PLEBEIAN COLLECTIVE ACTION IN HARBOUR GRACE AND CARBONEAR, NEWFOUNDLAND, 1830-1840

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PLEBEIAN COLLECTIVE ACTION IN HARBOUR GRACE AND CARBONEAR, NEWFOUNDLAND, 1830-1840

BY

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ABSTRACT

Newfoundland history has largely been written from the perspectives of the upper and middle classes: thus the role of the working population has been minimized. The exploitative relationships which existed within the fishery have received some attention but the resistance to that exploitation has been ignored by historians, giving a false impression of passivity and compliance among the populace. Plebeian actions have been glossed over or ignored despite evidence pointing to frequent instances of collective resistance.

This thesis is a case study of the towns of Harbour Grace and Carbonear over the years 1830 to 1840. The instances of collective plebeian action which occurred during this decade are chronicled and analysed, not as isolated incidents in the history of the towns, but as a series of events in a continuing tradition of resistance. The sources illustrate that Newfoundland's fishing population was not the passive, easily dominated mass which has often been portrayed, but rather, an active, dynamic force. The plebeians were able to influence their environment through their own actions, by their own means, and according to their own standards.

This thesis is an examination of social divisions and social cohesion in Harbour Grace and Carbonear. Drawing on a long tradition of plebeian resistance in the home countries of England and Ireland, the 'lower orders' acted together to preserve or establish the rights of their religious, ethnic, political, or local group. On occasion, these limited social alliances could be overcome and people acted together in their class interest.

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INTRODUCTION

The history of the lower classes in society is a relatively new field of study. Before the twentieth century working people were not considered to be a relevant part of history, nor were they thought to have had any influence upon the societies in which they lived. When they were discussed, they were not examined on their own terms but rather as a passive element within the system or, by economic historians, as an impersonal 'labour force.' Working people were portrayed as an anonymous mass who could only respond to situations with which they were confronted. Reform groups were studied as historians and sociologists searched for the roots of modern progressive movements, but even in this context plebeian reformers were seen as reactive and were judged in light of subsequent happenings.

It was not until the 1950's and 1960's that new questions were asked and a new departure made. E.P. Thompson, Christopher Hill, George Rudé and Eric Hobsbawn led a movement to view history "from the bottom up."[1]

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[1] Christopher Hill, The World Turned Upside Down, London: Temple Smith, 1972, 11-5.

The new social history looked at plebeian input into society and, more importantly, the world view of the working people. The views, ambitions, grievances, and perceptions of justice and injustice which motivated people to act in the interest of a collectivity became the basis for study.[2] The aim of these historians was to reconstruct the mental world of groups of anonymous people.[3] In order to answer new questions failed protests became as important as successful ones. Protest movements were recognized as a general phenomenon and not simply a "series of footnotes in history."[4]

The western European plebeian protest tradition was explored by Hobsbawm in Primitive Rebels and other publications, and by Rudé in his studies on crowds. These works attacked the anonymous nature of crowds and examined the motives behind collective actions. Thompson's Making of the English Working Class spurred the study of English social history and a rich field of research developed out of the work of Thompson and his students. These studies

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[2]E.P. Thompson, The Making of the English Working Class, Penguin Edition, 1980, 8-13; Charles Tilly, "Introduction," in Louise Tilly and Charles Tilly eds., Class Conflict and Collective Action, Beverly Hills: Sage Publications, 1981, 16-23.

[3]Eric Hobsbawm and George Rudé, Captain Swing, London: Lawrence and Wishart, 1969, 12.

[4]Eric Hobsbawm, Primitive Rebels, New York: W.W. Norton and Company, 1965, 10.

not only illuminate the history of England but also describe the culture and traditions of those who emigrated and established their traditions in the New World.

For the purposes of this thesis the plebeian culture of Ireland is as important as that of England. Unfortunately there has been very little written about collective action in Ireland. This is surprising as Ireland was known for its secret societies and agrarian violence. The nineteenth century description of peasant violence by G.C. Lewis remains the main source in this area, although the recent collection of essays edited by Samuel Clark and James Donnelly takes a step towards filling this lacuna.[5]

Working class history in Canada is likewise a relatively new field. The history of trade unions, culminating in Eugene Forsey's comprehensive volume on the subject, was a first step.[6] From this institutional type of history developed a broader social history dealing with the development of capitalism and the working-class experience as a whole. Clare Pentalnd was a prime-mover in this area, inspiring a generation of Canadian social

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[5] G.C. Lewis, Local Disturbances in Ireland, London: B. Fellowes, 1835; Samuel Clark and James S. Donnelly Jr. eds., Irish Peasants: Violence and Political Unrest 1780-1914, Madison: University of Wisconson Press, 1983.

[6] Eugene Forsey, Trade Unions in Canada, 1812-1902, Toronto: University of Toronto Press, 1982.

historians to investigate the world view of Canadian plebeian populations of various regions and eras.[7] Michael Cross, Ruth Bleasdale, Bryan Palmer, and Greg Kealey are examples of historians concerned with the development of class consciousness and the working class experience in Canada.[8]

The Canadian maritimes have not been excluded from this movement. Social historians such as Scott See, David Frank, Judith Fingard, and Ian McKay have all made starts at exploring the plebeian views of, and influence over, their environments. The Atlantic provinces, however, have been less studied than central Canada and there is still no overview of the eastern Canadian plebeian culture in the nineteenth or twentieth centuries.

The emergence of social history in the last thirty years has only started to affect Newfoundland historical writing. Newfoundland history of any sort has only very recently received any serious scholarly attention. Keith Matthews and David Alexander were initiators in the renewed study of Newfoundland's political and economic history but the field of Newfoundland social history remains relatively untouched. Collective action and plebeian culture have been almost totally ignored and as a result our understanding of Newfoundland's past is

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[7] H. Clare Pentland, Labour and Capital in Canada, 1650-1860, Toronto: James Lorimer and Company, 1981.

[8] Bryan Palmer, Working-Class Experience, Toronto: Butterworth and Company, 1983.

slanted. There has grown up the mythology of a passive population dominated by a small, all-powerful merchant elite. While there is some truth in this view, it does not present the full picture. The population was neither passive nor powerless but because plebeian resistance did not manifest itself on world markets or in the regular channels of governmental administration, the tradition of resistance has not been noted. My thesis addresses this gap in Newfoundland historiography.

I have examined the towns of Harbour Grace and Carbonear for the years 1830 and 1840, and chronicled the incidents of plebeian collective action as a series of events in a continuing tradition of resistance. Harbour Grace and Carbonear, although lacking the special status of St. John's, were not isolated outports. In the decade 1830 to 1840 they held an intermediate position on the spectrum of Newfoundland life and reflected fluctuations in Newfoundland's economic, political, and social situation. This case study of two Conception Bay communities illustrates that Newfoundland's fishing population was not necessarily the passive, totally dominated mass it has been portrayed as to date. More than illuminating a few incidents in the history of the two towns under study, this thesis points to a history of independence and resisitance within the Newfoundland population.

I have used Thompson's term "plebeian" to refer to the lower orders throughout this thesis. This term avoids

the confusion and controversy inherent in the term "working class" or "working classes." It also avoids the derogatory implications of "the lower orders" and the sexism of terms such as "fishermen" or "working men." A "collective action" is an act committed for the perceived benefit of a given group of people. Usually many people are involved in such an action but the size of such groups can vary from two or three to thousands. Acts committed by individuals are also included, provided that they involved an appeal to the community at large, or were meant to reflect the views of that community. These acts may or may not have been illegal: their formal legal status was irrelevant to the perpetrators.

Finally, I regret that the women of Conception Bay do not command a higher profile in this work. The sources have a strong male bias and therefore a highly concentrated effort is needed in order to write Newfoundland's women's history. This is an area which has been almost totally neglected and needs to be explored in future research.

This study is necessarily tentative as so little is known about Newfoundland plebeian history. This thesis points to new areas of research and seeks to ask new questions rather than answering old ones. Primarily I wish to illustrate that there is a history of Newfoundland's working class yet to be written.

CHAPTER I

BACKGROUND: the Towns of Harbour Grace and Carbonear in the 1830's

Newfoundland history has largely been written from the perspectives of the upper and middle classes: thus the role of the working population has been minimized. The exploitative relationships which existed, both in St. John's and the outports, have received some attention, but the resistance to that exploitation has been ignored by historians, giving a false impression of passivity and compliance among the populace. Plebeian actions have been glossed over or ignored rather than examined as a major factor in Newfoundland history, despite the frequent references which have been made to instances of collective resistance. This thesis is a first step in redressing this imbalance.

In Newfoundland, as elsewhere, collective action reflected the cultures from which the population emanated, as well as circumstances on the island. Social organization and action bore the stamp of the English and Irish roots of most of the population in the nineteenth century. The early chronicler, Prowse, while he saw no significance in the disturbances he described, outside of their threat to peace, gives accounts of several acts of resistance at the beginning of the nineteenth century. In 1800 the St. John's populace tried to overrule a proclamation which prevented hogs being allowed to run free.[1] Anonymous notes were posted

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[1] D.W. Prowse, A History of Newfoundland, London: Eyre and Spottiswoode, 1895, St. John's, Dicks & Co., 1971, 418.

at night threatening the magistrate and his property if he enforced the new proclamation. A reward of 100 guineas was offered by the state for the discovery of the authors, and this sum was augmented by 200 guineas offered by inhabitants who feared "anarchy and confusion and destruction of all order."[2] Despite these attempts the perpetrators were never identified.

Several months later there was a rising amongst the Irishmen in the garrison at St. John's which frightened the "respectable" population once again.[3] The Irish members of the English garrison in St. John's were affected by the United Irishman movement in Ireland which culminated in the Irish revolt of 1798. Dissatisfaction with English rule spread beyond Ireland itself and touched both Irish troops in Newfoundland and the civilian Irish population. The United Irishmen oath was administered to many of the Irish soldiers in St. John's, and an estimated 200 to 400 people of the town were with them. The magistrate claimed that disaffection was extensive throughout the regiment, St. John's, and the outports, especially in the south where nearly every man had taken the oath "to be true to the old cause, and to follow their heads of whatsoever denomination."[4] The actual

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[2] Ibid, 418-419.

[3] Ibid, 418-419.

[4] Ibid, 419.

mutiny of the United Irishmen in the St. John's garrison was a failure as the plot was foiled by an informer and several men were subsequently courtmartialled. Nevertheless, the influence of the homeland and the willingness to organize in Irish ways was amply demonstrated.

There are further fleeting references to Irish social organization among lower class Newfoundlanders in the early nineteenth century. In Trinity Bay at the end of the eighteenth century missionaries reported large numbers of Irish Whiteboys creating disturbances in the area.[5] Faction fights were reported in a number of sources. Anspach, describing the anarchy of the island at the beginning of the century, claimed the "wild sons of Erin" were able to fight each other without interference.[6] Battles were held between factions organized according to the Irish county of origin. Prowse also reported years of faction fights between men of different Irish counties.[7]

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[5] C. Grant Head, Eighteenth Century Newfoundland, Toronto: McClelland & Stewart, 1976, 189. The Whiteboys were Irishmen who, as members of the Whiteboy organization, dressed in costume and attacked at night. They used arson, assault, maiming, and murder to prevent tenants' evictions from their plots of land. They directed their attacks against landlords, agents, or those who took over land left by an evicted tenant.

[6] Lewis Anspach, A History of the Island of Newfoundland, London: T. & J. Allman, 1819, 238. Faction fights were common in Ireland. Geography and kinship allied many Irish people into gangs which would confront each other for a variety of reasons. These fights were often described as recreational violence.

[7] Prowse, 402.

Similar plebeian collective enterprises existed in the English population. Various examples of the practice of Christmas mumming demonstrate the presence of English plebeian culture in Newfoundland.[8] Wrecking, or failing to help a foundering vessel was a collective crime reported in southwest England and in Ireland, which was also reported by contemporary observers in Newfoundland.[9] Wix claimed the people kept a sharp eye out for shipwrecks. At Brunette Island he saw a wreck which had run ashore and the people "instead of protecting as they might have done for its owners, had been unprincipled enough to plunder and break up."[10] J.B. Jukes was annoyed when his vessel was stranded on rocks near shore and no one came to its assistance. It was explained to him that those on shore were reluctant to help because they made money from plundering wrecks.[11] He

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[8]Gerald Sider, "Christmas Mumming and the New Year in Outport Newfoundland," Past and Present, May 1976, 71.

[9]For an analysis of wrecking in eighteenth century England see John Rule, "Wrecking and Coastal Plunder," in Douglas Hay, Peter Linebaugh, et. al., Albion's Fatal Tree: Crime and Society in Eighteenth Century England, New York: Pantheon Books, 1975.

[10]Edward Wix, Six Months of a Newfoundland Missionary's Journal, London: Smith Elder & Co., 1836, 79, 145.

[11]J.B. Jukes, Excursions in and About Newfoundland During the Years of 1839 and 1840, London: John Murry, 1842, 216, 242.

complained of a general propensity among the lower class to take advantage of calamities. When St. John's people would not help put out a fire he was told that fire was seen as a blessing, especially if it reached a merchant's store "when a regular system of plunder was carried out unblushingly and, as if it were, by prescriptive right."[12]

The years 1816 to 1818 were years with particularly hard winters of depression, famine, and cold. Men banded together to demand the supplies they needed to get them through the winter. A mob overtook a provision ship in Bay Bulls.[13] Vigilante committees were formed in many settlements to deal with the "gangs of half-starved, lawless men" who threatened the destruction of life and property. In 1816 gangs of destitute Carbonear fishermen attacked merchants' stores to loot food.[14] Early in 1817 Harbour Grace fishermen followed suit, throwing open merchants' stores and cutting ships' masts. Similar disturbances were reported in Brigus and Holyrood, and in St. John's rioting and looting reached even greater proportions.[15] Plebeian agitation earned the winter the name

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[12] Jukes, 8.

[13] Prowse, 405.

[14] Ibid, 405.

[15] Philip Tocque, Newfoundland As It Was And As It Is In 1877, Toronto: John B. Magurn, 1878, 117.

"the year of the Rals," or rowdies, among the higher classes.[16]

Such tantalizing references to plebeian action have not yet been explored or analyzed by Newfoundland historians, but they point to the existence of an active plebeian population with a tradition of resistance. The plebeians had established ideas about what was theirs and what they had a right to expect. These expectations were seldom clearly articulated. They can be discerned most easily when violated, through reactions against their infringement.[17] These expectations were based on a combination of premises brought from the home countries of England and Ireland, and the new environment and circumstances in Newfoundland. By examining instances of collective action and their contexts, one can discover and analyze the views and expectations of the participants. Collective actions included reactions to a situation in which expectations had not been met, where it was felt that someone had overstepped the limits to their rights, or that a reaffirmation of an accepted right was necessary. Collective actions also gained new advances in the area of plebeian rights or benefits.

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[16] Great Britain, Privy Council, Judicial Committee, In the Matter of the Boundary between the Dominion of Canada and the Colony of Newfoundland in the Labrador Peninsula, hereinafter Labrador Documents, 12 vols., London: William Clowes and Sons, 1926, IV, 1940.

[17] E.P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," Past and Present, Feb. 1971, 50, 76-9.

A number of incidents of collective action in Harbour Grace and Carbonear from 1830 to 1840 offer perspectives on the mind-frame and expectations of the people of the area. An examination of the participants in, and the opponents of, these actions will also help sort out the class structure in Conception Bay during this time period. The actions themselves must generally be taken at face value since plebeian comment on such events is very rare. Middle and upperclass reactions to disturbances, however, unveil class attitudes and class divisions within the society. During the decade under study, the authorities reported disturbances in the form of mumming violence in 1831, a sealers' strike in 1832, the maiming of a political figure in 1835, and election riots in 1836 and again in 1840. Of these, the sealers' strike of 1832 offers the greatest insights into plebeian culture and class relationships.

Before examining these disturbances, however, it is necessary to discuss the people involved and the environment in which they lived. This chapter will sketch a profile of the towns of Harbour Grace and Carbonear between the years of 1830 and 1840. Following is a brief analysis of the population of the towns, their religious and ethnic composition, political situation, educational levels, the structure of their fisheries, the economic situation, and their class structure.

DEMOGRAPHY

In the early days of Newfoundland's history, the island was considered to be a mere fishing base rather than a formal colony.[18] The fishery was then a migratory one based in Britain, not Newfoundland. Despite official disincentives, a resident population evolved, although growth was slow until the end of the eighteenth century. At this time large numbers of the former migratory fishing servants married and settled on the island as their permanent home. The Napoleonic war years brought great increases in permanent residency as the migratory fishery was replaced by an inshore fishery operated from Newfoundland.[19] In 1650 Newfoundland's resident population was estimated at 2,000 and during the next one hundred years the figure rose to only 6,000.[20] By 1804 there were 20,000 residents, 40,000 by 1816, and this number increased again to 60,000 by 1828.[21] By the 1836

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[18] Head, 36-8.

[19] Keith Matthews, "A History of the West of England-Newfoundland Fishery," unpublished Ph.D. thesis, Oxford, 1968, 535-41.

[20] David Alexander, "Newfoundland's Traditional Economy and Development to 1934," in J.K. Hiller and P. Neary, eds., Newfoundland in the Nineteenth and Twentieth Centuries, Toronto: University of Toronto Press, 1980, 19.

[21] Alexander, "Newfoundland's Traditional Economy and Development to 1934," 19; Labrador Documents, IV, 1951-3.

census the population of the island was estimated at 75,100.[22] By 1832, 80 percent of the population was considered permanent.[23]

These trends for Newfoundland as a whole also applied to the region of Conception Bay, and more specifically, to the towns of Harbour Grace and Carbonear. A good indicator of the permanency of the population is the male - female balance in the population structure. Since most of the migrant labour force was composed of young, single men, and the resident population was based on the family, the presence of females was essential and indicative. The first official census, taken in 1836, illustrates the very substantial female portion of the working age population.[24] For Conception Bay as a whole the adult male population was only 9.5 percent larger than that of the adult female population. The Carbonear population was less settled than

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[22]Census of Newfoundland and Labrador, 1836; Journal of the House of Assembly, 1838, appendix, 128-9.

[23]Gordon Handcock, "English Migration to Newfoundland," in John Mannion, ed., The Peopling of Newfoundland, St. John's: Institute of Social and Economic Research, 1977, 20.

[24]Census, 1836.
Figures used here are from the age group 14 to 60 years of age.

average for the area with 12 percent more adult males, but Harbour Grace's adult male population was a mere 4 percent larger than its adult female population.[25] A further indication of the extent of the settled Newfoundland population was the number of children present. Children under the age of fourteen were unlikely to have had homes in England or Ireland but more likely to have been Newfoundland natives. While adults out-numbered children in 1836, the children did constitute 38 percent and 39 percent of the populations of Harbour Grace and Carbonear respectively.[26] The large numbers of women and children in Newfoundland, and more specifically in Harbour Grace and Carbonear, in 1836 indicate the preponderance of family life and a relatively small population of the young single males who had dominated the migratory fishery.

The population of Conception Bay was quite homogeneous with regard to the homeland of those who settled there. The Newfoundland salt fish trade was regionally specific in England and Ireland, being restricted to small areas of the southwest of England and the southeast of Ireland. In the days of the migratory fishery, ships would leave the ports of southwest England with some crew members, stop at ports in southeast Ireland for provisions and to collect the remainder of the crew, and then set out for

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[25] Ibid.

[26] Ibid.

Newfoundland for the season's fishing. Most of the men who eventually settled were members of this early migratory work force.[27] The immigrants tended to come from the larger towns in their homelands, or from those with stronger communication lines to the port cities.[28] The English, and probably the Irish, workforce was drawn principally from the classes of the labouring poor: artisans, craftsmen, and labourers.[29]

The towns of Harbour Grace and Carbonear are situated on the north shore of Conception Bay, approximately five miles apart, and joined by a road. While there were many similarities between the two towns in the 1830's there were also many differences. The two towns were considered the most important centres in the Conception Bay area which was the most populous region of the island, and was second only to St. John's in mercantile importance. Since major commercial interests were found in both Conception Bay and St. John's, there was

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[27] Handcock, "English Migration to Newfoundland," 16.

[28] Ibid, 39; John Mannion, "Irish Migrations to Newfoundland," summary of a public lecture delivered to the Newfoundland Historical Society, Oct. 23, 1973, 6-8.

[29] For information on the English emigrants see Gordon Handcock, "An Historical Geography of the Origins of English Settlement in Newfoundland: A Study of Migration Process," unpublished Ph.D. thesis, University of Birmingham, 1979, 373.
The Irish situation is less clear but John Mannion suggests many Irish migrants were sons of well off farmers. See Mannion, "Irish Migrations to Newfoundland," 10.

considerable competition in the relations between the two areas. There is also evidence of competition between the towns of Harbour Grace and Carbonear as to which should receive benefits coming to the Conception Bay area.[30]

According to the census, Carbonear was the larger of the two towns, but among most commentators of the day Harbour Grace was perceived as the larger and considered to be the more important.[31] Harbour Grace was portrayed as being more prosperous and cultured than Carbonear, second only to St. John's. An analysis of the population statistics bears out this impression given by contemporary writers. Occupational breakdowns were not provided by the census until 1845. By this time 90 percent of the population of Conception Bay as a whole was reported as being "planters, fishermen, or shoremen." Carbonear had 86 percent of its population in this category while Harbour Grace had only 77 percent.[32] While the category of "planters, fishermen,

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[30] One example of this is the stationing of troops in the area in 1840. Both towns claimed they had a better right to the advantages of the military presence. See Carbonear Sentinel, Dec. 31, 1840.

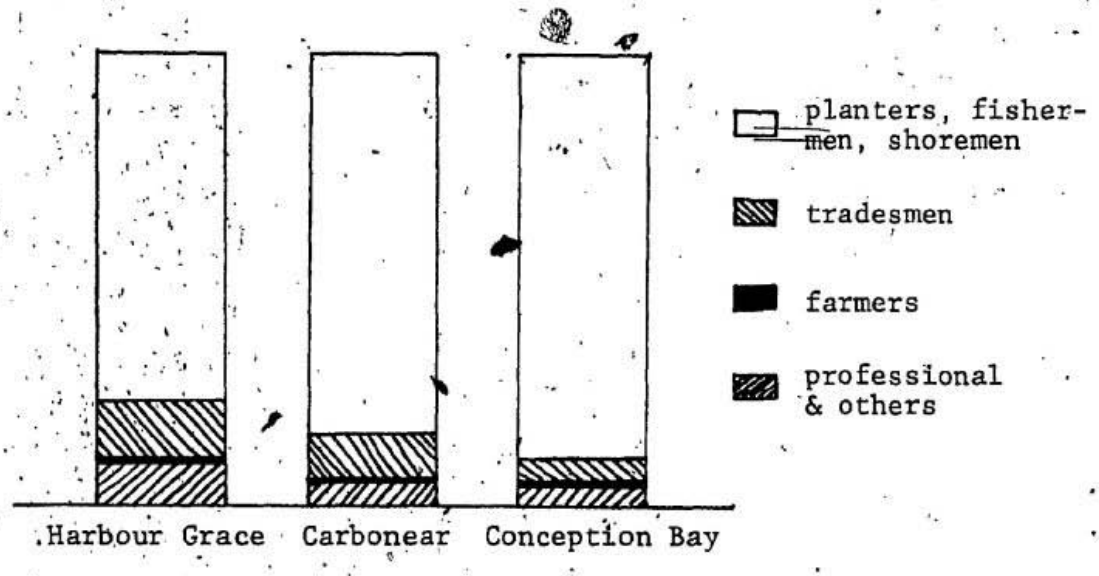
[31] See for example: Edmund Gosse, The Life of Philip Henry Gosse, London: Kegan Paul, Trench, Trubner & Co., 1890, 33; Thomas Talbot, A Letter Addressed to a Friend, London: Sampson Low, Marston, Searle & Rivington, 1882, 6, 8; Anspach, 299. One man of a dissenting opinion was Philip Tocque who claimed that Carbonear was larger until after 1845 and stood higher as a place of commerce until later in the century. Tocque, 117.

[32] Census, 1845.

and shoremen" is very broad and can encompass several social classes, when taken in relation to the tradesmen and professionals it can give a general profile of the areas.

Table I

Occupational Structure in Conception Bay, Harbour Grace and Carbonear in 1845 (%)[33]



The larger proportion of professionals and tradesmen in the two towns reflects their urban status within the Conception Bay area. Harbour Grace, however, had 8 percent more of its population who were not immediately involved with catching

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[33] Ibid.

and making fish. Harbour Grace's economy then, was slightly more diversified than Carbonear's.

The more cosmopolitan nature of Harbour Grace in 1845 is suggested by different figures in the earlier census. Only 12 percent of Conception Bay children went to school but in Harbour Grace the proportion was 21 percent and 16 percent in Carbonear.[34] Thus, the chance of gaining literacy was greater in Harbour Grace than in Carbonear.

Several factors suggest a wealthier community in Harbour Grace than in Carbonear. Households were larger in Carbonear with an average household size of 7.1 in 1836, while Harbour Grace households averaged only 6.6 people.[35] The portion of the population employed as servants (either fishing or otherwise) and unable to set up their own households, was concentrated more heavily in Carbonear. The total percentages of the servant population were 20 percent for Carbonear and 17 percent for Harbour Grace. Young male servants made up 17 percent and 13 percent respectively of the population.[36] While Carbonear seems to

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[34] Census, 1836.

[35] Ibid.

[36] Ibid.

have had a greater share of single males in inferior positions, the overall picture shows a fairly equal distribution between the male and female population. In Carbonear there were 59 men for each 41 women, and in Harbour Grace the balance was closer with 56 men to each 44 women.[37] It is clear that a settled population in both towns was the norm, although Carbonear was still receiving boosts of single young men into its workforce. Carbonear's situation in the statistics can partially be accounted for by the town of Riverhead, located just outside of Carbonear and considered part of that town for statistical purposes. Riverhead lacked a waterfront and was home mainly to young Catholics, largely of servant status, who worked in Carbonear or the surrounding area.

Assuming the farm produce statistics are accurate, the land at Harbour Grace was more productive than that of Carbonear, and slightly more of the land was tilled. In 1836 an average of 0.9 acres per household were farmed, while in Carbonear the average was 0.8 acres per household. In spite of this narrow difference in land use, Harbour Grace produced over four times as many potatoes, over 50 percent more oats, and only slightly less hay than Carbonear.[38]

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[37] Ibid.

[38] Ibid.

This inequity in potato production had disappeared by 1845 but the yield per household remained higher in Harbour Grace than in Carbonear.[39] Harbour Grace, it seems, was slightly better suited to agricultural pursuits than its neighbour.

RELIGION

More obvious than the economic differences in the two towns was the difference in the religious composition of the populations. In 1836 Roman Catholics comprised just over half the population of both towns. The remainder of the population was mostly Anglican in Harbour Grace, and mostly Wesleyan in Carbonear, but each town had a significant number of people in the opposite Protestant denomination. Religion was an important factor, not only because of prevalent religious prejudice, but also because religion was indicative of ethnic background as well. The Catholic population was almost totally Irish, and the Protestant sects were almost totally English. Harbour Grace's population as a whole grew more rapidly than Carbonear's during the 1830's and 1840's. All denominations increased in number in Harbour Grace but the Wesleyans increased most dramatically. With the Wesleyan growth the Protestant population managed to push the Catholic population just below the majority level.

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[39] Census, 1845.

Table II

Religious Composition of Harbour Grace & Carbonear, 1836 & 1845[40]

	Harbour Grace		Carbonear	
	1836 (%)	1845 (%)	1836 (%)	1845 (%)
RC	55	49.5	56	54
ANG	36	36	14	13
WES	9	13.5	30	33
Other		1		

In Carbonear there was a smaller increase in the Wesleyan population but here both the Catholic and Anglican populations experienced a real decrease.

The population of Harbour Grace and Carbonear, then, was largely permanent and settled. They were two dominant groups: Roman Catholics from southeast Ireland, and Protestants from southwest England. The two towns were important centres in a relatively prosperous region of Newfoundland. Harbour Grace was the more prosperous of the two, exhibiting faster growth, more professionals, more students, and possibly better agriculture.

[40]Census, 1836, 1845.

Religious affiliations were important in the 1830's. As this period of history was one of religious tension throughout the British empire and beyond, it is not surprising that each denomination watched the progress of the other closely in Newfoundland.[41] Despite anti-Catholic penal laws on the books in Britain, several Catholic priests from Ireland circulated freely in Newfoundland as early as the 1770's. Although excluded from civil positions, they were permitted to practice their religion and to build chapels.[42] The first Catholic bishop, O'Donel, arrived in Newfoundland in 1796, and he even received a stipend until 1819. With the great increase of Irish immigrants from 1801 to 1816 the Irish became a majority and great concern then arose about them.[43] Catholics were denied state aid for schools, the government attacked Catholic marriage rights, and prominent Catholics were kept off the governor's executive council.[44]

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[41]Philip McCann, "Religion, Education and Society in a Colonial Setting: 'No Popery' in Newfoundland, 1830-1850," unpublished paper, Memorial University of Newfoundland, 1983.

[42]Raymond J. Lahey, "Religion and Politics in Newfoundland: The Antecedents of the General Election of 1832," lecture delivered to Newfoundland Historical Society, Mar. 15, 1979, 4.

[43]The Irish population increased from 6,465 in 1801 to 20,800 in 1816. Lahey, 6.

[44]Ibid, 7, 11, 19-20.

When the Emancipation Act was passed in 1829, allowing Catholics to sit in Parliament, the event was celebrated in St. John's as elsewhere, but Newfoundland judges immediately ruled that the act did not apply in the colony. Even appeals of Catholic Newfoundlanders to the great Irish leader, Daniel O'Connell, proved futile. By the time representative government was being discussed in the 1830's, Catholic rights had become an issue in official circles.

The Anglicans and the Wesleyans formed the two major Protestant churches in Newfoundland. Anglicanism was established through the Society for the Propagation of the Gospel in Foreign Parts (SPG) in the mid eighteenth century. Wesleyanism was first introduced in 1765 by Lawrence Coughlan, an Irish convert to Protestantism. He lived in Harbour Grace and worked largely around Conception Bay. Conception Bay was usually able to retain at least one SPG missionary through the years but clergy were as scarce for Protestants as they were for Catholics. In 1815 there were only three Anglican Clergymen on the island.[45] As occurred elsewhere, the Anglican and Wesleyan sects grew apart in the early nineteenth century, and in Conception Bay Wesleyans tended to predominate along the shore from Carbonear north, while Anglicans predominated from Harbour Grace south. Anglicans and Wesleyans divided upon questions of education and marriage laws but were inclined to stand together in the face of Catholic opposition of any kind. Protestants formed the ruling class of society, monopolizing the civil service

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[45] Ibid., 7.

and dominating the merchant community. The major merchant firms in Harbour Grace and Carbonear were run by Protestants.

Religious diversity caused tensions in Conception Bay as it did elsewhere in the empire. This period in England's history was affected by the Oxford movement and tractarians, and exhibited a certain paranoia over Protestant - Catholic relations. Anti-catholic rhetoric is easily found among the documents of the ruling classes in England and her colonies, but religious tension in the day-to-day lives of the working people is less easily defined. Various reports of life in nineteenth century Newfoundland give different views of religious relations on an everyday level. Although all observers were all well placed Protestants there were widely varying accounts of the Catholic population as either decent folks, or as wild, threatening people. There were testimonies to religious harmony and descriptions of extreme sectarian discord. Most writers complained of unscrupulous Catholic priests involving themselves in politics where they did not belong.

Defending the Irish Catholic character, Philip Tocque reminisced that Newfoundland's Catholics were kind and hospitable, although they were excitable.[46] Missionary Edward Wix claimed in 1835 that the Catholics of Placentia, and of the outports in general, were kind and had only best

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[46] Tocque, 53.

wishes for him.[47] Richard Bonnycastle, writing of the island in 1842, was surprised to find the Irish population orderly and respectful to their superiors, temperate, and law abiding.[48] Other observers, however, were not so charitable in their remarks on the Catholic temperament. John Moreton, an Anglican preacher from Bonavista Bay claimed they were violent and scheming, and a great threat to society at large.[49] A novelist of the same era, R.T.S. Lowell, portrayed a similar picture of the Catholic population in Conception Bay. His Catholic characters were scheming, deceitful, and even criminal.[50]

There were considerable differences of opinion as to the nature of relations between Protestants and Catholics in Newfoundland. Lewis Anspach wrote from Conception Bay in 1819 that the members of each church respected the others' clergy. He claimed Protestants and Catholics united to complement each other in the observance

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[47] Wix, 34.

[48] Sir Richard Bonnycastle, Newfoundland in 1842, London: Henry Colburn, 1842, 162.

[49] SPG Papers, E Series, John Moreton, Mission of King's Cove, Quarterly report to June 30, 1855, 1-2.

[50] R.T.S. Lowell, New Priest in Conception Bay, Boston: Phillips, Sampson and Company, 1858, Toronto: McClelland and Stewart, 1974.

of their respective least days: the Irish joining in St. George's Day celebrations and the English helping celebrations on March 17 (and often March 18 as well).[51] Bishop Mullock, at mid century, claimed all denominations lived in the greatest harmony. The only disunion, he claimed, was found in print, and in cases with extraordinary circumstances.[52] The historian, Prowse, was somewhat more guarded in his claims. He reported some friendship between the different clergy and laity but also some disaffection. Although the religious community had been "harmonious and united" before representative government, he claimed, the seeds of conflict were present.[53] Philip Henry Gosse, a merchant clerk in Carbonear 1827-1833, did not agree with the relaxed view of society described by other writers. Gosse, a terrible bigot himself, was eloquent on the subject of religious tension in Carbonear in the early 1830's:

> There existed in Newfoundland in 1827, among the Protestant population of the island, an habitual dread of the Irish as a class, which was more oppressively felt than openly expressed, and there was customary an habitual caution in conversation, to avoid any unguarded expression which might be laid hold of by

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[51] Anspach, 473.

[52] Tocque, 54.

[53] Prowse, 364, 435.

> their jealous enmity. It was very largely this dread which impelled me to forsake Newfoundland, as a residence, in 1835; and I recollect saying to my friends the Jaqueses, 'that when we got to Canada, we might climb to the top of the tallest tree in the forest, and shout "Irishman!" at the top of our voice, without fear.'54

Regardless of what contemporary observers thought of the Catholic laity as a whole, most believed that power-hungry, unscrupulous priests were responsible for inciting the Catholic population to violence for political gain. Priests were accused of choosing political candidates who were under the thumb of the church and then having them elected through violence and intimidation. It was claimed that they threatened excommunication for those not voting for the priests' candidate, and that Protestants were beaten and prevented from voting.[55] Irish Catholics, it was believed, were ignorant, pliable, and easily used and abused by their priests for the selfish purposes of the clergy. Popular politics, and more especially, priests' involvement in this area, exacerbated sectarian feeling tremendously in the colony.[56] This was especially true in St. John's and Conception Bay where different denominations lived amongst each other in a fragile demographic balance.

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[54] Gosse, 43.

[55] Tocque, 36; Public Ledger, Dec. 8, 1840.

[56] For examples of this point of view see Prowse, 435-436; Talbot, 34-37; Bonnycastle, 160-162; Wix, 225-226; Lowell.

It is clear, then, that in the political arena there was considerable tension between the Protestant and Catholic populations of Conception Bay. There is evidence that this division went much deeper in society than just politics, although the opinions of Protestant observers of the time are divided on the issue. It seems there was room for both conflict and conciliation between Protestants and Catholics in Conception Bay in the 1830's.

POLITICS

Politically the 1830's was an important period in Newfoundland because of the establishment of representative government in 1832. Newfoundland had been under naval government until 1824 when she gained a civil governor. Reformers immediately began to pressure for local representative government.[57] This was an age of political reform throughout the British empire and Newfoundland was affected by these changing attitudes.[58] The middle class in England and Ireland were at this time involved in the Reform Bill in England and the Emancipation Act in Ireland. The same reform spirit was exhibited in Newfoundland. Although the

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[57] Gertrude Gunn, The Political History of Newfoundland, 1832-1864, Toronto: University of Toronto Press, 1977, 3.

[58] Keith Matthews, "The Class of '32: St. John's Reformers on the Eve of Representative Government," Acadiensis, 1977, VI:2, 92.

governor opposed representative government on the basis that the outports could not supply satisfactory representatives, the reformers kept bringing the debate back to the level of human rights and were therefore able to muster the necessary support for the idea in Newfoundland and in the British House of Commons.[59] In July 1831 the British Parliament passed a bill providing for a Newfoundland Legislature. The bicameral legislature was to consist of an Assembly of fifteen members elected from the nine electoral districts, and an appointed Council of seven with legislative and executive functions. The franchise was wide, including all male householders, either tenants or owners, who had been resident for one year. Candidates' qualifications were similar, but two years residency was required. Of the fifteen seats available, the Conception Bay district had four.

The formation of political parties closely followed the advent of local government. The conservative party was composed largely of Anglicans and merchants. Anglicans and St. John's merchants were greatly favored by the government and they received most of the patronage.[60] The liberal party emerged from the St. John's middle class, purporting to champion the cause of the fishermen, human

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[59] S.J.R. Noel, Politics in Newfoundland, Toronto: University of Toronto Press, 1971, 7.

[60] John P. Greene, "The Influence of Religion in the Politics of Newfoundland, 1850-1861," unpublished M.A. thesis, Memorial University of Newfoundland, 1970, 1-2, 6.

rights, and the economic advancement of the colony. The Catholic church became very active in politics, throwing its considerable weight behind selected liberals. The religious division in the parties was not clear cut, as the liberals tried hard to attract the support of the dissenters, and one of the most important leaders of the party, William Carson, was a Protestant.[61] The conservative party claimed to have a following of right-thinking Catholics.[62] Roman Catholic Bishop Fleming was instrumental in mobilizing the Catholic population for political causes in St. John's and he ensured that a politically-minded priest was stationed in Conception Bay during election years. After violence occurred at several early elections, attempts were made by the tory factions to have Fleming removed from the colony.

St. John's was the focus of political activity but Conception Bay, having a substantial population and four seats, was an important area for electioneering. The liberals and the priests became very active in the Conception Bay riding from 1836 on, and were blamed for unleashing sectarian violence which they could not control. In the 1832 election, Conception Bay returned two Protestant merchants and two Catholic dealers in an arranged compromise, but by the next

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[61] Ibid, 15. The title 'Liberal Party' came into common usage towards the end of the 1830's.

[62] Public Ledger, Nov. 17, 1840.

election in 1836 this arrangement was being challenged. In 1836 three Catholics were returned leaving only Robert Pack, a major Carbonear merchant but a liberal, representing the Protestants.[63] In 1837 Pack was replaced by a liberal Catholic shopkeeper. A strictly religious analysis breaks down with the 1840 by-election when violence erupted over a contest between two liberal Catholics. In this election, class interests, which had been suggested during the earlier election, were discussed more readily. In some circles the conflict was explained as being between a "priest's candidate" and an "independant" Catholic. Elsewhere, the division was seen as a conflict between the merchants' candidate and a defender of the rights and situation of the common fishermen. Violence reached such proportions that the "respectable" community succeeded in getting troops from St. John's to protect property and prevent anarchy.

Interest in politics ran high among all classes in Conception Bay in the 1830's, but the reasons for that interest are not always clearly defined. The propertied and literate activists explained their own points of view in the local press, but working class motives were ascribed by observers who saw actions but did not consider such people capable of independant thought and intelligent judgement. "Mobs" were the pawns of priests, merchants and

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63 See Gunn, Appendix B, 193-5.

politicians. The working people of Harbour Grace and Carbonear had reason to be aware of the political situation as it could have serious effects on their livelihoods. It has been suggested that the rioting in 1840 was affected by an important court case of the time which threatened to undermine the legal position of fishermen in relation to their rights to the fish they caught.[64] The involvement of the church or the merchants was significant in determining the course the government as a whole would take. There is no reason to believe that fishermen were ignorant of the political situation within which they acted.

The political press was centered in St. John's, but the Conception Bay population had easy access to the publications. The Public Ledger was the conservative paper. While the editor, Henry Winton, initially espoused some liberal policies, the paper was rabidly anti-Catholic and continually raved about imminent mob rule. The Patriot, edited by Robert J. Parsons, had a strong liberal slant. Newfoundland political opinions were often aired in the editorial banter of these two papers. These publications were only two of the nine Newfoundland newspapers of the 1830's, of which three published for the entire decade. But to what extent was their content available to the population at large? To what extent was the written word accessible to working people?

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[64] Robert Lewis, "A Preliminary Analysis of the 1840 By-Election Riots," unpublished paper, Memorial University of Newfoundland, 1981.

EDUCATION

The extent to which the working population of Newfoundland as a whole, and Harbour Grace and Carbonear in particular, was literate is not known with any degree of certainty. Contemporary accounts speak to the dismal illiteracy of the population at large. Remarking on the people of Trinity in 1835, Edward Wix claimed that of the twenty-four people he assembled for worship not one could read, and he was obliged to read and write a number of letters for them.[65] Julian Moreton found a similar situation in Greenspond two decades later.[66] Jukes, writing in 1840, lamented the lack of education in the St. John's population, and in 1877 Philip Tocque was still complaining of a miserably defective school system.[67] Bonnycastle found a "lamentable state of destitution in religion and education" and believed election violence to be a result of this ignorance.[68] Gosse, commenting on the situation in Carbonear in 1828, remarked sarcastically on the "beautiful autographs" of the men in the company's receipt book.[69] He claimed that the

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[65] Wix, 42.

[66] Julian Moreton, Life and Work in Newfoundland, London: Rivington's, 1863, 23, 98-100.

[67] Jukes, 8; Tocque, 414.

[68] Bonnycastle, 60, 78.

[69] Gosse, 51.

parish clerk, who kept the school, was illiterate and a drunkard.[70] Thomas Talbot, who taught school in Harbour Grace, found educational standards low and the schools humble and inefficient. Even planters' sons he found to be only barely literate.[71] The lower classes then, were reported to be largely illiterate in the outports and St. John's. Carbonear and Harbour Grace seemed to be no different.

The first school in Conception Bay was established in Harbour Grace in 1766 by the SPG. By the first census in 1836 there were 22 schools in the whole of the Conception Bay district, five being situated in Harbour Grace and four in Carbonear.[72] By the 1830's Carbonear and Harbour Grace had day schools and Sunday schools run by the SPG and the Newfoundland School Society. They also possessed small private schools, and Harbour Grace was the home of St. Patrick's Catholic school. In 1836 these schools had registered 277 students from Carbonear and 288 students from Harbour Grace.[73] In that same year the newly formed House of Assembly appointed a select committee on education.

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[70] Ibid, 84.

[71] Talbot, 15.

[72] Census, 1836.

[73] Ibid.

The committee found educational facilities to be badly needed but funds to be short. It was decided to give government grants to existing charity schools and specified amounts to each of the newly devised education districts, to be put towards common schools.[74] St. Patrick's in Harbour Grace received £100 and the Conception Bay district received £400 for common schools.[75] In accordance with the standards of the time, the government felt obliged to encourage attempts to educate the populace but believed the prime responsibility lay with, and the impetus must come from, society at large.[76] The mission schools were overcrowded, understaffed, and were always struggling with poor facilities and shortages of supplies. The schools exacted tuition fees where possible but they were constantly underfunded and the teachers badly overworked. Those of means sent their children away (usually to England) to be educated, although the children could either attend local private schools for an elementary education, or they could receive private tutoring at home.[77]

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[74] Journal of the House of Assembly, Feb. 23, 1836, 66-9.

[75] Ibid, Mar. 28, 1836, 100-1.

[76] Fredrick W. Rowe, The Development of Education in Newfoundland, Toronto: Ryerson Press, 1964, 64.

[77] Ibid, 54.

The mere existence of schools in Carbonear and Harbour Grace did not mean there was a significantly high level of literacy among the populace. School attendance and effectiveness were also crucial. According to census data only 21 percent of the children under 14 were registered in schools in Harbour Grace. In Carbonear the figure was even lower at a mere 16 percent.[78] According to school inspectors' reports, attendance was typically very low. Attendance for 1860 to 1876 was estimated at 55 percent.[79] Even for those attending school it is questionable how much was absorbed and how much retained.[80]

Schools are an indication of children's literacy, but many adults may have come to Conception Bay already literate. Some indication of the level of adult literacy can be found in people's ability to sign their names in the parish registers. There has been a great debate on the use of signatures as a measurement of literacy.[81] On one hand,

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[78]Census, 1836.

[79]David G. Alexander, "Literacy and Economic Development in Nineteenth Century Newfoundland," in David Alexander, Atlantic Canada and Confederation, Eric Sager, Lewis Fischer, and Stuart Pierson eds., Toronto: University of Toronto Press, 1983, 117.

[80]David Alexander speculated that only 40 to 45 percent of the children who emerged from the school systems could read complicated material. Ibid, 133.

[81]Harvey J. Graff, "Respected and Profitable Labour: Literacy, Jobs and the Working Class in the Nineteenth Century," in G.S. Kealey and Peter Warrian, eds., Essays in Canadian Working Class History, Toronto: McClelland and Stewart, 1979, 68; Roger Schofield, "Dimensions of Illiteracy, 1750-1850," Explorations in Economic History, Summer, 1973, 10:4, 440-3.

writing was taken to signify competence in reading as the latter was taught first in schools.[82] On the other hand, one must consider the advantages of having such a skill. Perhaps Newfoundlanders learned to sign their names without having other literacy skills, so they could sign on and off ships and could sign their accounts at the merchant houses.[83] Fishermen could do their business without literacy skills but were often called upon to leave their mark. The ability to sign one's name was, then, desirable but not necessary. In the absence of other data an ability to sign must be taken as an indication of literacy.

Alan Macpherson has studied the parish records of Harbour Grace for the nineteenth century and found a literacy rate of 28 percent in 1835 based on the ability to sign.[84] Macpherson's figures show a decline in literacy in Harbour Grace in the first half of the nineteenth century, although

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[82] Ibid, 440-1.

[83] David Alexander, "Literacy Among Canadian and Foreign Seamen, 1863-1899," in Rosemary Ommer and Gerald Panting, eds.; Working Men Who Got Wet, Proceedings of the Fourth Conference of the Atlantic Canada Shipping Project, St. John's, Memorial University of Newfoundland, 1980, 6.

[84] Alan G. Macpherson, "Changing Patterns of Literacy in Newfoundland in the Nineteenth Century," paper read at the Atlantic Workshop, Caraquet, Sept. 1983, np., see appendix.

the literacy rate never fell as low as it was in the smaller outports studied.[85] This decline is explained by the high immigration rates at the beginning of the century which tended to push up literacy rates as many immigrants could sign their names. These literate immigrants, however, tended to have illiterate children who fished.[86] The literacy rate began to rise slowly with second generation Newfoundlanders. The decline is also accounted for by a decline in the Conception Bay economy and the movement of many literate clerks to St. John's.[87]

David Alexander's literacy figures for the time were slightly higher than Macpherson's. Alexander looked at the population as a whole using census data as the primary source.[88]

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[85]Macpherson also studied the parishes of Fogo and Hermitage. St. John's was also studied and retained a literacy rate consistently higher than anywhere else on the island. Macpherson, np., see Appendix.

[86]Ibid, 6.

[87]Ibid, 5.

[88]Alexander, "Literacy and Economic Development in Nineteenth Century Newfoundland," 114.

Not surprisingly, the eastern Avalon district exhibited a higher literacy level than the rest of the province. For the island as a whole he concluded that at mid century no more than 40 percent of the potential labour force had any capacity to read, and no more than 18 percent could read and write with facility. On the eastern Avalon only 20 percent of the population was fully literate at mid century and this rose to 35 percent at the end of the century.[89]

One cannot know the exact percentage of the Carbonear and Harbour Grace populations which were literate, or to what degree, but the sources give a general picture of the situation. The towns had low literacy rates in relation to other parts of the western world, but in relation to the rest of Newfoundland they were second only to St. John's. Taking into consideration all figures, perhaps one third of the population could read and write to some degree. If one assumes that most wealthy planters and members of the middle class could read, this left a largely, but not totally, illiterate working class. The working class, then, had restricted access to newspapers but they were not necessarily totally ignorant of the local or international news reported in them. Harbour Grace and Carbonear were the major Conception Bay ports and there was contact with the outside world through sailors travelling to and from Canada, America,

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[89] Ibid, 133.

England, and Ireland. There was also regular contact with St. John's. Oral communication systems undoubtedly existed alongside written news circulation.

Alexander argues that illiteracy could have interfered with the assimilation of new ideas among the Newfoundland populace, creating a more conservative population.[90] This viewpoint, however, tends to assume a conservative background for the population and to overstate their compliance. Radical traditions existed in both England and Ireland, and there areas of agitation did not necessarily correspond to areas of high literacy standards.[91] Plebeian conceptions of their rights and their due, or their conceptions of how their ends should be met, were not formed by literature or hampered by illiteracy. While literacy is an asset, it is not a necessity for an active or organized working-class.

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[90] Ibid, 135-7.

[91] Eric Hobsbawm and George Rudé, Captain Swing, London: Lawrence and Wishart, 1969, 64, 188; Graff, 65.

ECONOMY

The economy of Harbour Grace and Carbonear, and indeed the economy of Newfoundland as a whole, was based primarily on the production of salt cod and seal products. The yearly work calendar began in early February with preparations for the seal hunt. The seal fishery was prosecuted in March and April, lasting about six weeks. When the sealing vessels returned from the ice they were unloaded, the pelts sold, and accounts settled in time for preparations to be made for the cod fishery. The cod fishery began at the end of May or the beginning of June and continued until fall. Once this was finished and accounts were settled, men either hired themselves out as dieters (boarded servants) or spent the winter hauling wood, repairing equipment, boat-building, hunting, and the like. The monotony and hardship of winter was broken again in February by preparations for another seal hunt.

The cod fishery was the most important economic activity of the year. It was carried out on two main fronts: the Labrador fishery and the inshore fishery. The inshore fishery involved fishing in the bay and bringing the catch in daily to be salted on shore. Inshore fishermen were often "independent" fishermen with their own open boats, fishing lines, and stages and flakes for making the fish. The operation was family-based with the man and his sons, or a brother, catching the fish and doing the skilled work of splitting and sometimes salting. The women, young children,

and old people would be responsible for all domestic labour, gardening, and the time-consuming task of drying the fish. This type of inshore fishing was carried on out of both Harbour Grace and Carbonear but was more prevalent in the smaller settlements, especially along the north shore.

The inshore fishery was also prosecuted by schooner-owners or "planters", who owned decked vessels and hired fishermen to work on them for the season. The planter may also have hired shoremen to prepare the fish or he may have sold it green to the merchant who hired the shoremen to prepare it on his own stages and flakes. In some cases the merchants also owned the larger inshore vessels and hired captains, fishermen, and shoremen to produce the fish. The planter fishery was more of a wage-labour venture than that of the "independent" fisherman and was therefore more likely to be centered in the larger centres of Carbonear and Harbour Grace. The 1820's and 1830's saw a decline in the planter fishery which corresponded to a general decrease in the size of fishing operations.[92]

The cod fishery was not only carried out in the bay, but also off the coast of Labrador. The fishing grounds off Labrador were superior to those in Conception Bay and so despite the distance, the short season, inferior

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[92] Shannon Ryan, "The Newfoundland Salt Cod Trade in the Nineteenth Century," in Hiller and Neary, 43; Steven Antler, "Colonial Exploitation and Economic Stagnation in Nineteenth Century Newfoundland," unpublished Ph.D. thesis, University of Connecticut, 1975, 80-81. Antler offers a thorough explanation for this decline.

climatic conditions which resulted in a low grade cure, and the inconvenience, it was often more profitable to spend the season in Labrador than in the bay. For some, the Labrador fishery was not a choice but offered the only possibility for work as the Conception Bay inshore fishery became more and more crowded.[93] The Labrador fishery increased greatly in importance in the early decades of the nineteenth century with nearly 200 ships sailing from Conception Bay alone in 1825.[94] Carbonear and Harbour Grace, as the "urban" centers of the district, were the focus of this activity.

The Labrador fishery operated in two different forms: the stationer fishery and the floater fishery. The floater fishery was prosecuted by merchants and planters who hired on a crew of men to be paid by wages or shares. They anchored off the Labrador coast, caught cod, salted it, and sometimes dried it on shore. If the fishing was poor they moved on to some other spot and anchored again. The

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[93] Thornton demonstrates the role of the Labrador fishery in alleviating population pressure in Conception Bay in the 1850's by examining the settlement of the Strait of Belle Isle area by Conception Bay families. See: Patricia Thornton, "Dynamic Equilibrium: Settlement, Population and Ecology in the Strait of Belle Isle, Newfoundland, 1840-1940," unpublished Ph.D. thesis, University of Aberdeen, 1979, 81-5.

[94] W.A. Black, "The Labrador Floater Codfishery," Annals of the Association of American Geographers, 1960, 50:3, 268.

stationer fishery was much like the inshore fishery, only moved up to the Labrador coast. The only difference was the necessity of a middleman, as it was impossible to deal directly with a merchant unless the fisherman was himself a planter. The fishermen would usually take at least some members of their families and maybe some servants, and go up to their summer homes and fishing rooms on the coast where they worked all summer catching and curing cod.[95] Planters carried people up in June and back in the fall, making one or two schooner trips back and forth with fish and supplies during the summer. A fisherman could have had his own schooner, travelled with a planter, or have been a servant to a planter or fisherman's family.

The nature of the Labrador fishery made it viable only in conjunction with other activities.[96] The seal fishery was a short-term activity lasting only a few months each year and it required large, and therefore relatively expensive, vessels. The combination of the Labrador fishery

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[95]Talbot, 22-34.

[96]Shannon Ryan, "The Newfoundland Cod Fishery in the Nineteenth Century," unpublished M.A. thesis, Memorial University of Newfoundland, 1971, 47.

and the seal fishery was an excellent one in that these fisheries occurred at different times of the year and the same vessels could be used for both. Thus, both labour and capital could be employed for an extended period over the year.

The seal fishery was particularly important in Conception Bay ports, especially Carbonear, Harbour Grace, and Brigus. (See Appendix A) In 1832, 8,649 men were employed in the industry in 407 vessels.[97] Of these, 4,710 men sailed in 218 ships from Conception Bay.[98] Although the hunt lasted only six weeks, the income it provided was proportionately more important than that of the cod fishery. Approximately one third of the average Conception Bay fisherman's income came from the seal hunt.

Each spring, sealers would arrive in town and sign on with a master.[99] Vessel owners chose their crew and hired captains if they were not captains themselves.

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[97] Ibid, table 17, 236.

[98] Newfoundlander, April 5, 1832. (reprinted from the Conception Bay Mercury)

[99] Contemporary accounts of sealing can be found in Talbot, 15-21; Anspach, 415-23; Tocque, 304-7; Jukes, 251-322; Bonnycastle, 130-5.

This captain might have been a part-owner of the vessel, a relative of the owner or owners, or he might have been an employee of the owning merchant house, hired specifically as a sealing captain. Once a sealer had signed on, he reported to the supplying merchant where his name was registered at the counting-house. Here he was given credit to one third or one half of his probable earnings on that season's voyage, the exact amount being determined by the merchant's clerks.[100] The men would take "outfits" or "crops" consisting of clothing, sealing equipment, and some supplementary provisions for the voyage. Philip Henry Gosse, merchant clerk for Elson, Slade & Co. of Carbonear, claimed his company's prices in Carbonear to be twice the English prices, plus fishermen had to pay the difference between the value of sterling and currency.[101] In addition to the high price for goods, the sealers paid an interest charge on their credit advances. In providing outfits to sealers, the merchant both minimized his risk by requiring the men to provide their own tools, and maximized his profit by providing expensive credit to the full crew.

The sealers were provided with a berth on the vessels and with provisions in return for "berth money". This charge was usually between £2 and £4 for ordinary

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[100] Gosse, 47.

[101] Ibid, 51.

sealers (also called batsmen), and about half as much for aftergunners, while bow gunners went free.[102] Berth money was strongly resented by the sealers and remained a bone of contention between sealers and their employers into the twentieth century.[103]

Once the men had obtained their outfits they would begin preparing their vessel for the trip. By mid March the vessels sailed out of Conception Bay and north to the ice flows where the seals were found. When the ship had a full load of pelts the men would return to port. In a good year, when the seals were plentiful and found quickly, a ship could unload its cargo and return to the ice for a second load.

When the ships arrived back in port from the voyage, the pelts were counted and accounts with sealers, masters, planters, and merchants were settled up. Half of the seals belonged to the owner of the vessel and the other half was divided up among the men in equal shares corresponding to the number of men on board.[104] The captain was entitled to

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[102] Varying figures are given in Bonnycastle, 166; Anspach 422; Tocque, 304, 307; Jukes, 258.

[103] There are reports of strikes held principally or partially over the issue of berth money in 1838, 1842, 1843, 1845, 1860, and 1902. See Rolf Hattenhauer, "The History of the Labour Movement in Newfoundland," unpublished manuscript, Memorial University of Newfoundland, 1983, 234-54.

[104] Tocque, 304; Anspach, 422; Gosse, 47.

one share of the catch whether he was the owner or an employee.[105] A captain or officer received a salary in addition to his share. A sealer took his pelts to the merchant who had outfitted him for the voyage. He was told what his pelts were worth and had the cost of his advance subtracted from that amount. The remainder was his profit, or wage.

The fisheries were the centre of life in Harbour Grace and Carbonear, but especially the Labrador fishery in conjunction with the seal fishery. Not only did the fisheries dictate work patterns but also other aspects of life in the settlements. Elections were generally held around November to ensure that the enfranchised were not all absent at Labrador. Social and religious festivals were adapted to fit the schedule of the fisheries. For example, in the early years of the century St. Patrick's Day had been a drinking holiday but when it was discovered that late winter sealing was the most profitable, St. Patrick's Day became the date to leave for the ice. The people of Conception Bay organized themselves and their lives around the fisheries.

The years 1808 to 1815 were a period of great prosperity in Newfoundland as the Napoleonic Wars in Europe brought artificially good markets and high prices which encouraged greater capital investment, and intense population,

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[105] Tocque, writing in 1877, claimed a hired master got 4 to 6 pence per seal and sometimes £5 per month as well as a share. Tocque, 304.

increase, and a rise in the number of commercial enterprises in St. John's.[106] These golden years for Newfoundland ended abruptly in 1815 and the island sank into a deep depression which began to lessen slowly in 1818 with a good seal fishery. The cod fishery stagnated and continued to stagnate into the 1870's with only short periods of growth in the 1850's.[107] The early 1830's and late 1860's had unusually bad cod fisheries.[108]

In Newfoundland in general, but especially in Conception Bay, the growth of the seal fishery - Labrador fishery combination helped off-set the depression in the industry. After the war, those who had previously fished along the French shore began going to Labrador to fish. During the 1820's and 1830's the Labrador fishery increased in size and importance, and although the Labrador was important to St. John's, most of the business was controlled in Conception Bay.[109] Harbour Grace and Carbonear thus

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[106] Ryan, "The Newfoundland Salt Cod Trade in the Nineteenth Century," 42.

[107] Ibid, 42.

[108] Ryan, "The Newfoundland Cod Fishery in the Nineteenth Century," 40.

[109] Ibid, 48.

increased in their relative importance for a short time. This importance dwindled with the advent of the steam ships used for sealing in the 1860's,[110] and the decline of the Labrador fishery in the 1880's due to outside competition and deterioration in the quality of the product.[111]

The seal fishery was a growing industry in Harbour Grace and Carbonear in the 1830's, especially in the first years of the decade. The cod fishery, however, was stagnating. The 1830's were especially unproductive and damaging. In 1831 the major firm of Hugh William Danson had to sell its establishment at Harbour Grace as well as at two other Conception Bay outports. Another major firm, the Slades, sold their Carbonear business in 1839. Several other major bankruptcies occurred during this period and money from St. John's merchants was no longer invested in the area.

Newfoundland was capital-poor after the end of the Napoleonic wars. Currency was very scarce even in the larger towns on the island. It was possible for a family to work all year and never see any cash, even though they had earned a living for the year or perhaps earned a small profit. The economy operated on a truck system in which people

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[110] Chesley W. Sanger, "Technical Adaptation in the Newfoundland Seal Fishery During the Nineteenth Century," unpublished M.A. thesis, Memorial University of Newfoundland, 1973, 15-9.

[111] Ryan, "The Newfoundland Cod Fishery in the Nineteenth Century," 54-8.

dealt with a merchant who bought their product and supplied them with all the goods they needed to live and work. Records were kept in an account book which recorded the debits and credits of all who dealt with the merchant. In the spring a fisherman would take his year's fishing supplies on credit from the merchant on the condition that all the fish caught would be handed over to the merchant. The price of those supplies was established later. At the end of the fishing season the merchant would decide upon the value of the supplies taken and the fish caught.[112] They would take the fish and grade it according to quality and then inform the fisherman as to the net profit or loss he had sustained for the season's work. If the fisherman had earned a profit, he received credit in the merchant's books for the appropriate amount, and he and his family drew their winter supplies from the merchant's stores to the value of that amount. If the fisherman had a bad year and was left with no profit, insufficient profit, or even a debt, the merchant kept the debt recorded but usually

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[112] R.E. Ommer, "Accounting the Fishery," paper presented to the thirteenth Annual Conference on Quantitative Methods in Canadian Economic History, Waterloo, March 1984. Ommer comments that price does not seem to be tied to supply and demand in markets, but a complex phenomenon based on production, competition, profits and (very slightly) on market price.

advanced the supplies necessary to get the man and his family through the winter. The fishery was a risky and a fickle business and fishermen often finished the season without adequate credit to get them through the winter. During the 1830's Chief Justice Boulton altered customary law by declaring that debts contracted first must be paid first so that merchants were discouraged from lending to fishermen who were already in debt to another merchant.[113] Through this system the merchant was able to keep large numbers of fishermen in his debt and thus bound to bring their fish only to him, and to deal only at his store. The credit system also prevented any cash, which on a good year may have been due a fisherman, from actually getting to him. The merchant community as a whole was thus in control of any cash available in the economy.

This system worked perfectly in the smaller outports, especially those with a single merchant, but slightly less perfectly in the more "urban" environments of Harbour Grace and Carbonear. While the merchant community largely controlled the cash flow in these towns, it did not have complete control. With various firms in competition, the existence of a minimal service economy, the opportunity for wage labour, and a slight agricultural basis in the economy, there was room for the accumulation of some capital and the growth of a middle class. The seal fishery, unlike

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[113] Robert Lewis, 13-5.

the cod fisheries, was not conducted completely through the truck system. There was a limited history of cash being used for at least partial payment in the seal trade. The relationship between the seal fishery and the cash economy is critical. Cash allowed savings; it also gave more purchasing power and, what is more, purchasing power free of the merchants' grasp. The truck system, while dominant in Harbour Grace and Carbonear, was not complete. The leaks in the system and the slight diversification in the economies of Harbour Grace and Carbonear produced a more complex class structure in the towns than was found in other outports.

SOCIAL STRUCTURE

"Class" in the classical sense of relationship to the means of production, is not always clearly applicable to people in economically complex societies. This is especially true in rural areas where people have various sources of income and goods. While the fishermen of Conception Bay were "working class" in the broader sense, they were not simply wage labourers as was the sense of an urban industrial proletariat. The variety of activities engaged in throughout the year put people in a variety of different positions in relation to their means of production. In addition, each of these different activities provided a wide range of possible ownership relations within it. For example, winter woodcutting could be done by a man to

supply his own home, to obtain wood to sell, as a wage labourer for someone else, or as a servant (either indentured or hired) working for board.

Contemporary accounts generally describe the Newfoundland class structure as a two class society, divided between the merchants and the fishermen.[114] This perception is accurate in that there was a basic division between those who produced salt fish and those who dealt in it on world markets. However, the importance of this break to the members of the upper class who wrote the accounts, often resulted in their overlooking the more subtle divisions among the working people. There was a rising scale of status and respectability.

The inshore and Labrador fisheries provided great variety in social and economic positions but several basic classifications are discernable. Broadly they were servants, shoremen, independent fishermen, sharemen, planters, the 'middle class', and merchants.

In the 1830's the lowest position on the social scale was that of the servant shoreman. Such men were basically unskilled labourers who were unable to find work in the fishery and so worked on shore fetching and carrying and running errands. The only available statement as to the numbers of these men, estimated 30 servants each for

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[114] Tocque, 86.

Harbour Grace and Carbonear in 1830.[115] Fishing servants were better off, at least having regular employment for the season, either in the inshore fishery or on the Labrador coast. Indentured servants could be recruited in England or Ireland or hired in Newfoundland to work for a mercantile firm or a planter for a specific length of time and under specified contractual conditions. Tradesmen could also be hired in this way and in some cases an apprenticeship was involved. Indentured servants were fed and housed by their employers. Hired servants were taken on by merchants, planters, or inshore fishermen for the season for either a wage or a share of the catch. Neither unskilled shoremen nor servants owned property or controlled means of production.

Better off than servants and shoremen were the "independent fishermen".[116] They were independent in the sense that they controlled their own production, but the truck system of supply and credit prevented independence in any real economic sense. They owned fishing rooms in Conception Bay, where they salted the fish they caught in the bay from the small boats they built themselves.

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[115] GN2/2, St. John and Danson to Ayre, June 16, 1830; GN2/2 Danson to Ayre, June 18, 1830.

[116] No commentary of the time is without some praise for the brave independent fishermen of Newfoundland, but few demonstrated an understanding of the positions of the fishermen or the variety in their situations. See for example, Bonnycastle, 81; Jukes, 238; Anspach, 478.

They worked in family units but may have hired a few servants as well. Alternatively, an independent fisherman could own a fishing room in Labrador.[117] In this case the fisherman either had to own a schooner, and thus merge with the planter class, or be dependent on a schooner-owner for transportation of his labour, supplies, and his finished product. Labrador fishermen also hired servants.

The middle class of Harbour Grace and Carbonear was becoming more visible in the 1830's. By 1845, the first year for which figures are available, men classifying themselves as tradesmen and farmers made up 13 percent of the population of Harbour Grace and 9 percent of Carbonear.[118] The composition of the middle class is far from homogeneous and its position, consequently ambiguous. Above the fishermen was what seems to have been a hierarchy of craftsmen, publicans, and ships' captains with status levels overlapping, as many men held two occupations. Often a craft was combined with another occupation, generally that of a fisherman or a publican. The trade of publican was often combined, in turn with that of schooner-master or dealer.

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[117]For a description of the Labrador fishery and its social organization see Tocque, 258-76.

[118]Census, 1845.

Because of the dominance of the fishery the craftsmen are not highly visible in historical records but references to a variety of different crafts appear. Just how they related to the main body of labourers is unclear. In some cases an egalitarian identification with the labouring fishermen is evident, while in others there is a definite leadership role displayed. Carpentry, on a basic level, was a trade held by many people. Many fishermen built their own houses, fishing rooms, and boats so it is possible that an unemployed man could have claimed to be a carpenter. They were not necessarily men of higher social standing as desertion notices for indentured servants describe some men as carpenters.[119] One court case illustrated the destitute condition of one carpenter's family.[120] On the other hand, Gosse was able to find a carpenter of sufficient skill to build him a violin and a harp.[121] Close association with the fishermen would be encouraged when crafts were combined with fishing, as in the case of a butcher or tailor.[122]

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[119] Public Ledger, May, 1828.

[120] GN2/2, Harbour Grace magistrates to Crowdy, Oct. 1830.

[121] Gosse, 69.

[122] Thomas Hennesy combined the crafts of butcher and fisherman, see Harbour Grace Weekly Journal, Dec. 4, 1828; Patrick Rourk was both a tailor and a fisherman, see GN2/2, Harbour Grace constable's Report, Feb. 10, 1832.

The marginal position of some craftsmen may have strengthened ties with the lower class, but in addition to this there were indications of demonstrated support. One shoemaker charged with assault caused the authorities some consternation as they believed he had a great number of friends at the Labrador fishery who would demonstrate their displeasure at his arrest on their return.[123] A journeyman blacksmith was reported to have attended the meeting supporting the sealers in the 1832 protest against the truck system.[124]

On the other hand, support is not always an indication of equality. There is evidence suggesting the more elevated position of craftsmen. Splitters, salters, and headers were skilled tradesmen employed in making fish caught by others. Many learned their trade in Newfoundland, but in the days of the migratory fishery many butchers from England or Ireland adapted their skills to the Newfoundland fishery.[125] Figures for the first two decades of the century show splitters earning as much as, or more than, midshipmen.[126]

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[123] See the case of Daniel McCarthy, Shoemaker of Harbour Grace, especially GN2/2 Danson and St. John to Ayre, Sept. 1, 1830.

[124] GN2/2 Harbour Grace magistrates to Crowdy, Feb. 27, 1832, Sworn statement of Stephen Smallcomb, encl.

[125] Handcock, 362.

[126] Ryan, "The Newfoundland Cod Fishery in the Nineteenth Century," Appendix A, table 22, 243.

Salters were paid slightly less than splitters, and headers, slightly less again.[127] Skilled shoremen, then, could often afford a lifestyle equal to that of a junior commander of a ship.

The petty jurors, necessarily men of a respectable standing, were reported to be chiefly craftsmen.[128] A master cooper was not out of place socializing with "respectable planters", and a tailor was in the position to be hiring servants.[129] The craftsmen's privileged position in the labour force was further suggested by the initiation of the Conception Bay Mechanics' Society in 1830.[130] This was strictly a benefit society stressing economic, rather than social benefits, yet its inception is significant as this type of society was historically often the forerunner of many trade unions.[131] Where a skilled

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[127] Ibid.

[128] GN2/2, Attorney General's report on the trial of Pack, Power, et. al., Feb. 1836.

[129] GN2/2, Danson and Buckingham to Campbell, Jan. 14, 1831; Harbour Grace constables; report, Feb. 10, 1832.

[130] The Conception Bay Mechanics' Society was to provide financial benefits for its membership and their families in instances of sickness and death. An introductory letter and a copy of the rules of the Society were sent to the Governor in asking for his patronage. See GN2/2, Phelan and Jones to Cochrane, Sept. 10, 1830. Nothing further was heard of the Society and it does not appear to have survived a year.

[131] Harold Perkin, The Origins of Modern English Society, 1780-1880, London: Routledge & Kegan Paul, 1969, 118-9.

craft was combined with the trade of a publican it offered a secure living and respectable status. The publicans formed a transition zone between privileged labour and the most respectable of the non-merchant class. While publicans could be craftsmen, they were also ship captains, planters, and dealers.[132] Publicans were recruited as special constables when extra forces were needed to keep peace among the lower orders.[133] While some publicans may have been poor men, they were property owners and almost certainly better off than the average fisherman, with a great deal more potential for upward mobility. The craftsmen overlapped both into the main body of labouring fishermen and into the respectable middle class. A skilled trade was thus not an automatic ticket to prosperity but might well have put a man into the cash economy, allow him to accumulate capital, and advance both his social and economic position.

The planters were a group difficult to define as contemporaries used the term in many different ways. During the period of the migratory fishery the term, as used in Newfoundland, referred to an owner of a decked vessel who wintered in Newfoundland rather than returning to the Old Country. As the population became largely resident many

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[132] Mansel Alcock, a planter, Thomas Dunford, a ship's master, and James Thompson, a dealer, were all Harbour Grace publicans.

[133] GN2/1/40, Ayre to Harbour Grace Magistrates, Feb., 22, 1832.

independent fishermen adopted the title, although their social positions were much inferior to those of the original planters. The word was also retained by the group of wealthier fishermen who owned, and often commanded, decked vessels and hired fishermen to work for them. Some men were hired for wages but many were sharemen working for a share of the total catch. Planters prosecuted both the inshore and Labrador fisheries. They were responsible for the wages of their crew, but like the smaller fishermen, they dealt with a merchant, taking their supplies from him on credit and selling their fish to him, generally on account.

The merchants were the most powerful people in the settlements. They owned the vessels needed for exporting the finished products of the fishermen and importing the supplies needed to keep the population going. In some cases they owned boats, equipment, and fishing rooms used to produce the products, but their principal power came not through their ownership of the means of production, but through their control over outside markets and supplies. Their power transcended the economic realm as they took the roles of leading citizens in the community. The wealthiest merchants were often magistrates and political representatives. Often the jobs of stipendiary magistrates would be given to bankrupt merchants in a community. Carbonear and Harbour Grace, unlike the smaller outports in Newfoundland, had more than one big merchant firm each. There were several important firms and a large number of small firms, which were really

the businesses of prosperous planters. There was in Carbonear and Harbour Grace, at least a minimal amount of competition within the merchant community.

The social structure in the settlements at this period in time was a complex one. Steps on the social scale rose roughly from servants to fisherman, craftsmen, publicans and shopkeepers, planters, merchants, and magistrates.

This brief profile of Newfoundland, and specifically the towns of Harbour Grace and Carbonear in the 1830's, provides the backdrop for the following study of collective action. The two towns were quite similar but Harbour Grace was the more prosperous of the two. Both had fairly stable populations with small Catholic majorities. The fisheries were the center of the economy but the cod fishery, prosecuted mainly in the form of the Labrador fishery, was stagnating and experienced exceptionally poor yields at the beginning of the decade. The seal fishery was expanding and experienced exceptionally good yields during those same years. The plebeian population was largely, although not totally, illiterate. With the institution of representative government in 1832 interest in politics was high and political parties began to form along ideological, religious, and class lines. The truck system was dominant in the economy but it was not all-pervasive. The currency which circulated

in the settlements permitted the formation of a complex class structure and a certain, though limited, diversification of the economy.

The people of Harbour Grace and Carbonear were not as passive as they have been painted by a history which largely ignores the working people. Beneath the more visible economic trends and political developments was a culture of the common people, partly based on the old world cultures of England and Ireland, and partially derived from the new setting and circumstances in Conception Bay. The organization of society, relationships between different groups of people, class structures, attitudes, assumptions, and methods of social control among the plebeian population are visible, to a certain degree, through an examination of community acts. Incidents of collective action in extraordinary circumstances offer glimpses of social organization and expectations held in the normal course of affairs. The incidents which will be examined speak to the vibrancy of the working-class society in Conception Bay in the 1830's and its capacity for organization and resistance.

CHAPTER II

"More Like Martyrs than Felons": the Plebeian Population and Rough Justice

Newfoundland society has often been portrayed as fragmented, passive and isolated throughout its history and down to the present. While cultural divisions and exploitative labour relations did much to encourage such a society, this is only half the picture. There was another side to Newfoundland society: a people with a tradition of independence, a sense of justice and morality, and an ability to act collectively in order to enforce commonly held standards. In short; the people of Newfoundland were both willing and able to enforce their own perceptions of their "moral economy."[1]

During the years 1830 to 1840 the plebeian populations of Harbour Grace and Carbonear were a very active force, accepting the dictates of the merchants and magistrates only as long as they operated within the boundaries accepted by, and sometimes defined by, the population at large. This chapter demonstrates the influence exerted by the plebeian populations by examining several instances of plebeian resistance during the decade. The form, content and context of these instances will be explored. Before delving into the specific events in Conception Bay, there will be a brief description of the European popular protest tradition and the specific forms of plebeian resistance which made up this tradition.

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[1] E.P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," Past and Present, Feb. 1971, 50, 78-9.

Forms of protest found in Conception Bay are easily recognizable as springing directly from a European plebeian tradition of resistance. Through direct action plebeians could use their superior numbers to achieve their desired ends. There were a limited number of avenues open to members of the lower classes who wished to influence the exercise of power in their area. Some protest forms were powerful because direct physical force left a victim no choice but to comply, but most relied heavily on symbolism and ritual. Plebeian weapons were fairly standard across Europe and thus forms of protest created their own recognizable tradition. All over Europe where plebeian elements attempted to influence decisions which affected their lives, people recognized a common goal and acted together through commonly accepted means to correct a perceived injustice through direct action.

This process of plebeian interference was firmly entrenched in both England and Ireland, the home countries of the Newfoundland population. The English and Irish "masses" had perceptions of their rights, the duties of their social superiors, and views of the standards of justice. Included in this world view was the plebeian right to enforce these standards by direct action if justice was not being upheld by those in responsible positions.

The actual conceptions of justice in the two home countries were not identical, nor were the views of the law and the crown the same, but both areas maintained the

tradition of direct plebeian interference with perceived injustice.[2] Thus, while Irish Whiteboys maimed an evicting landlord's agent and an English crowd rioted against an onslaught of itinerant Irish labourers, both groups held concepts of what was acceptable in their society and what was not. Both groups were prepared to combine and act violently and directly to enforce a perception of justice which transcended the law. The legality, or illegality of the means of protest or the cause of protest was irrelevant in direct plebeian action, as the lower classes were appealing to a greater justice; a justice not always reflected in the law.

The traditions of plebeian resistance which were established in the Old World were brought across the Atlantic and continued in North America. When situations arose which demanded plebeian interference it was natural that those involved used the methods of protest with which they were most familiar. This had the benefit of bringing the weight of a well established plebeian customary right to a new country in which rights, customs, and traditions had yet to be established. Symbolism and ritual were particularly important in this transfer as forms of protest could then easily be seen as a continuation of long-standing custom. History was used as a legitimizer for popular resistance

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[2] It is often taken for granted that the Irish held British law and the British crown in contempt, but the subject has never been adequately studied.

in a setting with no established customary rights.[3] Protests were recognized for what they were by both the plebeian population and the ruling class when they embodied recognizable forms of resistance.

The plebeian population of Conception Bay had a preception of their rights, the duties of their social superiors, standards of justice, and their right to enforce their standards by direct action if justice was not being upheld by those in responsible positions. There were divisions within the plebeian populations of Harbour Grace and Carbonear and differences in the world views of different groups of people. This, however, did not prevent agreement on certain issues within these social groups. Where common goals could be agreed upon they could be acted upon. Protest in Newfoundland was a new concept in the 1830's, simply because a substantial, permanent population was also new. The events which prompted plebeian action were similar to the sort of situations which sparked response in Europe, and the forms of response were also similar. In both form and content, protest in Harbour Grace and Carbonear was simply a continuation of the tradition of plebeian resistance which had existed in the historical home countries. This

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[3] Eric Hobsbawm, "Inventing Traditions," in Eric Hobsbawm and Terence Ranger, eds., The Invention of Tradition, Cambridge: Cambridge University Press, 1983, especially 1-2.

tradition was recognized by Catholic, Protestant, fisherman, and merchant alike.

While the details of plebeian protests varied considerably with the situation and circumstances of the event, there were protest types which continually reappeared and thus formed the basis of a lasting plebeian tradition. The threatening letter, or anonymous note, was a common means of plebeian protest.[4] Although the actual writing of such a notice was an individual crime, the context was often one of broad concern. Issues which affected the community at large were often in question. Anonymous notes were illegal, having been banned by the Black Act in the eighteenth century. Notes were a means of protest which required relatively little organization or preparation, were safe, simple, and could be most disturbing for the recipient. The notes represent an angry voice from below, playing on the terror of mystery rather than strength.[5] Notes were used extensively in England and Ireland, and several examples from Conception Bay have been discovered. In some cases the anonymous notes were sent in isolation but often they

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[4] E.P. Thompson, "The Crime of Anonymity," in Douglas Hay, Peter Linebaugh, et. al. eds., Albion's Fatal Tree: Crime and Society in Eighteenth Century England, New York, Pantheon Books, 1975, 255.

[5] Ibid, 304-8.

accompanied another form of protest such as arson, which had a more direct effect. Their importance lies not only in the form of protest but also in the opportunity they provide us to hear the lower orders speaking for themselves. Anonymous notes provide the only evidence of plebeian action which is not filtered through the eyes of non-plebeian observers or of the authorities who wrote the historical documents.

Arson was a popular means of plebeian protest, attaining particular notoriety during the "Swing" disturbances of 1830-1832 in England.[6] Arson was a secretive crime for which it was very difficult to get a conviction. It could be used selectively and directly in any offending building or on the property of any offending person. The crime was committed at least twice in Conception Bay in connection with popular disturbances over the period studied but was also employed as a warning technique in other cases. The long tradition of arson allowed its mere threat to make a point. Besides the actual burning of property, there were other incidents which destroyed property by direct attack, in the manner of the Luddites and other machine-breakers.

Maiming was a technique which received considerable notoriety through the violent Irish agrarian societies,

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[6] Eric Hobsbawm and George Rudé, Captain Swing, London: Lawrence and Wishart, 1969.

although it was widely practised elsewhere. Cattle or other livestock were usually the victims, being slashed, crippled, or having their tongues, tails, or ears removed. In some instances maiming was extended to humans; an individual being attacked by a small gang, usually wearing costumes or disguises of some sort. This occurred twice in Conception Bay during the period under study.

Night visits were a similar form of protest crime. Gangs of disguised men would visit an offender at his home in the middle of the night to frighten, beat, or even kill him for the purpose of revenge, intimidation, or warning. Night visits were also closely associated with Irish rural violence. Several night visits were reported in Carbonear and Harbour Grace in the 1830's, all in connection with major incidents in which community solidarity was being protected.

Burial customs were very important to the plebeian population in the nineteenth century and when accepted traditions and standards of decency were encroached upon, the populace reacted with gusto. Attempts to prevent the dissection and display of the bodies of hanged criminals often ended in riots in eighteenth century England.[7]

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[7]Peter Linebaugh, "The Tyburn Riot Against the Surgeons," in Hay, Linebaugh, et. al. eds.

A crowd at Harbour Grace demonstrated popular outrage over the display of a convict's body. Opposition was also demonstrated to the burial of a suicide victim in a churchyard. In both these cases large crowds dealt with the situation directly by removing the body from the offensive location to have it dealt with in a manner the plebeians deemed proper.

The food riot, perhaps the most studied manifestation of crowd action, did not occur in Harbour Grace or Carbonear during the 1830's.[8] The economic structure of Newfoundland made such occurrences unlikely, but several attacks upon various merchants' stores demonstrated elements of the food riot. There were both cases of individual crime and collective action pointed to a wide-spread resentment of the unscrupulous supplier of food ab ng the people. As with European food riots, those identified as people making profits off the starving poor were singled out and their property redistributed in what was considered a more equitable fashion.

In 1832 there was a massive plebeian protest in the form of a sealers' strike. This was not a strike in the industrialized sense, as no permanent union existed, but it involved a work stoppage aimed at affecting the conditions of work in the seal fishery. Plebeian tactics such as mass

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[8] Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century"; E.P. Thompson, The Making of the English Working Class, Penguin edition, 1980, 67-74; George Rude, The Crowd in History, New York: John Wiley and Sons, 1964; Hobsbawn and Rude, Captain Swing, 108-25.

meetings, parades, machine-breaking, and crowd confrontation of employers, which were standard tactics in early British industrial disputes, were adapted to suit the Newfoundland situation.[9] Similar sorts of protests were held in connection with the elections of 1836 and 1840. Election violence was, of course, no new phenomenon in the British empire.[10] The techniques, rituals, and symbols used in Conception Bay were closely modelled on both the English and the Irish experience.

Plebeian collective action was not always as serious as strikes and election riots. Cultural events could also demonstrate cohesiveness and make strong statements about the parameters of plebeian rights. An incident of Christmas mumming attracted considerable attention at the beginning of the decade.

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[9]For examples of early labour disputes see William Reddy, "Skeins, Scales, Discounts, Steam, and Other Objects of Crowd Justice in Early French Textile Mills," Comparative Studies in Society and History, April 1979, 21:2; Adrian Randall, "The Shearman and the Wiltshire Outrages of 1802: trade unionism and industrial violence," Social History, Oct. 1982, 7:3; Roger Wells, "The Revolt of the South-west, 1800-1801: A Study in English Popular Protest," Social History, Oct. 1977, 6; John Stevenson, Popular Disturbances in England, 1700-1870, New York: Longman Inc., 1979, 113-62.

[10]John Brewer, Party Ideology and Popular Politics at the Accession of George III, Cambridge: Cambridge University Press, 1976, 182-200; Stevenson, 18-35.

A quick overview of the highlights of plebeian protests in Harbour Grace and Carbonear during the 1830's is presented in table III, following. Each incident involved either a collective act or an appeal to the collectivity.

Christmas mumming was a tradition which was in the process of being established in Newfoundland in the 1830's. The custom seems to have been brought from England, where there was a tradition of Christmas mumming, but parallels can also be drawn to Irish practises such as Strawboys' antics which were quite similar.[11] In fact, Irish mummers were sometimes connected to broader plebeian unrest.[12] The practise took different forms, and was carried out with varying degrees of intensity, in different areas of the island.[13]

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[11]Gerald Sider, "Christmas Mumming and the New Year in Outport Newfoundland," Past and Present, May 1976, 71, 115; Bryan Palmer, "Discordant Music: Charivaris and Whitecapping in Nineteenth Century North America," Labour/Le Travailleur, 1978, 3, 16.

[12]In the first decade of the nineteenth century Irish mummers teams and Wren boys were sometimes aligned with agrarian violence organizations, especially the Caravats and the Shanavests. Paul Roberts, "Caravats and Shanavests: Whiteboyism and Faction Fighting in East Munster, 1802-11," in Samuel Clark and James Donnelly eds., Irish Peasants: Violence and Political Unrest 1780-1914, Madison: University of Wisconson Press, 1983, 78. Sundays and holidays, especially in the winter, were favorite times for the Irish to raid houses. Paul Roberts, 78.

[13]Sider, 115-7.

Table III

PLEBEIAN ACTIONS IN HARBOUR GRACE AND CARBONEAR, 1830-1840

DATE	INCIDENT	PLACE	NUMBER	CLASSIFICATION
Sept. 1830	Daniel McCarthy	Hr.G	1	appeal to collective
Jan. 6, 1831	mumming attack	Hr.G	20-80	cultural incident
May 27, 1831	oil expropriation	Hr.G	large crowd	merchant challenge
Jan-Mar 1832	sealers' strike	Hr.G-Car.	2000-4000	various incidents
May 1833	Elsworth	Car.	1	merchant challenge
June 1833	affront to Pack	Car.	1	merchant challenge
Nov. 1834	Macky	Car.	1	merchant challenge
Apr. 29, 1834	gibbetted corpse	Hr.G	1000 (?)	parade/anon. note
May 1834	Nuttall's harassment	Hr.G	-	3 notes/arson attempt
Apr. 1834	cholera hospital	Hr.G	-	arson attempt
May 19, 1835	Winton's ears	S.Hill	5-6	maiming
winter 1836	election disturbances	Hr.G-Car.		various incidents
Feb-Mar 1838	Moxley's burial	Car.	100-150	parade/disinternment
Dec 1838	Solicitor General's threat	Hr.G	-	anon. note
Dec 1839	Peter Brown's threat	Hr.G	-	anon. note
May 13, 1839	Lott's ear	S.Hill	4	maiming
winter 1840	election disturbances	Hr.G-Car.		various incidents

There is evidence of the practise early in Newfoundland's history but there is also evidence of resistance to the custom among the "respectable" classes.[14] Anspach claimed in 1819 that mumming was not met with general approbation and that the natives of Conception Bay "resisted and publically reprobated" attempts to introduce the custom.[15] Nevertheless, by indulging in mumming activities each year the plebeian population forced a certain recognition of the practise in official circles.

The type of mumming practised in Conception Bay while not extensive, was loud, violent, and extremely plebeian. The custom was celebrated only by the "lowest order of persons."[16] The Twelve days of Christmas were a period of licence in which breaches of the peace were expected in the carnival-like atmosphere. Men and women would disguise themselves and roam about in small gangs singing, dancing, performing theatre for extracted payment, harassing passers-by, and creating a general disturbance. In some cases people were attacked and houses were "visited".

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[14] Ibid, 105-6, 114-5.

[15] Lewis Anspach, A History of the Island of Newfoundland, London: T. And J. Allman, 1819, 477.

[16] GN 2/2, Danson and Buckingham to Campbell, Jan. 20, 1831.

In 1831 the magistrates complained about the practice, as many people were assaulted and others had had flour thrown on them by disguised figures with blackened faces.[17] On Twelfth Night, January 6, 1831, an incident occurred which finally induced the magistrates to take action against the custom. A subscription ball was being held at the Harbour Grace home of Mansel Alcock, a very respectable planter and publican. After midnight a large number of people disguised and with blackened faces burst into the house armed with bludgeons, swabs and blubber, and, according to some reports, guns.[18] The "select party of young men" and their female companions watched horrified as the gang smashed the refreshment table sending food, china, and glassware flying, doused guests with hot blubber, and broke several windows. Two guests, a master cooper and a dealer, were soundly thrashed. The barrage lasted about ten minutes.

Reaction to the incident was mixed. There was general recognition that the affray was a result of a wider tradition of Christmas mumming. The Harbour Grace Mercury, while not condoning such acts, noted the season on the year

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[17] Ibid.

[18] One account estimates there were about 80 people in the mob but another estimates 20 to 30 participants. Public Ledger, Jan. 11, 1831; GN2/2, Danson and Buckingham to Campbell, Jan. 14, 1831; Public Ledger, Jan. 25, 1831.

and the deference shown to females, claiming it was not a malicious act but merely "the wrong assertion of an inconsiderate youth."[19] The report of one of the guests was not so indulgent, claiming those present had been in a situation of personal danger and terming the perpetrators "criminals."[20] The Tory press was also unsympathetic.[21] Similarly, magistrates Danson and Buckingham were aware of the mumming tradition with which the incident was connected, but were not prepared to tolerate such acts under any excuse. They were eager to discover the outlaws, calling attention to the illegality of such acts and lesser mumming offences which had occurred over Christmas.[22] The governor was likewise disturbed by such goings-on, but more so by the magistrates' apparent inability to deal with the situation. His secretary recorded that it was "scarcely credible that such things could go on in so small a town without being able to find some or all of the perpetrators."[23] The governor was afraid

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[19]Harbour Grace Mercury, reprinted in the Public Ledger, Jan. 25, 1831.

[20]Public Ledger, Jan. 25, 1831.

[21]Public Ledger, Jan. 11, 1831; and Jan. 25, 1831.

[22]GN2/2, Danson and Buckingham to Campbell, Jan. 14, 1831; and Jan. 20, 1831.

[23]GN2/1/40, Campbell to Danson and the Harbour Grace magistrates, Jan. 28, 1831.

inaction would make the system of law enforcement look very inefficient and ineffective and ordered an active investigation.[24] Despite the magistrates' efforts, none of the participants were ever found. Thus, the governor and magistrates spoke vehemently against such acts on the grounds that they disturbed public peace and endangered property, but more importantly, damaged the public perception of the power of the law.[25]

Although the law was clearly being broken and there was some evidence of opposition among the more "respectable" members of society, there was a notable leniency in dealing with the event and a suggestion of reluctant middle class tolerance to the ravages of mumming in general:

> such disguised characters...have received too much encouragement from respectable persons residing at Carbonear and Harbour Grace, they not being aware of the laws existing in England against such offences.[26]

While the "respectable persons" did not necessarily approve of such goings-on, they appear to have hesitated to interfere on any formal level.[27]

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[24] Ibid.

[25] Douglas Hay, "Property, Authority, and the Criminal Law," in Hay, Linebaugh, et. al. eds.

[26] GN2/2, Harbour Grace Magistrates to Campbell, Jan. 20, 1831.

[27] Gerald Sider suggests the upper class was willing, although not always happy, to tolerate such expressions of popular licence, while the middle class could only see such mockery and affront as a total threat. This case shows tolerance to be more evident among the Newfoundland middle class. See Sider, 117.

The "lower orders" who were believed to be the cause of such disturbances, could not be detected and brought to trial. A significant number of those in the lower orders must certainly have known at least some of the mummers at the Alcocks', given the size of the town and notoriety of the incident. That no one was apprehended demonstrates a sense of common cause among the plebeians with either the custom, the mummers, or both.

While the facts surrounding this incident are limited, they do suggest class loyalties in the society. The mummers used collective direct action to help establish the Twelve Days as a period of plebeian licence. The attacks which occurred during mumming days were committed by the lower members of society on their social superiors. Such attacks were not necessarily meant to be against any particular individual but against "respectability" itself.

The case of Daniel McCarthy in 1830 provides another example of a common feeling of popular justice beyond the law, and shows that people would combine to protect that justice. McCarthy was a poor shoemaker who had squatted in an abandoned fish house with his wife and children and had lived there for four or five years.[28] There is some disagreement as to whether McCarthy had ever paid rent for the house or not.[29] The house was re-claimed

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[28] GN2/2, Petition of Daniel McCarthy, Mar. 18, 1831.

[29] Ibid; GN2/2, Rogerson to Danson, Nov. 3, 1830; GN2/2, Magistrates' Report, June 3, 1831.

in 1830 and McCarthy was given legal notice to vacate as the building was to be torn down as a fire hazard. McCarthy refused to leave. The magistrate, acting on behalf of Peter Rogerson, who controlled the property, assembled a large body of special constables (mostly publicans) to evict McCarthy and his family and pull down the house. McCarthy resisted. Claiming he was armed and would defend himself to the last, he refused the bail offered him if he gave himself up peacefully.[30] Magistrate Danson was appalled at McCarthy's lack of respect and reported that he had:

> threatened revenge on all persons concerned and even myself as soon as the Kerry Men should arrive from the fishery who would assist him and that before the following winter was over we should have very little to call our own, and intimated that our Houses should not be safe and defied all authority.[31]

The special constables refused to obey the magistrate's order to break open the door and destroy the poor man's house.[32]

The following day the door was unlocked and the regular constables were sent to evict him. They were successful but only after a desperate struggle in which both constables were wounded. McCarthy had threatened

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[30] GN2/2, Danson and St. John to Ayre, Sept. 1, 1830; GN2/2, Magistrates' Report, June 3, 1831.

[31] GN2/2, Magistrates' Report, June 3, 1831.

[32] GN2/2, Petition of Daniel McCarthy, Mar. 18, 1831.

Rogerson and called on his countrymen to help him, claiming he had many confederates and many more who would soon be back from the Labrador. McCarthy, his wife, and stepson were locked in jail but the magistrate was nervous about the potential of a rescue by fellow Irishmen as it was something they had "often the inclination to do,"[33] and because the "Lower Order of persons" in Harbour Grace "were elated at (the) resistance to legal Authority."[34] The magistrates placed a special guard at the jail at night.

Despite the fact that McCarthy had been legally evicted he still felt it unjust that he should be forced to leave. His claim on the property was that he had lived there several years and had nowhere else to go. The special constables may also have seen the injustice of turning a poor man and his family out of their house in the fall of the year. The specials may also have been intimidated by McCarthy's threats. In any case, the appeal to the cohesion of the Conception Bay Irish community to stand by one of their members who had been wronged had a serious effect.

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[33] GN2/2. Magistrates' Report, June 3, 1831.

[34] GN2/2, Dandon and St. John to Ayre, Sept. 1, 1830. McCarthy was hardly typical of his class, being somewhat of a violent character. By 1833 he was back in jail again for assaulting a woman and threatening to burn her house down. GN2/2, Harbour Grace Magistrates to Crowdy, Jan. 18, 1834.

The Irish had formed violent secret societies in their home country to protect themselves from evicting landlords and they had proven the power of community cohesion in Newfoundland as well. This type of solidarity was central to any type of plebeian input or control over their environment. Whether people mobilized on the basis of religion, ethnicity, locale, or class, people acting on the basis of community support could pose a significant threat to established authority.

In 1832 the magistrates were troubled by a more extensive and far more important breach of the peace. The sealers' strike of that year demonstrated remarkable class solidarity in both communities and among all denominations. A large number and variety of collective plebeian protest acts were reported in connection with the strike. Because of its importance, the strike will be examined separately in chapter four.

While 1832 saw a major combination of the labourers in the seal fishery, the primary industry, the cod fishery, did not experience a similar revolt. This was true despite the fact the workforce for both industries was virtually identical.[35] This is not to say that there were no indications of dissatisfaction within the exploitative cod fishery system. The incidents which occurred were usually small and

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[35] One major exception was that women did not participate in the seal fishery.

disjointed, often involving only one person. The events would be considered individual crimes and irrelevant to any analysis of collective action if they did not contain implicit or explicit appeals to the community sense of justice. Even from a powerless position attempts were made to achieve some justice.

The largest reported demonstration directly against a merchant occurred in 1831 regarding the bankruptcy of Hugh William Danson and Company of Harbour Grace.[36] On May 27 the fishermen and shoremen who had been employed by Danson's mercantile house became anxious about the shares and wages owed them, and confiscated some oil from the merchant's store. Apparently, the trustees were unwilling or unable to meet the debts of shares and wages to the fishermen when the firm was declared insolvent. When the news reached those concerned, the fishermen retaliated by "forcibly possessing and rolling upwards of one hundred casks of oil into the street."[37] The men threatened to destroy the oil, but the step proved unnecessary as they soon received assurance from the trustees that the sharemen would be paid their due that evening.

The action was successful in achieving the aims of the fishermen and in forcing the authorities to recognize the power of "the Mob". Despite the claims that the fishermen had no legal claim on Danson's oil, and that the act

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[36] GN2/2, Ridley to Entendant of Record, May 31, 1831; Public Ledger, June 3, 1831; CO194 vol. 95, Prescott to Glenelg, Dec. 15, 1836.

[37] Public Ledger, June 3, 1831.

was described as "robbery", a "riot", and an "outrage", the fishermen were able to obtain a swift and fair settlement of their grievance. Reports of the incident were accompanied by pleas for an effective police force to protect the respectable inhabitants from the lawless mob. The fishermen were not concerned about the legality or illegality of their actions. They worked for a living and if they had done the work they expected just remuneration. Regardless of any legal claims they may or may not have had on Danson's assets, they had a moral claim to their wages and they acted on the basis of this claim.

The years 1833 and 1834 were particularly bad ones in the cod fishery and the demand for relief was especially great.[38] In the spring of 1833 Thomas Elsworth was arrested for violently attacking, and breaking the counting house door of Thomas Chancey.[39] No motive is given for the act but it was accompanied by "very abusive language".[40] While very little information is given about the incident, the absence of theft or any crime directed towards personal gain, suggests the fisherman was angry at the merchant for some perceived breach of justice.

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[38]The administration of relief was a major item of business in the governor's correspondence in 1833 and in 1834. See for example, GN2/2, Stabb to Crowdy, May 28, 1833; Harbour Grace Magistrates' Letters, Crowdy to Harbour Grace Magistrates, Feb. 25, 1833.

[39]Harbour Grace Magistrates' Letters, file #15, Chancey to Danson, May 11, 1833.

[40]Ibid.

A similar incident occurred a month later when a man walked through Carbonear declaring that unless supplies were given to him and others for the summer, they would fire the stores.[41] After assaulting almost every respectable person he met, he entered merchant Robert Pack's house and "grossly abused" Pack's wife before he was removed. Although the incident took place during the day and in the presence of many, no one attempted to interfere with the man.[42] In November of 1834 Chancey's premises were again the target of vandalism. A man named Macky broke two doors and forced himself into Chancey's office where he used violent and threatening language to the merchant.[43] When he was charged he refused bail and was not penitent, but rather regretted he had not "gone through the window like a horse instead of going through the doors."[44] The constable who was charged with bringing the prisoner to the Harbour Grace jail was hesitant about bringing him through town, and demanded that six or eight special constables accompany him.

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[41] Carbonear Star, June 19, 1833.

[42] Ibid.

[43] Carbonear Star, Nov. 26, 1834.

[44] Ibid.

While all three of these incidents were individual crimes in one sense, they appealed to a broader sense of justice understood by the population at large. Only brief profiles of these infractions are given in the records as the outbreaks were minor. Each protest suggests that a principle, rather than a desire for personal gain, was at stake, and broad popular support is hinted at. Perhaps the protesters did not feel they deserved to starve because the fishery had been unsuccessful. Where a wrong was committed against the collective rather than an individual, as in the first case involving Hugh Danson, the protest was a collective one. The fishermen were in weak bargaining positions with their supplying merchants and this was reflected in the sporadic; weak, and infrequent attacks on merchants in relation to the cod fishery. The fishermen's weak positions did not mean they did not recognize their positions and harbour aspirations towards a more equitable system. The direct attacks on the merchants' establishments suggest a sympathy among the fishermen and a detached hostility towards the "respectable" and merchant community.

On the evening of April 29, 1834 a large crowd assembled in Harbour Grace to cut down the body of a murderer gibbeted at "the Reef", near Harbour Grace.[45] The body which had been hanging for a month before it was removed, was

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[45] GN2/2, Stark to Crowdy, May 12, 1834. The only estimate as to the size of the crowd puts it at "at least 1000 men."

paraded through the town past the Court House, and dropped on the doorstep of a magistrate, Dr. Stirling.[46] The body when discovered the next morning was accompanied by a note which read:

> Dr. S.
> This is your man — you were the cause of bringing him here take and bury him or Look Out should you be the cause of allowing him to be put up again we will mark you for it so do your duty and put him out of sight
> truly
> A fiend
> Anon Carbonear[47]

The victim of the execution and public display was Peter Downing (or Downey) who had been convicted of murder. In July of 1833 school teacher Robert Bray, his infant son, and a servant girl were murdered. In addition, Bray's house was robbed and then set on fire. By the end of the month Bray's two male servants, Peter Downing and Patrick Malone were arrested on suspicion and subsequently confessed to the crimes.

Dissection and gibbeting were punishments used in Britain and her colonies for crimes considered to be particularly obnoxious. The sentence was used to make the death penalty more severe and more intimidating to the populace. The body, often hung in a position pointing

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[46] Downing was hanged at the beginning of April when most of the working male population was away at the seal fishery. The body was cut down at a time when the sealing vessels were arriving back from the ice. It is reasonable to speculate that the men arrived back from sealing to find the offensive body displayed, and immediately united to cut it down.

[47] GN2/2, Stirling and Danson to Crowdy, Apr. 30, 1834, (encl.).

towards the scene of the crime, was displayed as a warning to prospective law-breakers. Dissection played a dual role, supplying surgeons with cadavers for medical research while providing a dreaded punishment for the masses. The mutilation and display of human bodies, regardless of the atrocities the criminal may have committed, was considered thoroughly repugnant by the plebeian population. At the Tyburn fair in England criminals were saved from dissection, if not from hanging, by friends, relatives, sympathizers, and the population at large.[48] If the authorities managed to have the bodies displayed, it was necessary to have them fastened by heavy chains to prevent the victim being cut down by sympathizers.[49]

The public distaste for the exhibition of human corpses was no less prevalent in Newfoundland. Downing was sentenced to be hanged and dissected. Whether that dissection ever took place is not clear, but the governor, shocked by the crime and afraid that such deeds would become commonplace in Newfoundland, arranged for the body to be displayed in chains near the location of the crime.[50]

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[48] See Linebaugh.

[49] Burial rights and the place of burial were also important. In Ireland, Whiteboys buried by the state sometimes had to be buried in quicklime to prevent families from claiming the corpses. James Donnelly, "Pastorini and Captain Rock: Millenarianism and Sectarianism in the Rockite Movement of 1821-4," in Clark and Donnelly eds., 132.

[50] CO194 vol. 87, Cochrane to Stanley, Mar. 15, 1834.

Downing's crime, savage and unprovoked, could hardly have aroused public sympathy.[51] His sentence, however, disgusted the population and offended accepted standards of decency and justice. Despite his crimes, there was an additional perception of injustice in his sentencing, especially in relation to his accomplice, Patrick Malone. When the governor had heard of the crime, he offered a reward for information leading to the apprehension of the perpetrators and offering free pardon to any accomplice providing they had not actually committed the murders. Both Downing and Malone were in custody when the proclamation reached Harbour Grace. The gaoler, seeing that the two men looked uneasy whenever they saw each other, suspected he would be able to get a confession.[52] In the gaoler's opinion Malone seemed the more nervous of the two, and on this basis, showed the proclamation to Malone first. The gaoler suspected Downing was plotting to impeach Malone.[53] On hearing the proclamation, Malone made a confession on the basis of the promise of amnesty. He confessed to plotting the crime, robbery, and arson but claimed it was Downing who had actually struck the fatal blows to the three victims. Shortly afterwards Downing

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[51] Newfoundlander, Aug. 1, 1833, reprinted from Harbour Grace Mercury.

[52] CO194 vol. 87, Simms to Crowdy, Mar. 15, 1834, (encl.).

[53] Ibid.

also confessed to a part in the crimes, but claimed Malone had actually committed the murders. The real murderer could not be detected because Downing and Malone were the only witenesses. Because Malone had made his statement first he was granted pardon for his part in the crime, but Downing, not having been given an opportunity for amnesty, was hanged and hung in chains.[54]

The injustice of the situation was further compounded by a similar incident which occurred in nearby Port-de-Grave around the same time.[55] A planter named Snow was murdered by his wife, assisted by her lover (Mandeville), and a servant. The three were convicted and ordered to be dissected and hung in chains. They were hanged but the obnoxious dissection and exhibition of the bodies was not carried out in this case. Although the Port-de-Grave surgeon was anxious to have the bodies for anatomical studies, the local Catholic priest interceded, claiming that the sentence of dissection and display had been remitted.

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[54] GN5/2A/1, Supreme Court Records, Jan. 3, 1834; Times, Apr. 9, 1834; GN2/1/38, Oct. 31, 1834. Malone's name is mentioned again later in the decade in connection with a fire in Mosquito. The house of a successful planter and sealing captain who lived near "the Murderer's" brother was burnt. Suspicion naturally fell upon Malone. GN2/2, Stark to Crowdy, July 24, 1837.

[55] CO194 vol. 87, Cochrane to Stanley, Mar. 15, 1834.

The surgeon was unable to take advantage of the specimens as the jail was surrounded by a large and angry crowd when he went to receive them. The crowd was successful in intimidating the surgeon who made only token scratches on the necks of the bodies before giving them up to the crowd. The surgeon thus fulfilled his obligation to carry out his part in the sentence and avoided angering the large crowd. The subsequent funeral was reported as being "more like that of Martyrs than Felons," as the Port-de-Grave people celebrated their victory in preventing the display of the bodies.[56]

The reason given for the magistrate's relaxation of the sentence was Mandeville's respectable position in the community, being "of a superior class of persons."[57] The governor was unimpressed by such reasoning, claiming Mandeville's social position made his crime all the more atrocious since he ought to have been setting an example for the community. Downing, on the other hand, was only "an ignorant wretch," tempted by wealth he could have obtained by no other means.

Downing, then, was severely treated in comparison to others in his situation. This may have accounted for the display of public sympathy. More important, though, was the widespread public disgust towards a gibbeted corpse. That disgust was demonstrated in Port-de-Grave when the surgeon was forced to give up his cadavers to the mob which

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[56] Ibid.

[57] Ibid.

surrounded the jail. The anonymous note sent to the magistrate also reflected the revulsion over the exhibition and demanded that the plebeian concepts of justice be respected. "Do your duty and put him out of sight," the letter instructed. The large number of participants in the event indicated the widespread acceptance of the concepts of decency which were challenged by the gibbeting. The people used their numbers to enforce their will and challenge the authorities. One magistrate who observed and reported the event declared the people had made a deliberate attempt to defy authority by parading the body right in front of the Court House and by offering a direct and horrible insult to a magistrate.[58] Later, a petition was sent to the governor complaining of this, and other breaches of the peace. The petitioners begged their names not be made public because of their fear of the mob.[59]

The power of the people was recognized by the magistrates, regardless of what they may have thought about the challenge to their authority. The body was immediately buried at the Court House and no attempts were made to have the incident investigated or the body gibbeted again.[60]

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[58] Ibid.

[59] CO194 vol. 95, Prescott to Glenelg, Dec. 15, 1836.

[60] GN2/2, Harbour Grace Magistrates to Crowdy, Apr. 30, 1834.

In May of 1834 a Harbour Grace merchant and planter, John Nuttall, was the victim of a different form of plebeian attention. On May 2, Nuttall's apprentice found a letter under his master's shop door. (See appendix B) The note demanded that Nuttall (for his own good), drop the persecution of a man named Michael Kief (or Keefe), and allow him to assist his "starving Family Crying for Bread."[61] The message went on to remind Nuttall he had a family of his own that could also suffer the want which the imprisoned Kief's family was suffering. Nuttall was warned: "i tell you the Publick Voice is against you Crying Shame."[62] Four days later Nuttall found a second note wrapped around a stone and thrown into his yard. (See appendix C) The tone of the second letter was not as conciliatory as the first:

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[61] GN2/2, Harbour Grace magistrates to Crowdy, May 8, 1834, (encl.).
Michael Keefe was a fisherman who owed £ 35 to Nuttall. When he fell behind on his yearly £ 8 payment he was prosecuted and imprisoned. Peter Roberts, "The Harbour Grace Elections 1832-61," unpublished M.A. thesis, University of New Brunswick, 1969, 9.

[62] GN2/2, Harbour Grace Magistrates to Crowdy, May, 1834, (encl.).

> You persicuting in solvent Scounderelll...
> we will levell your wifes propperty...
> we put up with you to long...We are
> watching your movements...we will Make
> You Suffer For it ....[63]

The author or authors were offended by Kief's being unable to relieve his starving family and also by some undisclosed venture of Nuttall's in which he got a large amount of insurance money. Nuttall suspected the letters were written by a Harbour Grace tailor named Thomas Martin. A tailor would have been a member of the upper working class and would have been well suited to the role of plebeian leader or defender.

Two days after the second note Nuttall received a more direct message from his enemies.[64] In the morning the two servant girls found a crudely rhyming message in the linhay of the house, warning the girls to take care of themselves and the family to vacate as their master's life would be taken that night. (See appendix D) During the evening Nuttall's cooper came to him with the news that someone was trying to burn down his premises. By a hole in the side of his store they found a punt with several small sticks from a fire, covered with dry boughs. The timbers of the punt had been charred and a burning log was embedded in the store wall. Nuttall, understandably upset by the arson attempt,

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[63] Ibid.
The second notice demands that the 'Power man' be let out of prison. As Nuttall did not sue anyone by the name of Power in 1833 or 1834 it is likely that the author meant 'the poor man,' meaning Kief.

[64] Ibid.

asked for police protection and for an enquiry to be made. The enquiry was denied despite a petition with 67 names on it which was subsequently sent to magistrate Danson.[65] Nuttall was to be granted a police watch of his house provided no extra expense was incurred by the district.[66] A magistrate reporting the incident believed it was part of a plebeian conspiracy and described it as one act in "a system of terror and alarm" which was instituted by "one side" of the population.[67] The magistrate, besides being incapacitated by lack of funds, felt that the offenders only intended to create an alarm rather than actually to burn the store because the boat that was used to lay the fire had ice in it and was unlikely to burn.[68]

The arson attempt at Nuttall's followed a similar attempt on the newly established cholera hospital in Harbour Grace. In late April a window was broken at the hospital and on inspection, a fire was found to have been prepared

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[65] Harbour Grace Magistrates' Letters, file #13, Prendergast to Danson, May 22, 1834.

[66] GN2/1/33, May 19, 1834.

[67] GN2/2, Stark to Crowdy, May 12, 1834.

[68] Ibid.

under the wall on the east side of the building.[69] The fire did not burn because the moss used was too wet.[70]

A European cholera outbreak in 1832 caused fear in New World ports almost immediately. In Harbour Grace a boat and crew were hired to operate a quarantine and provisions were made for a cholera hospital. Although the attempts to prevent the disease in Newfoundland in the early 1830's were successful, the threat of the disease was sufficient to cause panic among the population.[71] The Harbour Grace attempt to burn the cholera hospital was not a unique response. Mobs gathered to oppose facilities to harbour cholera victims of the 1830's epidemic in Saint John, Quebec, and Niagara.[72] During epidemics in the next two decades hospitals were destroyed by fire or vandalism by crowds in P.E.I., London, Ontario, Saint John, and Quebec City.[73]

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[69] GN2/2, Parkin to Crowdy, Apr. 30, 1834.

[70] GN2/2, Parkin to Crowdy, May 2, 1834.

[71] Geoffrey Bilson, A Darkened House: Cholera in Nineteenth Century Canada, Toronto: University of Toronto Press, 1980, 111-2.

[72] Ibid, 15, 66, 55.

[73] Ibid, 125-126, 136.

When cholera did hit Newfoundland, in 1855, mass public opposition to the harbouring of victims was immediate in Harbour Grace. When two people died, authorities claimed:

> we could not get possession of the house to which we carried the stranger without the presence of soldiers, and now we hold it in fear of its being burnt down in the night.[74]

The community was dedicated in 1834, as in later years, to keeping the dreaded disease away from their town. By burning the cholera hospital they hoped to force the infected victims to go elsewhere. The 1834 attempted arson was an example of the people acting together with popular sanction to protect their environment. They were acting in traditionally accepted ways and on a perceived right to save themselves from the deadly disease.

On the afternoon of May 19, 1835, Henry Winton, the out-spoken editor of the leading tory and anti-Catholic newspaper, the Public Ledger, was attacked by a small gang who beat him and cut off his ears. Winton was riding from Carbonear to Harbour Grace, accompanied by Captain Churchward of Carbonear. While descending Saddle Hill, they were attacked by from three to six people with painted faces who appeared from out of the trees by the roadside, blocking the road.[75] Two of the party chased Churchward into the woods

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[74] Ibid, 136.

[75] Neither of the victims was certain about the number of assailants but the number five seems the most likely. GN2/2, Harbour Grace Magistrates to Crowdy, May 20, 1835; GN2/2, Stark to Crowdy, May 19, 1835.

and held him there for three of four minutes.[76] Meanwhile, Winton was knocked from his horse with large stones and beaten about the head. The attackers then filled his ears with mud and gravel and used a clasp knife to cut several pieces out of the right ear and sever the left ear entirely. When this was done they ran off into the woods, leaving their victim on the road.[77] Churchward made his way back to the road where he found Winton soaked in blood, but determined to track down his assailants. Churchward was able to convince him of the necessity of having his wounds dressed first, and the two of them proceeded to Harbour Grace to find a doctor.

Winton was a well known figure in Newfoundland who, through his aggressive journalism, had made many enemies, especially among Catholics. Signs of Winton's unpopularity were visible before the incident, both in St. John's and in the outports. He had been placarded several times before for his obnoxious comments, with notices claiming the people "would set a mark upon him and have his life."[78] It was rumoured that a similar warning had been

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[76]GN2/2, Harbour Grace Magistrates to Crowdy, May 20, 1835; (encl.).

[77]GN2/2, Harbour Grace Magistrates to Crowdy, May 20, 1835, (encl.).

[78]Select Committee on Newfoundland, 1841, Capt. H. Geary, 99; Public Ledger, June 2, 1835.

issued to him while he was in Carbonear on this occasion.[79] Winton had already been the victim of a mob in St. John's when his house was attacked on Christmas day, 1831 and troops were needed to quell the crowd.[80]

The governor was shocked by the event and offered a reward of £500 for information leading to the apprehension and conviction of the perpetrators. This sum was augmented by private subscriptions of £800, thus creating a total reward of £1300. The reward also offered pardon for accomplices, protection, and free passage out of the country. No one was ever charged with the offence and the reward remained unclaimed. This suggests strong plebeian cohesion on the issue. If the perpetrators came from Harbour Grace or Carbonear it is highly unlikely that no one knew anyone connected with the crime. Thus, people refrained from aiding the authorities out of loyalty to the cause, sympathy for the perpetrators, out of fear, or from ignorance.

There is evidence that support for the act was widespread among the plebeian population. The governor complained that it was:

> a matter of open triumph and rejoicing to the Catholics of low degree, even female servants and children expressing the greatest satisfaction.[81]

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[79] Ibid.

[80] Select Committee on Newfoundland, 1841, R. Job, 56 and T. Cochrane, 10.

[81] CO194 vol. 90, Prescott to Grant, May 29, 1835.

Judge Brenton expressed the shock that all respectable people felt towards the event but continued "I really believe that many of the lower (classes) are chuckling at his situation."[82] A more substantial indication of working-class pleasure was the removal and defiling of the governor's proclamations and notices offering rewards, as soon as they were posted. On one of the Conception Bay proclamations "the Kings Arms had been cut from the ad... the Harp above the Crown put in a falling position."[83] Under it was tacked "a most abusive placard" against the magistrates who had signed the reward.[84] Proclamations were also torn down in St. John's, and public opinion there was equally hostile to Winton.[85]

Plebeian sympathy with the cause is not a total explanation as to why the reward money was never claimed. Half of the populations of Harbour Grace and Carbonear were Protestant, supposedly connected with the Tory faction. They were no more help in uncovering the criminals than the Catholic population. Also, this question cannot simply be

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[82]GN2/2, Brenton to Crowdy, May 20, 1835.

[83]Harbour Grace Magistrates' Letters, file #13, Danson and Buckingham to Simms, June 2, 1835.

[84]Ibid.

[85]CO194 vol. 90, Prescott to the Earl of Aberdeen, May 30, 1835.

seen as a lower class conspiracy of silence since all classes were involved. Indeed the center of the conflict would have been among the literate public as the debates were carried out in the newspapers. Fear and intimidation were important factors in guarding the secrets. The act itself followed a widespread tradition of plebeian violence found in both England and Ireland, in which a number of people disguise themselves and attack directly the person or property of someone who has ignored an accepted custom or right to the detriment of the plebeian population at large.[86] In Ireland, the tradition of peasant violence also provided against its own detection by imposing severe sanctions, often death, upon informers.[87] This element of popular culture could well have accounted for the reluctance of anyone to claim the reward.

There were attempts by the culprits to present a view of a tight, pervasive system of influence such as the Whiteboys or Ribbonmen of Ireland. The use of maiming is important in that it was a popular technique of protest in Ireland. While often used on animals, it was also used on humans, especially in the form of ear cropping.[88] Winton's

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[86]For example see R.W. Malcolmson, Life and Labour in England, 1700-1780, London: Hutchinson Press, 1981, 108-35; Thompson, "The Moral Economy of the English Crowd in Eighteenth Century."

[87]G.C. Lewis, Local Disturbances in Ireland, London: B. Fellowes, 1835.

[88]Paul Roberts, 78.

assailants had their faces painted and it was suspected that one of them was a woman.[89] This person may have been a woman or simply may have been disguised as such, as in the Irish tradition.[90] The Irish element was carried through in one of several minor incidents of harrassment which occurred shortly after the maiming. A man named Peter Rogerson received an anonymous note threatening him with the loss of his ears which was signed "Croppy".[91] This is an allusion to Irish Jacobins of the 1798 rising. United Irishmen were still known as "croppies" well into the next century.[92] In St. John's at this time a court case was being held in which Parsons, the editor of the liberal, Catholic paper, was sued and convicted of libel by Chief Justice Boulton. A placard was found at the Court House making an example of Winton's maiming:

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[89] GN2/2, Harbour Grace magistrates to Crowdy, May 20, 1835, (encl.).

[90] Paul Roberts, 78; Donnelly, 108.

[91] GN2/2, Stabb to Crowdy, June 10, 1835.

[92] Paul Roberts, 91.

> ....I TELE Boulton to Liberate our Patriot -- and that very soon -- if he dont let him mark the Consequence for I am resolved to serve him Worst than HARY Winton for I am here as well as i was at SADLE Hill
> But Better provided Whit a leaden Nife.[93]

The letter gives the impression that there is some all-pervasive force, reaching around Conception Bay and into St. John's. The authorities saw the maiming as part of a great conspiracy. The governor was convinced that "though the guilty must be known to many they will, I fear, escape."[94] Winton, in his customary style, wrote about the "system of intimidation and terror" and the inferior moral fibre of the Conception Bay people.[95]

The exact nature of the social cohesion displayed is a matter for speculation, but the existence of that solidarity is unquestionable. The crime may have been committed by people from Harbour Grace or Carbonear, or perhaps from St. John's. The St. John's notice to Boulton, the subsequent maiming of Winton's foreman on Saddle Hill, and the geographical distance between the capital and the bay towns make it unlikely that the assailants were from St. John's. It is more probable that ethnic and class loyalties had established lines of communication between Winton's enemies in St. John's

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[93] CO194 vol. 90, Prescott to the Earl of Aberdeen, May 30, 1835, (encl.).

[94] CO194 vol. 90, Prescott to Grant, May 29, 1835; Select Committee on Newfoundland, 1841, Brooking, 31.

[95] Public Ledger, June 2, 1835.

and Conception Bay. Regardless of the hometown of the assailants, plebeian sympathy for the act was apparent. Through sympathy with the crime or fear of redress, in whatever proportions, the plebeian population succeeded in punishing a publisher who they felt had overstepped the bounds of decency in his newspaper. They made a political and a social statement and succeeded in remaining unchallenged by the law.

The next example of collective action was a lively election campaign in the winter of 1836. The various attempts of the voters to control the outcome of the election will be examined in the next chapter. Many of the tactics of 1836 were repeated in the by-election of 1840 which will also be described in chapter three.

On February 28, 1838 John Moxley of Carbonear died of self-inflicted wounds imposed when the "cares and afflictions of the world became too much for him".[96] An inquest was held and the family granted a warrant to bury the body in the regular manner. Moxley, however, was a Catholic and had thus died in a state of mortal sin and was refused interment in the Catholic cemetery. The body

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[96] Carbonear Star, Mar. 7, 1838.
Moxley left a widow, eight children, numerous debts, and an estate worth only £5. This may account for his slashing his own throat with his razor.

was to be buried in the Anglican graveyard by the direction of Stark, the coroner and magistrate, and it was carried there accompanied by about one hundred people.[97] News of the burial circulated rapidly and thirty or forty members of the Anglican church immediately assembled to prevent the indignity of having a Catholic body, rejected by the Catholics themselves, placed in their churchyard.[98] The body was not buried that evening as the frozen ground kept the gravediggers busy for two days, but the intent was clear. The following day the minister could not get the people to enter the church for worship and had difficulty restraining the crowd. Excitement was heightened by the continuing work of the gravediggers, but the minister was able to keep the peace by appointing a committee to deal with the matter.[99]

The law dictated that the coroner had the authority to direct the interment of anyone's body who had died of suicide, in any burial ground which, looking to the religion of the party, he considered expedient.[100] The members of the Anglican church were not as concerned with the laws on

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[97] GN2/2, Collings et. al. to Crowdy, Mar. 4, 1838.

[98] Ibid.

[99] Ibid.

[100] GN2/1/41, Crowdy to Stark, Mar. 9, 1838.

the books as they were with their consecrated churchyard being used to house the corpses of Catholics, especially of sinners. The grave was finished and the body buried on March 4, but that same night the body was dug up and carried off about three quarters of a mile from the churchyard.[101] The coffin was badly abused and the head and shoulders of the body were visible. The constables believed, on the basis of threats and intimidation that the people from the Anglican church had removed the body.[102] The body was retrieved and buried again by the constables according to the original warrant.

On March 9 the grave was again opened and the naked body dragged out of the coffin and off over the snow. It was believed that the corpse had been tossed into the sea until it was found again, five days later, at nearby Crocker's Cove.[103] A constable reported that he had met 150 men carrying the body, wrapped in mats, back to the churchyard in Carbonear.[104] Who these men were is unknown. They may have been Catholics insisting on a burial for their co-religionist. They may have been Anglicans who felt the insults to the body had gone too far and were willing to

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[101] GN2/2, Stark to Crowdy, Mar. 8, 1838.

[102] GN2/2, Stark to Crowdy, Mar. 8, 1838, (encl.).

[103] GN2/2, Stark to Crowdy, Mar. 12, 1838; GN2/2, Stark to Crowdy, Mar. 15, 1838.

[104] GN2/2, Stark to Crowdy, Mar. 15, 1838.

make concessions for the sake of decency. This is possible in light of the earlier affair over the public display of Downing's body. Whatever the reasoning the corpse was dropped at the churchyard but

> no person in Carbonear, for love or money would help to bury the body, either in the Churchyard or assist in carrying it back in the Woods for interment.[105]

The constables had a new coffin made (for the sake of decency) and buried the body privately that night. The coroner received a threat that the body would be left at his doorstep but he continued to insist on having Moxley buried at the originally proposed site.[106]

The following night the corpse was disturbed for the last time, this time by Moxley's friends. Four of them dug up the coffin and buried it back in the woods where it would not likely be interfered with again.[107]

It was at this point that the magistrates learned that Moxley was a lapsed Catholic who had read the Bible and Protestant books for years, and who had told many that he did not believe the Catholics had the True Church. He claimed he would have joined the Protestant church "but for fear of being murdered."[108] The magistrate felt that if this had been

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[105] Ibid.

[106] Ibid.

[107] GN2/2, Stark to Crowdy, Mar. 16, 1838.

[108] Ibid.

widely known earlier the reaction to the burial would have been different.[109]

The Anglicans were undoubtedly and understandably upset by the idea of having their consecrated ground used to harbour Catholic rejects. The rumour of the burial sparked an instant reaction in the crowd assembling to prevent the burial. They were willing to trust legal and peaceful means for redress of their grievance but when this failed and the body was buried anyway, the Anglicans were forced into direct action. There is no indication as to how many people were involved in the actual disinterments but the sympathy of the Anglican community was with them. The disinterments were illegal and the authorities were shocked, but although the magistrates claimed a vigilant search would be made for the perpetrators, no one was ever apprehended. The retrieval of the body following the second incident may have indicated that the Protestant community regarded the discarded, exposed body as indecent for any human being; however, their refusal to bury the body in the churchyard and the continuing threat of disinterment suggests the original objection was maintained. Apart from the original attempt to have the body buried, and possibly to have

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[109] Ibid.

it brought back from Crocker's Cove, Catholic participation is not reported. No attempt was made to guard the body and in fact, it was Catholics who ultimately dug up the corpse to have it buried elsewhere. One can only speculate, but it seems plausible that the Catholics too, recognized the injustice of burying Moxley in the consecrated ground of the churchyard.

The incident demonstrated accepted burial customs and an understanding of what was fair and decent regardless of what the laws allowed coroners to order. Disregarding these accepted customs resulted in plebeian demands for redress and when these were denied through legal channels direct action was taken.

In the closing years of the decade the protest form of sending anonymous notes to social superiors was invoked at least twice more. In December of 1838 it was reported that the Solicitor General, during a visit to Conception Bay, was warned not to go to Carbonear from Harbour Grace. "Threats were communicated to him by letter, daring him to do his duty."[110] No precise information is given about the letter or circumstances surrounding it, but Winton, of the Public Ledger, claimed it was the result of an open combination of the publicans in Harbour Grace to

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[110] Carbonear Star, Dec. 26, 1838.

defy the government.[111] The Solicitor General was not intimidated by the letter and came to no harm on his travels to Carbonear.

The following year, December 1839, Peter Brown, a dealer, legislative representative, and magistrate, also received an anonymous note. During the night of December 9, Brown's house was attacked and five windows and a sash were broken. Four guns were said to have been fired and a load of seal shot sent through the window.[112] The next morning Brown's clerk found a placard slipped under the door warning Brown to give up his rights to property in an estate case he was handling "or else you may have your Coffin at the door --".[113] (See appendix E) The writer claimed Brown would never be elected as a representative to the House of Assembly again. He was instructed to give the same message to magistrate Stirling. Once again an attempt was made to find the perpetrators but none were found.[114] The note was an interesting combination of weakness and strength. The threat of death was followed by a much weaker threat that Brown

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[111] Public Ledger, Dec. 18, 1838.

[112] GN2/2, Danson and Stark to Crowdy, Dec. 10, 1839.

[113] Ibid, (encl.).

[114] GN2/1/42, Crowdy to Harbour Grace Magistrates, Dec. 13, 1839.

would never be re-elected; the second threat almost negating the first.

Not all threats that were handed out were idle ones. On May 13, 1840, five years after the incident involving Henry Winton, another man was ambushed on Saddle Hill and had his ears cut off. Herman Lott worked as an overseer for Winton in his St. John's printing shop where the Public Ledger was published. Lott was travelling alone from Harbour Grace to Carbonear and as he was crossing Saddle Hill four men with black crape over their faces ran out of the woods.[115] Lott saw the men had violent intentions and struck one of the men with a stick he had. The men knocked him down and dragged him into the woods. They stuffed dirt into his ears and beat him. Lott was knocked out and when he awoke he had been robbed of seven dollars and had had portions of both ears cut off. He got to the road where one man began to help him but then changed his mind and left him.[116] He met another man along the road who stopped to comment, "oh, you're nipped," but then continued on to Carbonear.[117] Lott made his way to Harbour Grace and was there treated by a doctor and allowed to recover at the home of Robert Lee Whiting.

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[115] GN2/2, Harbour Grace Magistrates to Crowdy, May 15, 1840, (encl.).

[116] Ibid.

[117] Carbonear Star, May 20, 1840.

The governor issued a proclamation offering a £300 reward for the capture of the perpetrators as soon as he heard of the incident.[118] The magistrates examined as many witnesses as they could find in their attempt to discover the culprits. They found that men had been waiting in the woods that day before the incident and a short time before Lott arrived on that day.[119] When the men first confronted Lott he heard them say, "the long looked for is come at last."[120] On the day of the maiming four men were seen running from Carbonear to Saddle Hill, two of them wearing hats painted green under the rim.[121]

The green hats were considered significant in light of the story released after the ear cropping. On February 20 of that year (1840) Herman Lott had been abducted by a gang on the streets of St. John's, blindfolded, and taken to a room for questioning about Winton. Lott had little to say about Winton that his captors did not already know, but they issued a warning to Winton through Lott.

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[118] GN2/1/43, Crowdy to Danson, Power, and Stark, May 18, 1840.

[119] GN2/2, Danson and Stark to Crowdy, May 20, 1840.

[120] GN2/2, Harbour Grace Magistrates to Crowdy, May 15, 1840, (encl.).

[121] GN2/2, Danson and Stark to Crowdy, May 20, 1840.

They claimed that Winton had slandered the Irish in Newfoundland but that:

> he and others like him would perhaps find out that there was a RIBBON SOCIETY in this contry equally as terrible as ever it was in Ireland and that he (Mr. Winton) would soon find his house too hot for him.[122]

Lott was then warned to keep silent about his abduction and the interview "lest an unseen and unknown hand...be in (his) way."[123] Lott tried to remain silent but as his captors had made him late for work, Winton was able to pry the explanation from him. Winton then had Lott give a statement to the local magistrate.[124]

There was little doubt, at least among the authorities and the conservative press, that Lott's maiming was the result of a widespread Irish Catholic conspiracy.[125] That the unity of spirit among the Irish Catholics, especially among the men of Carbonear, was widely feared and accepted, was illustrated a month later. Robert Lee Whiting, the man who had housed Lott after his attack, was called upon to give evidence against Patrick Brown for the misdemeanor of dumping ballast into the harbour. Whiting would not be sworn, stating:

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[122] Ibid.

[123] Ibid.

[124] Ibid.

[125] CO194 vol. 108, Prescott to Russell, May 22, 1840; GN2/2, Danson and Stark to Crowdy, June 11, 1840; Times, May 27, 1840; Public Ledger, May 19, 1940; Public Ledger, May 22, 1840.

> I was also fearful if I gave evidence against Patrick Brown, being a Carbonear man, some injury would be done to my person or property.[126]

Whiting, who was already in a delicate position by having demonstrated his sympathy to Lott, was unwilling to risk antagonising "the Carbonear men" in any way.

In this case, as in Winton's, no one was ever turned in for the crime. Despite the efforts of the magistrates, this result had been predicted.[127] The government reward and the large private rewards went unclaimed. It was commonly believed that the Irish Ribbon Society had permeated the lower orders of the Irish Catholic population in Newfoundland and that Carbonear, having a majority of its population in that category, was the center for such seditious activity in Conception Bay. Agrarian societies in Ireland were known to have their memberships spread out over great distances.[128] This incident was one of several which pointed towards connections between the Irish in Conception Bay, and especially Carbonear, with those in St. John's. The evidence cannot prove, but does suggest,

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[126] GN2/2, Danson and Stark to Crowdy, June 11, 1840, (encl.).

[127] Times, May 27, 1840; GN2/2, Lilly to Crowdy, May 20, 1840.

[128] Paul Roberts, 86.

a plebeian force of rough justice which was "too well organized and disciplined to be brought to justice."[129]

The incidents of collective action examined above varied greatly in their forms and their purposes. Some dealt with issues that affected the whole community and others affected the lives of only a few. They ranged in size from the hundreds of people reportedly involved in the retrieval of Downing's body, to the token acts of protest by individuals against the merchants. What all the events had in common was an underlying appeal to a common idea of justice or plebeian rights. The mumming incident was a crime in fact, but the plebeian recognition of the tradition of the Twelve Days of Christmas as a period of licence gave the attack public sanction. Here, as in all the other examples, the magistrates' investigations met with a wall of silence. The people could render the authorities impotent by non-cooperation. In this way there was a certain plebeian influence over the society. The magistrates and the merchants could only enforce the laws insofar as the population at large supported them. The result of this situation was not anarchy (as the respectable community often feared) but rather the enforcement of a slightly different conception of what

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[129] Times, May 27, 1840.

was just and what the duties of the authorities were. Authority, in itself was not challenged, merely the application of that authority. This was best illustrated by the anonymous note which accompanied Downing's body on the magistrate's doorstep. The note demanded the magistrate do his duty. What the note meant was for the magistrate to do what the plebeian majority considered to be his duty, not what he thought it to be.

The examples illustrate plebeian input in the society. While the merchants held great power over the populace through their control of supplies, the working people were not completely powerless. Furthermore the incidents demonstrated the cohesion present in the settlements. Although people in the communities were often isolated and divided they could rally quickly and effectively for a given cause. In cases such as the maimings or the burial of the suicide victim which called for ties of allegiance to be drawn along religious lines, plebeian solidarity was maintained all the same. Whether through loyalty or intimidation, the battles were fought in the arena of rough justice and kept out of the hands of the authorities.

CHAPTER III

"The Malediciton of the People":
Plebeian Influence and Election Violence

The Newfoundland elections provided a formal outlet for democratic expression. The wide franchise which allowed all male householders with one year's residency to vote, made politics of interest to the labouring population. The disturbances which surrounded the elections are significant in their form and their content, as a chapter in continuing plebeian resistance. They provide some insights into class relations, especially as pertaining to the position of the middle class. Most importantly, the elections demonstrate the balance between the formal institutions of the propertied classes, and the informal avenues open to working people. Elections were held in Conception Bay in 1832, 1836, 1837, and 1840. The election of 1836 and the by-election of 1840 were accompanied by popular disturbances.

Newfoundland had basically two political viewpoints which solidified into parties as the decade advanced. The liberals were associated with the reformers, the Catholics, and the working men, while the conservatives were associated with the Protestants and the old merchant elite. After the advent of representative government in 1832, the liberals made great advances in their political strength and found considerable support in Conception Bay during the period. As the decade progressed the rift between the two camps deepened and solidified. The parties held opposing views as to the direction Newfoundland should take. The conservatives believed the island should remain in the hands of the fish merchants who had most to

gain by the island's prosperity, and were therefore the most likely to govern well. The low literacy rates and poor transportation and communication facilities led the conservatives to believe that an elite, St. John's-centered government, would be the most efficient and effective. The conservatives were dedicated to the advancement of the fishery and not interested in economic diversification. The liberal party, on the other hand, espoused the ideas of democracy, Catholic rights, and the development of various sectors of the economy. The Catholic bishop, Fleming, and many priests actively supported the liberals and Catholic rights, expounding the idea that Catholics ought to possess political power in relation to their superior numbers. The liberals worked for the same types of progressive reforms which were being implemented in England at this time.[1]

The colony's first general election, held in the fall of 1832, caused very little excitement in Conception Bay. The Assembly elected was largely representative of the Protestant mercantile interest. As a result of a political arrangement the four Conception Bay seats were filled by two Protestant merchants and two Catholic dealers. (A dealer was a person who traded directly with a merchant.) The Catholic representatives, both liberals, were Peter Brown of Harbour Grace and James Power of Carbonear.

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[1] For a political profile of early Newfoundland see Leslie Harris, "The First Nine Years of Representative Government in Newfoundland," unpublished M.A. thesis, Memorial University of Newfoundland, 1958, especially 41-62; Gertrude Gunn, The Political History of Newfoundland, 1832-1864, Toronto: University of Toronto Press, 1977 3-7

Robert Pack of Carbonear, although a Protestant merchant, was also whiggish in his outlook. The fourth representative was Charles Cozens of Brigus. The apparent political harmony of 1832 was not to last.

In 1836 seven candidates ran to fill the four available seats. By the end of the election only the four liberal candidates were still in the race and so were elected.

The 1836 election began with the selection of candidates. The liberals held a meeting in Carbonear for this purpose on Oct. 14, 1836.[2] Several people were proposed, but the two most respectable and popular nominees, Robert Pack and James Power, both declined the honour. Shortly afterwards, however, Pack and Power were induced to run as representatives through a more informal means. A contingent of 40 or 50 men from Harbour Grace and Carbonear assembled and marched from Harbour Grace to Carbonear led by a "respectable" party of two priests (Dalton and M'Kenna), two merchants (Brown and Foley), and a publican (Fox). The crowd was working class.[3] The band marched to the music of fife and drum and carried banners including two large Irish ensigns and a small British ensign, through the streets and

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[2] Public Ledger, Oct. 25, 1836.

[3] Public Ledger, Nov. 1, 1836; Carbonear Sentinel, Oct. 27, 1836.

to the homes of the men. On finding their men, the crowd pressed them to stand as liberal candidates in the election.[4] Both men addressed the crowd and agreed to the request this time.[5] The band, having been satisfied, paraded the lower street for some time and then dispersed.

Informal means were used to subtract names from the candidates' list as well as to add to it. On November 2, 1836 the Carbonear Star printed a notice from Thomas Newell, a conservative candidate, declaring his withdrawal from the race due to an attack on his house. He did not describe the attack but claimed:

> The people of this Bay have no protection but the mighty arm of Him, who saved last night, my life and the life of my little ones.[6]

After the polling began, the other two conservative candidates, Ridley and Prowse, were also forced to withdraw because of violence.

The Catholic clergy played leading roles in the political disturbances. In St. John's, Dr. Fleming, the

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[4]Public Ledger, Nov. 1, 1836.

[5]It was generally acknowledged that Rack and Power were in a coalition with the two other liberal candidates, Brown of Harbour Grace, and Godfrey of Brigus. GN2/2, Harbour Grace magistrates to Crowdy, Oct. 24, 1836.

[6]Carbonear Star, Nov. 2, 1836.

Roman Catholic bishop for the island, insisted on the clergy's right to be active in politics, and encouraged his priests to advance the liberal cause.[7] In Conception Bay, the priests, Dalton and M'Kenna, were accused of leading demonstrations and of preaching politics from their pulpits.[8] The tories believed the priests incited the population to violence and then quietly looked on when violence occurred.[9]

The election was conducted by a roving poll which began in Harbour Grace on November 1. On October 31 a large number of men and women met at Saddle Hill where they joined an "immense concourse" of people from Carbonear.[10] They marched into Harbour Grace with bands playing and, armed with sticks, paraded through the streets of the town displaying their support for the liberal candidates or according to some, intimidating the populace.[11] On the following day several hundred men, some carrying sticks and bludgeons, marched from Carbonear to escort Pack and Power

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[7]Gunn, 15.

[8]Public Ledger, Nov. 1, 1836.

[9]Ibid, Nov. 4, 1836.

[10]CO194 vol. 95, Prescott to Glenelg, Nov. 17, 1836, (encl.).

[11]Ibid; CO194 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.); Public Ledger, Nov. 4, 1836.

to the polls at Harbour Grace. They had signs and banners and one man, Roger Thomey, had a green ribbon around his hat and a green sash around his waist.[12] By the polls they met Thomas Ridley, a tory candidate, and his supporters, who were planting their banners nearby. The liberal supporters shouted "Down with the Tories" and, as Ridley's men answered with three cheers for the tories, the liberals attacked the small tory band with their sticks. They rushed the voters, striking them, destroying flags, and dispersing them before they could vote. One, James Coburn testified he was struck across the back of the neck, beaten on the head, knocked down and trampled upon. When he came to his senses, he was helped up by a shoemaker named Keyes and told he should go home or he would likely be murdered, along with all others who supported the blue colours.[13] Several people were wounded; one estimate was at least twenty-one.[14] Pack and Power, who had been inside the poll, returned to find the melee and were "greatly dismayed and

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[12] CO194 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.).

[13] GN2/2, Stark to Crowdy, Nov. 19, 1836, (encl.).

[14] CO195 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.).

entreated the people to be peaceable."[15]

Meanwhile, inside the poll, the constable who had been stationed there to preserve peace was handed a quantity of green ribbon by an unknown man and told to put a ribbon in the button hole of each voter.[16] The constable complied with the request because he was afraid for his life. Even after the incident was over the constable continued to be afraid because of his situation as a constable.[17]

Ridley and the other tory candidate, Prowse, withdrew from the contest as they could offer no protection to their supporters and were unable to tally any votes while the liberals controlled the polls. Pack, Power, Godfrey, and Brown, the only remaining candidates, were declared duly elected at the end of the election.

The tactics used to control the results of the election were not unusual. The parades, banners, bands (especially involving fifes and drums), and slogans, were standard political fare in Britain. The Irish ensigns in the first parade were significant in identifying the liberal candidates with the Irish labouring people who were expected to act and vote in a block. The fact that the Irish flags

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[15] GN2/Z, Court Report on King Vs. Pack, Power, et al, Feb. 1837.

[16] CO194 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.).

[17] Ibid.

were in greater prominence than the English did not go unnoticed by the conservative press.[18] The use of green sashs and green ribbons had the same effect of drawing the Irish together behind the liberal candidates. Assuming direct control of the hustings and forcing a desired candidate was the most logical, direct, and common way for those without power to exercise control over the political process.[19] When large numbers of people participated in a political event, they preferred to use informal rather than formal means to exert their power. Only a small number of people went to the original candidates' meeting but they were able to get their desired representation through a procession and a direct appeal. They did not simply trust their superior numbers to win at the polls, but actively intervened to ensure victory. The methods used in this plebeian action were traditional ones familiar both to the authorities and the people.

There were numerous cries from the authorities about their helplessness in these situations and their

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[18]Henry Winton believed this was an insult not only to every Englishman, but to every lover of the British constitution. Public Ledger, Nov. 1, 1836.

[19]For an example in early New Brunswick history see Scott See, "Election Crowds and Social Violence: The Northumberland County, New Brunswick Campaigns of 1842-43," unpublished M.A. thesis, University of Maine, 1980.

inability to keep the peace under existing conditions,[20] but in this instance they were at least able to identify enough individuals to lay charges against eight people.[21]

In the response to the law-breakers, the vitality of the plebeian society, and its organization and independence, are once again made clear. Roger Thomey, a cooper employed by Robert Pack, was charged with riot and with assault. A warrant was issued and the sheriff set off for Carbonear to arrest him and found him at Pack's stage. Not wanting to bring him back through town and risk a disturbance, they rowed across to the south side of the bay and disembarked at William Taylor's wharf. They had only gone about 50 yards when a large mob of men with clubs and stones rushed out of the neighbouring lanes, ready to attack.[22] The men swore Thomey would not be taken, threw stones, and rescued him from the constables, though Thomey himself called out that he was willing to go. The numbers and violence of the gathering increased and the sheriff found it impossible to retake the prisoner, and so returned to Harbour Grace without him. He claimed he had neither the manpower to take

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[20] GN2/2, Stabb to Garrett, Nov. 17, 1836; CO194 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.)

[21] The men charged were Robert Pack, James Power, Roger Thomey, William Harding, William Saunders, Edward Haydon, John Meaney, and Andrew Quirk.

[22] GN2/2 Sheriff's report, Nov. 14, 1836.

Thomey nor the resources to keep him should a rescue be attempted.[23]

Attempts to save Thomey from prosecution continued. Shortly after his warrant had been issued, a threatening letter was thrown into Ridley's yard.[24] (See Appendix F) Ridley was advised to drop the prosecution and was threatened, "you will feel heavily the Maladiction of the people/it will surely insense the publick against you." The note, written by 'a labourer,' claimed Danson was not acting in the public interest and thus, was not doing his duty as he should. The same charge was directed towards the other magistrates involved, and all were threatened with a public "reward."

The authorities felt powerless with a great proportion of the population of Carbonear being "in open opposition to the authority of the law."[25] Two men, Simon Levi and Joseph Pippy, had sworn against Thomey and their names appeared in his warrant. On November 15, Levi's house was attacked by a crowd who broke several windows and a door. Mr. and Mrs. Levi were not home but a servant girl was knocked unconscious with a stone and a minister felt

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[23] GN2/2 Stabb to Garrett, Nov. 17, 1836; Ibid.

[24] CO194 vol. 95, Prescott to Glenelg, Dec. 14, 1836, (encl.)

[25] Ibid.

he must rush in to protect the children.[26] The following night about 100 men with blackened faces surrounded the house of Joseph Pippy in Mosquito.[27] They broke the windows and doors and then entered the house. They dragged Pippy's wife from her bed and threatened his brother with a blunderbuss demanding to see Joseph. He was discovered hiding under the stairs, beaten and made to promise to drop prosecution against Thomey. The men even required that Pippy obtain a statement from the magistrate to that effect, and produce it the following night when they returned.[28] Magistrate Stark reluctantly complied with Pippy's request for a retraction, but sent a constable to the Pippys' to get a complaint about the outrage. Pippy had been completely intimidated and would not visit the magistrate again, nor did he want to be seen with a constable.[29]

Peter Edwards, who had also signed Thomey's warrant, likewise backed away from his statement. He was so frightened that he would be murdered along the road on his trip to St. John's that he begged the local priest to announce from the altar that he had given evidence against his will.[30]

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[26]CO194 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.).

[27]Ibid.

[28]Ibid.

[29]Ibid.

[30]Peter J. Roberts, "The Harbour Grace Elections 1832-61," unpublished M.A. thesis, University of New Brunswick, 1969, 42.

These retractions were closely followed by a similar statement by Thomas Gosse, who had accused one Richard Lahey of assaulting him during the violence at the polls. Gosse made a second statement before the magistrates claiming that Lahey had never hit him but had, in fact, prevented an unknown assailant from continuing the attack.[31] The authorities were appalled at the situation in Harbour Grace and Carbonear which they saw as a "reign of terror."[32] The law was no longer in their hands, but had been replaced by a system of rough justice dictated and executed by that ominous and amorphous entity, "the Mob."

The trials for the election rioters of both St. John's and Conception Bay were held in St. John's and tried by special jury.[33] Pack and Power were acquitted on the charge of riot as they could not be implicated beyond leading voters to the polls and observing that the voters were carrying sticks.[34] Craftsmen Roger Thomey and William Harding, and William Saunders were convicted of riot and

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[31] CO194 vol. 95, Prescott to Glenelg, Dec. 9, 1836, (encl.).

[32] CO194 vol. 95, Prescott to Glenelg, Dec. 14, 1836, (encl.); Ibid; Carbonear Star, Nov. 16, 1836.

[33] Elections being held in St. John's at the same time were also accompanied by riots and similar distrubances.

[34] Royal Gazette, Jan. 10, 1837.

received twelve month sentences.[35] Thomey was also convicted of assault and was fined £25. The three remaining men were declared to be guilty of tumultuous assembly, but no sentence could be given for this offence.[36] The sentences for Thomey, Harding, and Saunders were harsh. When the personal petitions of the prisoners had no effect, John Nugent, a prominent liberal leader from St. John's, petitioned on behalf of all three of them.[37] The Colonial Office was convinced that the sentences were too severe and the men were released.[38]

Despite the convictions, the Attorney General expressed his concern about the efficacy of the legal system, complaining that violence was unavoidable because the population was constituted principally of "the lower order of Irish; a large portion of whom have but recently emigrated from their parent Country, where they had already been too much familiarized with scenes of lawless violence."[39] This

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[35] Ibid; CO194 vol. 104, Prescott to Glenelg (draft), Oct. 8, 1837.

[36] Royal Gazette, Jan. 10, 1837.

[37] Peter Roberts, 44.

[38] CO194 vol. 97, Glenelg to Prescott, May 31, 1837.

[39] GN2/2, Attorney General's report on the election trials, Feb. 1837.

situation was exacerbated, he argued, by the fact that large numbers of these men went annually to the Labrador fishery where they were beyond the magistrates' control and restrained only by their will.[40] In addition to a propensity to combine and to lawlessness, he noted a "very marked feature of the Irish character that few are found to be willing witnesses in any criminal proceedings, and that it is very difficult to extract the truth from them, and very rarely the whole truth is to be got."[41] Also, there was great reluctance among injured parties to prosecute, which was believed to be a result of a fear of further injuries.[42] The illusion of a system of conspiracy and intimidation among the plebeian liberals was further fostered by declarations at political meetings in St. John's that the men from Carbonear would come to support their St. John's brethren in any confrontation. Several men involved in the Conception Bay disturbances were indeed identified among the St. John's rioters.[43]

The trials illustrate the strength of the legitimate institutions of law, but also the strength of the informal plebeian methods of control in the society. In the end it must be recognized that the law courts triumphed and three rioters were sent to prison. On the other hand, there is

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[40] Ibid.

[41] Ibid.

[42] Ibid.

[43] CO194 vol. 95, Prescott to Glenelg, Nov. 26, 1836, (encl.).

evidence of a strong plebeian force. Through collective action with a combination of threat and violence, the rioters attempted to prevent the arrest and trial of a journeyman cooper who had acted violently in a crowd to ensure a liberal candidate was returned at the polls. The Colonial Office's interference with the criminal sentences indicates there was a feeling that moderation, if not tolerance, be shown when dealing with popular disturbances.

It is clear that Thomey's position aroused popular sympathy, but what his actual relationship to his comrades was is obscure. The case of William Harding offers slightly more insight. In February of 1837 Harding sent a petition to the governor asking for a remission of his sentence. Harding was a cooper and publican, described as an honest man and ordinarily peaceable and well behaved.[44] He had been one of the principal leaders of the violence and intimidation and was recorded to have made some inflammatory statements.[45] Harding was trying to use his respectable standing in society as adequate reason for his release, but the judges were unsympathetic. Harding was in a leading

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[44] GN2/2, St. John's Judges' Chambers to Governor, Feb. 17, 1837.

[45] Ibid; GN2/2, Attorney General's report on the election trials, Feb. 1837.

position among the lower classes, they claimed, and as such, held a greater responsibility to respect the law as an example to lesser people. In their recommendation to the governor the judges stated:

> If such persons as the Petitioner and those still above him at whose instigation the lower orders acted, were to use their best exertions to put down instead of incite such conduct the mere labourers would not be so likely, to say the least of it, to commit such outrages, and we are therefore of the opinion that Petitioner is one of the most culpable and ought not to be pardoned...[46]

Clearly the middle class (in this case a skilled artisan with property), was considered, at least by the upper class, to supply leaders for the labourers.

The judges were shocked at the effrontery of Harding's petition in his questioning the justice of his sentence rather than expressing regret at his actions and determination to act differently in the future. Attitudes and actions such as his were seen as a catalyst for, if not the cause of, the "almost utter contempt for all Law which had been manifested in Harbour Grace and Carbonear."[47] To grant pardon to such a man would more likely be attributed to the weakness of the law rather than to clemency.

The 1836 election violence indicated that working people of all ranks looked to the propertied for political leadership. The responsibilities inherent in that leadership are not clear. Robert Pack, although he was an elected

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[46] GN2/2, St. John's Judges' Chambers to Governor, Feb. 17, 1837.

[47] Ibid.

representative and Thomey's employer, does not appear to have petitioned on Thomey's behalf, despite the circumstances of his crime. The magistrates were advised, through an anonymous note, to support plebeian efforts. There was a perception among the upper class that the more respectable portion of working society provided an important element of plebeian leadership. Certainly Thomey's case indicates a strong popular sympathy. Julian Moreton, who wrote one of the few contemporary accounts which touch on plebeian class attitudes in Newfoundland, concurs with this view. The fishermen, he stated, are likely to look to the one or two people considered "knowledgeable" among the labouring people for advice and direction in everyday affairs.[48] The labouring supporters of the political candidates, who still remain a largely anonymous mass, exhibited election behavior which was not considered to be acceptable by those in positions of authority, but which drew heavily on older traditions of collective action as a means of plebeian influence.

Soon after the 1836 election was over it was noticed that none of the writs had received the royal seal and, thus, the election's validity was called into question. In the spring of 1837 the contest was staged again. This time there were no disturbances in Conception Bay, probably because the fishermen were all away at the Labrador fishery

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[48] Julian Moreton, Life and Work in Newfoundland, London: Rivington's, 1863, 46.

or too busy with the inshore fishery to be distracted by politics. The lack of plebeian interference with the electoral process had little effect on the outcome. The only change in representation for Conception Bay was that John McCarthy, another liberal Catholic dealer, took the place of Robert Pack who did not run. While this change had little or no political impact, it meant that there was no longer any merchant representation from Conception Bay. Dealers and shopkeepers now provided political leadership.

In the winter 1840 a by-election was held in Conception Bay to fill the seat of a deceased representative. Many of the same tactics used in 1836 were repeated in 1840. This time the battle was between two dealers, Edward Hanrahan and James Prendergast. Both men were Catholics but sources vary on the analysis of the difference between them. Some saw Hanrahan as a priests' candidate under the thumb of the church, and Prendergast as an independent Catholic. Prendergast had had some sort of dispute with the Catholic hierarchy in the past.[49] By 1840 the religious aspect of the political split had intensified. Before the by-election Rev. Walsh, a quiet priest with little interest in politics, was transferred out of Conception Bay and replaced by Father Cummings who was politically active.[50] Fathers Dalton and Cummings were active in the election, joining in parades and preaching political sermons. The tory press reported that the priests

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[49] Peter Roberts, 60.

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were the prime instigators in inciting the lowest and most ignorant portion of the population to violence in order to ensure Catholic hegemony.[51]

In the class analysis, presented mainly through Winton's Public Ledger, Hanrahan was portrayed as the workingman's candidate and Prendergast as the representative of the more 'respectable' sectors of society. The conservative party was losing control of the House of Assembly and did not even run a candidate. Although both candidates were supposedly liberal in outlook, Hanrahan was the more radical, and the tories favored Prendergast.

Hanrahan was from Carbonear and drew a lot of his support from there. Prendergast was from Harbour Grace. While each town had a least one other representative in the legislature and defeat would not have left either town without representation, local loyalties played a part in the battle. The lower class, Irish Catholic voter associated with Hanrahan was also associated with the image of Carbonear. The more "enlightened" or Protestant, middle or upper class voter was more closely identified with Harbour Grace and Prendergast.

The contest started peacefully with nothing more than a brawl now and then which was expected as a matter of course.[52] A few windows were broken in the lodgings of

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[51] Public Ledger, Nov. 15, Dec. 1, Dec. 8, Dec. 10, Dec. 29, 1840.

[52] Public Ledger, Nov. 27, 1840.

Hanrahan and his friends in Port-de-Grave.[53] On November 30 the first incident of any magnitude took place. A party of Prendergast supporters from Harbour Grace was passing through Carbonear on its way to campaign at the polls at Western Bay when it was intercepted by a large gang of men and women who supported Hanrahan.[54] The Carbonear crowd attacked the smaller Harbour Grace band, beating some of the people, throwing stones and snowballs, tearing down their banners, and kicking in their drum.[55] The Public Ledger reported that the women among the Hanrahan supporters were the most violent.[56] Several of the men in the Carbonear crowd were identified and seen assaulting their opponents.[57] They also warned the Harbour Grace men not to return to Carbonear again.[58] The Prendergast supporters were dispersed and prevented from going to the polls at Western Bay.

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[53] Vindicator, Jan. 9, 1841.

[54] The estimates of the number in the gang varied but the most reasonable put the Carbonear crowd at 300 and the Harbour Grace crowd at 60. Public Ledger, Dec. 4, 1840; GN2/2, Danson and Stark to Crowdy, Nov. 30, 1840.

[55] GN2/2, Danson and Stark to Crowdy, Nov. 30, 1840; Public Ledger, Dec. 4, 1840; Times, Dec. 9, 1840.

[56] Public Ledger, Dec. 4, 1840.

[57] Patrick Barry stated that he saw William Harding and a man known as "the Soldier" (John Dooley) strike people. GN2/2, Danson to Stark, Nov. 30, 1840.

[58] GN2/2, Danson and Stark to Crowdy, Nov. 30, 1840 (encl.).

Two days later a Lower Island Cove Magistrate Rankin was leading 92 men to Western Bay to vote for Prendergast when they were waylaid by about twenty Hanrahan supporters.[59] The Hanrahan supporters beat back the voters with sticks and prevented any of them from casting their ballots. While some were sceptical that such a small gang could beat so large a contingent of voters,[60] the returning officer claimed of Rankin's men that they were "a timid race and others practise on their fears."[61] The people were so intimidated by the incident that a magistrate claimed they were "obliged to sit all night with loaded guns to protect themselves."[62]

The main political riot of the election occurred in Carbonear on December 8.[63] On that day the polls opened as usual at ten o'clock but around two o'clock one side (it

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[59] GN2/2, Pinsent to Crowdy, Dec. 4, 1840.

[60] Hanrahan's supporters suspected that the whole affair had been set up by Prendergast supporters trying to discredit their opponents. Vindicator, Jan. 16, 1841.

[61] GN2/2, Pinsent to Crowdy, Dec. 4, 1840.

[62] GN2/2, Danson and Stark to Crowdy, Dec. 4, 1840.

[63] CO194 vol. 109, Prescott to Russell, Dec. 10, 1840, (encl.); CO194 vol. 109, Prescott to Russell, Dec. 11, 1841, (encl.); Sentinel, Dec. 31, 1840; Public Ledger, Dec. 11, 1840; Public Ledger, Dec. 15, 1840; Patriot, Dec. 12, 1840; Times, Dec. 16, 1840; Vindicator, Jan. 16, and Jan. 9, 1841.

is not clear which) ran out of voters. A boatload of voters was arriving at the beach and when they came ashore a riot began in an attempt to prevent their ballots being cast. A Hanrahan supporter was shot in the hand, men were beaten with pickets, and stones were thrown in the general melee. While trying to contain the violence, Magistrate Ridley, received a severe beating.[64] When the disturbance was reported, the returning officer closed the polls with Prendergast ahead. The election was ultimately declared invalid and the seat remained empty until the next election in 1842. Once the brawl was over, people continued to parade the streets of the town. People were intimidated and windows were broken, including those of merchants Power and Bemister.[65]

Nicholas Ash, a Carbonear planter who had voted for Prendergast, incurred the wrath of the "mob". Ash was singled out because he was a cousin to Hanrahan's wife.[66] Not only had Ash voted for the wrong side, but he had betrayed his own people. On the evening of the riot, a large crowd assembled outside his house and began throwing large stones

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[64]There was a suggestion that the magistrate was more concerned with repressing the Hanrahan supporters than suppressing the riot in general. Vindicator, Jan. 9, 1841.

[65]GN2/2, Power, Pack, and Pack to Crowdy, Dec. 9, 1840; Carbonear Star, Dec. 12, 1840.

[66]Peter Roberts, 67.

at the windows and battering in the doors.[67] Ash, fearing for his safety, fired two volleys of small shot into the crowd, wounding four men and two women. The people only became angrier and Ash and his family took flight. Two men, disguised as women, entered the house and set fire to it.[68] The house was burnt to the ground and Ash claimed to have lost over £680 worth of property.[69] Ash took his wife and seven children to the magistrate and was kept in the court house for his "protection and shelter from the fury of the mob."[70] A second arson followed Ash's when a poor man named John Granville of Carbonear had his house set on fire and partially burnt. Apparently Granville had not only voted for Prendergast, but had implicated many people concerned with the riot.[71] He had been threatened with arson the night before and warned to have his family removed.[72]

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[67] Star, Feb. 13, 1841.

[68] Star, Dec. 12, 1840.

[69] Star, Feb. 13, 1841.

[70] GN2/2, Harbour Grace magistrates to Crowdy, Dec. 10, 1840.

[71] GN2/2, Harbour Grace magistrates to Crowdy, Dec. 14, 1840; GN2/2, Emerson to Crowdy, Dec. 17, 1840.

[72] Ibid.

Night visits were used as a means of retribution against those who had not complied with the Hanrahan supporters. A young schoolmaster named Talbot was dragged from his bed at midnight by three men who beat him with pickets and left him unconscious. According to the Solicitor General, Talbot would have been killed had his landlady not heard the commotion and interceded on his behalf.[73] With threats of violence and destruction carried into effect with such regularity, it was no wonder that the people of Harbour Grace were alarmed by rumours of arson for their town. On December 9 the Harbour Grace men armed themselves with sealing guns and patrolled the streets to defend themselves in the event of the rumoured attack of 200 armed men from Carbonear.[74] Nothing ever came of the threat but the magistrates reported that: "we fear that the threat of burning the merchants' stores, and this town by the Carbonear men will yet be carried out."[75] An individual took advantage of the growing reputation of Saddle Hill as a place of plebeian strength to threaten a magistrate's son. Late in December a man rushed out of the woods there and flourished a stick over the head of Dr. Stirling's boy as an act of defiance to the law.[76]

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[73] GN2/2, Emerson to Crowdy, Dec. 22, 1840.

[74] GN2/2, Danson and Stark to Crowdy, Dec. 10, 1840.

[75] Ibid.

[76] GN2/2, Harbour Grace magistrates to Crowdy, Jan. 2, 1841.

The magistrates were appalled at the disorder and their inability to control the situation. They requested troops and were persistent enough to get them. Once the 100 troops arrived at Carbonear and Harbour Grace, the disturbances ended and the magistrates began to search for the ringleaders. The magistrates and respectable citizens of both towns were not convinced that control of the community was again in official hands and many petitions were made to retain the troops as protection from "the most imminent peril from Public Riot, and private revenge."[77] Plebeian reaction to the troops was mild. Curiosity and some disdain were in evidence but no major hostility developed between the people and the military in particular. One Sunday, 24 Catholic soldiers were lined up to march to the barracks after mass and the sergeant became annoyed when the people "began tripping up each other and took...liberties with the troops."[78] While the governor was particularly fearful of hostility between the civilians and the troops, the magistrates reported that the people exhibited ill will indiscriminately toward "all good Government."[79] The plebeian revolt was

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[77] GN2/2, Committee of Inhabitants of Carbonear to the Governor, Dec. 16, 1840.

[78] GN2/2, Stark to Crowdy, Dec. 26, 1840.

[79] GN2/1/43, Crowdy to Harbour Grace magistrates, Dec. 21, 1840; GN2/2, Danson and Stark to Crowdy, Feb. 13, 1841. See also Public Ledger, Dec. 18, 1841.

against the established authority in general.

Many warrants were issued for those believed to have been involved in the election disturbances. While some were arrested, the pursuit continued for many more. As the magistrates attempted to carry out justice through lawful channels, plebeian resistance continued on the clandestine level. By mid-February of 1841 the magistrates had heard rumours through a Wesleyan minister, that a blacksmith from the North Shore was making and distributing pikeheads.[80] The rumour was investigated and no evidence of the crime was found.[81] The rumour, however, was significant in itself in that it demonstrated the continuing fear of popular revolt among the respectable classes and the continuing tradition of Irish rebellion methods. The pike was a weapon synonymous with Irish violence, especially with the political rebellion of 1798 in which the Irish armed themselves with the weapon. The manufacturing of pikes was subsequently outlawed in Britain.

Along the same lines were the reports of cattle maiming in the area. While maiming was largely associated with Irish peasants, it was a popular plebeian technique in

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[80] GN2/2, Danson and Stark to Crowdy, Feb. 20, 1841.

[81] GN2/2, Danson and Stark to Crowdy, Mar, 18, 1841.

many areas. French Canadians also used animal maiming as a protest form in this period.[82]

Three men of the Taylor family, important merchants in Carbonear, were approached by friends of several arrested men to become sureties for their appearance in court. Each man refused to stand up for the rioters and as a result had an animal maimed.[83] In January, John Taylor's horse was lamed by a hatchet wound below its fore knee. In mid February Joseph Taylor's horse suffered a large hatchet slash across the back and Richard Taylor's cow received a deep wound on the rump. The planter, Henry Watts, also reported his cow had been hacked in the thigh later that month.[84] The magistrates promised to make enquiries but were not surprised by the events and expected more similar events, "owing to the state of the community" in Carbonear.[85]

Resistance to prosecution for election offences continued quietly and the authorities saw law and order being undermined at every turn. The magistrates reported:

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[82] A magistrate at Nicolet, Quebec had the mane and tail of his horse cut off for enforcing the use of a new and unpopular type of winter sleigh. See Stephen Kenny, "'Cahots' and Catcalls: An Episode of Popular Resistance in Lower Canada at the Outset of the Union," Canadian Historical Review, June, 1984, 65:2, 184-208.

[83] GN2/2, Danson and Stark to Crowdy, Mar. 18, 1841, (encl.).

[84] Ibid.

[85] GN2/2, Danson and Stark to Crowdy, Mar. 18, 1841.

> we are thoroughly convinced that threats, intimidation, and other unlawful devices will be resorted to by the friends of the guilty to prevent Witnesses and Jurors honestly and independently doing their duty...[86]

As part proof of this the jail keeper provided a report of a conversation between prisoner John Kiely and his wife, Elizabeth, in which Kiely, afraid of being transported, was assured by his wife that if he were to be sent away the "Court House (would) soon come down" and stated, "we won't take it as easy as we have done."[87] One of the principal witnesses against Keily, and against John Dooley and Walter Hacket, was a boy named John Pitt. Before the trial an anonymous note was sent to his mother, a Mrs. Jackson of Carbonear, threatening both her and her son should he testify. (See appendix G) The life of the young "Protestant Buggor" would be in serious danger should he testify.[88] At the trial Pitt, an intelligent 14 year old, claimed he had not seen the accused on the day in question, despite his previous statement to the magistrates to the contrary.[89]

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[86] GN2/2, Danson and Stark to Crowdy, Mar. 22, 1841.

[87] Ibid, (encl.).

[88] GN2/2, Harbour Grace magistrates to Crowdy, May 9, 1841, (encl.).

[89] CO194 vol. 112, Law to Russell, June 10, 1841, (encl.).

Several other small incidents convinced the authorities that the law was being undermined. One planter had his windows broken in the night; a witness was harassed for information and deluded into thinking she would not have to testify if she gave out information beforehand.[90] The jury was intimidated into acquitting one man of assault.[91] Many people gave evidence which could not possibly have been true.[92] Protection in the form of an escort of six soldiers which went from Carbonear to the Harbour Grace court house each day, was insufficient to ensure the truth was protected. The ineffectiveness of the trials was put down to two causes: the intimidation of the witnesses, and the lack of a "love of truth, a sense of the obligation of an oath, and a regard for justice."[93] Although most of the people involved could have been identified, only nine were brought to trial and only four were convicted. Three men, Maddock, Moran, and Guiney were sentenced for riot, and Thomas Byrne confessed to two accounts of assault.[94]

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[90] GN2/2, Harbour Grace magistrates to Crowdy, May 9, 1841.

[91] Ibid.

[92] CO194 vol. 112, Law to Russell, June 10, 1841, (encl.).

[93] Ibid.

[94] GN2/2, Stark to Crowdy, May 25, 1841.

The election disturbances of 1836 and 1840 are both important in their political ramifications, namely the development of the liberal party and the direction of the government of the island. This is not their primary importance, however, for the purposes of this thesis. The elections provided a framework and an opportunity for increased plebeian input into the workings of the society. The plebeians displayed cohesion among sectors of the working class population, continuity of the traditions of plebeian protest, and suggested some lines of allegience which existed in the communities.

As in the other instances of collective action, the people demonstrated that groups within the society could recognize common goals, communicate them to others, and work effectively towards those goals. The methods they used were well established in the British plebeian tradition and their symbols were easily recognizable. They were quite, although not totally, effective in enforcing a conspiracy of silence which was aimed at incapacitating the law courts. While in both elections a few men were convicted, the plebeian efforts to enforce their will through informal channels were extensive and impressive.

Once again lines of allegiance based on religion and ethnicity, locale, and class are suggested. Irish symbolism was used blatantly in green ribbons and banners in the election parades and confrontations. It was used less blatantly in the use of maiming as a threat, and the rumours of pike manufacture. Even the silencing of witnesses,

which was by no means a tactic restricted to Ireland, was interpreted by authorities as being a sign of Irish influence. Ethnic influence was intertwined with locale as the Carbonear men were singled out as being the main troublemakers, despite the fact that Harbour Grace men often joined them in their exploits. Antagonism was often expressed in terms of locale in threats to Harbour Grace men who might venture into Carbonear.[95] The rise of the middle class is suggested by the data, but more importantly, interaction among members of the working class was extensive. While Protestant - Catholic alliances may have been limited, Conception Bay - St. John's ties were formed or maintained. The political awareness of the people had increased surprisingly from the 1832 election in which the merchants were quietly returned. While working class people were not free from attacks, arson and vandalism were more often directed at the homes of merchants and planters. Attacks upon working class people were usually made to enforce solidarity in the face of the workings of the law. In this way, those active in the election riots attempted to affect the outcome of the election through informal means by directly attacking political enemies, especially those of a respectable status. They then protected their position by enforcing plebeian solidarity to incapacitate the weapons of the ruling classes.

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[95] CO194 vol. 112, Law to Russell, June 10, 1841, (encl.); GN2/2, Danson and Stark to Crowdy, Dec. 10, 1840; GN2/2, Emerson to Crowdy, Dec. 11, 1840.

Chapter IV

A Class Act: The Sealers' Strike of 1832

In 1832 the fishermen of Carbonear and Harbour Grace staged a strike to protest the manner of operation of the seal fishery. The strike was remarkable in the large numbers of people involved and in the cohesion displayed among the sealers. Whereas political, religious, and local divisions were stressed in the collective actions examined previously, the strike demonstrates that these social divisions could be overcome. It is in 1832 that we see the strongest evidence of the class loyalties which existed in Harbour Grace and Carbonear in the 1830's. After a brief look at the structure of the sealing industry, this chapter shall examine the events of the strike and the role of each class in the affair.

The seal fishery held a unique position in the social and economic fabric of Conception Bay. Socially, the seal fishery provided a more rigid and evident class structure than existed at any other time of the year. While the complex social structure of the communities persisted, work relationships for the three months of the seal fishery were comparatively straight forward. Each sealing vessel required a supplier, a master, and a crew of sealers. Labour and management were fairly distinctive, with the only grey area being the position of the masters.

Fishermen, shoremen, servants, and tradesmen of different socio-economic status went sealing together. All united as sealers where demand for labour was great and

opportunities were good. The only status divisions among sealers were between batsmen and gunners, the latter being required to pay little or no berth money. A man became a gunner by virtue of his good marksmanship and ownership of a sealing gun. No one could be barred from participation in the hunt through poverty as the few supplies needed for the journey could be obtained on credit from the local merchants. Working age men who could walk to Carbonear or Harbour Grace and find a berth could go sealing. The relative lucrative nature of the hunt prevented fishermen of a respectable status from snubbing the hunt and all its hardships and hazards as a menial task fit only for servants. Thus, men who prosecuted the cod fishery under a wide variety of relations to the means of production, were in the same "class" in the seal fishery.

The sealing masters were likewise not a homogeneous group, although they were predominantly men of respectable social standing in the communities. Some masters had little or no financial investment in sealing vessels and others had extensive investments. An examination of a sample of 76 masters revealed that 43 percent never owned a share in a vessel over a 25 year period, while 16 percent owned from 129 to 275 shares over the same quarter century. (See Appendix L, 247-49) Socially, masters could have worked up from fisherman status through the ranks or could have been born into a prosperous planter or merchant family. (See Appendix L, 250-55)

The merchants' role in the seal fishery was similar to that of the cod fishery, but economically there was an important structural difference. Cash, rather than credit notes, was used for partial payment in the seal fishery. Because the seal fishery held out the promise of cash, truck payment and tied sales were a grievance which could be easily identified and articulated in the seal fishery. The seal fishery was short term, high pressure, and high profit in comparison to the cod fishery. Here both the merchants and the fishermen had more room to manoeuvre as bankruptcy and starvation did not loom so closely. The fishermen were in a better position because of the greater demand for their labour and the higher value of the product. There was a history of cash, limited as it was, being used in the seal trade. Here all the fishermen shared a common rank, position, and relation to their means of production. All received an equal share of their vessel's catch. The seal fishery provided circumstances and environment conducive to collective action. The sealers had an uncommon amount of social cohesion and economic power, and they also had grievances.

Newfoundland's first recorded seal strike began in January of 1832 and lasted into mid March of that year. On January 5 a notice was posted in the towns of Carbonear and Harbour Grace announcing that a meeting of the fishermen and shoremen of Carbonear would be held on January 9 "... fore the purpose of taking into consideration the best and most

effectual method of getting clear of truck."[1] (See Appendix H) The fishermen of Harbour Grace were requested to join the struggle to "shake off the ylke they have so long and unjustly (tho' patiently) borne."[2] The notices, were written in neat, legible hand, and clear, fairly elaborate sentences. No threats, challenges, or insults were included, but rather the notice had a very official air. The meeting was to take place on Saddle Hill, which was beside the road, half way between Carbonear and Harbour Grace. On the morning of the ninth, 2000 to 3000 men marched with fife and drums to the hill where they discussed the issue, and parted peacefully. The hill was christened "Liberty Hill" in honour of the occasion. Liberty was a familiar slogan applied to most of the major democratic movements in Europe in the eighteenth and nineteenth centuries.[3] All agreed they should receive cash, rather than goods for payment for seals, and for wages in the cod fishery. A master who attended the meeting claimed a man named Thomas Talent read a statement that the men were not to sail under any agreement for truck.

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[1] GN2/2, Harbour Grace magistrates to Crowdy, Jan. 21, 1832, (encl.). Notice #1 is reprinted in Appendix H.

[2] Ibid.

[3] Cochrane Papers, reel II, Stark to Cochrane, Feb. 24, 1832.

Half of the amount due was to be paid on the delivery of the seals and the other half given in cash on November 10. Other fishermen spoke but the observer did not recognise any of them.[4] The incident was reported to the governor by the magistrates of Harbour Grace but there was no concern over the public peace, and very little interest in the meeting was displayed among those other than the fishermen.[5] The St. John's newspapers did not record the incident and the governor's office sent no reply.

On February 4 a second notice was posted around the two towns calling for another Saddle Hill meeting on February 9.[6] (See Appendix I) This notice called not only fishermen, but sealing masters, who were required to produce the agreements they held with their crews. The second notice was equally well written but the content was less conciliatory. The names of 78 masters were listed and summoned to appear along with "those who have been Notified before to attend."[7]

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[4] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 28, 1832. Statement of Thomas Dunford (encl.).

[5] GN2/2, Harbour Grace magistrates to James Crowdy, Jan. 21, 1832.

[6] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 18, 1832 (encl.). Notice #2 is reprinted in Appendix I.

[7] Ibid.

Any who did not attend were to be "delt with according to a resolution that will be entered into at that meeting and will afterwards Undoubtably be acted upon."[8] The men and some of the masters met on the hill as they had earlier. Masters were called by name to present their agreements or the agreement of their merchant, each agreement being read by a different fisherman. Thomas Dunford, master of the St. Patrick for merchant Thomas Foley, brought Foley's agreement to the meeting as demanded. When his name was called he surrendered his letter to a fisherman he did not know who read it aloud. The notice agreed to pay cash for seals and to allow sharemen to sell with whomever they liked once debts were paid.[9] This was accepted by the cheering crowd. If the crowd found an agreement unacceptable it was torn up. Dunford was mistaken for a fisherman and asked to read aloud a contract, but Dunford declined saying he was there to deliver a letter. He did not intend to confuse the roles of the masters and the sealers. Anonymity and fellow feeling was fostered by an arrangement by which Harbour Grace men read the Carbonear agreements and vice versa.

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[8] Ibid.

[9] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 28, 1832. Statement of Thomas Dunford (encl.).

The meeting was systematic and orderly as attested to by four ships' masters and an unnamed correspondent to the local newspaper.[10] Although many masters were present at the February meeting the fishermen did not receive co-operation from all the mercantile firms.

One master who did not co-operate was George Lilly, a planter of Carbonear. While out walking with another planter on the evening of February 9, Lilly was accosted by a fisherman named William Evans. The man punched Lilly about the head claiming that "he did not show himself a man on this day."[11] Evans then berated Lilly's mother for having accused him of stealing ducks from her in the past. Lilly reported the matter to the magistrates and a warrant was issued for Evans but he could not be found. Later Lilly became intimidated and refused to point him out, so he was not taken.[12]

The outstanding aspect of the affair thus far was the nonchalance with which it was accepted, the merchants either accepting or ignoring demands as they saw fit. It

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[10] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 28, 1832, (encl.); Public Ledger, Mar. 13, 1832; reprinted from the Conception Bay Mercury.

[11] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 10, 1832. Constables' report (encl.).

[12] Ibid.

was only after an open attack on the property of Thomas Ridley, an important merchant of Harbour Grace, that the fishermen attracted the interest, especially in the forms of fear and anger, of the merchant and governing classes and the press. In the early hours of the morning of February 18 over 120 men with saws and hatchets boarded Ridley's vessel, Perseverance, which was lying at the wharf. They cut the masts, rigging, yards, and gaffs causing an estimated £120 in damages. The master and mate were asleep on board and were awakened by the noise. The mate, William Ewan, was sent up to investigate and was forced back below deck by several men with guns.[13] The master of a neighbouring vessel sent his nephew to investigate, but he was also turned back.[14] Shortly after the band had dispersed Ridley was notified, the magistrates were summoned, sworn statements taken, the governor informed, and special constables requested. Thomas Ridley wrote to the governor declaring he had never before had any trouble "settling with his people" and that the sealers' combination was making him the victim of their collective tyranny.[15]

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[13] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 18, 1832. Statement of William Ewan (encl.).

[14] Ibid. Statement of Edward Pike Sr., (encl.).

[15] GN2/2, Ridley to Cochrane, Feb. 18, 1832.

The sealers followed up their victory by posting a placard calling principal merchants by name and demanding they comply with the wishes of the sharesmen before twelve o'clock the following Monday or receive treatment similar to that given to Ridley.[16] (See Appendix J)

Reaction to the fishermen's attack was swift and strongly worded on the part of the magistrates and merchants. The magistrates immediately notified the governor stating that life and property might be in danger.[17] They feared the systematic organization which had resulted in "notices and threats against lives and property of those not complying with their views respecting the abolition of the barter system."[18] Reactions were printed in two major St. John's papers, the Public Ledger and the Royal Gazette. The Gazette claimed it would not ordinarily support rigourous enforcement of the law in instances of peaceful protest, but where the mode of the fishery was challenged and merchants and fishermen were forced to adopt the course of dealing proposed by the instigators, steps must be taken to restore order.[19] Trade, commerce, and all economic activity were

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[16] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 23, 1832.

[17] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 18, 1832.

[18] Ibid.

[19] Royal Gazette, Feb. 28, 1832.

threatened. The perpetrators were reminded that such intimidation and violence was punishable by corporal punishment and seven years transportation.[20] The Public Ledger complained of the general lawlessness of Conception Bay and stressed the need for a permanent military force there.[21] Death should be the penalty for such acts of violence in Conception Bay as anywhere else, they claimed.[22]

The official reaction from St. John's was immediate. The governor issued a proclamation against the sealers declaring the Saddle Hill meetings illegal. While he recognised the right of the men to set the price of their own labour, he reminded them they were not allowed to combine to force others to comply with their wishes. Clearly to destroy Ridley's property because he would not attend their meeting was illegal, and a reward of £100 was offered to anyone who would give information with pardon also offered to informers.[23] Six St. John's constables were dispatched to Harbour Grace with instructions to post copies of the proclamation in prominent places in both towns. Night patrols were established and provision was made for 100 special constables to

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[20] Ibid.

[21] Public Ledger, Feb. 21, 1832.

[22] Ibid, Feb. 24, 1832.

[23] Governor's Proclamation, Feb. 22, 1832: (See Royal Gazette, Feb. 28, 1832.)

be created. The governor instructed these constables be taken from the "middle or more respectable of the lower class" and in the case of opposition, with the reminder that they were bound by law to undertake these duties.[24] The magistrates chose to swear in all the publicans of the towns.

Constables were sent out to post the governor's proclamations in prominent places at various mercantile establishments; under the care of the merchants. Within two hours the proclamations had all been torn down. Even the copy on a board by the Harbour Grace court house was broken to pieces.[25] The notices were replaced, in some cases, by another placard from the Carbonear fishermen, similar to its predecessors in style and form but cockier in tone.[26] (See Appendix J) The sealers had read the negative press in the St. John's papers and blamed a "certain mercantile establishment" for it. The notice also remarked on the unnamed establishment's "intended combination about to be entered into to reduce the price of seals."[27] Such a combination was mentioned on one other occasion when "A Fisher-

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[24] GN2/1/41, Crowdy to Harbour Grace magistrates, Feb. 22, 1832.

[25] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 4, 1832.

[26] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 28, 1832 (encl.). Notice #3 is reprinted in Appendix J.

[27] Ibid.

man" wrote to the Conception Bay Mercury claiming combination began with the merchants who could not bind men sufficiently themselves and hired a Nova Scotia lawyer to help them do it more effectively.[28] The merchant house was encouraged not to thwart the sealers "otherwise they shall have what will not be agreeable from -- the Carbonear Men."[29]

The sealers' notice was removed by the authorities and replaced again by the governor's proclamations which was immediately torn down again. This defiance of governmental authority among the fishermen produced a great tension in the towns. The magistrates' letters to St. John's began to take on a desperate air. One letter claimed that the merchants, "aware of their defenseless situation, felt themselves under the necessity of complying with (the sealers') requisitions."[30] They were highly sensitive to movements among the lower classes seeing threats to life and property everywhere. One letter to the governor claimed "threats of an alarming nature in reference to the

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[28] Public Ledger, Mar. 13, 1832, reprinted from the Conception Bay Mercury.

[29] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 28, 1832.

[30] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 23, 1832.

destruction of property by fire and otherwise have been published and personal violence evidently intended, individuals having been stopped by parties of armed men in disguise..."[31] The plebeians were making the most of their power and the magistrates were feeling the situation was out of control.

The Public Ledger reported various incidents of roving gangs of disguised hoodlums, night visits, and assaults.[32] A planter named Nichole was met by three men with a pistol, a large stick, and a scythe but was released when they discovered he was not the man they were after. Seven men with blackened faces visited the home of a master where a man suspected of being untrue to the cause lived. The man was dragged from his bed and beaten and the master's wife was so alarmed by the sudden intrusion that she had a miscarriage.[33] A man living near Saddle Hill who claimed to know some of the ringleaders was visited during the night by over 100 armed men and was only saved from shooting by his wife's pleading.[34]

As suggested by the night visits, the fishermen's threats were not always directed at merchants or planters.

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[31] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 23, 1832.

[32] Public Ledger, Mar. 13, 1832.

[33] Ibid.

[34] Ibid.

Fishermen themselves could be the targets where solidarity had to be enforced. The case of Stephen Smallcomb, a Harbour Grace fisherman, suggests a further example of intimidation. After the vandalism on Ridley's ship, the master, John Stevenson, swore that Smallcomb had come to his house the evening after the event expressing sorrow at the incident and saying he knew some of the party responsible but declined giving the names at that time.[35] Ridley claimed Smallcomb knew four of the men concerned.[36] When the constables approached Smallcomb he refused to admit that he had had a conversation with anyone about the outrage or that he knew anyone involved. While he admitted attending the February meeting at Saddle Hill, he claimed to know no one who addressed the meeting or who had carried the colours. Indeed he would name only one man, a journeyman blacksmith, who was present at the meeting.[37]

Some merchants posted notices complying with the popular wishes and invited sharemen to come in and make agreements, but the fishermen preferred to use collective, rather than individual, arrangements. On March 1 a fourth notice from the men was posted saying the collective would

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[35] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 27, 1832. Statement of John Stevenson (encl.).

[36] Ibid., Statement of Thomas Ridley.

[37] Ibid., Statement of Stephen Smallcomb.

"feel much pleasure in witnessing the destruction of the former truck agreement and reciving unrestricted agreements."[38] (See Appendix K) March 3 was the day set to finally settle the agreements and "all masters of vessels (were) requested to have two sides to their agreements one part to be held by the Crew and the other themselves."[39]

The magistrates prepared for the March 3 meeting with over 100 special constables in each town who, with few exceptions, promptly answered the call.[40] Guards were positioned in both Carbonear and Harbour Grace and by Saddle Hill to inform the magistrates of any assemblage. When men began to gather at the wharf in Harbour Grace the magistrates, deputy sheriff, police, and eight specials went to town and found 500-600 men at William Innott's pier.[41] The magistrates' orders to disperse having no effect, the Chief Magistrate read the Riot Act. This had

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[38] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 4, 1832, (encl.). Notice #4 is reprinted in Appendix K.

[39] Ibid.

[40] The magistrates did not appear to have had great difficulty recruiting constables, although they promised to send the governor the names of two or three who contemptuously refused oaths. (These names do not appear in later records.) A number of merchants from both towns voluntarily stepped forward to serve.

[41] GN2/2, magistrates to Crowdy, Mar. 4, 1832.

only a momentary effect as the men departed to rally again at Thomas Ridley's wharf. The magistrates and their entourage arrived at this gathering as one man was tearing up an agreement and another was being called upon to read a second agreement. The magistrate demanded the reader hand the agreement over to him which the fisherman did despite "repeated calls and threats of those about him as well as the risk of personal violence."[42] Once the magistrate had the agreement he was quite at a loss as to what he should do with it, and finding himself the center of attention in what seemed to him a hostile crowd he gave up the paper and claimed to the governor that "the noise, uproar, and numbers made any attempt to stop them after this futile."[43] The men paraded through the streets stopping opposite each merchant house in turn to read their agreements, and on finding each one satisfactory, cheered and moved on. The men continued peacefully until they had visited all the merchants whereupon they dispersed. The magistrates then returned to the court house and dismissed the specials. There was no further breach of peace in Harbour Grace, but when more copies of the proclamation were posted they were

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[42] Ibid.

[43] Ibid.

torn down or defaced with the same prompt efficiency as had been previously exhibited.

There was no disturbance in Carbonear that day but three days later, on March 6, a similar, but more violent occurrence took place.[44] The Carbonear men marched through the town to fife and drum music demanding agreements from merchants. When they received the desired documents they read them as had been done in Harbour Grace, offered no insults, and generally proceeded peacefully. There was, however, one disturbance at the quay of Best & Waterman. Waterman's agreement was not satisfactory. There were men on board two of his vessels and approximately 200 people went to the schooners and commanded these men to go ashore. All complied except three or four on the Morning Star. These men were dragged off the vessel and one man, Thomas Scalon (or Scanlon) was severly beaten with sticks and sealing gaffs. When John Snook, the master of the vessel, arrived and objected he was threatened with similar treatment. At Waterman's premises a crowd of over 1000 demanded a new agreement from him and threatened to cut the masts of the Morning Star if he did not comply. Out of fear he drew up and posted a new agreement which was found to be acceptable.[45] One Catholic shopkeeper, Michael Howley,

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[44] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 7, 1832. Statement of Michael Howley (encl.).

[45] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 7, 1832. Statement of William Waterman (encl.).

complained to the constables that when he commented upon the improper conduct of the mob; "my place was surrounded by them and (they) forced me out of my shop into the street in the midst of them, but I received no personal attack other wise."[46] Although Carbonear crowds had a reputation for being Irish-identified, Catholic shopkeepers were not immune from attack. Once their aims had been satisfied the crowd dispersed and Carbonear returned to a peaceful state.[47]

The magistrates' office in Harbour Grace sent an urgent dispatch to the constables to gather all possible information about the day's events and to find the leaders where possible. The constables spoke to nine different merchants who attested to the peacefulness of the crowd.[48] They made some other enquiries and discovered the names of the drummer and fifer but these were never followed up on.[49] Robert Pack, merchant and magistrate, told the constables

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[46] GN2/2, Harbour Grace magistrates to Crowdy, Mar 7, 1832. Statement of Michael Howley (encl.).

[47] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 7, 1832. Constables' report (encl.)

[48] GN2/2, Harbour Grace magistrates to Mr. B. Rowe, Mar. 6, 1832.

[49] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 7, 1832 (encl.).

nightly reports were not necessary.

In the final meetings the sealers had managed to settle with all the merchants and they prepared to leave for the ice. On March 14 the magistrates wrote to the governor that all but three sealing vessels had sailed and that peace was restored. They had serious apprehensions, however, about the vessels' returns, fearing that similar outrages might occur unless they took measures to control the "spirit of dissatisfaction and insubordination hitherto so generally manifested."[50] Apparently the sealers were satisfied since no further disturbance was recorded on the return of the sealers.

The 1832 hunt displayed a high measure of success both in terms of the harvest and the strikers' demands. Apparently the men succeeded in getting satisfactory agreements from all merchants involved. While later strikes illustrated that all grievances were not overcome, in the area of cash payment the victory was significant, if not complete. Modern scholarship accepts the seal fishery as having been a cash industry, not a truck industry. Subsequent strikes stressed berth money, and later the price of seals, rather than the method of payment.

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[50] GN2/2, Harbour Grace magistrates to Crowdy, Mar. 14, 1832.

Why did the 1832 seal strike happen? As discussed previously, the conditions were right for such an event. Sealing had been an expanding industry from the turn of the century and it had made a sharp increase in the previous two years, 1830-31. The demand for labour was high and the markets for seal oil expanding. The industry was generating extra cash in the economy and the sealers were in a sufficiently strong position to demand some of that cash. The nature of the seal fishery as an intense, high pressure, short term, high profit pursuit made it conducive to such a protest. The simple three class organization of sealers, masters, and merchants and the close physical proximity of those involved encouraged the development of class cohesion and facilitated collective action among the plebeians. The relative poverty and precarious existence of most Newfoundland fishermen and the lure of cash profits clarified the sealers' real grievances. In this industry a simpler opposition of capital and labour occurred, unlike the cod fishery where personal ties, a divided work force and varying individual circumstances complicated the picture.

Proper conditions, however, are never an adequate explanation for the occurrence of a historical event. A proper environment is necessary, but not sufficient for such an outbreak. The crucial factor in any disturbance is the people involved; who they are and what relationship they have to the action. By studying the nature of the event in relation to the people who caused it we can better understand the

relationships between the inhabitants of Harbour Grace and Carbonear in this instance, and gain some insights into relationships in society at large..

The 1832 seal strike was a grass roots movement initiated and carried out by the sealers but with considerable support from the "respectable" community. Negative reaction to the event was very vocal but emanated from a small upper class element. Let us examine the participation of each of these three groups: First the sealers, then the middle class elements of society, and finally the ruling class.

That the protest was primarily powered by the plebeian population can be seen through their mass participation, the methods used, and the general level of consciousness displayed. Attendance at the Saddle Hill meetings was very high. Estimates vary from over 1000 to 4000 but it is obvious that most fishermen were involved, as the combined number of men in Carbonear and Harbour Grace between the ages of 16 and 60 was approximately 1800 to 1836.[51] Even the lowest attendance estimates of 1000 to 2000 indicate that a large percentage of the active fishermen were present from the two major towns, and possibly from the surrounding settlements.

The methods of protest used were those common in plebeian disturbances in England and Ireland, the home

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[51] Census, 1836.

countries of most of the Newfoundland population. The sealers posted several anonymous notes, four of which survive and one other which is only alluded to in correspondence. The notices were more respectful and less threatening than their old world counterparts, and were produced by a much more literate hand than was the norm. Only two of the surviving notices (and allegedly the one missing one) contained threats but these were undefined. The threats were aimed at unco-operative masters and the people employed at "a certain mercantile establishment," probably Thomas Ridley's.[52] Despite the mild tone of the notices, the magistrates' correspondence and the press both expressed fear and helplessness, not specifically because of the content of the messages but because they were anonymous and posted at night.

Conflict was enacted symbolically through the notices rather than physically, in a situation where the magistrates had no military resources and the fishermen could not live without the services provided by the merchant class.[53]

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[52]The notice refers to the "Willy Scot." None of the major merchants in Carbonear or Harbour Grace at the time were Scottish, except perhaps Ridley. Most merchants were West Country men or Irishmen but Ridley was not. His home business port in England was Liverpool. It is not know where he was born. (Name Files, Memorial University, Thomas Ridley.)

[53]For a discussion of the theatre of law and law enforcement in eighteenth century England see Douglas Hay, "Property, Authority, and the Criminal Law," in Douglas Hay, Peter Linebaugh, et. al. eds., Albion's Fatal Tree, New York: Pantheon Books, 1975.

The governor's proclamations were repeatedly torn down, defaced and replaced by sealers' notices. The magistrates, likewise, had the anonymous notes torn down and replaced by new proclamations. This was a powerful and public battle of wills between the fishermen and the authorities. In such a struggle both sides were equal in strength.

Some of the violent methods used in the dispute were also reminiscent of plebeian actions in England and Ireland. Night visits and protest crimes committed by those with blackened faces were used to enforce solidarity and preserve anonymity. Visits were organized and carried out much like the rural societies in Ireland which the Irish poor used to defend their land rights.[54] As in the broader tradition of protest violence, victims were chosen selectively and damage was constrained. While it was not unknown for personal grudges to interfere, as in the case of planter George Lilly being attacked by a man his mother had called a thief, collective crimes had very definite aims. The attack on Ridley's ship took the vessel out of commission but the captain and mate who were not the offenders, were left unharmed with only verbal threats. When the planter,

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[54] See Desmond Williams (ed.), Secret Societies in Ireland, Dublin: Gill and Macmillan, 1973; G.C. Lewis, Local Disturbances in Ireland, London: B. Fellowes, 1835.

Nichole, was apprehended by a gang of sealers he was released when they discovered he was not the man they were after. The methods used in the strike, both in the form of anonymous notes and group crime were typical of plebeian protest in England and Ireland, and indeed of many areas of Europe.

Probably the most important feature of any grass roots movement is the level of consciousness demonstrated by the protesters. The sealers' strike illustrated extensive popular awareness in some avenues but also suggests certain limits to that awareness. The solidarity of the sealers is the most obvious and impressive display of their community. The sealers' strongest weapons were their numbers and their anonymity; two factors reliant on strong solidarity. No one was brought to trial over any incident arising out of the seal strike as none could be apprehended. Enquiries turned up few clues as to who the ringleaders, or even the participants were. Harbour Grace and Carbonear each had populations near 4000 and sealing brought in men from neighbouring settlements, so it is certainly plausible that a sealer would see many people whose names he did not know. On the other hand, it was hardly possible for anyone at the meetings to know no one present. Yet, the enquiries of the magistrates and the constables yielded very little. It is particularly strange that no one who attended the Saddle Hill meetings could (or would) identify any of the men who read out agreements. Although the data are somewhat tenuous, estimates for even the most basic literacy skills run

around 25 percent for that time.[55] Surely the few fishermen competent enough to read aloud sealing agreements would have been easily identified by the fishing population. If the constables made any reasonable effort to find those involved there was a strong conspiracy of silence among the sealers. When the governor had the proclamation posted he offered a reward of £100 and pardon to anyone who would point out a leader but no one came forward to claim the reward. In order to maintain solidarity the sealers required each merchant to present his agreement before the entire crowd of men rather than attempting to make individual contracts. Breaches of the law were committed in gangs, thus using their numbers and anonymity to the best advantage.

While the men could not have been successful unless their solidarity was for the most part voluntary, there is also the suggestion that compliance was forced in some cases. The reports of the night visits illustrate this. A fisherman was attacked for being suspected of being untrue to the cause. Another man received a visit when he threatened to report the names of those who instigated the Saddle Hill meetings. Smallcomb, the witness to the vandalism on Ridley's ship, suddenly would not name names. The planter, Lilly,

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[55] David Alexander, "Literacy and Economic Development in Nineteenth Century Newfoundland," in David Alexander, Atlantic Canada in Confederation, Eric Sager, Lewis Fischer, and Stuart Pierson eds., Toronto: University of Toronto Press, 1983, 118.

would not point out his assailant to the magistrates. Probably the best example of forced solidarity was the incident at the Best & Waterman wharf. The men who had boarded their ship while there were outstanding agreements to be ratified were chased away and those who resisted were attacked. The extensive solidarity (both spontaneous and forced) demonstrated during the strike testifies to the strong cohesion among the plebeian population and to a fairly elevated level of consciousness.

The strike was highly organized and had very successful communication lines despite a divided community. The message put forward by organizers was obviously one readily understood, agreed upon, and passed on by the sealers. The local, ethnic, religious, educational, and social divisions did not interfere with the goals and actions of the conflict. Besides pointing out the efficiency of informal communication networks, the apparent mass agreement of the grievances and desired ends illustrate a fairly homogeneous understanding and a basic level of class consciousness. The sealers focused their antagonism on merchants and planters. They understood who was working in their interest and who was on the other side. While some merchants and planters were conciliatory and the sealers did not treat all merchants with hostility, they were firm in their demands with all. While all sealers did not necessarily recognise their position in relation to their superiors as inimical and necessarily demanding conflict,

they did recognise their own interests and were prepared to force the merchant to provide concessions.

The sealers' strike was a progressive movement in the sense that the sealers were demanding concessions rather than resisting encroachments on previously existing benefits. Exactly how much cash had been given and how widespread the idea of free sale was before 1832 is unknown. It is clear that in 1832 the sealers were either demanding new benefits or more of the old ones. Sealing had only recently become an important industry in Newfoundland and thus, customs regarding the operation of the industry had yet to be established. The strike was one event in the ongoing struggle to establish customary rights which would protect the interests of the plebeians. This protest demonstrates that the plebeian population was an active force, not simply reacting to stimuli presented by the ruling class, but working to forge a decent place for themselves in society. In the dynamic economic environment in Conception Bay the plebeians strove to influence their own positions.

Because of the uncommon success of this protest it is easy to overstate the level of the consciousness of the sealers. It must be remembered that this was an isolated incident in the routine of labour. The protest was not repeated regularly or expanded. Most importantly, the cod fishery was run entirely on the truck system and no concerted effort was made to oppose these abuses. The cod fishery was mentioned in the first sealers' notice but never

after that. The sealers were successful, but this success was never used to improve the conditions of the fishermen on a large scale. The cohesion attained in the seal fishery was not sufficient to be expanded to the working class in general, but only to operate within the specific, particularly conducive circumstances of sealing.

Although the strike was primarily a plebeian movement it received some support from the higher levels in society. Even some merchants gave at least tacit support to the sealers. While it is not impossible that the four anonymous notes were composed and written by a sealer, the low literacy rate and the fine composition and penmanship of the notes would suggest otherwise. It would seem the sealers had the help of at least a few people who held the clerical skills of a middle class job. The sealers received local support in editorial letters to the Conception Bay Mercury, also extremely well written, probably by someone of elevated status. Many of those in the middle class would have had sufficient contact with the sealers to have been able to identify strikers to the constables if they had wanted to. James Prendergast, a dealer, refused to have a governor's proclamation posted on his store.[56] Although he offered to give his reasons, these unfortunately do not survive. His running as a liberal candidate in 1840 suggests some sympathy with the fishermen. Clerks, publicans, and

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[56] GN2/2, Harbour Grace magistrates to Crowdy, Feb. 28, 1832. Constables' report (en 1.).

especially sealing captains, could have pointed out men they knew if it had been important to them. Also there were no official attempts to have the disturbance forcefully repressed. There were no letters to the governor outside Ridley's complaint after his ship was attacked. There were no petitions for troops or pleas for peace as there were after the election disturbances of 1836 and 1840. Of course lack of opposition does not necessarily imply support or even sympathy. There is a question of the practicality of active opposition in such a movement. There was little chance of military support as the governor was reluctant to spare even six St. John's constables to help out. The lockup in Harbour Grace was incapable of holding any sizeable number of people and if a man were arrested and consequently prevented from sealing, he could well be left unable to support his family and become a burden on the state.

Although some masters and merchants complied with the sealers because they had no choice, there is evidence that some supported the cause. The merchants were in a difficult position in Carbonear and Harbour Grace in that there was a degree of competition among them. The cod fishery was the most important economic pursuit and thus it was most important that merchants kept control over their fishermen. With the great surge in the prosperity of the seal fishery at the beginning of the 1830's, the fishermen demanded fairer remuneration. If all the merchants could

agree not to give anything extra to the sealers then the united front would be successful. If, however, one merchant was willing to make concessions the others stood to lose, not only their sealers, but also their cod fishermen. A merchant who gave in to the sealers stood to gain in popularity as well as in the security of his workforce. Merchant Robert Pack of the major firm Fryer, Gosse & Pack gave in to the sealers' demands immediately and gladly, and he was followed quickly by a number of other merchants. Once the sealers' demands were accepted by some, others had little choice but to follow suit. Ultimately all merchants gave in, although some, like Thomas Ridley and William Waterman, did so under duress.

The timing of the incident is another factor which would tend to support the view that some masters and merchants sympathized with and aided the sealers. In 1832 representative government for the colony was imminent. The first elections in Newfoundland were held later that year and with a wide, household franchise the candidates could not ignore fishermen's support. Pack won one of the four seats in Conception Bay in 1832. Pack and Prendergast both ran as liberal MLA's for Conception Bay in subsequent elections.

In a larger framework, new liberal ideas were coming into fashion in Britain and the empire. The last of the Roman Catholic penal laws were taken off the

books, the anti-slavery movement was gaining momentum, and Parliamentary reform became unavoidable in Britain. Industrial capitalism was triumphant and in its wake came a wealthy middle class of capitalists revering progress, free trade, and an unfettered marketplace in which to pursue wealth. The rights of the common man were becoming a subject for debate in Britain and in her empire. Newfoundland was no exception. A Liberal party was formed, headed largely by Irish Roman Catholics, to protect the populace from British elites. Contemporary observers of Newfoundland praised the industry, diligence, and frugality of the sturdy Newfoundland fishermen. Abuses were deplored where they were seen to stunt initiative. The seal fishery was an ideal forum for the liberal-minded of the middle and upper classes to endorse these new ideals. With the high and rising profits of the seal industry, planters and mercantile firms could afford to pay in cash. They could support the industrious fisherman in his fight for justice, and with cash they could encourage him to save and to strive to get ahead.

The disturbances did not involve any rhetoric of disloyalty and as peaceful protests liberals were able to downplay violence. The demands of the sealers were restricted enough not to undermine the real power of the merchants or threaten the status quo in any significant way. In fact, a limited amount of circulating cash would enhance the profitability of the supply function of the merchants. In the seal fishery cash could be distributed without relinquishing

control to the access of the resource since the large vessels required for sealing were not owned by common fishermen. Cash could not be extended to the cod fishery because control of access was in the hands of the fishermen in this case. Support among some numbers of the wealthier classes was intellectually congruent with the new ideas of the time. It was also politically important for those who intended to woo the votes from the workingmen, standing as the common man's representative. Economically the move was not expensive and could even be seen as a good investment.

It is difficult to ascertain the extent of middle and merchant class support, as opposition also existed and appears much more prominent and vocal. The two magistrates who wrote most of the correspondence to the governor, Danson and Buckingham, were very much afraid of the mass of sealers. They took their responsibilities seriously and were very insecure about their ability to keep the peace. They were unacquainted with the local fishermen and at the reading of the Riot Act, although they were watching for leaders, did not recognize any one of them. They held themselves above society and thus did not fully understand the situation.[57]

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[57] In his novel New Priest in Conception Bay, R.T.S. Lowell gives a description of a magistrate of this period trying, with little success, to communicate with the local fishermen, pages 130-138. Such attitudes are not incongruous with the data.

They were afraid of anarchy, mob violence, and riot. The somewhat panic-stricken reports of these two individuals provide the most prominent source of information about the happenings.

The surviving newspaper data also favor the reactionary position. The reprinted reports in the local Conception Bay Mercury suggest a basically conciliatory position but copies of that paper do not exist for 1832. The Public Ledger of St. John's offers the most comprehensive coverage of the events but this was an anti-Catholic, anti-liberal, pro-authorities journal. The first truly liberal newspaper, initiated to oppose the Ledger did not begin publication until 1841.[58] While these documents express an opinion which certainly existed, they would tend to accentuate an antagonistic view towards the sealers. The pro-sealer position is much less visible. The position of the sealers themselves must be inferred largely from the four surviving notices as they are the only evidence emanating directly from the sealers' collective.

The sealers' strike was primarily a working-class movement as illustrated by the participation, methods, and common consciousness demonstrated. There was some compliance, support, and even help given to the sealers by some members of the higher classes; publicans, masters, and merchants.

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[58]This was the mouthpiece of the liberal party, the Vindicator, 1841-1842. The Patriot, which began publication in 1834, was also liberally inclined.

Opposing the sealers were other members of the higher classes. This group was highly vocal and has remained in historical documentation as the dominant viewpoint.

The question remains of what can be inferred about the sealers' relationships with the masters and the merchants. The sealers saw the ships' masters as a body separate and distant from themselves but they also saw the possibility of using them as a mediating element. The men remained relatively distant from the merchants whether through fear and intimidation or through a paternalistic respect. Although approximately 40 percent of the masters were wage workers they were definitely not considered to be of the same class. Wage work was not considered degrading in the manner it was in industrial slums. Cash wages were one of the few avenues to capital accumulation and very rare among the working class. Credit notes or shares in the catch were more common methods of payment. Even without owning any shares in vessels the masters were in an exclusive position. Monetary differences were probably less important than social factors in dividing masters from sealers. Masters commanded the ship and the sealers, and as such there could be no equality between them. Some masters were directly threatened by the men during the strike. The captains of the two vessels attacked were threatened and the planter, George Lilly, was assaulted. While stories of outright harassment of masters are limited, references to them always make it clear that they were in a different

category from the sealers.

The masters, while being representatives of management, were also called upon as mediators in the dispute. It was they who were called to present the agreements at Saddle Hill, regardless of who owned or supplied the ship. The sealers were not unaware of the captains' positions as they listed the owners of the vessels as well as the masters who they called to the meeting. When negotiating through the masters was not entirely successful, the sealers resorted to dealing directly with the merchants who they knew had the ultimate power. The masters were the first choice of the fishermen in both negotiations and intimidation. Although there was obvious distance between the fishermen and the captains, the masters were much closer and more accessible than the merchants.

The merchants were able to remain aloof from the sealers until the very end of the protest. Most of the actual interaction was between the sealers and masters but when a confrontation was forced the sealers did not hesitate to challenge the merchants. Many threats and physical attacks were absorbed by the masters. None of the four notices posted by the sealers threatened the merchants; the first contained no threats at all, the second was addressed specifically to the masters of vessels, the third threatened an unagreeable punishment to the "<u>understrapping</u> in a certain mercantile establishment" (my emphasis). The fourth notice, while addressed to the merchants was carefully worded,

requesting rather than demanding co-operation, and offering no threats. The merchants, however, were directly confronted by the sealers when the sealers were demanding their final agreements. While no merchant received any personal attack Ridley had his property damaged and Waterman came close to losing the masts off one of his vessels.

In the final analysis merchants held extraordinary power over the lives of the fishermen as they controlled the supplies they needed to keep them alive, especially over the winter, and fishing supplies they needed in order to be able to work. The fishermen would have kept their distance from the merchants due to social pressures and traditions, but beyond this, paternalistic ideas or fear of economic reprisal could account for this distance. Regardless of whether the merchant element was liberal and sympathetic as in the cases of Pack and Foley, or conservative and hostile as in the cases of Waterman and Ridley, the fishermen minimized their contact with them. When necessary the plebeians would confront the merchants openly in large groups, using their numbers for protection. Although in a vulnerable position the sealers were willing and able to influence those who held control over their lives.

Sealing was a profitable industry in Conception Bay in the first half of the nineteenth century and one which offered an environment conducive to collective action by the workers. The class structure, in terms of work relationships, was simpler in the seal fishery than in the

cod fishery as men of varying positions fell into the three classifications of sealer, master, or merchant. The strike was a success, primarily due to the cohesion and dedication of the sealers of Carbonear and Harbour Grace, and to the support they received from the liberal-minded members of the middle class. Opposition to the men was disunited and relatively powerless. The 1832 strike is a rare opportunity to view the men of nineteenth-century Conception Bay acting in class ways. The sealers were able to overcome social and cultural divisions to further their collective interests. They attempted to deal with the ships' masters whenever possible, asking them to present agreements and using them as targets for intimidation and threats. In this way they minimized their contact with the merchants whom they preferred to keep distant. Through a mixture of traditional methods and more progressive demands and ideas the sealers succeeded in increasing their control on the limited cash flow within the local economy.

Chapter V

Conclusion

The plebeian populations of Carbonear and Harbour Grace were not passive, but rather took an active part in moulding their society. While fish merchants were in control of the society, the lower orders were able to affect the exercise of power in some instances and to manouevre within the bounds set by the ruling class. The preceding chapters have provided examples of methods used by the powerless to exert some measure of control. These methods came from a long tradition of European plebeian resistance which was brought across the Atlantic where the traditions were continued, adapted and advanced. This chapter considers such various forms of protest as night visits, anonymous notes, arson, vandalism, maiming, mass meetings, parades and riots.

The plebeian population of Conception Bay had an extensive arsenal of weapons with which to defend or advance their social position but the use of such tactics demanded organization. The population organized along the lines of their loyalties and in accordance with the people and institutions with which they were familiar. The three major criteria for grouping in Harbour Grace and Carbonear were ethno-religious ties, home port, and class. Each of these three classifications will be examined with respect to its effects on the organization of the communities and the consequent nature of plebeian collective action.

The first protest type to be examined is the night visit. Six night visits were reported during the decade as well as five instances of people being waylaid on a journey, and two cases where intimidation was suggested. Night visits were often used in connection with larger incidents to force the victim to comply with the wishes of his assailants. Of the six night visits three attacks were directed against merchants, one against a schoolmaster, one against a fisherman and one against a man of unknown status.

In some cases the purpose was to prevent someone who had been involved in a collective action from being brought to court and convicted for their crime. Large crowds attacked the homes of merchants Levi and Pippy to prevent them from testifying against rioter Roger Thomey after the 1836 election. During the sealers' strike a man who claimed to know the leaders of the strike was visited during the night by over 100 people and threatened with death. The evidence intimates that fisherman Stephen Smallcomb may have been threatened and decided not to reveal the names of the men who attacked Ridley's vessel. Robert Lee Whiting was afraid to give evidence against a Carbonear planter after Lott's maiming in 1840.

Men were also attacked because they were seen by their assailants to be supporting the wrong side of an issue. The school teacher, Talbot, was beaten by three men for supporting Prendergast in the 1840 election. A fisherman was beaten by seven men during the night for being untrue

to the cause of the sealers' strike. The tory merchant, Newell, received some sort of night visit (although details were not given), which caused him to withdraw from the election race of 1836.

Merchants were attacked more than any other class of people and they tended to be threatened by large crowds of about 100 people. The only large crowd night visit not stated to be directed towards a merchant was one during the sealers' strike in which the victims' status is unknown. The two incidents which victimized men of lower status, a teacher and a fisherman, involved only three and seven assailants respectively. These smaller, lower class attacks were to enforce solidarity during the election and the sealers' strike. The larger crowd night visits were to prevent men from testifying against those who had led crowd actions. The nature of the situation did not always dictate the size of the crowd as young John Pitt merely received a note and not a night visit warning him not to testify. When people acted collectively, whether in the interests of religion, locality or class, they did not hesitate to attack merchants directly. The plebeians would protect themselves, however, by attacking in very large groups, finding safety in numbers. The class element of any dispute was magnified when a merchant put himself in the position of being the object of such an attack. Where a merchant was seen as the enemy of a large group of people, a crowd of upwards of 100 could be mobilized for a night visit.

In some cases, men were not visited in their homes at night but were waylaid while on a journey and punished. This event was reported five times over the period studied but the consequences were serious only in the cases of Winton and Lott when they lost their ears. George Lilly the planter was stopped and given a beating by an individual who bore a grudge against him but on the excuse that Lilly was not co-operating with the sealers' strike. In 1840 magistrate Stirling's son was waylaid and threatened on Saddle Hill. One incident was a case of mistaken identity. In all these incidents the gangs of assailants were small, ranging from one to five or six. The victims were always members of the middle or upper classes. The attacks were deliberate and selective rather than indiscriminate. If the wrong man was stopped, he was released without harm. There was always a broad issue (or the excuse of one) at stake, whether it be reputation of the Irish population, the strike, or an election. The attack on the magistrate's son was a symbolic gesture which demonstrated disapproval of the authority of the magistrates in a definite manner and yet in a manner which would have no serious ramifications.

In some cases costumes or disguises were used to further obscure the identities of the perpetrators. In the attack on Joseph Pippy and on the anonymous man from Saddle Hill many of the attackers had blackened faces. The people who attacked Lott and Winton painted their faces red and

yellow and at least one was disguised as a woman. Similar disguises were used by the men who fired Ash's house. Lawbreakers with painted faces acting in gangs was standard fare in Europe and especially in England and Ireland where forest dwellers poached deer and tenant farmers protected themselves and their neighbours from eviction.[1] Some form of costume was often used in Irish agrarian violence, sometimes involving men in women's dress in societies such as the Molly Maguires.[2]

Costumes and painted faces became a symbol of nonconformity and rebellion. As such, blackened faces had been outlawed in England in the eighteenth century. The plebeian population and the ruling classes both recognized disguise as an established feature of protest in Newfoundland. The mumming incident of 1831 used these same symbols in an atmosphere of recreation to commit misdemeanours. The custom persisted because it provided both a statement of

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[1] E.P. Thompson, Whigs and Hunters: The Origin of the Black Act, Harmondsworth: Penguin Books, 1975, 55-80; G.C. Lewis, Local Disturbances in Ireland, London: B. Fellowes, 1835, 201.

[2] R.W. Malcolmson, "A Set of Ungovernable People: the Kingswood Colliers in the Eighteenth Century," in John Brewer and John Styles, eds., An Ungovernable People, New Jersey: Rutgers University Press, 1980, 95; Paul Roberts, "Caravats and Shanavests: Whiteboyism and Faction Fighting in East Munster, 1802-11," in Samuel Clark and James Donnelly, eds.; "Pastorini and Captain Rock: Millenarianism and Sectarianism in the Rockite Movement of 1821-4," in Clark and Donnelly eds., 108.

rebellion and effective protection against detection. Disguises hid the identity of an assailant and connected them with a wider group of people both in their particular locality and as a part of a long-standing plebeian custom.

Over the period studied the documents reveal the texts of twelve anonymous notes relating to events in Harbour Grace and Carbonear. These notes, in their style, content, and signatures, illustrate the continuation of the European tradition in the new environment of Newfoundland. The notes were all directly addressed to a single issue. They stated the problem, what ought to be done about it, and usually some threat to be carried out if the stated demands were not complied with.

Nine of the notes contained direct threats towards the recipient. These included a warning that property would be burnt and that the recipient's coffin would be "at the door", but usually the threats were vague, claiming something unpleasant would befall the transgressor. The threatened punishment was left to the imagination of the recipient. The three letters which did not contain threats were notices. Two announced Saddle Hill meetings for the sealers, and one was addressed to Nuttall's two servant girls warning them of the planned arson so they could protect themselves.

The notes were written in a variety of different

styles, all of which are found within the European tradition.[3] Some, such as the sealers' notices, attempted to copy legal language and add authority and respectability to the notice. Some were written in a harsh, plebeian, semi-literate fashion. Sometimes a conscious attempt was made to affect such a style.[4] One letter was written as a poem, a style often used in eighteenth century England.[5] The four sealers' notices, and one threatening note, were written in elegant prose with perfect or near perfect English. Five notices had a more direct style with short sentences and several spelling and grammar mistakes. One note obviously faked illiteracy. Even at its worst, however, the level of literacy illustrated by the notes is impressive for a colony with such a poor educational system. The messages were almost always decipherable, if not correct. A labourer was the author of the best written message, a tailor was suspected of sending two notes, and a servant girl read, memorized, and reconstructed a letter.

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[3] E.P. Thompson, "The Crime of Anonymity," in Douglas Hay, Peter Linebaugh, et. al. eds., Albion's Fatal Tree, New York: Pantheon Books, 1975.

[4] This is obvious in the St. John's letter referring to Henry Winton. The notice begins eloquently but as the text gets more threatening the spelling, grammar, and prose become decidedly 'plebeian'.

[5] Thompson, "The Crime of Anonymity," for example 264, 265, 301.

The collective feeling behind anonymous notes is often hard to judge but that it was strong in many of these cases is clear. Where the notes were accompanied by directly related mass actions they provided a written view of the action from one or more of the participants. This was the case with the sealers' strike, the note to Dr. Stirling which accompanied Downings' gibbetted body, and the warning given to Ridley after he issued the warrant to arrest Roger Thomey for his role in the 1836 election riot. The sealing notices referred to the men collectively, with terms such as "breathern" and signatures of "the fishermen of Carbonear and Harbour Grace", or "the Carbonear men." Ridley was warned in his notice that he would "insense the publick" and would "feel heavily the Maladiction of the people." Three notices not accompanied by a mass action made some appeal to a broad plebeian sympathy. One claimed "the Publick Voice is against you Crying Shame," one threatened the recipient would never again be elected, and two authors simply wrote as if speaking for a plurality.

The largest number of anonymous notes were sent to merchants and magistrates. With two exceptions, all threats were directed against members of the ruling class. One of these was a warning sent to the "understrapping" of a mercantile establishment and another went to Mrs. Jackson and to her son who was going to testify against 1840 election rioters. The anonymous note was an ideal way to express discontent among the general public or with any individual.

Fishermen could not afford to challenge their merchants directly, but by remaining anonymous they could attempt to exert some power over the merchants' actions. The notes were used to articulate the views or wishes of a group of relatively powerless people, or to make an individual's desire seem widespread.

Public notices offered an ideal forum for visible and vehement struggle between factions in society, but a struggle which was ultimately without serious ramifications. During the sealers' strike placards from the sealers were replaced by proclamations from the governor. The proclamations were defaced or destroyed and replaced by sealers' notices, which were in turn replaced by more proclamations which were immediately destroyed. When Henry Winton was maimed and a proclamation was posted offering a reward for the culprits, the official seal was defaced. An abusive notice against the magistrates was posted beneath the proclamation. In these placard wars the plebeian forces not only used their own anonymous notes to express their feelings, they used the government notes as well. This kind of protest offered no tangible resistance but was indicative of strong dissatisfaction from below.

Arson as a form of protest, was used four times over the period studied. Twice a significant amount of damage was caused, twice fires were layed without serious consequences, and once a widely believed threat of arson was reported. The targets were diverse, encompassing a merchant,

a planter, a poor man, and the cholera hospital. Arson was a valuable protest weapon because it could be carried out anonymously, like the sending of letters. These two protest forms could easily be used together as with Granville and the merchant, Nuttall, who would not vote for Hanrahan. They were sent warning letters and when they refused to comply with the requests made, fires were laid under their properties. In the case of the political arson some damage was done. Fires were laid as warnings of popular displeasure in the cases of Nuttall and the cholera hospital, where the intent was to threaten the authorities, not actually to destroy property. That threats of arson were taken seriously was demonstrated in 1840 when bands of men paraded the Harbour Grace streets all night to protect the towns from being fired by Carbonear men as had been threatened.

The firing of Ash's house during the 1840 election was atypical as it involved a large number of people operating in full view, and the amount of damage done was extensive. Ash's reaction to the gathering at his house was extreme, as he fired into the crowd. This may have escalated what was intended as a demonstration of displeasure into the serious affair it became.

During this same period in England, arson was being used as a tactic in the Swing riots combating the introduction of the threshing machine.[6] While there was no new technology

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[6]Eric Hobsbawm and George Rudé, Captain Swing, London: Lawrence and Wishart, 1969, 97-168.

in Conception Bay which could provoke such a response, the arson attempt on the cholera hospital suggests that this response was not foreign to the people. In this instance the hospital was a new element seen as threatening the safety of the community. Quiet and direct protest forms such as arson allowed fishermen to protect themselves from such innovations imposed from above.

A protest form similar to arson was vandalism. During the sealers' strike two merchants had vessels attacked for not complying with the demands of the fishermen. This was a type of machine-breaking and therefore always directed towards merchants' ships.[7] The ships were the link between the outports and the markets and thus the source of the merchants' power and what set them apart from the fishermen. Both of the incidents involved large crowds of over 100 men attacking the ships with saws and hatchets. While the men were able to do considerable damage, they did not destroy

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[7] Ibid, 97-100; Adrian Randall, "The Shearmen and the Wilkite Outrages of 1802: Trade unionism and industrial violence," Social History, Oct. 1982, 7:3, 288; Eric Hobsbawm, "The Machine Breakers," Past and Present, Feb. 1952, 1, 58-66; John Stevenson, Popular Disturbances in England, 1700-1870, New York: Longman Inc., 1979, 155-62; George Rudé, The Crowd in History, 1730-1848, New York: John Wiley and Sons, 1964, 91-102.

the ships or critically affect the financial position of the merchants. Ultimately the fishermen relied on the prosperity of the merchant, but the fishermen took advantage of what little room to manoeuver there was and tried to affect the action of their superiors.

The same phenomenon is visible in the lesser instances of vandalism where motives were similar to those of the European food riots.[8] Where fishermen felt they had been unfairly treated they vented their anger at the appropriate place, the merchants' stores. They made a public display of their injustice in an attempt to influence the actions of the merchants. In the 1831 case in which a large crowd absconded with 100 casks of Danson's oil until they were promised payment, the men were able to achieve their ends.

Maiming was a technique used extensively in Ireland and in England as a protest against encroachment upon customary agrarian rights.[9] The Irish agrarian societies were notorious for maiming cattle and people.[10] The Car-

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[8]Rudé, The Crowd in History, 35-50, 121-2; E.P. Thompson, The Making of the English Working Class, Penguin edition, 1980, 68-74; Roger Wells, "The Revolt of the South-west 1800-1801: A Study in English Popular Protest," Social History, Oct. 1977, 6, 721-43.

[9]David Jones, "Thomas Campbell Foster and the Rural Labourer," Social History, Jan. 1976, 1, 5-11; G.C. Lewis, 146-7.

[10]G.C. Lewis, 201; Paul Roberts, 78

bonear - Harbour Grace area reported six maimings over the period; two on men, and four on domestic animals. The two human maimings, both committed on printers, were political in motivation and impressive in the solidarity displayed by the ensuing silence in respect to the perpetrators. The animal maimings were less serious in nature, some animals not even having been lamed. While the magnitude and spheres of the two different kinds of maiming varied, they had much in common. They sprang from the same tradition and the methods were transferred and transformed to deal with Newfoundland circumstances.

Maiming was an anonymous crime carried out secretly and often by men in disguise. The victims were those who had attacked, or failed to do their duty towards, the working population at large. In Ireland, victims could be from any class, but as in Conception Bay, most victims were from above the working class.[11] Winton was attacked for abusing his power of the press. The owners of the maimed animals were all being punished for not posting bail for the poor election rioters. They were not living up to the duties of those with economic power in the eyes of the assailants.

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[11] M.R. Beames, "The Ribbon Societies: Lower-Class Nationalism in Pre-Famine Ireland," Past and Present, Nov. 1982, 97, 130-1.

Even Lott, who was upper working class, was the victim of a power struggle when he defied the authority of the St. John's Ribbonmen. Maiming was an effective plebeian method of enforcing commonly held ideas about the distribution of power within society, in regards to both the ruling and working classes.

Plebeian protests such as night visits, anonymous notes, arson, maiming, and the like required relatively limited numbers of people. When a significant percentage of the population was actively involved in a demonstration the inevitable result was a mass meeting, a parade, or a riot. The Saddle Hill sealers' meetings were unique in Harbour Grace and Carbonear during the decade. They are testimony to the organization which existed within the population of the two towns and an impressive show of the power of the sealers. With attendance estimates of from 1000 to 4000 people it is obvious that most sealers attended the meetings. While the meetings were obviously plebeian in their composition, they were announced in legal - sounding language and conducted in an orderly fashion by presenting and passing a series of resolutions. In this way the meetings combined the greatest plebeian strength of numbers with the direction, organization, and purpose of an official meeting. The meetings were totally class defined. Participants were summoned there as a result of their position within the fishery and therefore everyone's role was clear. The masters and merchants were on the opposing side

to the sealers, who called and attended the meeting.

The parade was a very popular means of making a public statement. Election parades were sometimes led and organized by members of the ruling class but the relationship between leaders and followers is often hard to establish. In the 1836 election Pack and Power were only persuaded to run when a parade of supporters visited them at their homes. The leadership of that parade was "respectable" but most of the men involved were plebeian. When Pack and Power led their parade of voters to the polls on election day, the candidates were unable to prevent the violence which subsequently occurred. The same was true of the 1840 election where leaders encouraged enthusiastic support but then were unable to control crowds which erupted into violence. The Catholic clergy were held to be especially guilty of inciting political passions in the crowds which they could not control. As was often the case in the English political system, the plebeian population had its own leaders, often taken from the artisanal class. While a political leader was the symbolic head of the parade, the control rested with the lower class leaders within the crowd itself.[12] This was made

[12]For a specific example see the case of John Wilkes and the Wilkite movement; Thompson, The Making of the English Working Class, 75-8; John Brewer, "The Wilkites and the Law," in Brewer and Styles eds., 132-71; John Brewer, Party Ideology and Popular Politics at the Accession of George III, Cambridge: Cambridge University Press, 1976, 182-200.

quite evident at the 1836 election trials. The plebeians used the formal political stage to express their own views and act upon them.

Political parades used the same sorts of symbols and techniques which were common in England and Ireland. Candidates were supported with banners, patriotic flags, ribbons, and bands, especially those with fifes and drums. Parades were only used to show support for a candidate in some cases but they were more often used to control voting directly. In both elections which ended in violent disturbances, paraders either controlled the entrance to the hustings or intercepted other parades of voters going to cast their ballots. Riots resulted when two different groups of supporters attempted to control the polls.[13]

The direct action used in the political arena was an extension of the crowd behaviour used in other spheres. When the sealers returned from the ice in 1834 to find a corpse gibbetted in Harbour Grace they immediately formed a large group to cut him down, and after parading the body in front of the Court House, dropped it on the magistrate's doorstep. The same sort of spectacle was made of the suicide victim's body when it was brought back from Crocker's Cove by a crowd of about 100 people. When Thomey was threatened with prison after the election riots, the Carbonear people

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[13]For a study of the phenomenon in early New Brunswick see Scott See, "Election Crowds and Social Violence: the Northumberland County, New Brunswick Campaigns of 1842-43," unpublished M.A. thesis, University of Maine, 1980.

were quick to form a crowd to protect him. When the sealers needed to confirm that all masters were offering fair agreements, they paraded through town to each merchant to confirm all agreements. Although parades were often symbolic, they could quickly become brawls if the wishes of the participants were not respected.

Parades, riots, and mass meetings were all forms of direct action taken by large sections of the population. A common goal was defined and then acted upon directly. The legality or illegality of the action was irrelevant as it held a broader, popular sanction. The plebeian population used such methods to make an important impact on the society in which they lived.

The tradition of plebeian resistance and the style and methods of that resistance came to Newfoundland with its population. In Newfoundland, however, customary rights had to be established. The Newfoundland plebeian population used the methods they were familiar with in order to achieve the level of rights and power they believed to be fair. Plebeian action in Harbour Grace and Carbonear in the 1830's represents but one small segment of the process of establishing customary rights in Newfoundland. There was no magic "ideal" level of plebeian power which was to be reached by common consensus. The fight for plebeian input into the workings of society was an ongoing battle and the working classes achieved various levels of power within their changing circumstances. In the 1830's the economy of

Newfoundland, and more specifically of Harbour Grace and Carbonear, was in a period of transition. The plebeian population fought to preserve rights and establish customs, but also to advance their position. With the fluidity of society in a newly populated colony the plebeians made every effort to advance their position as far as possible. The methods of resistance illustrate continuity with the Old World but there is also evidence to suggest that in-roads were made to advance, and not simply to maintain, plebeian input.

The mumming incident of 1831 is an example of an attempt to establish a customary period of plebeian licence in the colony. Forms of mumming existed in England and Ireland, but the authorities in Conception Bay were loath to allow such a custom to be established there. Despite, or perhaps because of, the hostile, and sometimes violent actions of the mummers towards the "respectable" people, the plebeian population supported the custom. During the Twelve Days fishermen were able to exercise the power of their numbers and physical strength over their social superiors without retribution. By simple non-cooperation with the authorities the plebeian population could prevent punitive action being taken against mummers. The mumming tradition in the Old World legitimated the practice to a certain degree, but the establishment of the Twelve Days as a period of licence in Newfoundland was the result of plebeian acceptance of and insistence on the tradition. Mumming

provides one of the most visible examples of the plebeian part in transferring, establishing, and maintaining customs which worked to their benefit and the detriment of their superiors.

Not only did Harbour Grace and Carbonear people establish older customs in their area but they created their own traditions native to Newfoundland. During the 1830's this process of tradition-making is clearly visible in the case of Saddle Hill. Saddle Hill became widely known as a symbolic center for revolt and protest. To the magistrates it became notorious as a hide-out for criminal elements and a focal point for radical lawlessness. Throughout the latter half of the decade the magistrates attempted to keep the trees cut down for sixty feet on each side of the road to prevent attackers from hiding there.[14]

The first mention of Saddle Hill in this decade (although not necessarily the beginning of the tradition) was its designation as the location for the sealers' meetings in 1832. The hill was renamed "Liberty Hill" in honour of its special place in the plebeian battle. A man who lived near Saddle Hill was subject to a large and violent night visit for threatening to reveal the names of the strikes'

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[14] GN2/2, Harbour Grace magistrates to Crowdy., May 16, 1840.

ringleaders. In 1835 Saddle Hill was the site of Henry Winton's maiming. Shortly after that a man was waylaid there but he was released when his assailants realized they had the wrong man.[15] This was followed by another young man being severely beaten by assailants on the hill.[16] In the spring of 1836 a Trinity publican complained to the governor about a group of Carbonear sealers who called themselves "the Saddle Hill Boys".[17] A sealing ship docked at Trinity for minor repairs and the sealers came ashore. Eight Carbonear men, joined by some men from Trinity abused and threatened Spence, a publican and shopkeeper, because they had heard he "showed more respect to anyone more than Irishmen."[18] The men returned the following day threatening to beat down his house and burn his property. The "Saddle Hill Boys" beat the publican and several constables and abused the magistrate before returning to their vessel.

The next mention of Saddle Hill was as a meeting place for a liberal political parade. People of both Carbonear and Harbour Grace met there before marching to Harbour Grace shouting "Down with the Tories" in an attempt

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[15] Habour Grace migistrates' letters, file #13, Danson and Buckingham to Simms, June 2, 1835.

[16] Ibid.

[17] GN2/2, Spence to Prescott, April 27, 1836.

[18] Ibid.

to dissuade Ridley's supporters from voting. In 1840 Lott was maimed on Saddle Hill and the warning note sent to Boulton in St. John's mentioned the spot specifically.

Saddle Hill had received a reputation as a location beyond the pale of the magistrates' authority. The hill was far enough from town to be away from the eyes of the authorities and yet easily accessible to, and equidistant between both towns. It offered a meeting place for large numbers of people, but its trees also offered shelter from the road. Through continued usage of the hill as a base for actions by the lower orders in issues involving plebeian influence, Saddle Hill became a symbol in itself. Saddle Hill was associated with rough justice in the minds of all classes of people. Even by 1836 the tradition had been well enough established that Carbonear men defending their Irish heritage felt "Saddle Hill Boys" an appropriate title for their gang. This deliberate creation of tradition was a means of extending plebeian control over their environment. In England and Ireland custom was the basis of plebeian rights. In Newfoundland customary rights had to be transported, implemented, defended, and even created by an active plebeian population. That this process was on-going in Carbonear and Harbour Grace during the 1830's is clear.

The plebeian population of Harbour Grace and Carbonear was active in asserting itself and protecting and improving its place within society as a whole. Plebeian

populations, however, are not entities in themselves but large numbers of individuals. Collective action is dependent upon individuals recognizing common interests or goals and having sufficient community organization to act. While Old World customs and methods of protest were important in Newfoundland, they would have been useless without lines of organization and allegiance among the individuals. The three most important focal points for community organization in Harbour Grace and Carbonear were the combination of ethnicity and religion, locale, and class.

The near even division between English Protestants and Irish Catholics in both Harbour Grace and Carbonear made ethno-religious distinctions very important in society. Ethnicity determined family ties, marriage, and often place of residence. It affected work relations, job opportunities, and even occupation. The parish was an important force in the community. People of the same religion were more likely to know each other, talk to each other, and share a common background and culture. The church played a vital role as a community organizer simply by bringing people together once a week, but also by their involvement in schools, clubs like the St. George's Society or Benevolent Irish Society, and community functions such as log haulings.[19]

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[19] Log haulings were affairs in which men would meet on a specified day to chop and haul the winter's wood for the clergy. Sometimes the different denominations cooperated in this venture.

The nature of the historical documents provide one with a much greater feeling for what was Irish Catholic in the society than what was English and Protestant. Since the magistrates considered what was English to be the norm they seldom reported it, but concentrated on what was Irish. There are many indications that the Irish community in Harbour Grace, and particularly Carbonear, was very strong, active and closely identified. Daniel McCarthy, when he was being arrested, appealed not only to Irishmen for help, but more specifically to Kerrymen. County loyalties were strong in Ireland and McCarthy suggests that Irish ties of loyalty remained intact in Newfoundland. Irish organization in the New World was often county-based and there is evidence of the importance of these ties in defending plebeian rights in other parts of North America.[20] McCarthy suggested, and indeed the magistrates stated, that the Irish were inclined to act together for self protection. The maimings of Winton and Lott were very Irish in their form, but more important was their Conception Bay - St. John's connections and the references to the Ribbon Societies. The fact that two St. John's men were maimed around the bay adds credence

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[20] Ruth Bleasdale discusses the possibility of traditional Irish social organizations being used by Irish Canadians in their fight for better conditions as navvies on the Lachine canal. See Ruth Bleasdale, "Class Conflict on the Canals of Upper Canada in the 1840's," in Labour/Le Travailleur, Spring 1981, 7, 28-9.

to the claim that an Irish Ribbon Society existed and had several branches in Newfoundland. Such plebeian organizations operated as communication networks and as vehicles to focus and direct collective action.

Cohesion and identity among the Irish community were both represented and fostered by Irish flags, symbols, and green ribbons which flourished at the elections. The Irish were expressing their political interests through their identification with the Irish Newfoundland community. Religion was inseparable from the ethnic issue and the "priests' candidate" was invariably the Irish candidate. The magistrates had a hard time getting people to testify properly in the election trials and attributed this to the cohesiveness of the Irish community. The religious aspect was addressed directly in the anonymous note sent to Mrs. Jackson in 1841 when she and her son were referred to directly as "Protestant Buggers."

Irish signs and symbols were used in many other circumstances as well. When a proclamation was posted to offer a reward for those responsible for Winton's maiming, the King's Arms were cut out of the notice and the harp was put in a falling position. This was a symbolic attack on British government, suggesting that Ireland might not always be a part of the King's empire. Shortly afterwards Rogerson received his threatening note signed "Croppy" which was meant to remind the recipient of the awesome power of Irish clandestine societies. The pike manufacturing

rumours of 1840 caused alarm for the same reason: the pike was a symbol of organized Irish rebellion. Irish symbols were also used in Lott's maiming where two of his assailants were reported to have painted the rims of their hats green.

Religion was the motivating factor behind the burial and disinterment of John Moxley's body. The social networks which existed as a result of organized religion were easily brought into play when action was needed to protect the religion. When the Anglican churchyard was threatened with the sacrilege of a Catholic suicide victim, a crowd of Anglicans appeared immediately to protect it. The Anglicans were organized and focused enough to maintain the protest and finally get their own way.

People in Harbour Grace and Carbonear demonstrated ties of allegiance, communication, and organization among those of a common ethno-religious background but one tie of allegiance does not preclude all others. Home ports, while less important, were also sources of solidarity for the people as municipal rivalry was strong. There was competition among the ruling classes of the two towns in attempts to make their town the more important. Both towns applied to become a free port in order to increase their marine traffic, but because only one free port could have been feasible and the two towns could not agree, neither received the special status.[21] The local newspapers often revealed

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[21]Cochrane papers, reel VI, Cochrane to Stanley, June 17, 1834.

these tensions by their banter accusing each other of receiving more than its share of favors or of having made disparaging comments about the characters of the other's citizens.

The instances of plebeian action studied illustrate that this feeling of the separateness of the two settlements permeated the whole of society. Parish registers show that people tended to prefer to marry within their own town. During the sealers' strike the men identified themselves by reference to their towns. Their notices were signed "the Carbonear men and/or the Harbour Grace men." After the maiming of Herman Lott, Robert Lee Whiting refused to give evidence against a man for a totally unrelated charge because that man was from Carbonear. Although Lott's assailants were never identified, it was assumed that only Carbonear could be the center of such activities. In addition to town pride and rivalry, each settlement had received a reputation as to the nature of the type of people who lived there.

During the elections there were several indications that local loyalties came into play. After Roger Thomey's rescue in 1836 the magistrates reported that the population of Carbonear was in an uproar and that it was in open opposition to the authority of the law. Carbonear was also singled out as the home of political troublemakers who would leave their homes to support any radical liberals in St. John's who might cause riots. In the 1840 election Carbonear

was even more closely identified with the violent and radical Liberals. Hanrahan supporters from Carbonear attacked their opponents from other towns and warned them not to return to Carbonear. After the election Harbour Grace men kept watch all night to protect the town from arson threatened by Carbonear men. During the election trials those from Carbonear were provided with a military escort to protect them on their way to court. Despite similar voting patterns for both settlements as a whole, Carbonear was identified as liberal, radical, and pitted against Harbour Grace which was portrayed as more conservative and peace loving. While home port identification was less important than ethnic or class solidarity, local identity was surprisingly salient.

In addition to ethnicity and locale, strong class allegiances were demonstrated in Harbour Grace and Carbonear during the 1830's. The sealers' strike is the most remarkable of all the collective acts of the decade in that it clearly demonstrated that despite severe ethnic, religious, and local divisions within society the people were willing and able to act in class ways. The other instances of collective action demonstrate that lines of organization and communication existed within the communities which allowed people to act in defence of, or out of loyalty to their ethno-religious origins, local pride, or class interest. The strike, however, elevated these class interests over all other loyalties. In this isolated incident the fishermen of Harbour Grace and Carbonear overcame their differences and acted in a unified body to

protect their interests and force the merchants to conduct the seal trade in a manner beneficial to the fishermen. The nature of the seal fishery provided ideal conditions for such an action. The markets for seal oil were expanding making the product relatively valuable. The fishery was labour-intensive, short term, and highly profitable. Men were brought together physically and were hired out under identical terms of employment. During the seal fishery, fishermen of various economic status were united into a single class that did not exist in a pure form in the cod fishery.

The local divisions which existed were not only overcome but were used to the fishermen's advantage. During the Saddle Hill meetings fishermen had their agreements read by men from the other town which protected their anonymity as well as fostering solidarity. Fishermen of both towns worked together for their mutual benefit. If any hostilities between sealers of different religions were manifested they were not noted by any of the commentators on the strike, either in government positions or in the press. While the lack of religious disharmony during the strike can only be supported by a lack of evidence, it is most remarkable that such hostilities would have been ignored in this case when they were reported in so many other instances. On the positive side, there were several indications that religious affiliations were dwarfed by class. Ships' masters were summoned to the Saddle Hill meeting with their agreements

regardless of their religion; both Catholic and Protestant masters were called. The Catholic publican Howley, was equally intimidated by crowds threatening to damage his property as were his Protestant counterparts. Both Protestants and Catholics took part in the various meetings, parades, and protests which made up the strike. During the sealers' strike then, class loyalties took precedence over all others and the strike was a class act in a way no other protest of the decade was.

While the sealers' strike polarized the community along class lines in an outstanding way, there is evidence in many other events of the decade which point to an enduring, though less intense class consciousness. When in 1831 a fisherman, denied supplies for the season, marched to Pack's office to demand justice he assaulted every 'respectable' person he met. Clearly he understood the basic dichotomy between rich and poor and how it was responsible for his plight. In 1834 the ruling class was challenged when the cholera hospital was threatened with arson. The popular view of what was good for the community did not coincide with the government's view. The incident involving Nuttall, with his anonymous notes and arson attempt, contains suggestions of class concern. The imprisoned man petitioned for was the object of sympathy because he was poor. Concern was shown for Nuttall's servants and they were warned of the impending fire and given a chance to vacate so they would not be hurt. The "publick voice," as interpreted by a tailor,

was said to be against Nuttall. Class solidarity also accounted for silence in the face of investigations concerning the mumming attack, the human maimings, anonymous notes, and most of the other incidents discussed.

The election provided several examples of class solidarity. In 1836, when Thomey was to be arrested, his compatriots were quick to react to save him. What can only be surmised about the Thomey case is stated clearly at the trial of William Harding. These craftsmen were seen as leaders of the lower orders who acted in one great mass. The men who were to testify against the rioters were all respectable members of the community and these men were intimidated into withdrawing their evidence. Such was the case with Levi, Pippy, and Gosse in 1836. In 1840 class loyalties were sufficiently visible that one candidate was viewed as a merchant candidate and one as a fishermen's candidate. Hanrahan's supporters were often described as devoid of any respectability. When the troops were called in and were taunted by a group of Carbonear citizens, the magistrates reported that the people were not hostile towards the troops for any specific reason (ie. because they were soldiers, Catholics, etc.) but because they were hostile to any restrictions imposed by the authorities..

Collective acts by plebeians were seldom committed against their fellow working men. As the studies of anonymous notes, night visits, maiming, and the like demonstrate, merchants and magistrates were the most often victimized.

Planters and other members of the middle class were often targeted. Attacks on plebeians (found necessary to enforce solidarity) were much less common, although they occasionally occurred. Class loyalties, then, existed in Harbour Grace and Carbonear during the 1830's, and on occasion they could take precedence over all others.

The extent of collective action during the decade is testimony to the organization which existed among the plebeian population. Lines of organization, communication, and mobilization were well developed, with ethno-religious, local, and class loyalties being the basis of plebeian action. There were, among the plebeian population, certain agreed standards of expected plebeian input into society. The people had similar conceptions of what was just in society; what was to be considered acceptable and what was not. When plebeian standards of justice were broken the population mobilized to defend these standards. Plebeian standards were dynamic rather than static which meant that the population could be mobilized to achieve rights which had not previously existed in Newfoundland, to increase plebeian input, to establish customs, and to create traditions.

People mobilized to defend their identity as in the case of Winton's maiming, their religious pride as with the burial and disinterment of Moxley's body, their common sensibilities as with the rescuing of the gibbetted corpse, or in the interests of class as in the sealers' strike. There were different loyalties appealed to in different

situations. The ethno-religious divisions in Conception Bay society were great but the loyalties which formed along the lines of these divisions could and did aid community organization. The sealers' strike demonstrated that, when called upon, the plebeian population was able to overcome the deep divisions in society and act together in their class interest. Connections which had been established previously would in this case be a help rather than a hindrance in organizing and mobilizing the population.

When acting in concert the plebeian population was successful in influencing the workings of their society. They used the symbols, rituals, and methods of plebeian resistance from Europe, transplanting the whole tradition to Newfoundland. The fishermen of Harbour Grace and Carbonear were not the silent pliable workforce which has often been portrayed. The plebeian population was vibrant and active, attempting to influence their environment to their advantage by their own actions, through their own means, and according to their own standards.

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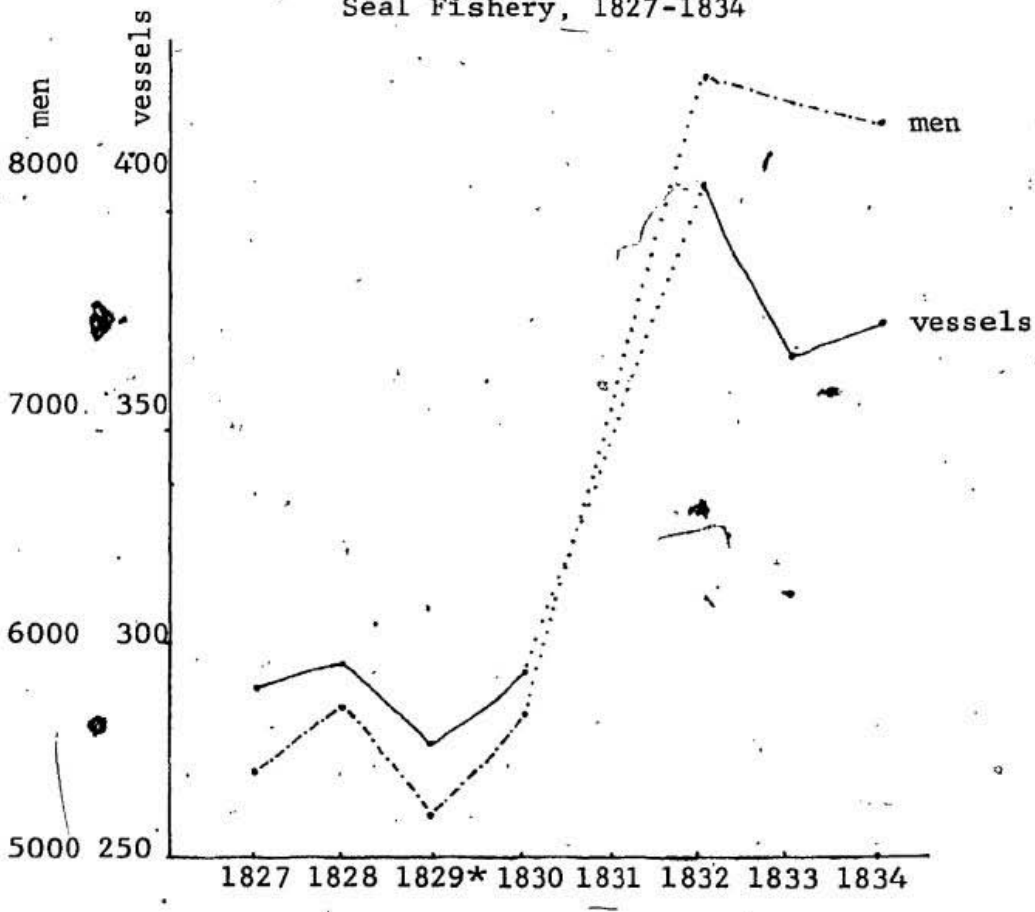
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APPENDICES

Appendix A

Numbers of Men and Vessels in the Newfoundland Seal Fishery, 1827-1834



*Figures for Burin & Bonavista not included in data for 1829.

Figures for 1827-1833 from Shannon Ryan, "The Newfoundland Cod Fishery in the Nineteenth Century," unpublished M.A. thesis, Memorial University of Newfoundland, 1971, Table 17; 236; figures for 1834 from Philip Tocque, Newfoundland As It Was and As It Is In 1877, Toronto: John B. Magurn, 1878, 308.

Appendix B

South end, Harbour Grace, May 1, 1834

Sir —

I mearly advise you and request you will take it for your own good and drop the persicution of Michael Kief — he is long a nuf deprived from assisting a starving family Crying for Bread You should of taken the advise of the partner of your bosom and let him out You may i dare Say find use a nuf for the Six (pence a day)? that you are throwing away — Recolect you have a family of your own which i hope will never feel the same misfortunes or the want of common nourishment as they do i tell you the Publick Voice is against you Crying Shame i hope you will consider over this as it is my wish for your own good or _____

i am yours truly _____ a Friend

Appendix C

Nuttall

You Persicuting in solvent Scounderell let the Power Man oute of Prison to relive his family that is starving _____ or we will level your wifes propperty _____ this will be done before Saturday Night, we put up with you to long _____ and you shant consume us a gain to get £2500 ___ in Surance _____ We are watching your movements _____ we No well what you got this amount ____ in Surd for _____ take this as a Warning if Not we will Make You Suffer For it

Appendix D

Guirls beware and take care
for this night we mane to take your masters life
(so dispare)?
The family need not fear
Mr. Chancy come from Carbonear
and take his sister home,
for she is not no longer Nuttall's Wife i own

Margaret Chandler and Elen Shay
be ware and take care
for this night We Mane to take your Masters life
(so dispare)?

Appendix E

Mr. Brown this is a warning I am giving you as a friend to give up your Riet title and Interust of the late Thomas Foley's property or else you may have your Coffin at the door _____ if ever again there should be an Election John Lahy would be in before you Peter Shit Let that old Starling know that he will receive the same Benefit _____

Appendix F

Thomas Ridley Esq[r]

Understanding that you are taking steps to the persecution of some few individuals. in the event of any process so as to lead to the conviction of any person or persons as a friend I advise you to discontinue those proceedings, otherwise you will feel heavily the Maladiction of the people it will surely insense the publick against you

they waited on you and you treated them with contempt they took you by the hand and you dispised them know then if you do not take an advise from a friend then you will certainly Rue the Day on which you appeared on the hustings. You may charge all your disappointments to a few of your Bosom friends namely Stark Mayne and a few others so I beg you will desist I fear these two persons will be amply Rewarded

a Labourer

Appendix G

Notice

Mrs. Jackman

If you allows your Son to Swear against Kily mark the consequence ye Protestant Buggars depend on it it shall be a damnd sore swear for him for his life we will depend the young scoundrell and you as bad as him to allow it he will not escape much longer

Appendix H

Notice

A Meeting of the fishermen and shoremen of Carbonear will take place on Saddle Hill next Monday the ninth day of January - at half past eleven o'clock in the forenoon - fore the purpose of taking into consideration the best and most effectual method of getting clear of truck - the ensuing spring - the fishermen of Harbour Grace are earnestly requested to co-operate with their Carbonear Brethern in this truly worthy and momentuos affair --- and shew by their compliance that they are both willing and able to shake off the yoke they have so long and unjustly (tho' patiently) borne

Carbonear January the fifth 1832

Appendix I

Notice

Is hereby given that the fishermen of Carbonear and Harbour Grace are requested to meet on Saddle Hill on thursday next the ninth day of February at 11 O'clock. All Masters of vessels bound on a sealing voyage are hereby required to be in attendence and to produce their several agreements with their crews to the Meeting Any person or persons who do not comply with this Requisition Shall be dealt with according to a Resolution that will be entered into at that meeting and will afterwards Undoubtably be acted upon

Harbour Grace 4th feburary 1832

P.S. the members of the announced list are requested to answer to their respective names and also who have been Notified before to attend if not _____ _____ _____

Appendix J

Since we last advertised we find that our instructions were adhered to tho we have been told unwillingly by the Willy Scot and his cunning colleague they it seems doubted its authenticity and we hope they do not require practical proofs - we have also had a peep at the St John's newspaper and are very much obliged to the agents of the Express packet for the praise he so very liberally bestows upon us - it is not unknown to us how secretly they dispatched the Express to St John's and the intended combination about to be entered into to reduce the price of seals we trust the understrapping in a certain Mercantile Establishment will find other employment than traducing us and shewing how finely they can write a newspaper of quality

Otherwise they shall have what
will not be agreeable from

the Carbonear Men

Carbonear
24 Feb.

Appendix K

Notice

Whereas several advertisments having lately appeared from the owners of vessels bound to the ice - Stating that the Sharemen of such vessels were at liberty to dispose of their respective Shares of Seals in any manner they might deem proper and calling on the Sharemen to come in and witness the cancelling of their former agreements -

We hereby notify to all whom it may concern that we shall feel much pleasure in witnessing the destruction of the former truck agreements and receiving unrestricted agreements and appoint Sautrday the 3rd of March at eleven O'clock for that purpose - all masters of vessels are requested to have two sides to their agreements one part to be held by the Crew and the other themselves

the Carbonear and
Harbour Grace Men

March 1, 1832

Appendix L

The Social and Economic Positions of Sealing Masters c.1832

I Vessel Ownership

In 1832 the sealers of Harbour Grace and Carbonear drew up a list of 78 sealing masters, the vessels they commanded, and the owners of those vessels. This list was posted along with a notice summoning the listed members to a meeting.[1] This list provides a useable sample of masters for the purpose of studying vessel ownership among sealing masters. The study encompasses the years 1820 to 1845. This 25 year period is broad enough to encompass economic cycles and the life stages of the masters. The extended time frame prevents the exclusion of the young master starting out, or the small capitalist who may have been experiencing temporary difficulties, both of whom might otherwise appear to belong to the propertyless sector of the population. This list provided the sample of masters used in a study of their vessel ownership over the period 1820 to 1845. This 25 year period is broad enough to encompass economic cycles and the life stages of the masters. By examining vessel ownership only in 1832

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[1] GN2/2, Harbour Grace magistrates to Crowdy, February 18, 1832 (encl.).

a young master from a prosperous planter family who had not yet been able to raise the capital necessary for the purchase of a vessel would appear poorer than he was in reality. The extended period of time over which ownership was examined prevents a skewed picture due to life-cycle factors. Likewise, the extended time frame prevents the small capitalist who may have been experiencing temporary difficulties from appearing to belong to the propertyless sector of the population.

Ship ownership was determined through the Newfoundland ship registry. This registry records every Newfoundland vessel over fifteen tons, and all decked vessels. It does not include the smaller deckless boats used in the inshore fishery or any vessels registered in foreign ports such as some of those used in transatlantic trade by the larger merchant firms.

Of the 78 vessels named, two were discarded due to conflicting or insufficient evidence as to the owners, leaving a sample of 76. All vessels at the time were divided into 64 shares. Partial ownership was thus a simple matter and many men were part owners of one or more ships. Ownership in this study is calculated by the number of shares owned over the 25 year period, rather than the number of ships involved. Of the 76 named masters, 33 or 43 per cent, did not own a single share in a vessel. Fourteen per cent of the sample owned less than 64 shares and 9 per cent owned exactly the equivalent of one ship. In all,

2/3 of the masters owned stakes in not more than the equivalent of one ship over a quarter of a century. Eighteen per cent owned between 65 and 128 shares, and 16 per cent of the sample owned more than two ships worth of shares over the period.

Table I

Total Share Ownership of 1832 Sealing Masters, 1820-1845

shares	percent	number of masters
0	43	33
64	14	11
64 (equiv. 1 ves.)	9	7
65-127	11	8
128 (equiv. 2 ves.)	7	5
129+	16	12
		76

Source: MHG, Ships' Registry

Sealing masters, while composing a special class in one sense in the sealing industry, had varying ownership status. While 43 per cent never owned a single share, 16 per cent owned from 129 shares to 275 shares involving 3 to 7 different ships.[2]

[2]Ships registry, 1820-1845, Maritime History Archives, Memorial University of Newfoundland.

II Social Origins

Socially masters were also from diverse positions and situations. Some were planters or came from planter families while others had worked themselves up to the position of master through their excellence and diligence. A planter, by definition, is the owner or part owner of one or more vessels. The planter classification encompassed a large range of wealth but guaranteed a certain social standing. Most of the Carbonear and Harbour Grace planters were descendants of original planter families who had settled in the eighteenth century. They were well established socially, and usually financially. While the data show certain family names to be especially prominent there is also considerable diversity in the amount of wealth held in vessels. The Taylor family is a case in point. While the repetition of Christian names often makes it difficult to sort out all the individuals, a basic reconstruction is possible.[3] The sample of masters contained 12 different men with the name Taylor. They appear to be of three different families descended from the sons of a William Taylor who had established himself as a planter near Carbonear in the eighteenth century. William Heighington

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[3]This information was taken from the Name Files and interpreted with the help of Dr. K. Matthews.

Taylor has the highest profile of the masters in the sample. He held at least 160 shares on four vessels, and possibly up to five other vessels.[4] While William worked as a ship's captain, he also supplied vessels and hired large numbers of men and indentured servants. He walked a borderline between planter and merchant; fulfilling the duties of each and still actively working in the fishery. In later years when he retired from active participation in the fishery, his occupation was recorded as "merchant" rather than "planter" in the records.[5] He was obviously a man of considerable wealth and social standing in Carbonear throughout his career.

At the other end of the scale were several Joseph Taylors and a Nathanial Taylor who, although attached to prominent planter families, owned no shares in any vessel at all over the 25 years studied. It would seem that commanding a ship was a job of considerable status which could be undertaken by younger sons or poorer family members who then maintained a respectable position in society despite a lack of property. The position would

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[4]Planters did not always register their vessels under the same form of their name. Dates and locations suggest vessels registered under "William Taylor" and "William Taylor Sr." belonged to the same man.

[5]Ships registry, 1844.

provide opportunities for middle class sons in a precarious and restricted economy.

Between the two extremes there were Taylors at every point in the spectrum. Edward owned 32 shares in one vessel. Henry and Richard shared ownership of two ships and Richard owned another of his own besides. John and Francis were prosperous with 128 shares and 144 shares respectively.

The network of Taylors demonstrates kinship - ownership patterns obvious in other planter families in the sample. Among the Taylors with vessels, all the vessels except one (in which ownership was shared by William Heighington and the merchant firm Fryer, Gosse & Pack), were owned either exclusively by one Taylor or in combination with another. Fathers and brothers often owned ships together while one of them, or another relation, was hired as master. In this way investment in this highly risky business could be spread out among several ships while still retaining family control. In the case of the Taylors without property, the ships they commanded could be owned by family or by large mercantile establishments. In the sample the ships under their charge were owned by other Taylors in two out of six cases.

Similar family ownership - commanding practices are discernable in the other larger planter families with several members listed as masters. The Ash family, the Gransfields, the Nicholes, the Pikes, and the Pennys represent

further examples. The sample points to a portion of sealing masters coming from well-established planter families of the region. Some branches of these families were clearly solvent and in some cases, quite wealthy. Some members of these families do not appear to have branched into the fishery through investment but rather hired themselves out in the relatively prestigious position of vessel captain.

The sample also contains another sort of captain. Some men arrived at the position of master by working up through the ranks, rather than as a result of their social standing. It was possible to be hired onto a ship by a planter and rise in rank, through experience and hard work, to become a hired captain. These men are often anonymous, and at best, little is known about them. To find some of these men the masters in the sample who owned no shares in any vessels were selected. Those with prominent family names such as Taylor and Oates were extracted leaving 19 names. Of these, some additional information was available about nine of them, but ten remain obscure.[6] Three of the men showed indications they may have come from the planter class as they had no property listed but were present on petty or circuit court jurors lists.[7] Five others owned,

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[6]Name Files, Maritime History Archives, Memorial University of Newfoundland.

[7]These men were William Pye, Daniel Scanlon, and John Long.

or had had in the family, a moderate amount of property for use in the fishery.[8] This property included Labrador fishing rooms and Conception Bay fishing rooms or land, with more than one house. One of these men had been involved in legal disputes over his servants. These men seem to have come from fairly prosperous fishing families, probably the top of the class of independent fishermen. Ten men from the sample had no shares in vessels, did not have prominent names, and left no record of themselves or their property.[9] One was sued for debts six times and was illiterate.[10] One can only assume they were from the lower levels of society; from the level of independent fishermen, craftsmen, or lower.

One report exists of a man who rose from fairly humble beginnings to become master of a schooner by the age of 21. The case study comes from the 1870's and 1880's but it is the only one in existence. Nicholas Smith, author of Fifty-two Years at the Labrador Fishery, was the son of a ship's carpenter.[11] Although the father was a well positioned

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[8]These men were Patrick Condon, William Davis, Thomas Finn, Richard Marshall, and William Udell (or Odle).

[9]These men were Richard Cole, James Henly, James Gillet, John Pardy, James Pearce, James Roach, Pate Scanlon, John Soaper, John Snook, and William Yetman.

[10]This was Richard Clarke.

[11]Nicholas Smith, Fifty-two Years at the Labrador Fishery, London: Arthur H. Stockwell Ltd., 1936.

craftsman when he died suddenly he left his family with no home of their own and very little means, and no land.[12] Being 14 years old and the eldest son, Nicholas left school to haul wood, and in the spring sailed on a schooner for the Labrador fishery. In subsequent years he got berths on sealing vessels and Labrador fishing schooners. By the time he was 21 he was captain of a small schooner transporting lumber between Brigus and St. John's. Soon he graduated to larger vessels and spent most of the rest of his life commanding vessels to and from the Labrador fishery. It must be noted, however, that Smith had not risen from the lowest levels of society, for his father had been a skilled worker and his sisters sufficiently well bred to have married masters themselves.

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[12] Ibid, 15.