**Newfoundland in the Period before the American Revolution**

"That the island of Newfoundland had been considered in all former times as a great English ship moored near the banks during the fishing season for the convenience of the English fishermen."\(^1\)

**THAT** Newfoundland did not join in the American Revolution is of course well known to our readers. It is the purpose of this article to enquire into the origins of the islanders' loyalty to Great Britain; and to this end we may review the conditions of life in Newfoundland in the fifteen years before 1775 and consider in turn the influence of national sentiment, of economic conditions and of religion, the state of government and the nature of whatever discontent existed, in order to estimate the comparative weight of anti-American and pro-American sentiments in the minds of Newfoundlanders.

During the period of the Revolution, as for many years before it, the British population interested in Newfoundland was of two sorts by the standard of habitation: those who came over from the British Isles every spring and returned in the fall, and those who remained in Newfoundland over several or many winters or a lifetime. These were distinguished in the correspondence of the time as fishermen and inhabitants; but as they were equally concerned with the fish, it would be better to call the first ship-fishers. They came from Jersey, Guernsey, Ireland and the west country of England, i.e. all the coast from the Isle of Wight to the Severn. Few of the Irish were masters, nearly all the ships were captained by Englishmen or Jerseymen, owned by the captains or by companies of venturers of the English ports and equipped by west-country merchants.\(^2\) The larger vessels operated on the banks and were known as bankers; the smaller were conveyances

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\(^1\) Evidence of William Knox in "Reports from the Committee on the State of the Trade to Newfoundland," *Reports of the House of Commons* (1785-1801), X. 413, cited from this time as *Reports of 1793*.

\(^2\) The independents were known as by-boatmen and were financed by the merchants, R. G. Lounsbury, *The British Fishery at Newfoundland, 1634-1763*, 110-11. In the documents, Jersey is used to cover all the Channel Islands.
for the inshore fishery, the owners laying them up for the summer and using boats. The crews were almost all on wages, which were high, and brought with them men in search of work known as passengers. All of them looked on Newfoundland merely as a place of business, for the erection of flakes and stages and the curing of fish. With the fishing ships came mercantile or sack ships to take the cured fish to market; and their crews had the same view of the island. A few of the men, sailors and passengers, impelled by exhaustion of their wages for liquor or by the opportunities in the mainland colonies, left their ships for the continent. The number of such transients was estimated at a thousand a year in the period 1763–1765 and was supposed to have shrunk later to two or three hundred. Apart from these men who had been Britons and were about to become Americans, the fishermen and sailors were Irishmen, Jerseymen and Englishmen abroad to make money and they continued to look upon the British Isles as home.

The inhabitants, reckoned at 15,484 in 1765, had interests divided between Newfoundland and the British Isles. Seven-eighths of them lived in the peninsula between Trinity and Placentia bays, the rest in the out-harbors along the coast. Absorbed in the fishery, they did not yet cultivate the soil to any serious extent, only 1431 acres being so used in 1767. They had gardens, however, which produced good potatoes and root crops, the vegetation being “surprisingly quick” in the opinion of Admiral Thomas Graves, good in the eyes of the loyalist refugee Gardner and of sufficient quality to satisfy even the critical Governor Hugh Palliser. The officers of the garrison were the keenest farmers, no doubt for lack of other diversion. There was no mill on the island and no draught cattle. A few of the people had cows, sheep, swine, poultry, mostly brought from the mainland; but they found it

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Evidence of William Newman, John Jeffery, Peter Ougier in Reports of 1793, p. 392, 394, 401. A few of the crews were on shares as late as 1793, ibid., 394. The wages are described as “very great” in A petition of merchants, boatkeepers and principal inhabitants of Newfoundland to the Commons in Parliament assembled, 1775, cited hereafter as the Petition of 1775, printed in D. W. Prowse, A History of Newfoundland (London: Eyre and Spottiswoode, 1896), 341n–343n, cited from this time as Prowse.

Palliser’s General Scheme of 1765 in C. O. 194, vol. 16, for the population; Captain Robert Pringle to Lord George Germain, February 4, 1779 and enclosed memorandum in C. O. 194, vol. 34, for the distribution of the people.
difficult to keep or breed stock for lack of pasture and hay. One or two persons hit upon a remedy for this shortage and burnt the woods near St. John’s and Trinity Bay, increasing the facilities for pasture at the expense of the ship-fishers who needed lumber and fuel. On the whole, agriculture and stock-raising were in a rudimentary stage and attachment to the soil hardly existed in Newfoundland.

Island society accordingly had little of the agricultural base normal to the colonies of the North American continent. Its most prominent members were the merchants, liquor-sellers, storekeepers and considerable boatkeepers of St. John’s. Next to them were the small masters who worked the inshore fishery beside their fellows from the British Isles settling with one or two boats each in a cove and fishing all summer. A few took salmon in the rivers or seal along the north shore. Many of them contrived to get along without help other than that of their families; the men did the fishing, the women and children the curing on shore. Some of them, however, and most of the small owners from the British Isles hired available men, usually passengers, calling them servants; and these formed the third and most numerous group of the population. Some of the masters did fairly well and the better-off of Trinity Bay retired to Great Britain for the winter when they could. Merchants, storekeepers, boatkeepers, masters in general thought of the British Isles as a better place to live in than Newfoundland and remained Britons away from home, although to a less degree than the ship-fishers.

Their capital, St. John’s, left no favorable impression on visitors. As described some thirty or more years later, it had a main street a


6 Most of the masters are described by Chief Justice John Reeves as poor and indigent, Reports of 1793, p. 466. They sold their fish at the same prices as did their fellows from the British Isles but did not make the same profit, as they paid much more for supplies and provisions in Newfoundland. In 1774 the inhabitants kept 1446 boats, Reports of 1793, p. 431.

mile in length, extending along one side of the port. This and other streets were narrow, unpaved and in wet weather morasses of mud and filth. Children of all ages dragged fish about the town and the dogs left there by their owners to live from the offal during the summer months, yelped continually. The houses were of wood, low, inconvenient and infested with rats. The town was extremely dirty and stank of fish and seal oil. A little higher on the side of a hill were some pleasant houses which overlooked the harbor and breathed a purer air except when the wind crossed the stages on its way to them. The inhabitants, however, accustomed to local peculiarities, thought better of their town; the missionary Langman, for instance, had no complaints of it. It was no longer a mere convenience for fishermen. The number of shopkeepers and retailers increased moderately in the period 1760–1775 and that of licensed houses beyond all reason, being eighty in 1775 where once there had been only three or four. This scandalized merchants, storekeepers and boatkeepers who thought all persons not directly interested in the fishery mere parasites and wanted to compel them to keep at least one boat each and cure fish. St. John’s in fact was becoming a commercial town. It was the chief garrison town, the center of administration, justice and social life. Its people in general distinguished themselves by keeping the Sabbath and felt a devout loyalty to the empire. Next to St. John’s was Placentia, center of trade for the south side, through which one third of the island’s exports passed. Here a detachment of troops was stationed and here the lieutenant-governor lived. But the towns did not play a dominant rôle in the life of Newfoundland. The leading circle of St. John’s exercised no such general supervision over their island as did the corresponding group in Halifax over Nova Scotia: and the men of the out-harbors lived a great deal to themselves. The lack of central direction, however, mattered little since islanders had much the same outlook and opinions wherever they lived.

The servants were chiefly persons from the British Isles who had

8 R. Steele, A Tour Through the Atlantic in the Summer of 1809 (London, 1810), 100. E. Chappell, Voyage of His Majesty's Ship Rosamond . . . (London, 1818), 45, the voyage having been in 1813.

9 The petition of 1775, in Prowse, 341n to 343n.

10 Palliser's Answer to queries 1766 in C. O. 194, vol. 17.

come over with the fishing fleet and remained for a winter or more. They received annual reinforcements as the fishing vessels, loaded for the return with fish and oil, often left some of their men behind;¹² but they suffered continual losses from the emigration to the continent. Their numbers and personnel accordingly fluctuated a good deal but remained sufficiently constant to justify us in describing the servants as a body. They were generally diligent and labored very hard by Admiral Graves' account.¹³ All earned the same wages whether they worked for small masters, merchants or boatkeepers. Green men made £5 to £7 and passage out, others £10 to £27, a third usually being paid in truck (clothes and rum), the rest in bills of exchange at par. The sober, industrious man who brought his few necessities in his chest from England or Jersey could do very well, pocketing his wage whether the season were good or bad and making as much as £20 in four months, an attractive sum.¹⁴ The number of the men was always greatly in excess of that of the women and Newfoundland had somewhat the aspect of a camp.¹⁵ Most of the servants considered it merely a temporary place of abode and expected to go back some time to the British Isles or forward to the continent. The sentiments of the British-born among them were chiefly for the islands they had left; and they too were Englishmen, Irishmen or Jerseymen away from home. Since the natives held similar views, there was in Newfoundland little of the strong local sentiment which distinguished Bermuda.

Not all of the servants, of course, were either industrious or sober; and from this condition, from the instability of population and the preponderance of men arose the chief problems of morals and economics in Newfoundland. It was a long time from the end of one season to the beginning of the next. The servants might work to a certain extent for the masters or merchants, receiving only their livings in return; and a few of the enterprising ones took furs on their own

¹² Palliser to Hillsborough, January 4, 1769 in C. O. 194, vol. 28 speaks of many thousands of men yearly discharged and left in distress in the island against their will. He exaggerated but had some basis of fact.

¹³ Graves' Answer to queries, 1763 above.

¹⁴ Graves' Answer to queries, 1763 above; Committee of Privy Council for Plantation Affairs to King, April 29, 1765; Palliser's General Scheme for 1765; and letter, December 18, 1765, both in C. O. 194, vol. 16; Palliser's Answer to queries, 1766 in C. O. 194, vol. 17; Anspach, History of the Island of New Foundland, 173-80. Gardner, 11-13, has scales of pay.

¹⁵ In 1762-1763, 4015 men, 995 women remained over winter, the figures refer to adults only. Graves' "General Scheme for 1763" cited above.
account to the value of £20 or £30 a man a season. But only a thousand or so were thus usefully employed. The others found time heavy on their hands and discovered only the crudest means to pass it. In Palliser’s view, for six months of the year the servants were abandoned to every sort of debauchery and wickedness. They were perfect savages, strangers to all good order, government and religion, averse to and unfit for labor, unable to become industrious fishermen or useful seamen. Palliser exaggerated, for he had a thesis to prove, and Admiral Graves and the missionaries saw a picture less dark; but the governor was not working altogether from imagination. The consumption of liquor was inordinate. It was a common thing for men and women to live together without marriage and to change partners at pleasure; and the problems were not lessened when common fishermen took it upon themselves to marry and baptize. The Sabbath was ill-kept except at St. John’s; some broke it by their worldly occupations, others by music and dancing. At Scyly Cove the people diverted themselves on a Sunday by the music of a piper carried in parade and the missionary Balfour, unable to compete against this attraction, condemned the place as barbarous and lawless. The people of Harbor Grace in general were accused of a low cunning. However, the missionaries did their best; and the J. P.’s married the few who desired it and did something to execute the laws against blasphemy, profaneness, breach of the Sabbath, adultery, fornication, polygamy, incest, swearing and drunkenness. The people of Placentia were reported as anxious for a clergyman in 1771, and here and there a pious layman conducted services out of the Book of Common Prayer for groups of neighbors. But the problem of the winter was a serious one in the social life of Newfoundland.

With the moral problem went an economic one. The servant was...

16 Gardner, 42 for the fur industry.
17 Palliser’s General Scheme etc. for 1765 in C. O. 194, vol. 16.
20 Palliser’s Answer to queries, 1766 in C. O. 194, vol. 17.
tempted to run into debt for liquor in the winter. Some merchants encouraged the sale of this and less harmful commodities on similar terms and took a mortgage on the man's wage of the next season. Masters did likewise, advancing liquor on the security of the wage. It was thus to the apparent interest of merchants and boatkeepers to debauch the servants. The Irish lent themselves to the process only too readily and the low state of literacy prevailing facilitated it. For this practice the governors could not find sufficient condemnation; Graves declared that many servants became winter slaves to mercenary masters and Palliser thought that some were in debt more than they could work out in their lives. The servants, however, discovered means of defence; they ran accounts with several merchants, sold their mortgaged fish secretly to the French or simply went off to the mainland colonies, abandoning debts and island together. Occasionally the servant suffered when the master was not at fault, for a creditor merchant might seize fish and oil and refuse payment of wages. It is possible that the governors exaggerated the evil of debt in their anxiety to protect the servants, and certainly the J. P.'s gave these the benefit of any doubt. But at least there was some sharp practice on the part of the masters, some resentment and fraud on that of the servants, and ground existed for a persistent discontent.22

By the annual visit of the fishing fleet, Newfoundlanders kept in touch with the mother country. They had extensive dealings with England in the way of business, procuring most of their supplies and provisions thence.23 The authorities in London looked tenderly on Britain's oldest oversea territory. They were not unmindful of its advantage to commerce but regarded it primarily as a nursery for seamen and a school of navigation.24 The connection of the island with the mother country was close and the people of Newfoundland had that eastern outlook which is still theirs.

The influence of religion was divided. The Irish were almost all Roman Catholics and the public exercise of their religion was forbidden by law. But the Church of England was in the field for Eng-

22 Graves' Answer to queries, 1763 in C. O. 194, vol. 15; Palliser to Board of Trade, December 18, 1765 in C. O. 194, vol. 16; and Answer to queries, 1766 in C. O. 194, vol. 17; Anspach, 178; Lounsbury, 251-3.

23 Graves' Answer to queries, 1763, Palliser to Board of Trade, December 18, 1765 above.

24 Committee of Privy Council for Plantation Affairs to the King, April 7, 1769 in C. O. 195, vol. 10.
lishmen and Jerseymen. In the period between 1763 and 1775 the Society for the Propagation of the Gospel maintained three missionaries in Newfoundland, Edward Langman at St. John’s, David Balfour at Trinity Bay and Lawrence Coughlan at Harbor Grace and Carbonear. Coughlan came in 1767 and did good work but his Wesleyan tendencies got him into trouble with the merchants and a dispute over a would-be godfather occasioned his departure in 1772. Balfour took his place at Harbor Grace in 1775 and he and Langman remained through the Revolutionary War. The three did not care much for the island, asking often for leaves and transfers; but they did their best in their localities and made visits to the out-harbors, Balfour distinguishing himself in this way. Their work was not without fruit. At St. John’s, as we have mentioned, Sunday was kept and order prevailed. The gentlemen, merchants and agents built a new church in the period 1758 to 1761, under some pressure from the governor to complete their subscriptions. In the other places the missionaries found more stony ground. Yet Coughlan reported after two years at Harbor Grace that drunkenness, swearing, and Sabbath-breaking had decreased, after four years that the natives in general were willing to receive instruction and after five that he had reclaimed many from drunkenness. Balfour at Trinity Bay was pessimistic; he lost his congregation every winter, the rich retiring to England, the poor to the woods for fuel. But in 1766 he described a most agreeable harmony between himself and his people, in 1771 he stated that former riotings had ceased and more decency and regard for divine worship prevailed. In 1772 he found the people readier than before to receive instruction and in 1774 he enjoyed a most agreeable concord in his parish. He had a partial solution for the problem of illegal cohabitation by marrying such couples without fees. In short, the missionaries were an influence for good; and as the Church of England has always been a loyal institution, they exerted an influence for loyalty as well, consciously or not.

25 Coughlan to Dartmouth, October 25, 1772 in Dartmouth Originals IX, no. 2428.
26 Langman’s career in Prowse, 581-3.
27 Langman to S. P. G., November 10, 1758, June 23, 1761 in Journals, vols. 14, p. 120 and 15, p. 140; Prowse, 295.
They were not without rivals. Occasionally a Roman Catholic priest appeared among the Irish. There was one at St. John's during the French occupation of 1762, and another at Harbor Grace in 1779. At other times the Irish were reported to have priests secreted among them "to the great disturbance of the peace and good government of the country in the winter season." 29 But the few priests could do little, for the laws against them were well enforced. Some of the Irish attended Langman's and Balfour's services and more Coughlan's as he preached in Gaelic; but they suffered for it when they went home, their priests putting them to heavy penance. The Irish were certainly not the more loyal from the status of their religion. 30

Dissenters were less numerous than Roman Catholics but had full legal rights. Most of them in St. John's joined in the services of the Church of England and took the sacrament, insisting only on baptism of their children in their own homes, which Langman did for the sake of peace. From time to time they tried to procure a minister of their own but had little success until 1774. In that year John Jones, a Welsh artillery sergeant, "set up for a preacher" and drew crowds of "poor ignorant illiterates" by Langman's account, but of "serious-minded people both military and civilian" in the view of the dissenters. They obtained a room in the courthouse and organized themselves as a church. This step brought official discouragement; they lost their room in the courthouse and for some time were obliged to hold their meetings in the open air. Finally a building was secured in 1777; but Governor John Montagu thought to hamper Jones by ordering him to Placentia. The sergeant went, but fell ill and was sent as an invalid to Portsmouth. There he secured his discharge from the army and an ordination from the Congregationalists; and in 1779 he was back in Newfoundland asking for a license to preach. Governor Richard Edwards refused it to him and reprimanded him; but Jones preached nevertheless, and served his congregation for twenty-one years. He


30 Langman to S. P. G., November 10, 1760, Balfour, June 18, 1770, Coughlan, October 13, 1769 and October 26, 1772 in Journals, vols. 15, p. 49-50; 18, p. 410-11, 276-78; 19, p. 344-45.
died in 1800, having established the Queen’s Road Congregational Church.\textsuperscript{31}

In spite of this competition, Langman had an easy time; but Balfour had serious difficulties. Deistical opinions arrived at Trinity Bay from England in 1769 and were still affected in 1772. In 1774 a "rich covetous" Quaker built a flake so high that it obstructed the smoke from Balfour’s chimney, darkened his windows and rendered his house hardly habitable until the governor ordered the nuisance removed.\textsuperscript{32} But when in 1775 he went to Harbor Grace and Carbonear, he found more than sporadic opposition. One third of the inhabitants of Carbonear were dissenters. They had obtained a minister, John Stretton, and built a chapel. Balfour expected to use the building; but in November, 1775 they closed it in his face. He persuaded them to open it, then found some of the families not on speaking terms over religious differences. Moreover, the dissenters refused to give him Coughlan’s house until the governor ordered him into it in 1779, and the people gave him not one fifth of the salary which Coughlan had enjoyed. Half the people were rank enthusiasts, the other deists and licentiates, he wrote in 1777; and when on New Year’s day 1778 he went to Carbonear, he found the door of the chapel locked and the key refused him. Apparently the prohibition was not maintained, for at the end of the year he thought prejudice on the wane in this place and indeed ready to vanish were it not for a few firebrands. By 1779 his Methodists were less violent and thereafter his troubles disappeared. Dissent there was in Newfoundland but it took no political turn and did not disturb the prevailing loyalty.\textsuperscript{33}

The government of Newfoundland was certainly not such as to win the approval of mainland colonists. The authority was solely in the

\textsuperscript{31} Langman to S. P. G., November 3, 1775, November 30, 1778, November 2, 1779 in Journals, vols. 21, p. 2, 407-8; 22, p. 57-60; Prowse, 392, 627-28. Address of Sir W. L. Allardyce, October 19, 1925 to the Queen’s Road Congregational Church, on its 150th anniversary, in the \textit{Presbyterian Record} (Toronto, September, 1938), 260-3.

\textsuperscript{32} Balfour to S. P. G., July 1, 1769, October 12, 15, 1772, October 27, 1774 in Journals, vols. 18, p. 180-1; 19, p. 342; 20, p. 251.

\textsuperscript{33} Balfour to S. P. G., November 8, 15, 1775 and a third undated, December 4, 1775, December 3, 1776, November 29, 1777, January 8, 1778, November 14, 1778, December 2, 10, 1779 in Journals, vols. 21, p. 3, 4, 25, p. 139-40, 263-4, 292-3, 409-10; 22, p. 78-80; Prowse, 559.
hands of a governor, a ranking naval officer who came in the spring, kept headquarters on his ship and went away to England in the autumn, leaving a senior officer of the garrison in charge. The commander of the fort and garrison at Placentia had the title of lieutenant-governor but exercised no power in civil matters at this time.  

No assembly or council existed nor was there any trace of representative institutions. There was no regular taxation and funds were normally low. No provision had been made for the orphans, none for the repair of the jail and none for the support of the prisoners except the fines which were insufficient for the purpose. The few offices of government were usually held by a group of the prominent men of St. John's, like Edward White, T. Dodd, John Stripling, John Swington, Michael Gill, Edward Langman who were justices in 1775–1776, and especially Nicholas Gill who was much trusted by Palliser. They were once accused of favoritism in the assignment of lands around St. John's; but the charge was not serious enough to be mentioned by the governors or the merchant petitioners of 1775. Whatever outsiders may have thought of it, the incompleteness of the administration was not a subject of complaint by Newfoundlander during our period.  

The judicial system was in certain respects normal, in others peculiar. The governor appointed the personnel of the courts of oyer and terminer, and justices of the peace in St. John's and the chief out-harbors. The conduct of some of these magistrates provoked constant criticism. It was said that the justices could be bought with a quarter cask of Lisbon or Madeira, some spirits, a barrel of apples or in default of these a bottle or two of West India pickles. Langman once accused his brother justices of partiality, and in 1784 the charge of avarice was brought against their successors. Not all justices were a bad sort, however; the fishermen of 1742 had a general good report of such officers and Balfour was well pleased with those of Trinity

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34 Lounsbury, 305.
Bay in 1772. Yet with so much smoke there must have been fire, and defects must be admitted in the personnel of the bench.

Grand and petty juries were established institutions and the yearly assizes of St. John’s took care of criminal cases not involving fishing captains or officers of the navy. To the court of sessions was added a court of vice-admiralty in 1765; and during the absences of the governor in winter both went beyond their strict bounds and took all sorts of civil cases. The merchants as plaintiffs used them to collect debts for the appearance of legality; but as defendants they might entertain doubts about the judgments, though usually acquiescing in them. For the men at sea juries could not be assembled conveniently and an unusual arrangement existed. The first three captains to enter a harbor were for that year the admiral, vice-admiral and rear-admiral of it and were supposed to decide disputes. From these “fishing admirals,” appeals lay to the captains of the King’s ships; but as the former normally had little time or inclination for legal business, the captains discharged most of it, original or appellate. The governor supported the expansion of their jurisdiction and conferred on them the title of surrogates. This naval judicature was popular among the inhabitants who sought protection from the demands of creditor merchants in the west country. The governor also had a court at St. John’s with jurisdiction in every matter, civil and criminal; and many poor people availed themselves of it in their difficulties of title, to the embarrassment of Palliser. A legalist would have found much to criticise in justice of these sorts; and in the time of Governor Richard Edwards, a case was taken from his court to England. The matter was settled by agreement but his successor John Campbell took warning and confined himself to arbitration, with much success; and the status of the courts remained unsettled until 1793. The fishing admirals were accused of partiality to their friends and the owners of their ships; and even if they were honest, their powers were a source of grievance to the merchants who wanted disputes settled and could not reach the admirals on the banks. Some of the dissatisfied were

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37 Anspach, 104-8, 177; Prowse, 336n, 356-57; Lounsbury, 293; Balfour to S. P. G., October 12, 15, 1772 in Journals, vol. 19, p. 322.
38 For the legal system in general the best authority is Reeves, 145-160, summarised in Boundary Papers, IV. 1900-07.
39 Anspach, 177; Reeves, 149-50; Prowse, 341n to 343n.
taking suits to England in Palliser's time by his account, and threaten-
ing to prosecute surrogate captains who should give judgment on their
affairs, to his disgust.\(^{40}\) This judicial system would certainly have been
a cause of great complaint in any colony to the south; but Newfound-
landers in general were satisfied with it, no doubt preferring rough and
ready but cheap decisions to legally sound ones involving tedious liti-
gation.

The island went a long time without a customs organisation, being
regarded as a fishery and not a colony; but at the close of the Seven
Years War the Commissioners of Customs and the Board of Trade
decided that its commerce should be regulated like that of other prov-
inces and established an organisation in the period 1762–1765.\(^ {41}\) The
first collector resigned after one season's effort; but his successor, a
Scot named Alexander Dunn, exacted fees regularly, chiefly on teas
from Great Britain. His activity displeased the local merchants who
soon conceived doubts about the legality of his office.\(^ {42}\) After the year
of 1763, there was some question in England of giving Newfound-
land a better regulated civil government.\(^ {43}\) The merchants of Cork
favored the proposal but those of England opposed and it came to
nothing. Newfoundlanders themselves made no stir in the matter,
not caring to complicate the government of what was to most a tem-
porary place of abode. At any rate constitutional questions roused no
interest in the island.

Newfoundland needed a garrison as support for law and order if
not for defence. Governor Palliser found soldiers at Placentia and St.
John's in a condition as poor as that of their forts. Most of the men had
been in America twenty years and some were invalids not fit for ser-
vice. They were left without provisions for seven months in the winter
1763–1764; and normally they received no allowance for clothes in
a rigorous climate and had had none for fuel since 1760. The men
bought their own clothing and submitted to a deduction from their
pay to buy a boat for the gathering of wood. In these circumstances
Palliser found serious discontent; eleven men had just deserted from
Placentia to St. Pierre with their equipment and the boat and one man

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\(^{40}\) Palliser's Answer to queries etc., 1766 in C. O. 194, vol. 17.

\(^{41}\) Reeves, 127–29. Lounsbury, 291 for earlier efforts to set up a system of customs.

\(^{42}\) Prowse, 316.

\(^{43}\) The mayor of Cork to the Board of Trade, December 29, 1763; mayor of Poole to
same, December 17, mayor of Exeter to same, December 24, all in C. O. 194, vol. 15.
was in irons for treasonable expressions and refusal to do duty.\textsuperscript{44} Palliser appears to have eased the difficulties and no more trouble arose from the garrison. Eventually a post, Fort York, was established on Labrador for supervision of the fishery there.

Influences tending to ruffle the harmony of the island were not absent and the most obvious of these was the Irish element, present in force since 1720. The Irishmen came as sailors for English masters or as passengers in search of jobs. They had no love for the British Empire, for the Anglican missionaries or for the leading inhabitants who took advantage of their weaknesses and kept them in debt. In 1731 they comprised the majority of the male population and in our period accounted for just under half the total. They could not catch as many fish as the west countrymen or Jerseymen, not being so expert at sea;\textsuperscript{45} and their economic difficulties were greater. They took every opportunity to get the better of their masters by force or fraud. When most of the troops had been withdrawn after the treaty of Aix-la-Chapelle, the Irish robbed freely, insulted the magistrates and murdered William Keen, a justice of St. John’s. They intimidated both west countrymen and natives and got possession of many of the ships’ rooms and harbors; and even as late as 1761 the Protestants of some out-harbors were in fear of their lives. When the French arrived in 1762, the Irish received them with open arms. Twenty-five enlisted with the French regulars at Bay of Bulls; the servants robbed their masters and inflicted much more hardship on the merchants than did the French.\textsuperscript{46} After the departure of the invaders, the Irish were quiet for a while; but in 1765 they raised a formidable riot in Conception Bay, defied the magistrates and constables and insulted their persons. Twelve chief offenders were finally arrested and brought to St. John’s where they were condemned to corporal punishment. The Irish always would join an enemy, declared Palliser; and there is no doubt that they could have been a subversive element in the politics of the island.\textsuperscript{47}

Another group caused difficulties for different reasons. Some In-

\textsuperscript{44} Palliser to Board of Trade, September 1, 1764 in C. O. 194, vol. 16, also in vol. 27 with petition from soldiers, June 30, 1764.

\textsuperscript{45} Lounsbury, 300-01.

\textsuperscript{46} Langman to S. P. G., November 4, 1761 in Journals, vol. 15, p. 185 for the fears of the Protestants, Williams, 9-10 for the conduct of the Irish in general, Boston Gazette, August 23, 1762, January 24, 1763 for the French occupation.

\textsuperscript{47} Palliser’s General Scheme etc., 1765 in C. O. 194, vol. 16; Anspach 190-1 for the riot of Conception Bay; and Prowse, 338.
dians still existed on each side of the river Exploits and the regions north to Cape St. John and south to Cape Frehel. In the winter they lived on the very banks of the river, hunting deer; in the summer they moved to the coast to follow the birds, shooting them with arrows and eating the eggs. But their lives were in danger at all times, for the Newfoundlanders and New Englanders who visited the coast treated them like vermin; and on occasion the Indians took a tooth for a tooth. "Our people always kill the Indians when they can meet them," declared Palliser, and again he wrote, "It's their pleasure and diversion to hunt and kill them." The comment is only too well substantiated from other sources; and Palliser was enraged. "They are unworthy of that name [British] they are a disgrace to human nature, they are a scandal to the country to which they belong," he cried. He issued a proclamation to all to treat the Indians well or suffer the utmost severity, but he was not able to enforce it. Changing his policy, he offered a reward for live Indians but got only a little boy whose mother had been killed and who was so young as not to know the language. Palliser could not use him to establish contact with the Indians. He sent a party of three in charge of Lieutenant John Cartwright to explore the Exploits in 1768 and approach the Indians in their haunts; but the natives were so timid that nothing could be done. The problem arose in Labrador also, and in 1764 some Newfoundlanders on that coast fired on Indians who had come to trade. Palliser promptly banished Newfoundlanders and New Englanders from Labrador except during the presence of one of the King's ships. The prohibition could not be maintained but he put guards on the Labrador coast who apparently maintained a fair order. The Indians of the island, cruelly used as they were, were too few in the 1760's and 1770's to be a political factor.

Newfoundlanders were by no means isolated from the life of the continent and not ignorant of its political currents. New Englanders came to their shores to trade and sold the people rum and provisions in increasing amounts. In return, a few of them took good fish directly

49 Palliser to Egmont, March 31, 1766 in C. O. 194, vol. 27.
51 Palliser's General Survey, etc., 1766 in C. O. 194, vol. 27.
to foreign markets in Spain, Portugal and Italy; but most accepted the refuse fish not wanted abroad and conveyed it to New England or New York. There it was packed in sugar hogsheads and sent to the West Indies or the Madeiras for the use of the Negroes. The American traders, however, preferred to obtain bills of exchange to be used in paying their debts in England, as the Newfoundland bills carried full sterling value. They were also ready to encourage handicraftsmen, seamen and fishermen to go with them to more prosperous colonies, a practice strongly opposed by the well-to-do inhabitants. Newfoundlanders took from the Americans goods to twice the value of those they had from Great Britain; but the authorities in London adopted a broad view of such matters, supposing that whatever profits the colonials made would eventually come to benefit Britain. The trade of the island therefore caused no difficulty between mother country and colonies.52

Newfoundlanders of course saw much of the New Englanders who fished on the banks and in the Gulf of St. Lawrence. They got along well with them but had no notion of learning their political ways. Acquaintance did not lead to imitation or to acceptance of American ideas and the expanding commerce had as little effect. Nor did the island escape attention of migrating Americans. A few had settled with a view to trade before the mid-century, like the Gills who attained leading positions; and some, it was said, were among the justices of the peace.53 After the treaty of 1763 a number of American fishermen came to live in Newfoundland just as others had come to Nova Scotia and Cape Breton. Our only authority describes them as "many" but they cannot have been more than a few hundreds.54 Like their brethren of Nova Scotia, however, they brought with them no quarrel with the empire and no disposition to disturb their neighbors from the British Isles. American influence accordingly was present but was not a source of trouble.

The islanders also had much to do with the French. They bickered with them a good deal over the interpretation of treaty rights in the


54 Evidence of William Knox in Reports of 1793, p. 413, also in Boundary Papers, IV, 1908-10.
north; and in the winter they often destroyed French fishing works or boats left behind. But they had more friendly relations in the way of trade. They bought French goods in St. Pierre and Miquelon and sold their fish and fuel in return. Newfoundlanders in the north dealt with the French fishermen, received more for fish and oil than they did from English traders and bought manufactures at 50% less than the English price. The Jerseymen brought French goods from the Channel Islands with them. All this was contrary to the laws of trade and navigation and a few spasmodic efforts were made to check it; but smuggling was almost a normal feature of eighteenth-century colonial life and no political consequences arose from it in Newfoundland. In short the non-British relations of the islanders did not change their attitude to Great Britain.  

Newfoundland of course was not free from controversies. One such was the affair of the customs to which we shall refer later. Another arose from a divergence of interests between inhabitants and ship-fishers about the use of the shore. The inhabitants generally set their houses, buildings and enclosures at such a distance from the water as not to interfere with the fishermen in making their flakes or curing and drying fish, ships' room as the expression went; and they quietly submitted if a ship persisted in demanding ground for flakes and curing. But near St. John's, the coast was becoming valuable and the inhabitants were anxious to hold it as private property. If any of them applied for a grant of it, the others certified that it never was a ship's room; and in this way much of the shore passed into private hands. In the north also the inhabitants tried to possess the best conveniences and laid exclusive claim to certain harbors. They conspired to keep the governor ignorant of the encroachments and were fairly successful as the records had been burnt in 1746. On their new property the people put up buildings which prevented the erection of flakes and stages; or if they did not, they charged the masters rent for its use. The ships were thus obliged to move farther away and take the less desirable locations. The consumption of fuel by the people in the winter and the burning of woods for pasture in the summer increased

56 Graves' Answer to queries, etc., 1763 in C. O. 194, vol. 15.  
57 Palliser to Board of Trade, October 9, 1764 in C. O. 194, vol. 16; Answer to queries, etc., 1766 in C. O. 194, vol. 17; Anspach, 176.
the difficulties of the fishermen in finding material for flakes and huts. The friction between the two groups was not acute for there was still plenty of room and of wood in Newfoundland; but it existed and came to the notice of the authorities in London.\(^58\)

These sent out Captain Hugh Palliser as governor in 1764. Forty-three in that year, he is described as “of a sound mind, just and humane disposition”; and certainly he was a person of decided views and much vigor.\(^59\) He believed firmly that Newfoundland ought to be a training school for sailors as laid down in the Fishery Act of 1699 which had accorded many privileges to the ship-fishers; and he thought that the purpose of the act was being frustrated by the growth of the inhabitant population. He made these the object of his attack; and in letter after letter he denounced their habits as fishermen, their encroachments on the shore and their morals. They did not take half the fish they might, they did not cure rightly what they did take but sent it bad to market, spoiling the credit of English fish and keeping the price low. They did not employ half as many men as the ship-fishers or half so good. They destroyed the works of the ship-fishers, built new ones and called them their own. They had so hindered the ship-fishery that the French now employed more ships, caught more fish than the English\(^60\) and raised ten times as many seamen. The inhabitants murdered the Indians and ground the faces of their servants. In describing their morals, Palliser could not take the philosophic view of Graves that the vices and follies of man support trade and manufacture much more than sobriety and restriction of wants to bare necessities; he dwelt at length on their weaknesses and transgressions, repeatedly calling them savages. They were of no use for manning fleets or the defence of the mother country, for they were out of reach of it and had no attachment to it. They were of no use to its commerce, for they bought food from the colonies and manufactures from France. In brief they were a danger to the country and the fisheries.

The remedy was to force as many of them as possible back into the ship-fishery. If they went home every year, they would improve their characters, save more money, use more manufactures and occupy 200

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\(^58\) Palliser to Board of Trade, October 9, 1764 in C. O. 194, vol. 16: Lounsbury, 207.

\(^59\) Anspach, 189; a sketch of Palliser’s career in Prowse, 318n.

\(^60\) By Palliser’s account the French used 26 ships more than the English ship-fishers and 13,362 of their men returned in the autumn as against 4660 to the British Isles. To Board of Trade, December 18, 1765 in C. O. 194, vol. 16.
more ships in the fishery; and he advised a series of measures to this end to restore the use of the shore to the ship-fishers. The servants should be exempted from arrest for debt if they went home every year and returned; and their contracts for service should be limited to six months, to remove any legal obstacles.\

Palliser certainly exaggerated, making no distinction among the inhabitants, charging them all with the misdeeds of a few and underestimating their loyalty. The authorities in London could not consent to a general expulsion of the dwellers in Newfoundland and they saw many advantages in the sedentary fishery, as they called it.\[61\] They were willing to permit property and settlement except in the northern part from Point Riche to Cape Bonavista; but they allowed the governor to exercise pressure on behalf of the servants in general and the home-going in particular. He prohibited detention in the island on any excuse; he obliged the masters to defer payment of wages to the end of the season and to deduct the fare home. He induced the merchants to co-operate by limiting credit. He packed off "useless persons" home at the end of the season, especially the liquor-sellers and picked first those who had served the French in 1762. He forbade emigration to America without leave. While he was facilitating the return home in these ways, many industrious west-country fishermen entered the trade, buying vessels from New Englanders and using them for ship-fishing. Their enterprise and Palliser's measures soon showed results. By the end of 1766 the number of British fishing ships had increased by 62 in two years, that of the men employed from the British Isles by 2362, that of the returners by 2699 while the idle in Newfoundland had decreased by 2648. The production of fish and oil had increased while wages had gone down. By the end of 1767 the home-goers were twice the number usual for the last sixty years and surpassed the tale of male inhabitants. Palliser had attained some success; and no doubt his restora-

\[61\] Palliser's General Scheme, etc., for 1765; and letter of December 18, 1765 in C. O. 194, vol. 16; Answer to Queries, etc., 1766 in C. O. 194, vol. 17.

tion of the practice of going home for the winter strengthened British influence in Newfoundland.  

His ideas inspired the act of 1775 which is known as Palliser's Act. It provided bounties for the fitting out of fishing ships, gave the governor control of the passenger traffic from Newfoundland to the continent, required the agreements of masters and servants to be written, fixed deductions from wages for absence or neglect of duty and punishments for desertion. It permitted not more than one half the wage to be advanced, the rest to be paid on the expiration of a man's time; and it made wages the first charge on a master's fish and oil. This new deal reinforced with supplementary instructions by Duff no doubt did something to increase the servant's satisfaction with his lot.

Palliser tried also to uphold British prestige and to enforce the laws of trade and navigation. Finding that a French captain had been settling disputes in the north, he took over the judgment of troubles among men of different nationalities himself. He bought two shalloops to keep the French within their legal limits and to prevent trade with St. Pierre and Miquelon. By 1766 he reported a great check on smuggling, although certainly he did not abolish it. He used similar methods with the New Englanders about the island, seizing four or five of their vessels for trading at St. Pierre in 1765. The vessels got off easily, however, the customs officers reporting mitigating circumstances. Now came the problem of the participation of the continental colonists in the fisheries. Palliser laid it down that in the interest of the fleet, Newfoundland ought to be a British, not a colonial fishery. He was willing to let the colonists hunt whales, which few Britons cared to do, but he wanted to keep them out of the cod fishery in

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63 Palliser's General Scheme, etc., 1766 in C. O. 194, vol. 16; to Shelburne, December 15, 1767 in C. O. 194, vol. 27; General Scheme, etc., 1767 in C. O. 194, vol. 18; General Scheme, etc., 1768 in C. O. 194, vol. 18. The last showed 19,198 men employed in all, 11,181 returners. Palliser reduced the migration to the continent to 200 or 300 a year; Byron to Hillsborough, November 25, 1769 in C. O. 194, vol. 28.

64 This act in C. O. 194, vol. 19; Anspach, 188-91; Prowse, 344-45; Reeves' appendix, 76-52. Duff to Dartmouth, July 24, 1775 in C. O. 194, vol. 32.

65 Palliser to Philip Stephens, July 16, 1765 and to Lord Halifax, same date, in C. O. 194, vol. 27.
Labrador and issued a proclamation to that effect in 1766. The colonial fishermen remonstrated and appealed to the Board of Trade. That body had at first approved Palliser’s idea; but now they reconsidered the matter and instructed him not to hinder the colonists on Labrador if they observed the rules of the fishery. The seamen from the continent continued to use the waters of Newfoundland at their will until 1775. The act of that year sought to discourage them by refusing them the right to dry fish on the island; but the war superseded the act and as is well known, a fresh settlement, favorable to the Americans, was made in 1783. During the remainder of his governorship, Palliser had some trouble with the colonials who were given to insolent behavior to the King’s officers and mischievous obstruction of each other. He thought that by 1767 he had reduced them to order except for the New Englanders, always the most difficult to manage.

Palliser was an ardent reformer and saw many things wrong in Newfoundland; but his successors were more easy to please and less disturbed about the morals of the inhabitants. Captain John Byron, grandfather of the poet, controlled the administration from 1769 to 1772, Commodore Molyneux Shuldham from 1772 to 1774. The latter especially was never weary of describing the people as happy, quiet and satisfied. They had a little business about the salmon fishery, the sea-cow fishery in the Magdalens, the destructive habits of Newfoundlanders in the north; but their principal problem was

67 Board of Trade to King, March 27, 1766 in C. O. 195, vol. 9; Richmond to Lords of Admiralty, May 28, 1766 in C. O. 194, vol. 27.
68 Palliser to Board of Trade, no date, read April 12, 1768 in C. O. 194, vol. 18.
69 Sketches of their lives appear in Prowse, 334n to 335n.
71 The Newfoundlanders were destroying the boats and fishing works of the French; Byron and Shuldham forbade this by proclamation, November 25, 1769 and July 27, 1773 in C. O. 194, vol. 28 and C. O. 194, vol. 31. Byron found the salmon fishery in the hands of Newfoundlanders and Americans who were holding the best places along the rivers as private property and he issued regulations to give the British a chance (to Hillsborough, November 25, 1769 in C. O. 194, vol. 28). Shuldham was ordered to investigate an accusation that American sailors were wantonly disturbing the sea-cow fishery at the Magdalens (Dartmouth to Shuldham, March 9, 1773 in C. O. 194, vol. 31).
that of the customs office. The merchants of St. John’s had not taken long to discover its inconvenience to themselves; they had petitioned Palliser about it and had received sympathy but not help.\textsuperscript{72} The arrival of Byron seemed to offer another chance; and the merchants addressed him about the exorbitancy of the fees. He found that the existing scale had no proper authority and drew up another at a lower level. The men of St. John’s had a second grievance in that they did almost all the paying, most of the out-harbors going scot-free in the absence of “naval officers.” Byron accordingly suggested the appointment of “naval officers” in all principal harbors and the abolition of the customs house at St. John’s; but the Board of Trade did not favor the suggestion. Byron now helped the merchants by not exerting himself in aid of the collector; and on his departure in 1771 they presented to him an address of appreciation and an appeal to get the collector removed.\textsuperscript{73} Collector Dunn defended himself in a long letter to the Colonial Secretary, admitting that the fees he collected did not meet the expenses of his office but claiming that without it Newfoundland would speedily become the center of a vast contraband trade; and he complained of Byron’s conduct. The Secretary accordingly instructed the new governor, Shuldham, to do his duty. On his arrival, therefore, Shuldham enjoined masters of trading ships to pay the fees; and by threatening to detain a ship or two, he induced them to pay in 1772.\textsuperscript{74}

The merchants now took legal ground and claimed that the Fishery Act of 1699 had granted them free trade and that the acts imposing duties on American colonial trade did not apply to them, Newfoundland being a fishery; and some of them resolved not to pay a fee without a judgment in a court of law. On his departure for the year in 1773 Shuldham left the matter unsettled, taking with him another memorial about the burden of the fees. The Board of Trade refused to abolish Dunn’s post.\textsuperscript{75} The merchants still objected; and Dunn made no less than three trips to England about the matter until the act of 1775

\textsuperscript{72} Petition of merchants of St. John’s, August 28, 1766 and Palliser’s reply, September 9, in C. O. 194, vol. 27.

\textsuperscript{73} Byron to Hillsborough, November 25, 1769, July 8, 1770 in C. O. 194, vols. 28, 29; address of merchants to Byron, October 23, 1771 in C. O. 194, vol. 30.

\textsuperscript{74} Alexander Dunn to Hillsborough, January 3, 1772; Hillsborough to Shuldham, May 6, 1772 and reply July 6, all in C. O. 194, vol. 30.

and a clause in another of 1776 settled the dispute definitely in his favor.\textsuperscript{76} The disappointment did not affect the attitude of the merchants toward the mother country, however.

Newfoundland did not lack discontents, economic and social, in the period of the American Revolution. The servants were generally in debt and had other troubles; the small masters suffered from the excessive charges of the merchants for supplies and equipment; the merchants for their part had a bone to pick with the customs office. The ship-fishers had their disagreements with the inhabitants. The government was entirely unrepresentative, the judicial system full of flaws. The Roman Catholics could not practice their religion, the dissenters experienced the ill-will of the authorities. There was fuel here for an agitator; and had these conditions existed in any of the thirteen colonies which revolted, they would have been cited as principal causes of its restlessness. But against the social and economic difficulties there was the overpowering force of nationalism. Newfoundlanders had no share in the rising tide of Americanism. They were British before everything else. They thought of their troubles as private matters only and did not dream of making political issues out of them. Their viewpoint was essentially that of their fellow-subjects of the homeland. The few Americans did not dissent from the opinions of their neighbors by so much as a petition. Coming from New England before national sentiment had developed in that country, they accepted the British Empire and fell in with the prevailing loyalty. The Irish could have given political trouble but they chose not to do so, at any rate by themselves. The course of Newfoundland in the years 1760–1775 was determined primarily by national sentiment.

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\textsuperscript{76} Evidence of Collector Richard Routh in \textit{Reports of 1793}, p. 449–50.