce to those who would purchase.”²

According to the editor, President Jefferson was using the United States military to impose by force of arms an unpopular law on the citizens of a free republic. It is also representative of an idea that many Mainers shared in this period: the federal government’s construction of the second-system fortifications along the coast was intended not to protect them from a British naval attack, but rather to awe the coastal populace. To many citizens these batteries and fortifications were “embargo forts,” designed more to keep American ships *in* than to keep foreign enemies *out*.

Understanding the purposes these posts served requires an exploration of the Embargo’s impact on Maine communities. The federal attempt to halt shipping to belligerent European nations was devastating for coastal Maine, as it was for most coastal states.³ The economic im-

pact is well known, with grass growing on piers and vessels moored and inactive. Less understood is the social and political unrest associated with the Embargo. Riots, kidnappings, hard words, gunplay (including one murder), jailbreaks, tarring and feathering, and of course rampant smuggling afflicted the District.⁴ The Federalists made political hay of the situation, and did their best to embarrass Republican efforts to support the embargo. On a visit to his Maine home, Secretary of War Henry Dearborn noted that it was evident that Federalists encouraged Embargo violations and endeavored to excite “general uneasiness in the public mind and a dissatisfaction to insurrection.”⁵

Prior to the Embargo, Maine had exactly one federal fortification, Fort Sumner in Portland. This installation was comprised of fewer than a dozen soldiers and a handful of deactivated gunboats. By the end of the Embargo, federal garrisons occupied forts at Eastport, Edgcomb, the mouth of the Kennebec River, three different sites in Portland, and Fort McClary in Kittery. Furthermore, the Navy had two gunboats at Eastport, and one at Portland along with the USS *Wasp*, which spent the winter of 1808-1809 at Portland. These units were not there to repel a foreign invader; they were there to enforce an unpopular federal law. To many Mainers there was a direct link between the increased number of fortifications and the Embargo.

Parsing purpose, perception and utility of these coastal forts is not an easy task, but by digging deep into primary sources a pattern emerges that supports the idea of coastal batteries as “embargo forts.” It cannot be found in the official reasons given for constructing these fortifications or in early nineteenth-century military theory. But public perception in the form of editorials, demonstrations, and threats certainly indicates hostility to these posts and their garrisons. Additionally, the ability of these batteries even to enforce the embargo indicates that these posts were meant to bottle up American shipping. Indeed, the first shots fired in anger from several of these posts would not be at foreign invaders, but at American citizens engaged in breaking the embargo. Purpose, perception and utility will thus form the three criteria for considering the validity of the derisive term “embargo fort” when applied to the second system fortifications built along Maine’s coastline.

In June of 1807 the *Chesapeake* was seized by British authorities and four of its sailors impressed; three were Americans and the other was a British deserter. In response, The War Department built coastal fortifications to protect American harbors from the Royal Navy. Initially the plan for Maine’s coast was to provide it with small batteries at the mouth of rivers, each with two cannon on traveling carriages, supported by gun-

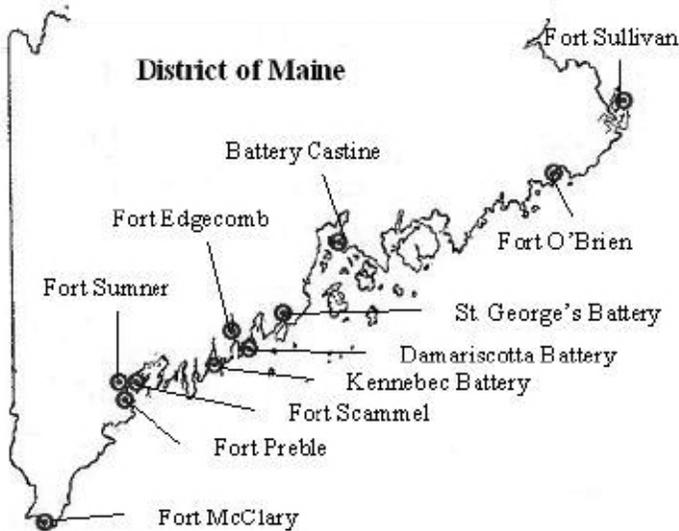
boats.⁶ This would provide an inexpensive and highly mobile defense, in keeping with Jeffersonian ideals that emphasized frugality and the maintenance of the smallest standing military force possible.⁷ Sometime in the early months of 1808, the War Department shelved these plans in favor of fewer but larger fortifications armed with more cannon.

The batteries seem to have been built according to the principles laid out in Louis De Tousard's 1809 *American Artillerist's Companion*. Tousard envisioned a system of batteries armed with a few heavy cannon that would, in conjunction with small naval gunboats, defend a harbor against a direct naval attack and defend coasting vessels from enemy privateer and small boat attacks.⁸ De Tousard calculated that so enormous were the advantages of a land battery over ship-mounted cannon that a battery of four eighteen or twenty-four pounder cannon was capable of defending against a one-hundred gun man o' war.⁹

The fortifications built after 1807 were the most substantial effort ever to defend Maine. In the spring of 1808, Henry Dearborn ordered nine fortifications built along the coast, from Eastport to Kittery. He also ordered that Fort Sumner in Portland be repaired. Most of these defenses were mere gun batteries designed to combat incoming warships. Unlike a true fort the landward side of most of these batteries consisted only of a wooden palisade and perhaps a blockhouse. The idea was that local militia would muster to support a federal garrison. In addition, Maine's coastal fortifications were intended to work with the support of the Navy's gunboat fleet, twenty-five of which were to be stationed from Kittery to Eastport.¹⁰ Congressman William Widgery of Portland was an enthusiastic supporter of gunboats. He predicted that even if enemy vessels got past the harbor forts on a fair wind and tide, the shallow-draft gunboats could pursue the enemy. With both systems in place, the congressman confidently predicted that no enemy would dare enter American ports. Federalists, who generally supported the idea of a deep-water navy, scoffed at both Widgery and the coast-hugging gunboats.¹¹

Most Mainers, in common with the American public as a whole during the early nineteenth century, did not view the military in a favorable light.¹² Regarding the new fortifications, Mainers found two issues particularly offensive: the partisan nature of their construction, and the political composition of the federal units recruited to occupy the posts.

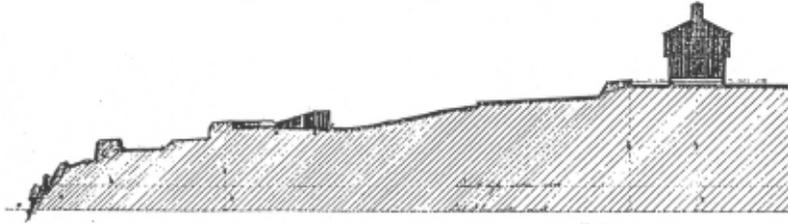
Like most government construction projects, Maine's second system fortifications were pork-barrel politics. Secretary of War Henry Dearborn channeled these construction projects to his political allies, and in Portland, to his son, Henry Alexander Scammel Dearborn. Federalists



In the early nineteenth century, ten forts and batteries were built along the Maine coast to supplement Fort McClary in Casco Bay. The installations were designed to enforce the trade embargo with Great Britain. These structures, stretching from York to Passamaquoddy Bay, were contested symbols of national policy. *Image provide by the author.*

knew well that these fortifications politically benefited Jeffersonians by providing jobs and patronage during the economic hardships brought on by the embargo. Indeed, advertisements for materials for the Portland fortifications appeared *only* in the Jeffersonian *Eastern Argus*. Democrats unapologetically held partisan celebrations in the newly constructed Forts Preble and Scammel.¹³ Federalist frustration was probably the reason why young Dearborn found himself the victim of nocturnal tricks, such as when somebody stole his office sign one night.¹⁴

In other communities partisan Federalist antipathy to the forts resulted in acts of vandalism against the fortifications themselves. In Castine unknown parties pulled down brickwork and smashed windows at the local battery when it was still under construction.¹⁵ For some Federalists, a more subtle, and perhaps more satisfying, method of obstructionism was demanding the highest price possible for the real estate upon which the forts stood. Moses Davis, a moderate Federalist who increasingly opposed the Embargo, charged \$3,000 for Fort Edgecomb's site. Such prices caused some grumbling on Dearborn's part, but he paid nonetheless.¹⁶

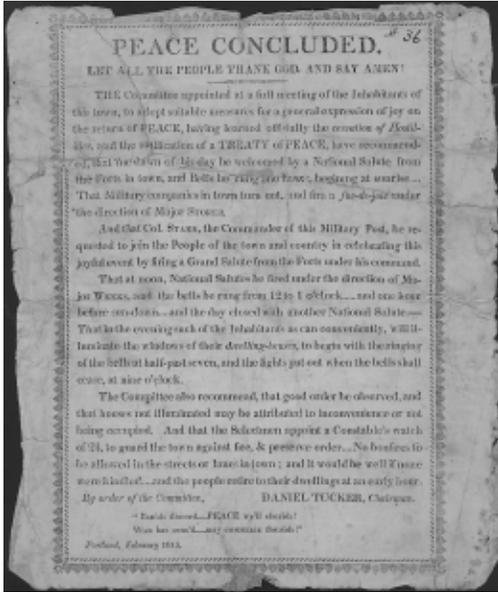


This line drawing is a profile of Fort Edgecomb on the Kennebec River. All of the embargo forts, including Edgecomb, suffered high rates of desertion, which further weakened this unpopular policy. *Illustration provided by the author.*

The regiments raised in the aftermath of the *Chesapeake* affair also reflected the political agenda of the Jefferson administration, which carefully vetted officers' political credentials. Those like Captain Joseph Chandler of the U.S. Light Artillery, the first commander of Fort Preble, or Captain John Binney of the U.S. 4th Regiment of Infantry, the first commander of Fort Edgecomb, were partisan Jeffersonians.¹⁷ As demonstrated in Ted Crackel's *Mr. Jefferson's Army*, this was part of a long-standing program by Jefferson and Dearborn to transform the American military into a loyal Jeffersonian institution.¹⁸

The first test of the political loyalty of these units would be in enforcing the embargo. Federalists, especially in New England, were quick to point out the dangers of military enforcement of civil laws, and in newspaper editorials and town meetings, they protested the increasingly draconian measures taken to enforce the embargo. A town meeting in Bath proclaimed "we see with dread and detestation, military preparations making among us; armed men patrolling our streets," Hallowell regarded enforcing the embargo "by the arm of the military instead of civil power, as unwarranted by the letter or spirit of the constitution."¹⁹ But these protests should be put in context; these same towns were quite happy to use the militia to suppress the agrarian backcountry protests which also reached their peak in 1808-1809.²⁰

Given the dislike of a standing army, the jealousy concerning military contracts, and the fear that the military would be used to impose unpopular laws, many Mainers moved to undermine the regular military establishment. Harassment was common, but generally was non-confrontational. One favored method was to encourage individual soldiers to desert, and all these posts suffered from high rates of desertion.



In February 1815 the Treaty of Ghent brought the War of 1812 to a close ending the long dispute over trade, freedom of the seas, and American independence. *Maine Historical Society Collections.*

Within days of the ceremony that opened Fort Preble, three soldiers deserted.²¹ Fort Sullivan at Eastport suffered an enormous desertion rate, with much of its garrison decamping across the border into New Brunswick despite the threat of flogging if caught doing so.²² The soldiers destined for Fort Edgecomb and the Kennebec battery began deserting on their march to those places.²³ Commanding officers posted reward offers in newspapers for the recovery of these soldiers, but seem to have had little success. While on leave in Freeport a private was so filled with stories that he would have to fight his friends and countrymen in enforcing the embargo that he contrived to get dismissed from the Army by chopping off part off his hand. His commanding officer, observing that he had merely sliced off the tips of his left-hand fingers, refused to discharge him on the grounds that he could still perform his duties with his right hand.²⁴

The manner in which the federal government activated the Maine forts lent even more credence to the appellation “embargo forts.” Even before completion, the national government rushed troops to these posts to enforce the hated Embargo Act. At Passamaquoddy the embargo was often termed the “Flour War,” a reference to the most common form of contraband smuggled.²⁵ Almost as soon as Congress authorized the embargo in late 1807, smugglers flocked to the border with shiploads of flour, other provisions such as salt beef, and naval stores such as turpen-

tine and tar. In the spring of 1808 it looked like the adventurers would overwhelm the region's federal customs officer. The official complained that there were upwards of a hundred vessels in the harbor, that a mob threatened to burn his house, and that unless troops arrived soon, he would have to flee Eastport.²⁶ The promised troops arrived in June on board the USS *Wasp*, an artillery unit commanded by Captain Moses Swett. He moved to squash resistance to the embargo, which he considered an act of rebellion, but his unit's effectiveness was severely hampered by desertion, much of it instigated by smugglers who bribed sentries with liquor and cash. More than a dozen soldiers deserted by the end of the month.²⁷ In fact his sometimes harsh methods of disciplining deserters seemed to have inspired a labor stoppage on the fort under construction at Eastport.²⁸

Even when confronted with the military, locals vigorously defended themselves. Captain Swett joined with the federal customs collector to confront a local merchant and suspected smuggler. The officers demanded the merchant place his goods under federal custody. Despite the threats, the merchant knew that he had as yet violated no law and confronted the federal officers: "Gentlemen, I am here on my own soil, in defence of my own property, and—as you have seen fit to conduct—of my personal honor. Heed me, then, when I say, as I now do, that no man, be he who he may, touches a barrel of this flour except at the peril of his life. I have said: now take care of yourselves."²⁹ While this is an uncorroborated anecdote, it touches on the difficulties of enforcing an embargo in a nation where property rights were sacrosanct. According to the story, the federal officers withdrew, perplexed by the smuggler's self-righteous determination and bluster. By the end of June, Eastport was an armed camp; by July, Captain Swett considered it in a state of rebellion. Musket fire occasionally broke out, although no casualties seem to have occurred.³⁰

Portland suffered its share of disorder as well. In late October, a disguised and armed mob of perhaps two hundred men took over the wharves, loaded two vessels with a cargo, and sailed them out of the harbor. There was little customs authorities could do about it, since Portland's harbor forts were unmanned.³¹ As a result on October 31 Secretary of War Henry Dearborn ordered a newly raised company of soldiers to occupy Fort Preble, with instructions to afford the customs collector all the aid possible to carry the embargo laws into effect.³² Dearborn also ordered Fort Edgecomb, the Kennebec battery, and Fort McClary manned at this time, even though they were not completed.

Yet far from overawing the populace, the federal garrisons were often intimidated by local residents, and failed to stop embargo-breaking ships altogether. Fort Preble's first commander seemed particularly panicky. Captain Joseph Chandler feared that the "Enemies of our Country" might try to run their vessels out of the harbor in defiance of the Embargo, possibly seizing Fort Sumner to expedite their escape and turn its cannon on the revenue boats and gunboats that might pursue them. He believed a "combination" of merchants, shipmasters, and mates in Portland intended to take their ships to sea—and to seize both Fort Preble and eight to ten of the Navy's gunboats to force their way out. Chandler asked that an armed naval ship visit the harbor to discourage this conspiracy.³³ As a result, USS *Wasp* spent the winter of 1808-1809 in Portland harbor.³⁴

Nor did the forts succeed in stopping embargo breakers. Some ships made more spectacular exits. In January, 1809, the brig *Mary Jane*, armed with cannon and reinforced with additional crew hired to defend the vessel, escaped from the Kennebec after a running gun battle with the local revenue cutter and an exchange of gunfire with the fort at the mouth of the river. Happily for the crew of the *Mary Jane*, the fort's guns could not fire because the parapet had been built too high. Thus the garrison only fired muskets at the brig as it sped past.³⁵ In February 1809, the ship *Sally* sailed illegally from Bath, and also ran past the fort at the mouth of the Kennebec, which fired its cannon in vain at the escaping vessel.³⁶ If these batteries were truly "embargo forts" they were not imposing enough to prevent embargo breakers from making the attempt, nor effective enough to actually stop outbound shipping from leaving port in contravention of the law.

In the early months of 1809 the Embargo Act encountered increasing resistance. President Jefferson, realizing its failure and wanting to leave his successor with a clean slate, ended the embargo just before leaving office. Maine port communities responded with sheer unbridled joy. The commander of Fort Edgecomb recorded the celebrations at Wiscasset in March 1809, writing "This town is in an *uproar* 'the Embargo is off' is all the cry; the Presidents proclamation was received this evening—every man, woman, boy, girl, horse, dog, cat, pig, hen, duck, and all living things are rejoicing, huzza'ing guns firing Bells ringing flags flying not a Wiscasset but what is merry—you cannot imagine anything more noisy than this town—I expect that by 1 o'clock everything that can swallow, will be *how fairs ye jolly boys*." Later that night the officer observed: "I have now just returned from the grand *Jollification*, all

Wiscasset are pretty drunk by this."³⁷ The embargo was finally over, and Mainers struggled to put their lives together again.

In the District of Maine, second-system fortifications performed a dual role that reflected the U.S. Army's mission as both a constabulary and defense force. This function was not restricted to Maine; there was considerable furor in Boston when its fortifications were used to blockade that harbor.³⁸ Throughout coastal New England there was a popular perception that the federal government's second-system fortifications were too weak to keep the vaunted Royal Navy out, but were well placed to keep American shipping in. This was never true in doctrinal or ideological terms, but in practice there is plenty of evidence to support the idea that second-system fortifications served to both protect harbors from foreign enemies and impose federal control over them.

As such, these coastal fortifications themselves became a matter of controversy and discord. In fact some of the first shots fired from these forts' guns were not at the ships of a foreign navy, but at American citizens who thought they had a right to engage in sea-borne commerce. Far from standing as a symbol of American unity in the face of foreign invasion, these fortifications divided Maine communities and became centers of discord and antagonism. That role would become even more divisive in the approaching War of 1812.³⁹

NOTES

1. This paper was first presented on June 21, 2008 at a conference on Maine's second-system fortifications at the Portland Harbor Museum. My thanks to Joel Eastman and Ken Thompson for their continued support and constructive criticism of my research.
2. *Alexandria Gazette* (Alexandria, Va.), July 12, 1808.
3. The latest complete account of the Embargo is Burton Spivak, *Jefferson's English Crisis: Commerce, Embargo, and the Republican Revolution* (Charlottesville: University Press of Virginia, 1979).
4. Joshua M Smith, "Murder on Isle au Haut: Violence and Jefferson's Embargo in Coastal Maine, 1808-1809," *Maine History* 39 (Spring 2000), 17-40.
5. Henry Dearborn to Thomas Jefferson, August 15, 1808, Thomas Jefferson Papers, Library of Congress.
6. *Eastern Argus* (Portland, Me.), December 24, 1807.
7. See Theodore J. Crackel, *Mr. Jefferson's Army: Political and Social Reform of the Military Establishment, 1801-1809* (New York: New York University Press, 1987).
8. Louis de Tousard, *American Artillerist's Companion* (Philadelphia: C. and A. Conrad, 1809), vol. I, 59.

9. de Tousard, *American Artillerist's Companion*, 61-62.
10. The planned distribution was: 4 gunboats at Kittery, 2 for the York, Kennebunk, and Saco, 6 at Portland, 5 for the coast from the Kennebec to St. George's Rivers, 3 in Penobscot Bay, 2 in Frenchman's Bay, and 3 at Passamaquoddy. *American State Papers: Naval Affairs*, "No. 64: Additional Gunboats for Protection of Ports and Harbors," submitted to the Senate November 30, 1807, p.168.
11. *Portland Gazette* (Portland, Me.), February 3, 1812; for a detailed account of the gunboat program, see Spencer Tucker, *The Jeffersonian Gunboat Navy* (Columbia, S.C.: University of South Carolina Press, 1993).
12. Lawrence Delbert Cress, *Citizens in Arms: The Army and Militia in American Society to the War of 1812* (Chapel Hill: University of North Carolina Press, 1982), passim.
13. *Eastern Argus*, May 26, June 2, and November 30, 1808, and March 16, 1809.
14. *Eastern Argus*, April 6, 1808.
15. Josiah Hook to William Eustis, December 23, 1812, NARA M222, "Secretary of War, Letters Received, Unregistered Series" [hereafter as M222].
16. For Fort Edgecomb, see June 13, 1808 entry, "Moses Davis Diary" Maine State Library, Augusta, Me.; For the Kennebec battery see Joshua Wingate, Jr., to Henry Dearborn, Bath, May 21, 1808, NARA M221 "Secretary of War, Letters Received, Registered Series," [hereafter as M221]; for Fort Sullivan see David Zimmerman, *Coastal Fort: A History of Fort Sullivan, Eastport, Maine* (Eastport, Maine: Border Historical Society, 1984), 15; for Portland forts see Henry Dearborn to HAS Dearborn, January 7, 1808, NARA M370, "Miscellaneous Letters Sent By The Secretary Of War, 1800-1809" [hereafter as M370].
17. For the political make-up of military leadership, see William B. Skelton, "High Army Leadership in the Era of the War of 1812: The Making and Remaking of the Officer Corps," *William and Mary Quarterly* 3rd Series, vol. 51, no. 2 (April 1994), pp. 253-274; *Eastern Argus*, July 28, 1808.
18. Crackel, *Mr. Jefferson's Army*, 170-173.
19. *Portland Gazette*, January 2 and 16, 1809.
20. Alan Taylor, *Liberty Men and Great Proprietors: The Revolutionary Settlement on the Maine Frontier, 1760-1820* (Chapel Hill: University of North Carolina Press, 1990), 274-277.
21. *Eastern Argus*, February 16, 1809.
22. See Anonymous, "Humanity" to Henry Dearborn, Eastport, September 21, 1809, M221 for an example; the commander of Fort Sullivan allegedly flogged a deserter "from head to heels."
23. Timothy Gerrish to Henry Dearborn, December 28, 1808, M221.
24. Capt. Joseph Chandler to Henry Dearborn, Portland, November 19, 1808, M221.
25. See Joshua M. Smith, *Borderland Smuggling: Patriots, Loyalists, and Illicit Trade in the Northeast, 1783-1820* (Gainesville: University Press of Florida, 2006), chapter four, "The Rascals of Passamaquoddy" for a full account.
26. *New York Evening Post*, May 4, 1808.
27. Zimmerman, *Coastal Fort*, 21.

28. Zimmerman, *Coastal Fort*, 21. Zimmerman did not identify the cause of the work stoppage, but it seems to be related to Swett returning British deserters across the border. See Jonathan C. Todd, Simon Elliot, and Rufus Hallowell to Henry Dearborn, June 21, 1808, M221.
29. William Henry Kilby, *Eastport and Passamaquoddy: A Collection of Historical and Biographical Sketches* (Boston: Edward E. Shead, 1888, reprint 1982), 148-149.
30. Thomas Jefferson to Albert Gallatin, May 20, 1808, in Carl E. Prince, *Microform Edition of the Papers of Albert Gallatin* (Philadelphia: Rhistoric Publications, 1969) [hereafter as PAG]; *Suffolk Gazette* (Boston, Mass.), June 4, 1808; *Mercantile Advertiser* (New York), June 28, and June 29, 1808.
31. Isaac Ilsley to Daniel Ilsley, November 6, 1808, PAG.
32. Henry Dearborn to H.A.S. Dearborn, October 31, 1808, "Henry Dearborn Papers," Maine Historical Society, Portland, Me.
33. Joseph Chandler to Henry Dearborn, Fort Preble, December 6, 1808, M221.
34. For a full account of the Navy's role in enforcing the embargo, see Joshua M. Smith, "'So Far Distant from the Eyes of Authority:' Jefferson's Embargo and the U.S. Navy, 1807-1809," in Craig Symonds, ed., *New Interpretations in Naval History: Selected Papers from the Twelfth Naval History Symposium* (Annapolis, MD: Naval Institute Press, 1998), 123-140.
35. Benjamin Ames and Joseph F. Wingate, *The Disclosure—No. 1. Documents Relating to Violations and Evasions of the Laws During the Commercial Restrictions and Late War with Great Britain, &c.* (Bath, Me.: J.G. Torrey, printer, 1824), 34-40; John Binney to Henry Dearborn, February 15, 1809, M221.
36. Parker McCobb Reed, *History of Bath and Environs Sagadahoc County, Maine, 1607-1894* (Portland, Me: Lakeside Press, 1894), 78-83.
37. Captain John Binney to his wife, April 27, 1809, in *Proceedings of the Wiscasset Fire Society July 20, 1905* (Wiscasset, Me.: 1905), 17-19.
38. "The Late Blockade of Boston Harbor," *Columbian Centinel* (Boston, Mass.), February 25, 1814.