

7 The Border and Customs

At the end of our municipality's public wharf at Cedarville, there is a telephone in a yellow box. The phone and an accompanying large sign which spells out certain legal obligations are the property of the Canada Customs and Revenue Agency. The phone was put into service in the 1970s establishing, or more correctly re-establishing, a customs presence, albeit a token impersonal one, in Cedarville after a lengthy hiatus.

The Customs' phone reflects a simple reality, a reality that is largely taken for granted (and sometimes ignored) by Ogden residents, but one that looms large in the history of our Municipality and governs day-to-day our mobility in a southerly direction. For Ogden lies adjacent to an international body of water, Lake Memphremagog, and our southernmost boundary is coincident with Canada's national border with the United States of America.

The history of the establishment of this border is a fascinating one, and the establishment of Customs in this area is a parochial tale of intransigence, intriguing ironies and petty village jealousies.

Wilderness, borderlands and boundaries

During the French Regime, the colonial administration of New France almost certainly viewed the unbroken and virtually uninhabited wilderness to the east of the Richelieu –Lake Champlain watershed and south of the St. Lawrence River, as just that, an unbroken wilderness. Most definitely it was not coveted for colonization, for there were few enough *habitants* even at the very end of the French regime (~ 70,000 population) to adequately scratch the potential of the colony's existing arable land along the banks of the St. Lawrence, and Richelieu rivers. Furthermore, access to the region encompassing the upper St Francis River watershed was inhibited by its ruggedness, with water courses requiring an excessive number of portages. The natural resources of the region were either naturally sparse and/or depleted (furs), or prohibitively far from markets (timber for ships' masts).

From a geopolitical perspective, the French crown would have laid claim to much of the Abenaki territory, and indeed that portion whose watershed flowed to the St. Lawrence (i.e. the Eastern Townships) was viewed as part of New France. However, in practical terms, the crown and colonial authorities recognized the suzerainty of the various indigenous nations over this vast territory, and would at best claim the areas to be part of the French "sphere of influence". As hostilities with the more populous English colonies on the Atlantic seaboard increased over time, the area was viewed as a most useful "buffer zone", an impenetrable wilderness, at least to a large military force, and largely controlled by French native allies. Prior to the Conquest, no formal boundary between New France and New England had ever been agreed upon.



Detail of a portion of a map made by French map-maker Nicolas Sanson in 1656. Lake Memphremagog is not indicated on this map but the region was certainly considered part of New France (i.e. north of the supposed height of land dividing waters that flow into the Atlantic versus the St. Lawrence River)

However, the 45° North Latitude had been employed historically as a boundary by both the Dutch and the English as a northerly boundary for their colonies, and when the British formally took control of New France in 1763, they arbitrarily used this same convention as marking the boundary between New York and the new province of Quebec.

As unrest turned into revolt in the Thirteen Colonies, the British were very happy to have inherited the French buffer zone. In 1775 the impenetrability of the wilderness to a large military force was amply demonstrated by the disasters that befell the rebel general Benedict Arnold and his army, as they were barely able to find their way through the Maine wilderness to the Chaudière River, losing almost half their men in the process.

With the end of the American Revolution and the signing of the Treaty of Paris in 1783, the New York - Quebec provincial boundary became an international one. Now the British were even more determined to maintain a wilderness buffer zone, hoping to prevent close contact between the Americans, with their dangerous ideas of republicanism and representative government, and a *Canadien* populace, ripe for subversion! Only in 1792 were the wastelands of the crown open for settlement. Even following a flood of settlers into the Townships, local control of the assumed but ill-defined border in the Township of Stanstead would wait until 1821. **The border itself would not be finally fixed until 1842.**

The False 45th: Our International Border

What is so special about the 45th line of north latitude? The Canada - U. S. border is a strangely arbitrary affair. It cuts across the very grain of our countryside in the Eastern Townships, perversely defying lakes, rivers and mountain ranges, all of which trend north-south. In ancient times, the division of kingdoms respected the natural landscape, but in the 16th century, as reason slowly superseded faith and superstition, intellectuals of the day sought to impose a degree of mathematical and geographical order on the world. For this they borrowed on the work of Ptolemy (90 to 160 AD), a citizen of Alexandria (Egypt) who first conceptualized our lines of latitude (or parallels), and longitude (or meridians).

The 45th Line of Latitude in eastern North America

In 1606, King James I gave the Plymouth Company of England a charter allowing them to form settlements from 41° to 45° N Latitude. The Dutch in 1614, decreed New Netherland's northern boundary to be the 45th parallel. French territorial claims of the period based on the coastal explorations of Champlain and Sieur de Monts in 1604 and 1605, extended from 40° to 46° north.

Portion of map drawn by the French cartographer Guillaume De L'Isle in 1703 showing the boundary between Canada and New England coincident with 45°N



Somewhat surprisingly by around 1700, English and French maps indicated a developing informal consensus around the 45th parallel, as a boundary between New France and New England.

When the English triumphed militarily in 1760, maps used the 45° N latitude as an arbitrary division line separating the old provinces of New York and New Hampshire from the newly created province of Quebec, and this boundary was formally entrenched by the Royal Proclamation of October 7th, 1763 (Treaty of Paris).

Demarcation on the ground: the Collins Vallentine Line

With the end of the Seven Years War between England and France, there was a strong push to grant lands for settlement in the northern parts of New York and New Hampshire. This required a defined northern border, marked on the ground.

In August, 1766, Sir Henry Moore, Governor of His Majesty's Province of New York, wrote to Governor Murray of Quebec, proposing that the two provinces fix the 45th line of latitude where it crosses the Richelieu (or Sorrel) River. Quebec appointed the experienced Deputy-Surveyor General of Quebec, John Collins; New York appointed Robert Harpur, a professor of Mathematics. The two experts worked independently, and with their own astronomical instruments to determine just a single accurate starting point on the line. This would, in theory, allow the rest of the imaginary line to be surveyed using simple magnetic compasses. However, the two fixes were six miles from each other on the east side of Lake Champlain. Ironically both men made their respective provinces smaller. In the end, it was decided that the Quebec instrument was the more accurate and Collin's fix was quite arbitrarily chosen as the 45th.

The complete survey, eastward from Lake Champlain to the headwaters of the Connecticut River, and then westward from Lake Champlain to the St. Lawrence River took place between August 1771 and August 1774. The only consistent player was John Collins from Quebec. The American surveyors were either reticent or were too sick to proceed. For the final stage, Collins finished the job alone for both governments. Of the Americans, Thomas Vallentine covered the most ground with Collins, and was part of the team that crossed the Lake Memphremagog region in 1772.

Governor William Tyron of New York resurrected the survey of the 45th Parallel in 1771.

The survey team in 1772 consisted of Collins and Vallentine plus " 8 (men) to carry Provisions, 4 to cut down such trees as happen to stand in the Line, 2 Blazing the trees that is to say one on each side of the Line, 2 Chainmen, 1 Man to carry Pickets, & 3 Men to carry Our Instruments and Baggage".



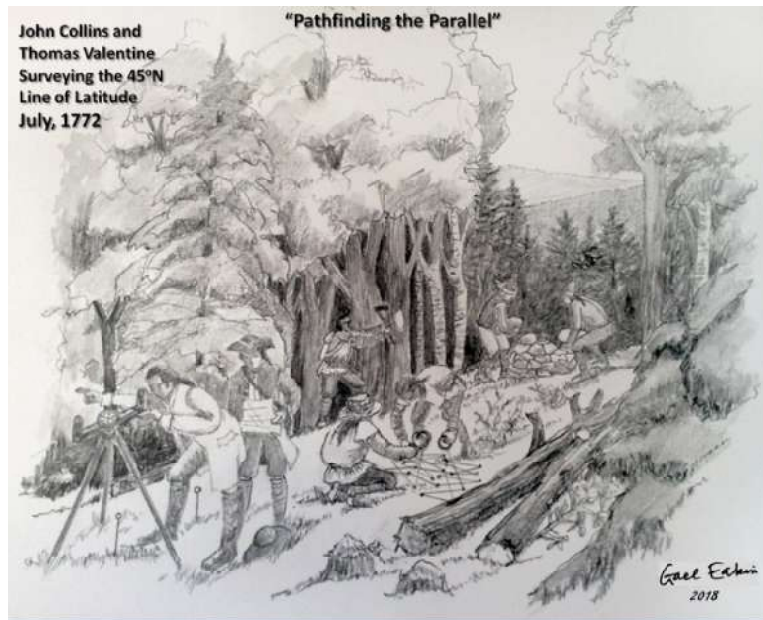
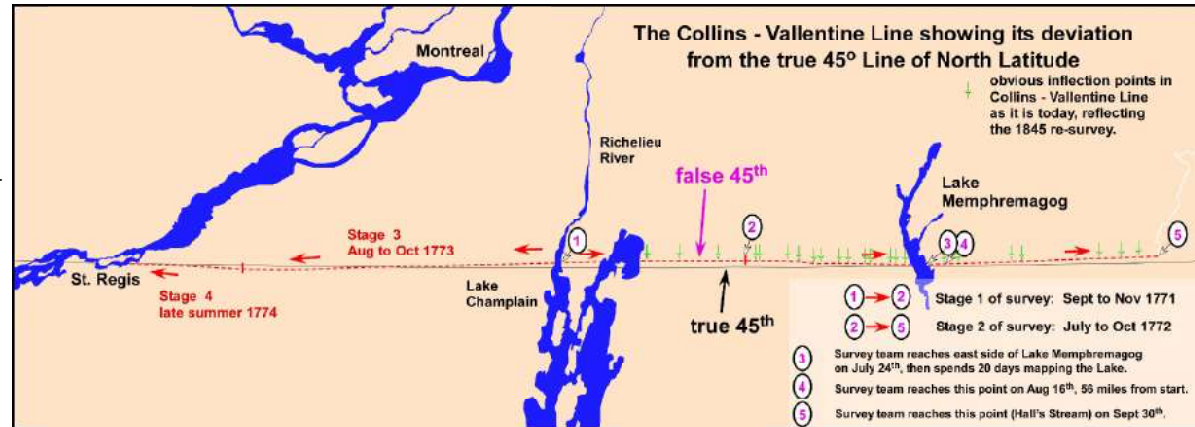
Ulterior Motives at Lake Memphremagog

The survey team arrived at the shores of Lake Memphremagog around July 24, 1772 and stayed until August 16. This time was spent, quite contrary to their mandate, making a detailed map of Lake Memphremagog for land speculators. The region was widely known for its potential for settlement.

Just three weeks after the survey team returned to Quebec City in October, several coordinated petitions for huge tracts of land in the Lake Memphremagog region arrived at the Land Committee office. Ultimately these petitions were turned down, but it is interesting how Collins and Vallentine mixed their government roles with opportunities for personal gain. Collins died in 1795, leaving in his estate significant land holdings all across Lower and Upper Canada, including the entire Township of Hereford in the Eastern Townships.

Seventy Years of Challenges

Following the Constitutional Act of 1791, creating Lower and Upper Canada, a large number (91) of new townships were created in the wilderness of south-eastern Lower Canada (Quebec). Deputy-surveyors, particularly those with training in military surveying, noted consistent discrepancies along the 45th. On Surveyor-General Joseph Bouchette's map printed in 1805, the Collins-Vallentine line runs north of the true 45th, and the magnitude of this error increased towards the east.



An artistic re-imagining by Gael Eakin of Collins and Vallentine surveying the 45th.

It is certainly easy now, to be critical of the Collins-Vallentine line. It is far from a straight line and exhibits at least 30 noticeable inflection points where a bearing was not maintained. Yet this was an unprecedented wilderness survey of over 160 miles and undertaken with rudimentary and imprecise surveying instruments. If the eastern portion of the survey is corrected for the initial error in locating a proper fix for the 45th opposite Rouse's Point, on Lake Champlain, then the line would now be praised for its accuracy.

The Collins-Vallentine Line was surveyed over four seasons from 1771 to 1774

Following the War of 1812 all boundaries between the U.S. and British North America returned to their pre-war positions. Given concerns on both sides about the validity of the Collins-Vallentine line, a re-survey of the 45th N latitude was necessary.

Fort Blunder

In 1818, the Swiss-German Ferdinand Hassler took over from the American surveyor, Andrew Ellicott who had revisited the fixed point at St. Regis the previous year with the British surveyor, Johann Ludwig Tiarks. Ellicott and Tiarks confirmed, at least within 100 feet, the marker for the 45th parallel placed at St. Regis in 1768. From here the line was surveyed eastward. However, at Rouse's Point on Lake Champlain Hassler and Tiarks found that the Collins-Vallentine line lay north of the true 45th by about 3500 feet. Worse yet, in 1816, the Americans had built an immense stone fort on the west side of Lake Champlain. Well north of the 45th parallel, it soon became known as "Fort Blunder". The British were delighted and insisted that the Americans secure the construction site for its "new" owners.



Looking north towards the Richelieu River with ruins of Fort Montgomery (arrow), built on the site of "Fort Blunder"

The Collins-Vallentine Line wins the day

Britain and the U. S., even after arbitration, still couldn't agree on boundaries. By the early 1840s a third war between Britain and the U.S. was becoming a distinct possibility. The secretary of state for the newly elected U. S. government, Daniel Webster, initiated a round of talks in April of 1842 with Alexander Baring (Lord Ashburton) that resulted in a compromise agreement, the Treaty of Washington, signed on August 9th 1842.



Key personalities from the 1840s regarding the international boundary. From L to R, Alexander Baring (Lord Ashburton), Daniel Webster, and Lt.-Col. J.B. Estcourt

For the Eastern Townships and Northeast Kingdom the Collins-Vallentine Line, in all its misplaced and crooked glory, was to stand as the official international boundary.

Re-discovering the Line

As the politicians and diplomats squabbled for some seventy years, Mother Nature had not sat idly by. The old line was essentially hidden. British and American survey teams were sent out in 1845 to locate the old line, cut a 30 foot swath cleared to chest height, and an inner 8 foot swath cleared to the ground. They placed cast iron markers at every deflection of the line and wherever the line crossed a lake, river or road.

The official contingent of the British Commission in 1845 was under the leadership of Lieut.-Col. J. B. Bucknell Estcourt and included twenty men from the Royal Sappers and Engineers. The number of labourers, mostly axe-men and porters/teamsters, ranged up to 500.



Astronomical stations for determining longitude, including critical one in Ogden.

A requirement of the survey was to provide precise determinations of **longitude** at 15 select astronomical stations along the border. A critical one was placed in Ogden. On a nearby, conveniently located sloping ledge of granite, the survey team inscribed a meridian line that indicated the location of the border and the astronomical station. The inscribed stone is still quite legible today.



Photograph by Douglas Weir circa 1900 of the engraved rock in Ogden locating the astronomical station used on the 1845 re-survey of the boundary line. From L to R, Frederick Douglass, Alexander Ruthven Douglas, and unidentified older boy. Simpson Collection



An aerial view from the Lake looking east, with Ogden on the left and Derby on the right. The cut line, (referred to as the "Vista") is now 20 ft wide and is maintained by the International Boundary Commission. The vista is recut about every 6 years. Drone image courtesy of Tom Montgomery

Following the re-survey in 1845, the boundary line was once again allowed to return to a state of nature, as no policy to maintain it had been legislated. This was rectified in 1908 when the United States and the United Kingdom (on behalf of Canada) signed a treaty that ultimately led to the creation of the *International Boundary Commission*, responsible for keeping the vista and the numerous boundary monuments in proper order.

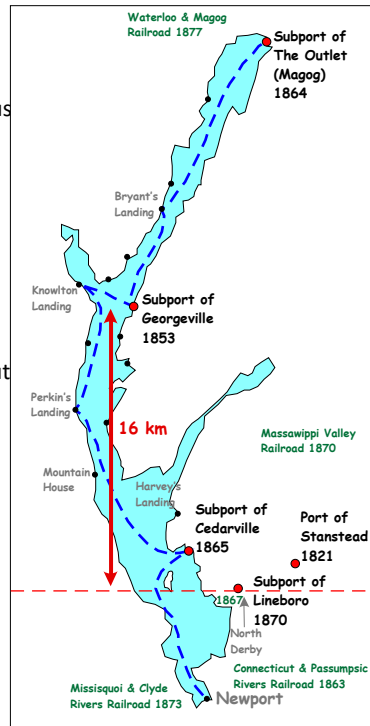
Cedarville: a surprisingly contentious establishment

Throughout the Eastern Townships, many small villages were thriving centers in the mid-1800s, with a school, church, general store, a few businesses, maybe an inn, plus a smattering of houses. These days, many of these places exist only as a crossroads, with a historic name. But that wasn't the case with Cedarville. There were great plans afoot, but they never came to fruition: no village, no commerce, no bustling centre. Cedarville was "founded" on May 24, 1865, and perhaps appropriately its first structure was not a dwelling house but a Customs wharf.

From The Stanstead Journal, June 8, 1865:

...In consequence of Her Majesty's Customs being stationed here, it became necessary to build a wharf.... Accordingly, one was commenced, and so far completed on the 24th, as to enable boats to make their landings. It was, therefore, suggested by a number of residents of the place, that Her Majesty's birthday should be celebrated in connection with the completion of the wharf. Accordingly, quite early in the morning, a number of sturdy hands seized a pole that had been previously prepared and, in a few moments, the Union Jack floated gracefully in the breeze, fifty feet above their heads, and was saluted by heavy cheering.... It was suggested by Mr. Moir, of Gline's Corner, that the place be called Cedarville, as it was located in a splendid natural grove of cedars. It was then moved, seconded and resolved, that Cedarville be adopted as the name of the place. Three cheers were given for the prosperity of the place, and three for the Queen.

Before the age of income and business taxes, tariffs and duties provided the vast bulk of government revenue. Thus the Customs and Revenue Department played a vital role and was under heavy scrutiny by its political masters. The Province of Lower Canada established a Customs and Revenue office (port) in Stanstead as early as 1821, to oversee the stagecoach route from Montreal to Boston, but by and large, this presence did little to impede the movement of goods or people across the ill-defined (and little respected) frontier. In 1844 the government sought to limit this *de facto* "free-trade" with a far more extensive system of customs ports throughout the Eastern Townships.



Map of the Lake with Custom's supports, other landings, route of steamers, and commencement dates of rail service.

The international waters of Lake Memphremagog presented a challenge, particularly when trade increased across the boundary with the introduction of steam-powered navigation in 1850. By the mid-1860s, two steamboats with relatively large cargo and towing capacities were regularly plying the Lake, the *Mountain Maid* and the *Stars and Stripes*, and there were plans to launch an even larger vessel, the *Lady of the Lake*.



The first version of the Mountain Maid, launched in 1850 and piloted by G.W. Fogg.

In 1850, the first customs outpost on the lake was set up in Georgeville. Then, in 1864, an office was established in Magog (then known as the Outlet). Both Georgeville and Magog supports were under the jurisdiction of the Port of Stanstead, but both were far removed from the actual frontier. In 1864 officials in Quebec concurred that it was necessary to establish a customs port "closer to the line".

Where should the new subport be located and who should staff it?

There was brief consideration of using a site at Harvey's Bay where a steamboat wharf already existed, but this was rejected in favour of a point of land further south on the east side of Echo Bay, owned by farmer Daniel Noakes. Here the view of the boundary line and the adjacent Canadian portion of the Lake was almost unimpeded.

The first, and for an extended period of time, only officer to be assigned to the Cedarville subport, was Matthew Dixon. Dixon had worked for Customs and Revenue since 1846, as both Landing Waiter and Preventive Officer. The Cedarville posting came with a promotion to Subcollector.

Originally from England, Dixon had arrived in Quebec in 1832 and by 1836 was living in Stanstead and working as a tailor. In 1837 he married Elmira Lee, whose grandfather was a Stanstead pioneer (1797).



Matthew Dixon (1810 - 1880)

During the '37-'39 Rebellion, Dixon joined the militia and served as a lieutenant. Ironically, Subcollector Dixon was to find himself reporting to a superior in Stanstead, Chauncey Bullock, who had been a rebel sympathizer and who had fled to Vermont during the troubles to avoid arrest. Chauncey in turn reported to a superior in Quebec City, who was a rather famous reformed *patriote*, R.S.M. Bouchette. In 1838 R.S.M. was exiled to Bermuda for espousing the cause of Papineau, and more seriously, for commanding the *patriote* forces at the skirmish of Moore's Corners. Bouchette returned to Canada in 1845 (after the *nolle prosequi* of 1843), entering the civil service in 1846 and became Commissioner of Customs in 1851.

The Cedarville Subport is established

Dixon had been posted at St. Regis for a time but had requested a return to Stanstead. Upon his arrival in the spring of 1865, Dixon oversaw the construction, by David W. Moir of Gline's Corner and other local inhabitants, of a steamboat wharf at Cedarville. The wharf was a substantial affair. Its sunken crib is still plainly visible off Packard's Point. The arrangement of the boulders in the crib suggests an L-shape, with a protected north entry. The cost of building the wharf was in excess of \$100, a tidy sum for the 1860s. Shortly after the wharf had been completed at the end of May, Dixon added a small two-storey combined customs office and boathouse, and from this cramped edifice, he started his duties.

Dixon and his wife lodged at a nearby farmhouse, where he set up a temporary customs office to oversee traffic on the public road. Early on Dixon purchased from Noakes a 2.5 acre lot near the wharf to build a proper office and dwelling place.

The battle between Cedarville and Georgeville

The decision to create the new subport of Cedarville also made the Georgeville subport, 10 miles from the border, redundant. Consequently, it was decided to close the Georgeville office, a move that met with vehement local opposition. The closing meant a considerable loss of revenue (legal and illegal), jobs and prestige for the small community. Townspeople lobbied to reverse the decision. Georgeville residents persuaded the Hon. Mr. Justice Day to plead their case at Quebec, and, George Washington Fogg, a prominent citizen of Georgeville and Master of the Mountain Maid, simply chose to ignore the new reporting policy, declaring with an oath that he would never report his Boat at Noakes Landing (Cedarville), and that he would "*send her to the bottom first and go with her*".

The Hon. Albert Knight, MP for Stanstead County, lobbied on behalf of the pro-Cedarville contingent. Inspections were made, reports were written, and Cedarville always remained the logical choice. However, in typical bureaucratic fashion, no action was ever taken and both subports continued to operate in parallel.

Operation and Closure

In 1867 the Passumpsic & Connecticut River Railroad had been pushed from Newport to the boundary (North Derby), and Dixon was reassigned to that depot. Cedarville continued to be staffed by Mr. McGowan (Subcollector) and Mr. Young (Landing Waiter). In 1872 an actual Custom's House/Office was built adjacent to the wharf. After the completion of the Massawippi Valley Railroad in 1870 to Sherbrooke, water-borne freight declined, the wharf gradually deteriorated, and in about 1885 the Cedarville subport was closed. The Custom's House was moved 140 metres eastward on the ice, and for many years served as a summer residence for the Landsburg family, then a permanent home for Jesse and Campbell Elder. It was demolished in 1994.



Cedarville Custom's House re-purposed as cottage c. 1886; and as Jesse and Campbell Elder's home, c. 1990



Re-built Custom's wharf c. 1897; above, combination office & boathouse, Georgeville, c. 1890

Epilogue

Georgeville retained a customs house until December 1, 1933, when for precisely the same reasons advocated 69 years earlier, the subport was closed in favour of an office further south on the lake closer to the line; first on Province Island for a few years, then on the western side of the lake near Mansonville. Justice has finally prevailed in this issue, for in the 1970s the customs returned to Cedarville in the guise of a large sign and yellow telephone box.

