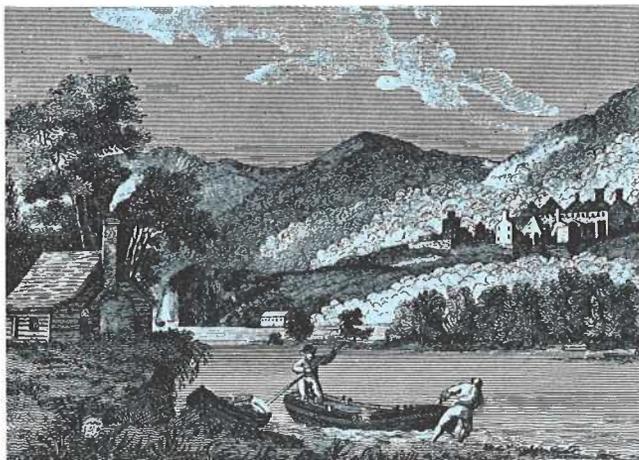


# THE BLACK SNAKE AFFAIR AND THE PRICE OF STATEHOOD

Around noon on August 4, 1808, a party of soldiers rowed from Lake Champlain into the mouth of the Winooski River. Their eyes **scanned** the shoreline. These twelve men were members of the state **militia**. They were led by Lieutenant Daniel Farrington of Brandon. The soldiers were looking for the *Black Snake*, a forty-foot, single-masted boat, known up and down the lake for **smuggling** potash to Canada. It was called the *Black Snake* because its hull was painted with black tar. (Some say this kept it from being spotted at night.) Its captain, Truman Mudgett of Highgate, was equally famous.

A year before, President Thomas Jefferson had passed the Embargo Act. It made trade with England and Canada against the law. Vermonters got angry. Their business was cut off and the potash trade forbidden. They saw no reason to let the faraway United States government tell them what to do. "If we can't trade **lawfully**," they said, "we'll turn to smuggling." So, by boat and by pack horse, they carried potash



to Canada and exchanged it for cash or store goods. From Canada potash went to England.

Many Vermonters thought that smugglers were heroes. They turned a blind eye to their law-breaking. Others felt that the United States government and the president should be obeyed. They said that the smugglers were traitors for selling to England.

The United States government sent customs agents and militia to patrol the border. This is why Lieutenant Farrington and his men were on patrol that day. Just ahead of them by the shore, they spotted the *Black Snake*. She was unguarded. They took her in tow. Suddenly, Truman Mudgett and his crew appeared and demanded the *Black Snake* back. When Lieutenant Farrington refused, they opened fire and killed a soldier. Farrington and his men landed and charged the smugglers. In the fight, another soldier and a Burlington farmer who was working nearby were



killed. Most of the smugglers were captured there or as they fled to Canada.

The trial of these men stirred up anger between those who supported the United States president and the embargo, and those who did not. So many Vermonters agreed with smuggling that it was hard to pick a fair jury for the trial. Ethan Allen, Jr., son of the famous hero, was **dismissed** from jury duty after saying the prisoners were not guilty of any crime and should be set free.

Finally, at a trial run by Chief Justice Royall Tyler, most of the smugglers were **convicted**. One of them, Cyrus Dean, was charged with the murder of the soldiers and sentenced to hang. His execution in Burlington in 1809 was attended by 10,000 **spectators**. Truman Mudgett was released, but others in his band were imprisoned, given fifty lashes, or **pilloried**.

This event is known today as the Black Snake Affair. It shows that Vermonters were of different minds about their duty to the United States. If you were living in Vermont in the early 1800s, whom would you have sided with?



## VOCABULARY

**scan** - search

**militia** - volunteer soldiers

**smuggle** - trade unlawfully

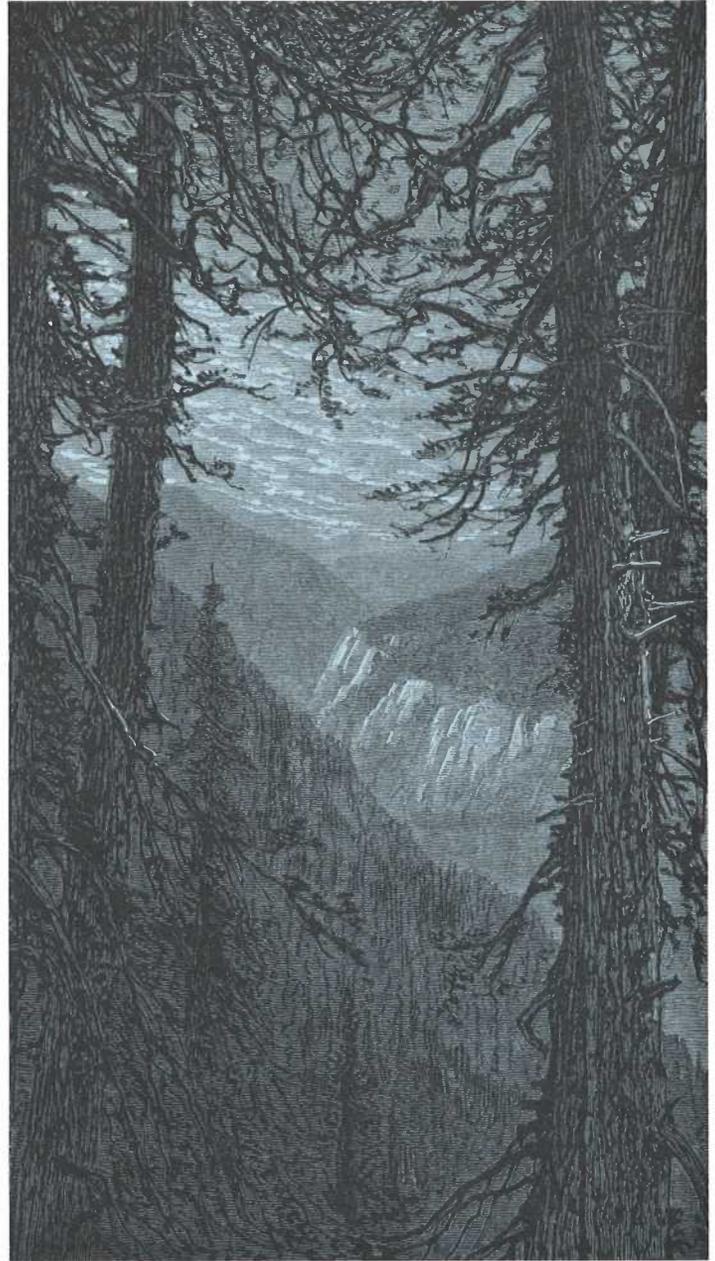
**lawful** - according to the law

**dismiss** - let go

**convict** - find guilty

**spectators** - audience

**pillory** - wooden frame in which the hands and head of a criminal were locked.



Smugglers Notch. It is said that smugglers drove cattle through this pass to sell to the British army in Canada during the War of 1812.

# THEN FARRINGTON SAILED DOWN THE LAKE . . .

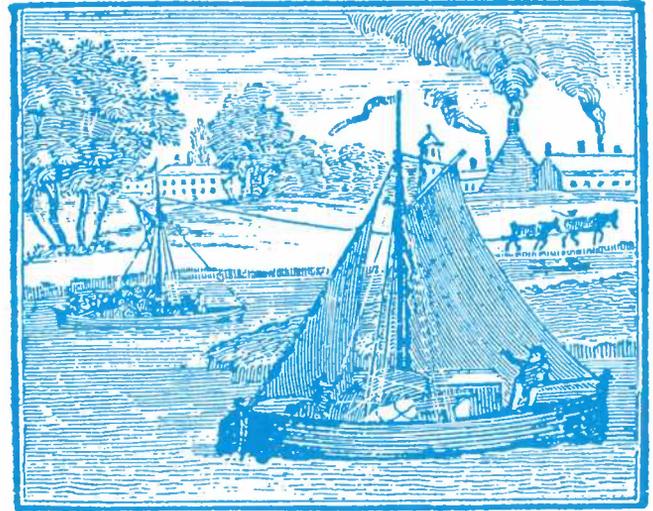
*After the Black Snake Affair was over, someone made up a song about it. People often wrote songs about important events just as we do today. "The Star Spangled Banner" is such a song. Can you think of other songs about important events?*

*Think about your favorite song today. Does it tell about what is happening now?*

Then Farrington sailed down the Lake,  
And this he to the rebels spake,  
'Orders I have to take the *Snake*,  
And all the smugglers on the Lake.

The men who laid this smuggling plot,  
Was Sheffield, Mudgett, Dean, and Mott,  
And many others who were not clever,  
Spread out their sails on Onion River. \*

Then Mudgett gave a threatening word,  
To all the men on board,  
"The first that steps into the *Snake*,  
A lifeless corpse of him I'll make."



*The song goes on to tell about the fight, the murder of the soldiers by the smugglers, and their capture.*

These men were tried all for the same crime,  
Why not alike their sentence find;  
Dean was sentenced to the halter,  
The rest convicted of manslaughter.

*\*This is the Winooski River. Winooski is the Abenaki word for onion.*