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CLIMATE AND CAPITALISM: ENGLISH PERCEPTIONS OF NEWFOUNDLAND'S
NATURAL ENVIRONMENT AND ECONOMIC VALUE, 1610-1699

By

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THESIS

Submitted to the Department of History and the Faculty of Postdoctoral Studies

In partial fulfillment of the requirements for

The Degree of Doctor of Philosophy in History

Wilfrid Laurier University

Author's Declaration

I hereby declare that I am the sole author of this thesis.

I understand that my thesis may be made electronically available to the public.

Abstract

For English merchants, planters and politicians, colonizing Newfoundland required learning the limitations and opportunities afforded by the island's natural environment. The crucial period for this learning process took place from 1610, the first English effort to colonize the island, to the 1699 passing of the *Act to Encourage the Trade to Newfoundland*, which defined the cod fishery as the island's only viable industry. During these eighty-nine years, English enterprises and policies consistently failed to meet the expectations of their backers, and new information challenged accepted ideas about Newfoundland's climate and natural resources, pressuring the supporters of those decisions to reassess the island's economic value and role as a colonial possession. This reflexive cycle of ideas, implementation and feedback shaped the creation of a series of policies and practices that guided English efforts to colonize and profit from Newfoundland by altering what industries were prioritized and how they were regulated. As a result of this process, English efforts in Newfoundland shifted away from developing an economically diverse colony with little government oversight to maximizing the fishery through government management. The challenges encountered by the English in Newfoundland, specifically how to adapt to the island's natural environment and defining what the role of a colony with a single major industry was, shaped the development of the political, social and economic institutions and questions that influence the island to this day. This dissertation's original contribution is its examination of this reflexive process and how the methods employed by policymakers, planters and merchants to learn about Newfoundland defined English colonization efforts and policymaking during the seventeenth century. This approach differs from previous studies, which have focused on how the English inhabitants in Newfoundland adapted to the island, by examining how perceptions of the island's natural environment changed in England, and how that affected business ventures and policies during the seventeenth century.

Acknowledgements

This dissertation developed from a question I began thinking about as an undergraduate student in a survey course about Newfoundland history: why, after four hundred years, are we still chasing the same goal of a diversified economy, and how does this idea shape our history and society? Any number of periods could have been chosen to examine these questions, but the impetus for studying the early history of English colonization comes from the instructor of that survey course, Dr. Olaf Janzen, and his insistence that the seventeenth century matters for understanding our current circumstances. I sharpened this question during my Master's research with Dr. Peter Pope. His insistence that Newfoundland needs to be understood within the context of networks of people, trade and ideas shifted my perspective to thinking about the island as a subject of other peoples' considerations, not just a place where events unfolded. Without those lessons I doubt I would have ever embarked on this journey.

Numerous people have contributed to my academic and personal development during my time at Wilfrid Laurier University as a doctoral candidate, many more than can be easily listed here. First and foremost, I owe a great many thanks to my co-supervisors Dr. David Smith and Dr. Suzanne Zeller, who provided invaluable insight and assistance throughout the entire process. Without their enthusiasm and support, especially during difficult times, this dissertation could not have been completed. Additionally, I have benefited immensely from the ideas and feedback from my dissertation committee: Dr. Cynthia Comacchio and Dr. Alan Gordon. Their insights consistently made me think about the broader questions related to my topic and helped me to solve and avoid many an error. Additionally, Dr. Byron Williston provided insightful comments and questions on the defense draft and Dr. John Reid, the external advisor, offered a

wealth of ideas and thoughtful suggestions about my work and how to develop upon it. Any remaining errors are my own responsibility.

Undertaking a doctorate is an intimidating process, but members of the History Department, Tri-University Doctoral Program and staff at Laurier helped me immensely and made the experience a positive one. In the Department of History, Cindi Wieg, Dr. Adam Crerar and Dr. Susan Neylan helped me navigate the many administrative policies and procedures that accompany the graduate student experience. Additionally, the various faculty members I worked with as a teaching assistant throughout my time at Laurier contributed greatly to my professional development. In the Tri-University Program in History, Dr. Andrew Hunt, Dr. Linda Mahood, Dr. Greta Kroeker and Dr. Peter Godard provided highly rewarding academic experiences and advice. During most of my time at Laurier I have worked at the Centre for Teaching Innovation and Excellence with Dr. Jeanette McDonald and Dr. Kyra Jones. The professional relationships and experiences I developed there helped me to think about the purpose of graduate education and how to deploy my skills in a professional environment.

I have benefited immensely from the support of family and friends. My parents, Tony and Carolyn Tavenor, have always encouraged me to pursue interesting questions to their fullest, and without this encouragement I do not think I would have ever undertaken a doctorate. Completing a dissertation is a long process, and without Dashy Koprnicka's endless patience and support it would have been much longer, I am proud to call her my partner, particularly after she's put up with me reading a paragraph to her half-a-dozen times. Additionally, the friendships I formed at Laurier and in the Tri-University Program in History will stay with me as both vital for shaping how I thought about my subject and enriching the entire graduate school experience.

Financial support from the Department of History and Faculty of Graduate and Postdoctoral Studies was essential for creating this dissertation. In particular, aid from the Lorimer Travel Scholarship, Research and Travel Scholarships from the Faculty of Graduate and Postdoctoral Studies, and a Research Assistantship with Dr. David Smith allowed me to conduct a research trip in the United Kingdom. Without this opportunity, I would have been unable to access many of the sources essential for this dissertation. Additionally, travel funding from the Department of History and Faculty of Graduate Studies helped me to disseminate sections of this dissertation at conferences in Canada and the United States.

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List of Abbreviations

| | |
|-------|--|
| BL | British Library |
| CO | Colonial Office Files |
| TNA | The National Archives, Kew, London |
| MHA | Maritime History Archive, St. John's |
| NU | Nottingham University Archives and Manuscripts |
| PWDRO | Plymouth and West Devon Record Office |

Introduction

This dissertation studies English perceptions of Newfoundland's natural environment and its political and economic value during the seventeenth century, and how changes in those perceptions influenced the interactions of colonists, merchants and politicians with the island. By focusing on how people in England understood Newfoundland, this study diverges from the recent literature about early modern Newfoundland, which has centred on the growth of the English colonial society and economy on the island. The approach taken here addresses questions about the means employed by individuals and organizations in England to profit from and control distant lands, including how those methods influenced policy and business development in regards to Newfoundland. By exploring the ways in which ideas of Newfoundland's natural environment and value as a colonial possession changed over time, this dissertation focuses on individuals and groups in England, particularly government bodies, merchants and companies, whose only contact with the island was through reports, maps and stories. Despite rarely visiting Newfoundland, these decision-makers shaped its history by formulating and implementing policies and practices that they concluded were suited to the island's natural environment.¹

English planters, politicians and merchants used changing evaluations of Newfoundland's natural resources and climate in their considerations to determine the island's potential economic value, how best to extract that value and how to manage the people who either resided there or visited to fish. These questions defined the period from 1610, when the first English colony in Newfoundland was established, to 1699, when *The Act to Encourage the Trade to*

¹ Sean Cadigan, *Hope and Deception in Conception Bay: Merchant-Settler Relations in Newfoundland, 1785-1855* (Toronto: University of Toronto Press, 1995), 162–66; Jerry Bannister, *The Rule of the Admirals Law, Custom and Naval Government in Newfoundland, 1699-1832* (Toronto: Osgoode Society for Canadian Legal History by University of Toronto Press, 2003), 17–25; Jeff Webb, "Revisiting Fence Building: Keith Matthews and Newfoundland Historiography," *Canadian Historical Review* 91, no. 2 (March 2010): 335–38.

Newfoundland, better known as King William's Act, officially recognized the cod fishery as the island's only viable industry. Over this eighty-nine year period, perceptions of Newfoundland's economic and political value developed through a recursive cycle of formulating ideas about how to use the island's natural environment, testing them as policies and practices, and adjusting them when resistance was encountered. Consequently, English efforts in Newfoundland shifted away from creating economically diverse plantations with little government oversight to maximizing the fishery through government management. This process manifested first in the inability of colonies engaged in multiple industries to become profitable, and later as policymakers attempted to develop policies suited to Newfoundland's natural environment and the practices adopted by residents and fishers to succeed there.²

This dissertation focuses on English colonization efforts, but these enterprises were not the only European ventures in Newfoundland. The migratory cod fishery, which developed during the sixteenth century, was the primary English economic activity in Newfoundland throughout the seventeenth century. Despite its economic importance, the migratory fishery did little to enforce English claims to Newfoundland or keep out competitors. Although the adventurer Humphrey Gilbert claimed Newfoundland for England in 1583, the fishery remained an international industry: Basque, Portuguese, Spanish, Dutch and French fishing and trade ships often used the same harbours that English ships did. Colonization offered a means to secure Newfoundland's status as an English possession by cultivating its soil, building houses and stopping interlopers, but colonists also competed with fishing ships for natural resources, such as shore space and wood. English colonization efforts in Newfoundland were closely connected to

² "William III, 1699: An Act to Encourage the Trade to Newfoundland. [Chapter XIV. Rot. Parl. 10 Gul. III. p. 3. n.5.]," in *Statutes of the Realm*: Vol. 7, 1695-1701, ed. John Raithby, (London: Great Britain Record Commission, 1820), 515-518; Patrick O'Flaherty, "King William's Act (1699): Some Thoughts 300 Years Later," *Newfoundland Quarterly* XCIII, no. 2 (2000): 21-22.

the migratory fishery, and policymakers throughout the seventeenth century often discussed colonies as tools for protecting the migratory fishery and worked to ensure that colonists did not interfere with fishing ships.³

In Canadian environmental history, the topic of how Europeans learned about and adapted to remote regions, particularly when those areas did not match their original expectations, has been the subject of significant scholarship. The historical geographer Cole Harris, seeking to find a common theme with which to study Canada as a whole, termed the country “the reluctant land,” a place that people defined through their adaptations to its regions’ climates and natural environments.⁴ Studies about the learning methods employed by Europeans in Canada’s west and north, such as historian John Sandlos’s and geographer Arn Keeling’s work on the development of mines in northern Canada, have discussed a process similar to the one examined by this dissertation. Politicians, businesspeople, scientists and others tested their expectations for the natural environments of those regions and the industries they could support through scientific missions or by learning from the experiences of those who went there. These considerations informed new conceptions of Canada’s geographic and economic makeup that shaped government policies and business practices.⁵ The English experience in Newfoundland is similarly one of building expectations and responding when they did not align with what

³ Edward Hayes, “A Report of the Voyage and Success Thereof, Attempted in the Yeere of Our Lord, 1583. by Sir Humphrey Gilbert,” in *Principall Navigations*, ed. Richard Hakluyt (London: George Bishop and Ralph Newberie, 1589), 679–97; Patricia Seed, *Ceremonies of Possession in Europe’s Conquest of the New World, 1492-1640* (New York: Cambridge University Press, 1995), 16–31; Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 108–114; Peter Pope, *Fish into Wine : The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 65–72.

⁴ Cole Harris, *The Reluctant Land: Society, Space, and Environment in Canada before Confederation* (Vancouver: UBC Press, 2008), xv–xviii.

⁵ Doug Owram, *Promise of Eden the Canadian Expansionist Movement and the Idea of the West, 1856-1900* (Toronto: University of Toronto Press, 1992), 4–6; Suzanne Zeller, *Inventing Canada: Early Victorian Science and the Idea of a Transcontinental Nation* (Toronto: University of Toronto Press, 1987), 5–7; Arn Keeling and John Sandlos, “Claiming the New North: Development and Colonialism at the Pine Point Mine, Northwest Territories, Canada,” *Environment and History* 18, no. 1 (2012): 5-12.

colonists, merchants and explorers found there. This history and the difficulties encountered while colonizing Newfoundland places it as an early example of the learning processes explored by Canadian environmental historians. The English experience in Newfoundland demonstrates the longer history of this process of European efforts to understand and expand into lands with unfamiliar, and often difficult to adapt to, climates and natural environments.⁶

Although Newfoundland constituted only a small part of England's overseas empire, the process of colonizing the island and adapting to its natural environment provides insight into the ways in which English merchants and politicians envisioned their empire, attempted to bring that vision into reality and responded to setbacks. The English experience in Newfoundland reflects what historian Richard Grove described as an overarching theme of Europeans using expectations of plentiful natural resources to motivate colonization efforts in unfamiliar lands, and adjusting policies and practices to deal with flaws in those expectations. Grove's assessment provides a broad overview of changing perceptions of colonial spaces and their natural environments, but he does not examine the impact of cyclical knowledge-gathering processes on the European understanding of colonial spaces. Revised plans often featured new flaws or perpetuated uncorrected flaws that undermined their objectives. The responses to these repeated failures created a repetitive system of assessing unsuccessful efforts to formulate new plans until the goals of decision-makers in Europe aligned with a more accurate assessment of the natural resources, climate and other characteristics of the lands they sought to control.⁷

⁶ Cell, *English Enterprise in Newfoundland 1577-1660*, 34-52.

⁷ Richard Grove, *Green Imperialism: Colonial Expansion, Tropical Island Edens, and the Origins of Environmentalism, 1600-1860* (New York: Cambridge University Press, 1995), 24-26; for a similar take on Grove's argument see: Bernard Bailyn, *Atlantic History, Concept and Contours*, (Cambridge: Harvard University Press, 2005), 73-101.

This recursive process follows what the economic philosopher George Soros terms “reflexivity, fallibility and the human uncertainty principle.”⁸ Soros’s concept builds on the works of philosopher Karl Popper and sociologist Malcolm Ashmore, specifically on how preconceptions affect the development of scientific knowledge, by studying how groups assess external objects, such as lands, companies and products, to construct expectations of their value. Soros, writing about economic disruptions, argues that groups make decisions using agreed-upon perceptions of an asset’s value, such as its price or potential to produce trade goods. This perceived value is often flawed by incomplete information, prejudices or other outside influences, creating dissonance between the asset’s expected value and its actual value, resulting in unpredictable outcomes and disruptions. These unexpected results cause decision-makers to re-evaluate the object to align its perceived and real values.⁹

Although Soros’s understanding of reflexivity originates in economics, philosophy and sociology, his emphasis on studying the ways in which groups conceptualize, test and rethink the value of a place or object is useful in historical analysis. English planters, merchants and politicians had difficulty determining the economic and political value of Newfoundland’s natural environment, and how best to use that value. Distance and communication challenges obscured Newfoundland from people in England, although it was known for its extensive cod stocks since John Cabot’s 1497 voyage. Fishers and traders, the most common English visitors to Newfoundland during the sixteenth century, rarely overwintered there before 1610 and reported

⁸ George Soros, “Fallibility, Reflexivity, and the Human Uncertainty Principle,” *Journal of Economic Methodology* 20, no. 4 (2013): 309–10.

⁹ Malcolm Ashmore, *The Reflexive Thesis: Wrighting Sociology of Scientific Knowledge* (Chicago: University of Chicago Press, 1989), 32; Mark Notturmo, “Soros and Popper: On Fallibility, Reflexivity, and the Unity of Method,” *Journal of Economic Methodology* 20, no. 4 (2013): 421–22; Emile Grunberg, “Predictability and Reflexivity,” *American Journal of Economics and Sociology* 45, no. 4 (October, 1986): 475–76; Soros, “Fallibility, Reflexivity, and the Human Uncertainty Principle,” 309–15; Yi-Cheng Zhang, “Broader Scopes of the Reflexivity Principle in the Economy,” *Journal of Economic Methodology* 20, no. 4 (2013): 446–48; Karl Popper, *Conjectures and Refutations: The Growth of Scientific Knowledge* (London: Routledge, 1969), 215–22.

information based on observations made in spring and summer.¹⁰ Late sixteenth-century writers, such as Anthony Parkhurst and Edward Hayes, described Newfoundland as a place with a thriving fishery, temperate climate and the potential to host land-based industries that required fertile soil, forests and mineral deposits.¹¹ In addition to these accounts by explorers and merchants, promoters in England estimated the climates of regions in America based on that of areas at corresponding latitudes in Europe to claim that Newfoundland's climate resembled that of northern France and southern England. This practice fell out of favour during the seventeenth century as accounts by explorers, colonists, merchants and naval commanders provided more nuanced information about climate in America.¹²

Failed enterprises and ineffective policies repeatedly challenged these expectations of abundant land-based resources and favourable climates. These setbacks did not stop colonization efforts. Instead, they pushed merchants and policymakers to change the methods they used to collect information and make decisions about Newfoundland. The government implemented new methods of gathering information to amass firsthand accounts reported in formats that allowed for analysis and comparison, such as censuses, making it easier for policymakers in Europe to manage efforts in Newfoundland. By the end of the seventeenth century the English government narrowed its definition of Newfoundland's economic and political value by identifying the cod

¹⁰ Pope, *Fish into Wine*, 47-50

¹¹ Cell, *English Enterprise in Newfoundland 1577-1660*, 22-33; Ian Steele, *The English Atlantic, 1675-1740: An Exploration of Communication and Community* (New York: Oxford University Press, 1986), 82-84; Peter Pope, *The Many Landfalls of John Cabot* (Toronto: University of Toronto Press, 1997), 26-30; Pope, *Fish into Wine*, 15-20.

¹² Richard Hakluyt, *The Original Writings and Correspondence of the Two Richard Hakluyts*, ed. E.G.R. Taylor, vol. 2 (London: The Hakluyt Society, 1935); Karen Kupperman, "The Puzzle of the American Climate in the Early Colonial Period," *The American Historical Review* 87, no. 5 (December, 1982): 1262-65; Sam White, "Unpuzzling American Climate: New World Experience and the Foundations of a New Science," *Isis* 106, no. 3 (September 2015): 556-62.

fishery as its sole viable industry, and enacted policies that better reflected how that fishery operated.¹³

Historian of science John Pickstone referred to these new methods of gathering and analyzing information collectively as “Natural Historical Ways of Knowing.” These Ways of Knowing encompass the techniques developed during the sixteenth and seventeenth centuries to record, collect and classify animate and inanimate natural objects. Practitioners of natural history employed these methods to assess regions by developing inventories of natural objects upon which larger conclusions and plans could be built.¹⁴ America was important for developing this approach. The plants, animals and people of these regions often differed in form, quantity or place in the natural environment from those familiar to Europeans. These differences disrupted European ways of understanding the natural world. As art historian Victoria Dickenson notes, prior to the sixteenth and seventeenth centuries the predominant method had been to rely on descriptions provided by classical texts, such as the Roman naturalist Pliny the Elder’s *Natural History*.¹⁵ In contrast to older methods, Natural Historical Ways of Knowing focused on recording observations and collecting and cataloguing specimens to process and communicate information that did not align with prior European experiences and expectations. These new methods created a body of knowledge based on accrued physical evidence. This methodical approach to gathering information about the natural world did more than increase European

¹³“The commission directed by the Council to John Guy for government in Newfoundland,” 1610, NU Middleton Mi X 1/1, 14-15a; Samuel Pepys to send their lords a draft of the instructions given to the convoys,” April 8 1675, TNA, CO 391/1, 11a; “William III, 1699: An Act to Encourage the Trade to Newfoundland,” 515-518.

¹⁴ John Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001), 10–11.

¹⁵ J. L. Heilbron, “History of Science,” in *The Oxford Companion to the History of Modern Science*, ed. J. L. Heilbron (Oxford: Oxford University Press, 2003), 372–73; J.L. Heilbron, “Natural Philosophy,” in *Wrestling with Nature: From Omens to Science*, ed. Peter Harrison, Ronald Numbers, and Michael Shank (Chicago: University of Chicago Press, 2011), 173–82; Peter Harrison, “Natural History,” in *Wrestling with Nature: From Omens to Science*, ed. Peter Harrison, Ronald Numbers, and Michael Shank (Chicago: University of Chicago Press, 2011), 118–34; Victoria Dickenson, *Drawn from Life: Science and Art in the Portrayal of the New World*, (Toronto: University of Toronto Press, 2006), 19-41.

knowledge of the natural world. Merchants, policymakers and others employed it to identify goods with commercial, medical and political value.¹⁶

Although the Caribbean Sea and Hudson Bay attracted more attention from scholars and practitioners of natural history, English planters, promoters, merchants, ship captains and politicians applied the same principles to evaluate Newfoundland's natural environment and its economic value.¹⁷ Individuals who visited or lived in Newfoundland recorded information about the island's natural environment and climate to correct mistakes and identify strategies for creating and managing an economically viable colony there.¹⁸ As merchants, planters and politicians collected, analyzed and used information about Newfoundland, English colonies and policies conformed to a changing understanding of the possibilities and limitations presented by the island's climate and natural resources.¹⁹

Myth and the Writing of Newfoundland History

The writing of Newfoundland history reflects a complex past tied to the creation and persistence of foundational myths to explain perceived historical injustices and contemporary issues. These myths are ingrained in Newfoundland culture and politics. Newfoundlanders as different as novelist Wayne Johnston and politician Danny Williams use them to reinforce narratives of loss, such as the undermining of Newfoundland's political self-determination in

¹⁶ Antonello Gerbi, *The Dispute of the New World; the History of a Polemic, 1750-1900*, trans. Jeremy Moyle, (Pittsburgh: University of Pittsburgh Press, 1973), 29–32; Richard Drayton, *Nature's Government: Science, Imperial Britain, and the "Improvement" of the World* (New Haven: Yale University Press, 2000), 3–24; Alix Cooper, *Inventing the Indigenous: Local Knowledge and Natural History in Early Modern Europe* (Cambridge: Cambridge University Press, 2007), 5–10; Dickenson, *Drawn from Life*, 19–41; Pickstone, *Ways of Knowing*, 60–82.

¹⁷ Londa Schiebinger, *Plants and Empire: Colonial Bioprospecting in the Atlantic World* (Cambridge: Harvard University Press, 2004), 23–30; Theodore Binnema, "Enlightened Zeal": *The Hudson's Bay Company and Scientific Networks, 1670-1870* (Toronto: University of Toronto Press, 2014), 47–74.

¹⁸ Hayes, "A Report of the Voyage and Success Thereof, Attempted in the Yeere of Our Lord, 1583," 679–97; Kupperman, "The Puzzle of the American Climate in the Early Colonial Period."

¹⁹ Peter Pope, "Outport Economics: Culture and Agriculture in Later Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 19, no. 1 (May 2005): 157–63; Sam White, "Unpuzzling American Climate: New World Experience and the Foundations of a New Science," *Isis* 106, no. 3 (September 2015): 556–62.

entering Confederation, but also to fight for more favourable terms for the province within Canada. The history of the first English settlements in Newfoundland and the difficulties they encountered provide a powerful tool for understanding the origins of the social, economic and political issues facing the province. The depletion of the cod stocks, lack of other economic opportunities and perceived cultural injustices are explained through a long-running myth of Newfoundland's history being shaped, mostly to its detriment, by hostile economic and political actors located either in England or in Canada. Historian Jerry Bannister, examining cultural memory in Newfoundland, notes that this myth builds on a perception of the province as "not just a place but a time: it is forever on the cusp of going somewhere, becoming something, fighting someone" but held back by factors beyond its control.²⁰

The idea of a hostile merchant and political class in England that opposed the economic and social development of an English colony persists as a root of this conception of Newfoundlander's history and identity, although academic historians have refuted the idea. Judge John Reeves was the first to articulate this idea in his 1793 *History of the Government of the Island of Newfoundland*, by blaming merchants in England for resisting any changes that threatened their domination of the fishery. According to Reeves, this resistance manifested in a series of policies that increased merchant authority over Newfoundland's natural resources and slowed the island's social and political development in comparison to that of other English colonies such as New England and Upper Canada.²¹

²⁰ Jeff Webb, "Confederation, Conspiracy and Choice: A Discussion," *Newfoundland and Labrador Studies* 14, no. 2 (October 1998): 169–74; Jerry Bannister, "Making History: Cultural Memory in Twentieth-Century Newfoundland," *Newfoundland and Labrador Studies* 18, no. 2 (October 2002): 175–76; Jerry Bannister, "A River Runs Through It: Churchill Falls and the End of Newfoundland History," *Acadiensis* 41, no. 1 (May 2012): 211–14.

²¹ John Reeves, *History of the Government of the Island of Newfoundland with an Appendix, Containing the Acts of Parliament Made Respecting the Trade and Fishery* (London: Printed for J. Sewell, 1793), 5–31.

The judge and historian Daniel Prowse is the most influential proponent of Reeves's idea that hostile politicians and merchants, particularly those from the West Country of England, the region most involved in the migratory fishery, slowed Newfoundland's economic and political growth. Prowse's 1892 *History of Newfoundland* remains a foundational text for popular interpretations of the island's history that inform political rhetoric. Prowse examined the period from Cabot's 1497 voyage through the nineteenth century to demonstrate that West Country merchants controlled the fishery by opposing any economic, social or political developments that did not directly enrich them. This analysis relies on the assumption that Newfoundland had natural resources other than fish, such as fertile soil and minerals, left unused because a more diversified colony threatened to end fishing merchants' status as the primary source of provisions and buyers of goods in outport communities. Prowse found this lack of diversification especially notable since, as geographer Graeme Wynn confirms, by 1850 Newfoundland was the only colony in eastern North America without an agricultural sector. Prowse's work guided much of the scholarship about the island during the early- and mid-twentieth century.²²

Prowse's influence is seen in the work of political economist Harold Innis and historian Alexander McLintock.²³ In 1940, before Newfoundland joined Canada, Innis published *The Cod Fisheries* as a follow-up to his seminal 1930 study *The Fur Trade in Canada*. *The Fur Trade* argued that the staples trade, in this case the extraction and export of beaver pelts, concentrated business and political activity along the St. Lawrence-Great Lakes waterway and built the centralized government and economic institutions necessary for creating a transcontinental

²² Daniel Prowse, *A History of Newfoundland* (London: Macmillan and Co., 1895), 225–26; Jerry Bannister, "Whigs and Nationalists: The Legacy of Judge Prowse's 'History of Newfoundland,'" *Acadiensis* 32, no. 1 (October, 2002): 84–90; Graeme Wynn, *Canada and Arctic North America: An Environmental History* (Santa Barbara: ABC-CLIO, 2007), 125.

²³ Harold Innis, *The Cod Fisheries: The History of an International Economy* (Toronto: University of Toronto Press, 1940), 95–111; Alexander McLintock, *The Establishment of Constitutional Government in Newfoundland, 1783–1832: A Study of Retarded Colonization* (London: Longmans, Green, and Co., 1941), 1–25.

Canada as the fur trade extended its search into the hinterland. The *Cod Fisheries* complicated Innis's initial findings by demonstrating that the staples trade could also slow the political and economic development of a region if there was no concentration of trade goods in a central region before their transport to Europe. According to Innis, the cod fishery did not create the same opportunities for building economic and political institutions because it did not require goods to pass through a central region, and without these centres merchants maintained greater control over the fishery and supply of provisions to Newfoundland. This lack of a developed central region and institutions, as well as the power that English fishing merchants held over Newfoundland's economy, created the conditions that led to the island's economic and political underdevelopment in comparison to Canada prior to its joining Confederation.²⁴

Alexander McLintock, in his 1941 *The Establishment of Constitutional Government in Newfoundland*, took an approach similar to Prowse's. McLintock, a historian of English imperial policy who studied Newfoundland to compare to his home country New Zealand's political history, viewed the lack of economic diversification as key to understanding Newfoundland's slow political development in comparison to other contemporary colonies, such as New England. Examining the interplay between metropolitan centers and rural outposts, McLintock accused merchants first based in England, and later in St. John's, of discouraging the establishment of new industries that threatened their control over the provisioning trade, and using abusive business practices to keep fishers indebted to them. These merchants, through their economic clout and involvement in politics either directly, as politicians, or indirectly by leveraging their influence, were allegedly able to ensure that political decisions favoured them, a trend that deprived residents in Newfoundland of the opportunity to advance their own interests. According

²⁴ Innis, *The Cod Fisheries*, 449-83; Harold Innis, *The Fur Trade in Canada: An Introduction to Canadian Economic History* (Toronto: University of Toronto Press, 1930), 383-90; Alexander Watson, *Marginal Man: The Dark Vision of Harold Innis* (Toronto: University of Toronto Press, 2006), 10-11.

to McIntock, the policies and practices preferred by these merchants slowed Newfoundland's economic and political development from its first colonization to the twentieth century and created the unstable political situation that led to the end of self-government in 1934.²⁵

Beginning with the work of historian Keith Matthews and geographer Grant Head in the 1970's, Newfoundland history entered a period of revisionist scholarship based on re-assessing the relationship between the island's English residents and merchants and politicians in England. Matthews's article "Historical Fence Building" constituted the most influential challenge to the perception that a hostile merchant and political class purposefully slowed the development of English society in Newfoundland. By re-evaluating archival documents from the seventeenth century, Matthews argued that earlier historians either misinterpreted or ignored key sources to reinforce a narrative that offered convenient, but incorrect, explanations for Newfoundland's political and economic lag behind other English colonies. To make his case, Matthews identified a series of events used by Prowse, Innis and McIntock to explain English hostility towards Newfoundland's residents, and demonstrated that the sources did not support their findings.²⁶

Grant Head, who independently arrived at the same conclusion as Matthews did about Newfoundland's historiography, examined the island's natural resources and geography to explain why its economic and political history diverged from those of other English colonies. Head found that English practices, rather than adhering to any ideological opposition to diversifying Newfoundland's economy, conformed to the availability of natural resources, leading to the growth of a widely dispersed English population that produced a single trade good

²⁵ McIntock, *The Establishment of Constitutional Government in Newfoundland*, ix–xii; Edmund Bohan, "McIntock, Alexander Hare," *Dictionary of New Zealand Biography*, accessed June 20, 2016, <http://www.teara.govt.nz/en/biographies/4m24/mcintock-alexander-hare>.

²⁶ Prowse, *A History of Newfoundland*, 147–51; Innis, *The Cod Fisheries*, 81–83; Keith Matthews, "Historical Fence Building: A Critique of the Historiography of Newfoundland," *Newfoundland and Labrador Studies* 17, no. 2 (2001): 156–58; Webb, "Revisiting Fence Building," 327–30.

and was difficult to govern.²⁷ This insight informed later historians and works, such as Sean Cadigan's study of how Newfoundland's natural environment influenced social, political and economic patterns previously attributed to oppression by politicians and merchants.²⁸

Following Matthews's and Head's work, historians challenged the traditional understanding of Newfoundland's history by studying how English society and trade adapted to the island's limited natural resources and position in the Atlantic Ocean. Since the 1970's, these inquiries have tended to examine either the development of legal and political institutions in Newfoundland or the economic and cultural lives of the island's English inhabitants. To do this, historians have studied the actions of English residents and fishers in Newfoundland to correct the prescriptive interpretations of legislation such as King William's Act used by Reeves, Prowse, Innis and McLintock.²⁹

The dearth of surviving primary sources created by Newfoundland's residents presents a further challenge to historians. The fact that authorities in England produced most of the seventeenth-century records about Newfoundland, and that legislation rarely reflected the actions of those tasked with enforcing it, obscures the realities of life on the island. Historian Jeff Webb, investigating the use of the philosopher and statesman John Locke's work by residents of St. John's in 1723, provides one of the first insights into how Newfoundland's English residents expressed their concerns about legal and political issues. Although historians knew of these documents at least since 1931, Webb was the first to argue from them that Newfoundland's residents created legal customs to resolve disputes and punish crimes, as opposed to relying

²⁷ Grant Head, *Eighteenth Century Newfoundland: A Geographer's Perspective* (Toronto: McClelland and Stewart, 1976), 30–48; Webb, "Revisiting Fence Building," 334–35.

²⁸ Cadigan, *Hope and Deception*, 3–15.

²⁹ McLintock, *The Establishment of Constitutional Government in Newfoundland*, 5–6; Innis, *The Cod Fisheries*, 95–110; Reeves, *History of the Government of the Island of Newfoundland*, 31–50; Alan Cass, "Mr. Nisbet's Legacy, or the Passing of King William's Act in 1699," *Newfoundland and Labrador Studies* 22, no. 2 (June 6, 2007): 506–514.

solely on legislation from England. The existence of a local political community demonstrates that the English population in Newfoundland was interested in shaping regulations and enforcement practices to fit local needs, unlike prior studies which rarely considered the agency of English residents in Newfoundland.³⁰

Legal historian Jerry Bannister's *Rule of the Admirals* advanced Webb's work by examining how local legal customs in Newfoundland developed after King William's Act. Bannister's work exemplifies changes in the analysis of the legal and political history of Newfoundland since the 1970's. Examining how legal institutions developed in Newfoundland, Bannister argued that logistical challenges contributed to the creation of laws and customs tailored to govern a widely dispersed fishery and resident population. Accordingly, English legislators delegated legal authority to fishing ships and naval commanders in order to adapt to the challenges of enforcing laws among a population often connected only by sea, not to stop the development of local political and legal institutions. Bannister demonstrated that not only was there a complex political and legal culture in Newfoundland, but English authorities openly acknowledged that policies that worked in other colonies were unsuitable for Newfoundland, contributing to the differences between its development patterns and those of other contemporary English colonies.³¹

While historians revisited traditional documentary sources, archaeological finds in Ferryland in the 1980's and 1990's fuelled new scholarship about the economic and social lives of fishers and planters who had left few written records.³² Historical archaeologist Peter Pope's

³⁰ Jeff Webb, "Leaving the State of Nature: A Locke-Inspired Political Community in St. John's, Newfoundland, 1723," *Acadiensis* 21, no. 1 (October 1, 1991): 156–57.

³¹ Bannister, *The Rule of the Admirals*, 280–286.

³² James Tuck and Douglas Robbins, "A Glimpse at the Colony of Avalon," *Archaeology in Newfoundland and Labrador Annual Report* 6 (December 1986): 237–49; Barry Gaulton and James Tuck, "The Archaeology of

Fish into Wine used material culture and documentary sources to argue that Newfoundland's English society was part of a growing Atlantic community of consumers and producers. Pope found that residents in Newfoundland traded cod for items they could not produce locally, including wine and provisions, encouraging English residents to focus on the fishery rather than on developing other industries.³³ Since *Fish into Wine*'s publication, other researchers' works, such as archaeologist Barry Gaulton's study of commercial development in Ferryland, have taken similar approaches by examining how Newfoundland's English inhabitants used cod to access larger trade networks.³⁴

Webb, Bannister, Pope and others have provided valuable insights into Newfoundland's history, but gaps remain in these works. There are few considerations of the ways in which legislators, merchants and others in England accounted for the island's natural environment in their decisions and adapted to changing circumstances there. Studies of Newfoundland by Atlantic historians provide an important starting point for investigations of this topic by contextualizing Newfoundland as part of England's colonial expansion in America, an approach that requires an understanding of the island's place in the English colonial consciousness.³⁵

One of the most influential scholars of Newfoundland in terms of England's colonial expansion was David Quinn, an Atlantic historian who advocated the island's importance for understanding both early English colonization efforts in America and English economic history. In his 1982 article "Newfoundland in the Consciousness of Europe in the Sixteenth and Early

Ferryland, Newfoundland until 1696," *Avalon Chronicles* 8 (2003): 187–90; Hans Rollmann, "Anglicans, Puritans, and Quakers in Sixteenth- and Seventeenth- Century Newfoundland," *Avalon Chronicles* 2 (1997): 43–72.

³³ Pope, *Fish into Wine*, 91–97.

³⁴ Barry Gaulton, "The Commercial Development of Newfoundland's English Shore: The Kirke Family at Ferryland, 1638–96," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, ed. Pope Peter and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 278–86.

³⁵ Bannister, *The Rule of the Admirals*, 280–286; Webb, "Leaving the State of Nature," 156–57; Pope, *Fish into Wine*, 91–97.

Seventeenth Centuries,” Quinn stated that the yearly economic value of Newfoundland’s cod fishery was comparable to the gold and silver output of Spain’s South American possessions. However, Newfoundland’s fishery never achieved the same status in Europe because English investors viewed fishing as a “poor and smelly” occupation whose product did not have the same appeal as gold and silver. While gold and silver were presented by Elizabethan writers such as Richard Hakluyt as justifying the colonization of America, fishing was portrayed as a merely pragmatic, if unambitious, venture.³⁶ As a result, Newfoundland received less attention from writers, governments and businesses than other regions in America during the sixteenth and seventeenth centuries did. The comparatively smaller number of sources and lack of colourful stories proved less attractive to historians.³⁷ Quinn attempted during the 1960’s and 1970’s to fill this gap in the scholarship by publishing primary sources about the English colonization of Newfoundland in *New American World*, *The Voyages and Colonising Enterprises of Sir Humphrey Gilbert* and *The New Found Land of Stephen Parmenius*.³⁸

Quinn’s efforts yielded results. Since the 1990’s, academic interest in Newfoundland’s place in the Atlantic world has grown. In “The Poetics of a Cold Climate,” Mary Fuller, a scholar of colonization literature, used promotional texts about Newfoundland to compare English perceptions of northern and southern regions of America. Newfoundland’s marginality in English colonial thought is, according to Fuller, an advantage for comparative scholarship since writers focused on attracting attention to the island rather than pleasing existing investors. These

³⁶ David Quinn, “Newfoundland in the Consciousness of Europe in the Sixteenth and Early Seventeenth Centuries,” in *Early European Settlement and Exploitation in Atlantic Canada: Selected Papers*, ed. G. M. Story (St. John’s: Memorial University of Newfoundland, 1982), 9.

³⁷ *Ibid.*, 9–15.

³⁸ David Quinn, ed., *The Voyages and Colonising Enterprises of Sir Humphrey Gilbert* (Wiesbaden: The Hakluyt Society, 1967); David Quinn, ed., *New American World: A Documentary History of North America to 1612* (New York: Arno Press, 1979); Stephen Parmenius, *The New Found Land of Stephen Parmenius; the Life and Writings of a Hungarian Poet, Drowned on a Voyage from Newfoundland, 1583*, ed. David Quinn and Neil Cheshire (Toronto: University of Toronto Press, 1972).

dynamics saw writers “less constrained by the demands of reference and plausibility,” and more likely to make broad claims about the importance or dangers of specific environmental attributes.³⁹

Fuller built upon this approach in “Images of English Origins in Newfoundland and Roanoke” and *Remembering the Early Modern Voyage* by exploring how Newfoundland, as one of the first English colonies in America, “offers the story of an origin not only rejected, but never really proposed.”⁴⁰ Examining the gap that Quinn identified between economic importance and cultural awareness, and advancing Innis’s argument about the lack of a central trade hub, Fuller argued that the fishery and lack of a dominant town limited opportunities for the development of local writers and politicians who could promote the island. This lack of local development and the perception of fishing voyages as less prestigious investments limited both historical and current awareness of Newfoundland.⁴¹

Anne Prescott, a specialist in English Renaissance literature, takes a different approach from Quinn’s and Fuller’s by studying how Renaissance literature influenced the promotion of the island. In “Relocating Terra Firma: William Vaughan’s Newfoundland,” Prescott examines how the promotional works by the lawyer and colonial investor William Vaughan, particularly *The Golden Fleece*, fit into a wider literary trend of using classical myths and symbols to promote colonization schemes. Rather than defining Newfoundland by its differences from neighboring regions, as Quinn and Fuller did, Prescott uses Vaughan’s texts as an example of the style and imagery used by Europeans to promote America. Additionally, Prescott presented a

³⁹ Mary Fuller, “The Poetics of a Cold Climate,” *Terrae Incognitae* 30, no. 1 (1998): 41–44.

⁴⁰ Mary Fuller, “Images of English Origins in Newfoundland and Roanoke,” in *Decentring the Renaissance: Canada and Europe in Multidisciplinary Perspective, 1500-1700*, ed. Germaine Warkentin and Carolyn Podruchny (Toronto: University of Toronto Press, 2001), 141–58; Mary Fuller, *Remembering the Early Modern Voyage: English Narratives in the Age of European Expansion* (New York: Palgrave Macmillan, 2008), 118.

⁴¹ Fuller, “Images of English Origins in Newfoundland and Roanoke,” 155–57; Fuller, *Remembering the Early Modern Voyage*, 117–31.

counterpoint to Quinn's and Fuller's arguments that Newfoundland attracted little interest from politicians, merchants and writers beyond those involved in the fishery. She points out that Vaughan was connected to prominent lawmakers and merchants to whom he promoted Newfoundland or whose efforts to colonize the island he praised. Prescott's analysis raises questions about whether fishing reduced English interest in Newfoundland, or whether the island received less attention from writers since fishing was a familiar industry in England that was not seen as a risky or unusual investment compared to newer ventures in other regions in America, such as New England.⁴²

Quinn's, Fuller's and Prescott's works are uninterested in whether English policymakers and merchants actively resisted Newfoundland's colonization. Instead, all three scholars present Newfoundland's fishery and natural environment as the reason that it differed from contemporary English colonies. These findings support Matthews's and Head's argument that the concept of an oppressive merchant and political class that slowed Newfoundland's economic and political growth is without merit. Quinn, Prescott and Fuller found that English actions in Newfoundland were motivated by an interest in either developing colonies or investing in the fishery, not limiting the island's English population's economic or social growth. Although there were efforts to establish economically diverse colonies in Newfoundland, the fishery's long history, value and the lack of excitement it inspired meant that the island was both an important part of England's growing empire and a place that did not attract the same amount of attention other region did.⁴³

⁴² Anne Prescott, "Relocating Terra Firma: William Vaughn's Newfoundland," in *Decentring the Renaissance: Canada and Europe in Multidisciplinary Perspective, 1500-1700*, ed. Germaine Warkentin and Carolyn Podruchny (Toronto: University of Toronto Press, 2001), 125-39.

⁴³ David Quinn, "Newfoundland in the Consciousness of Europe in the Sixteenth and Early Seventeenth Centuries," in *Early European Settlement and Exploitation in Atlantic Canada: Selected Papers*, ed. G. M. Story (St. John's: Memorial University of Newfoundland, 1982), 9-15; Fuller, "Images of English Origins in Newfoundland and

Although historians have criticized the idea that English politicians and merchants opposed economic and political development, their findings lead to another question: how did merchants and politicians in England perceive Newfoundland? Many events during the seventeenth century, such as the failed 1675 attempt by the government to evict Newfoundland's English inhabitants, have received little detailed scholarly attention, making it difficult to decipher the purpose and reasoning behind these actions. This dissertation seeks to resolve this issue by focusing on the seventeenth century as a period of learning regarding Newfoundland. A focus on how English merchants and politicians, from 1610 to 1699, developed ideas about Newfoundland's natural environment and economic value and reassessed those ideas when they encountered resistance, offers new perspectives into the English colonization of the island and understandings of the Atlantic World.⁴⁴

Newfoundland's Natural Environment

Some background about Newfoundland's natural environment is necessary to clarify the challenges it posed to English efforts during the seventeenth century. Newfoundland, a 108,000 km² island off the eastern coast of Canada, represents an area of geological and geographical convergence. Newfoundland's landscape developed from the meeting of four tectonic zones that, after the Ice Age, emerged as a rocky land with shallow acidic topsoil.⁴⁵ The land is covered in boreal forests, barrens, peat and scrublands, with forests along the shoreline giving away to

Roanoke," 155–57; Prescott, "Relocating Terra Firma," 125–28; Matthews, "Historical Fence Building," 145–47; Head, 30–48.

⁴⁴ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; John Berry, to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240–241.

⁴⁵ R.J. Rogerson, "Geological Evolution," in *Biogeography and Ecology of the Island of Newfoundland*, ed. G. Robin South (The Hague: Dr. W. Junk Publishers, 1983), 5–6, 21–22.

barrens and bogs inland, particularly on the Avalon Peninsula, the area that English fishers and colonists used the most during the seventeenth century.⁴⁶

Shallow surface soil reduces the area suitable for European-style agriculture, with few regions capable of sustaining grains, legumes or other staple crops. Soil conditions allow small-scale farming, such as kitchen gardens containing root crops, but make large-scale agriculture difficult.⁴⁷ As detailed by Head and Wynn, the lack of arable soil or other natural resources that could be developed by colonists encouraged the creation of small, widely dispersed settlements, since natural resources upon which the viability of a community relied, could not be increased through development. Newfoundland's harbours contained a limited amount of shore space, and fishing grounds could become crowded or overfished, precluding the type development seen in lands with fertile soil or minerals, where new land could be cleared for agriculture or mining. These limitations encouraged fishers to spread out along the coast to ensure that they had sufficient space and access to fishing grounds.⁴⁸

In the seventeenth century, Newfoundland had thirteen indigenous mammal species (including black bear, beaver, wolves, caribou, pine marten and mink), a smaller number than its neighboring regions on the continent, such as Labrador, with thirty-six. Aquatic birds, such as Atlantic puffins, common murres and the now-extinct Great Auk, nested along the coast, and harp seals used the spring ice floes as breeding grounds.⁴⁹ Europeans hunted these species

⁴⁶ A.W.H. Damman, "An Ecological Subdivision of the Island of Newfoundland," in *Biogeography and Ecology of the Island of Newfoundland*, ed. G. Robin South (The Hague: Dr. W. Junk Publishers, 1983), 202–4.

⁴⁷ Sean Cadigan, *Hope and Deception in Conception Bay: Merchant-Settler Relations in Newfoundland, 1785-1855* (Toronto: University of Toronto Press, 1995), 51–54; Lisa Hodgetts, "Feast or Famine? Seventeenth-Century English Colonial Diet at Ferryland, Newfoundland," *Historical Archaeology* 40, no. 4 (January, 2006): 135–36.

⁴⁸ Head, *Eighteenth Century Newfoundland*, 41–48; Wynn *Canada and Arctic North America*, 140.

⁴⁹ Several mammal species common in Newfoundland today, such as moose and coyotes, arrived during the late-nineteenth and twentieth centuries. The Newfoundland wolf, a subspecies of the grey wolf, was hunted to extinction in 1911: Roberts Mednis, "Indigenous Plants and Animals of Newfoundland: Their Geographical Affinities and Distributions," in *The Natural Environment of Newfoundland, Past and Present*, ed. Joyce Brown Macpherson and Alan G Macpherson (St. John's: Dept. of Geography, Memorial University of Newfoundland, 1981), 236–42.

opportunistically during the seventeenth century for furs to sell and meat to use as bait and food.⁵⁰

Another convergence accompanies the landscape: the Gulf Stream meets the Labrador Current near the eastern coast of Newfoundland over a series of underwater plateaus, the largest of which is the Grand Banks. This ocean region supports a marine food chain fuelled by the meeting of nutrients from the cold Labrador Current and the warm waters of the Gulf Stream. Atlantic cod is the best-known species to benefit from this convergence. Capelin and crustaceans thrive in the waters surrounding Newfoundland, providing enough food to support a large population of cod. Marine biologist George Rose estimates that during the sixteenth and seventeenth centuries the cod population around Newfoundland had a total mass between six and seven million tons.⁵¹

Expectations of Newfoundland's climate and challenges to those preconceptions played a central role in shaping early colonization efforts. Because of its latitude, which runs between 51° and 46°, promoters expected Newfoundland to have a temperate climate similar to that of southern England and northern France. This idea, applied by Europeans in the sixteenth- and seventeenth centuries to make sense of the climate and geography of regions about which it had little firsthand information, proved incorrect.⁵² Although there are yearly fluctuations based on ocean and air currents and other trends, the winters in Newfoundland tend to be long and cold, with ice extending off much of the island's coast. During the summer, fog and storms are

⁵⁰ Pope, "Outport Economics," 154–55; Ingeborg Marshall, *A History and Ethnography of the Beothuk* (Montreal: McGill-Queen's University Press, 1996), 67–72.

⁵¹ George A Rose, *Cod: The Ecological History of the North Atlantic Fisheries* (St. John's, NL: Breakwater Books, 2007), 18–29, 73–77, 106–10, 240–42.

⁵² Hayes, "A Report of the Voyage," 679–97; Anthony Parkhurst, "Commodities to Growe by Frequenting of Trafficq to New Fond Land," 1578, BL, Landsowne MS 100, 95–97; Kupperman, "The Puzzle of the American Climate," 1262–65.

frequent along the Avalon Peninsula, with high precipitation and cool temperatures being common.⁵³

The English Fisheries in Newfoundland

Newfoundland's cod stocks drove European interest in the island after Cabot's reports about the island in 1497. Beginning in the early sixteenth century, English, Portuguese, Basque, French, Dutch and Spanish fishing ships began to visit Newfoundland in the spring and summer to catch cod. The initially smaller English fishery increased in size and proportion of European fishers in Newfoundland during the latter half of the sixteenth century when economic disruptions and wars, such as the defeat of the Spanish Armada, reduced the number of Portuguese, Basque and Spanish ships. England and France were the two largest participants in the Newfoundland fishery by the seventeenth century.⁵⁴

The English fishery used three methods of catching and trading cod: the migratory, inhabitant and by-boat fisheries. The migratory fishery, the oldest of the three, developed during the sixteenth century. The inhabitant fishery followed the establishment of Cuper's Cove in 1610. The by-boat fishery first appeared in government records in 1660, but likely developed during the Interregnum from 1649 to 1660. All three methods focused on producing dry-salted cod, which used a combination of dehydration and salting to preserve fish. This technique, which produces a product that is easy to store and long-lasting, requires space on shore or platforms called flakes to spread fish out to dry, but requires less salt than other preservation techniques do. Once the cod was preserved, merchants shipped and sold it in fifty-kilogram bundles called quintals. Dry-salting was not the only method of preserving cod. The off-shore bank fishery,

⁵³ Colin Banfield, "The Climatic Environment of Newfoundland," in *The Natural Environment of Newfoundland, Past and Present*, ed. Alan Macpherson and Joyce Macpherson (St. John's: Dept. of Geography, Memorial University of Newfoundland, 1981), 83–93.

⁵⁴ Sean Cadigan, *Newfoundland and Labrador: A History* (Toronto: University of Toronto Press, 2009), 30–32.

dominated by the French during the seventeenth century, used a wet-cure method involving large quantities of salt and no dehydration. Wet-cured cod was not as widely consumed as dry-salted cod, with Paris being the main market. The English fisheries typically did not use the wet-cure method since dry-salted cod was more marketable in Iberia, Italy and the Caribbean. They did, however, use this method if there was not enough time to dry the fish before leaving Newfoundland, often with the intention of drying it once it arrived at market.⁵⁵

The differences between the three English fisheries lie in how they transported themselves to Newfoundland and their fish to market, and their relationship with merchant capital in England. The migratory fishery, made up of ships financed by merchants, with most ships and crews originating in the West Country, was the largest of the three fisheries in the seventeenth century. The exact size of the English migratory fishery during much of the seventeenth century is unclear. The number of ships engaged in the fishery fluctuated yearly in accordance with changing economic, environmental and political conditions. Keith Matthews estimated that in 1620 around 200 English ships participated in the fishery. In 1675, a year when fishing fleets were reduced by wartime losses and poor catches, John Berry, the naval commander in Newfoundland, reported 174 English fishing ships. Migratory ships carried fishing boats, supplies and labourers from England to Newfoundland each year in spring to catch and cure fish until they filled their cargo holds, leaving in the late summer or early fall to sell their fish. In addition to being the most extensively practiced of the three methods, the migratory

⁵⁵ Pope, *Fish into Wine*, 91–97; James Candow, “Salt Fish and Slavery: The Supply and Consumption of Salt Fish in the British Caribbean during Slavery,” *Studia Atlantica* 2 (2006): 165–183; John Collins, *Salt and Fishery, a Discourse Thereof* (London: Printed for A. Godbid and J. Playford, 1682), 92–95.

fishery began to operate in Newfoundland during the early sixteenth century, a century before the other two methods developed.⁵⁶

The inhabitant and by-boat fisheries both developed during the seventeenth century as the population of English inhabitants grew and the number of trade ships travelling to and from the island increased. English residents in Newfoundland operated the inhabitant fishery, often in the hierarchical structure of planters who owned the buildings, boats and supplies needed for fishing, and servants employed by planters to catch and cure cod. As the English population in Newfoundland grew during seventeenth- and eighteenth century, women became increasingly important sources of labour for the inhabitant fishery, often replacing hired servants in the management of the curing process. Rather than transporting their fish to market themselves, planters sold their catches to migratory fishing ships or trade ships, but there were cases of planters owning and hiring trade ships for their own use. Planters also developed niche industries that served the migratory fishery, such as selling alcohol and provisions to fishers, storing salt and tackle for ships, and building shore facilities and fishing boats.⁵⁷

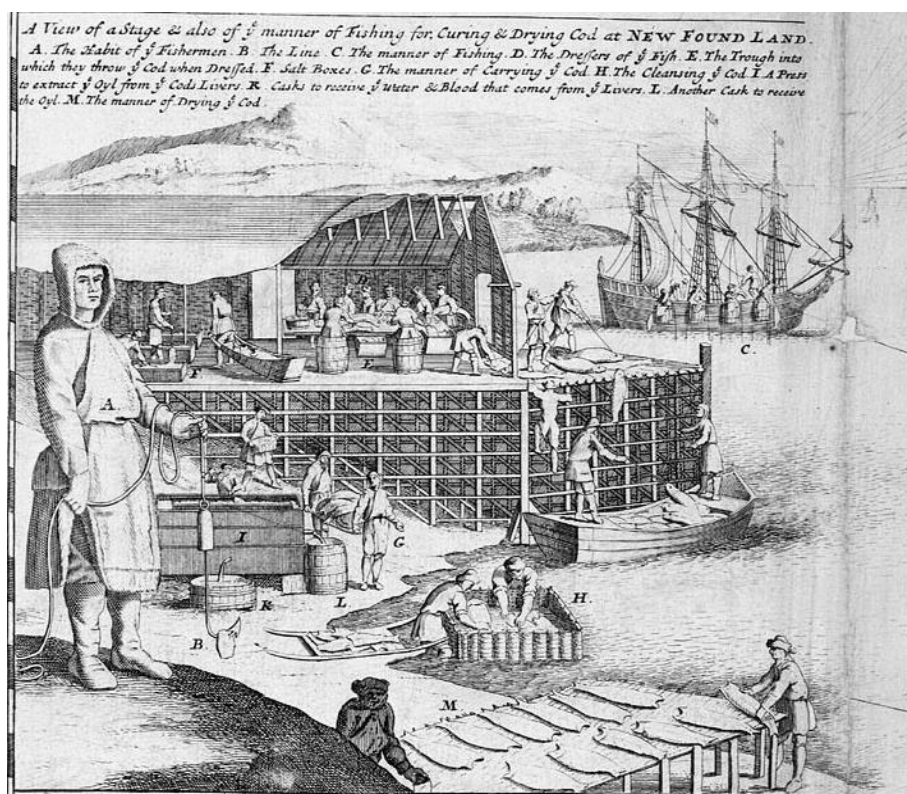
The by-boat fishery was a variant of the migratory fishery. Rather than operating from a dedicated ship that transported the crew, supplies and catch to Newfoundland from England, as was typical in the traditional migratory fishery, by-boat fishers bought passage to Newfoundland on trade ships and worked independently once there. Instead of transporting their catches to market themselves, as the traditional migratory fishery did, by-boat fishers sold their catches to trade ships in Newfoundland before returning to England. The owners of these boats, called by-

⁵⁶ John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; Cell, *English Enterprise*, 22-33; Keith Matthews, *A History of the West of England-Newfoundland Fishery* (PhD Diss., Oxford University, 1968), 60-62.

⁵⁷ Peter Pope, "Historical Archaeology and the Demand for Alcohol in 17th Century Newfoundland," *Acadiensis* 19, no. 1 (October, 1989): 72-90; Gordon Handcock, *Soe Longe as There Comes Noe Women : Origins of English Settlement in Newfoundland* (St. John's: Breakwater, 1989), 91-98.

boat keepers, were often experienced fishers who hired their crews in England and worked alongside them in Newfoundland, leveraging their knowledge of the fishery to find good fishing grounds, keep their operating costs low and sell their catches. By-boat keepers often worked with little or no financial backing from fishing merchants because of their lower overhead costs. Although the exact origins of the by-boat fishery are unknown, it appears to have been developed during the Interregnum by entrepreneurial West Country fishers who had previously worked on migratory fishing ships.⁵⁸

Figure 1 The Equipment, Facilities and Labour Employed by the English Cod Fishery



Herman Moll, "A View of a Stage and Also of the Manner of Fishing For, Curing and Drying Cod at New Found Land," (London, 1718), Library and Archives Canada, NMC 8931.

⁵⁸ Keith Mercer, "Some Considerations Touching ... By-Boats: James Yonge on the Fisheries Controversy in the 1660's," *Newfoundland and Labrador Studies* 19, no. 1 (2003), 1-8; James Yonge, "Considerations Touching By-Boats (1671 Source Text)," *Newfoundland and Labrador Studies* 19, no. 1 (2003), 13-20.

The migratory, inhabitant and by-boat fisheries all used the same basic method to produce dry-salted cod, using small boats and curing the fish on shore. Typically, three people manned a fishing boat: a boat's master who had several years' experience fishing in Newfoundland, a midshipman who typically had two or more years' experience, and a freshman, also referred to as a greenman, who had little or no prior experience fishing in Newfoundland. During the seventeenth century, cod was caught using handlines with weighted hooks and nets were used to catch baitfish. It was not until the nineteenth century that English fishers used cod traps and other net-based methods for catching cod. On shore, workers processed the fish by gutting it, removing the spine, laying it out flat on beach stones or flakes and salting it. Of these on-shore workers, splitters, who removed the cod's spine and ribs, and salters, who managed the salting process, were skilled workers. James Yonge, a surgeon from Plymouth who spent several summers in Newfoundland during the 1660's, wrote that an experienced splitter could process four-hundred and eighty cod in half an hour, and was a necessary part of an efficient fishing operation. Salters ensured that cod received the right amount of salt, a delicate process: too little salt caused the fish to spoil quickly while too much burned the flesh and caused discolouration, reducing its value.⁵⁹

Research and Methodology

Archival research for this dissertation was conducted in the United Kingdom and Canada, with additional sources collected from online repositories and published documents, such as promotional pamphlets. The goal of this research was to find discussions about Newfoundland between merchants, government officials, fishers and others involved in colonizing the island,

⁵⁹ James Yonge, *The Journal of James Yonge [1647-1721]*, *Plymouth Surgeon*, ed. F.N.L. Poynter (Hamden, Connecticut: Archon Books, 1963), 57; Peter Pope, "Modernization on Hold: The Traditional Character of the Newfoundland Cod Fishery in the Seventeenth Century," *International Journal of Maritime History* 15, no. 2 (December, 2003): 233-42.

fishing there or developing policies to govern it. A focus on discussions about Newfoundland in England provides insight into the changing understanding of the island's natural resources and climate, and their contribution to policy and business development during the seventeenth century.

The majority of the primary sources analyzed come from the National Archives in Kew, the British Library in London, the University of Nottingham's Department of Manuscripts and Special Collections and the Plymouth and West Devon Record Office collected during a research trip in 2014. At these archives, I gathered sources by merchants, investors, colonists, members of the Navy, government officials and others involved in colonizing, fishing and governing Newfoundland. Additional primary sources come from the Maritime History Archive located at Memorial University of Newfoundland's St. John's campus. This archive contains investor records, legal documents, manuscripts and other specialized collections regarding Newfoundland history. I accessed sources in St. John's in 2009-2010 as part of my master's research at Memorial University and also during a visit in 2013.

Not all of the research comes from archives. Facsimile copies of promotional works, such as the colonist and writer Richard Whitbourne's *Discourse and Discovery of the New-Found-Land* were also used. Memorial University's Digital Archive Initiative hosts digitized copies of promotional texts such as the lawyer and promoter William Vaughan's *The Golden Fleece*.⁶⁰ Edited collections of primary sources, particularly the *Calendar of State Papers Colonial*,

⁶⁰ Richard Whitbourne, *A Discourse and Discovery of Newfoundland: With Many Reasons to Prove How Worthy and Beneficial a Plantation May There Be Made* (London: by Felix Kyngston, for William Barret, 1620); William Vaughan, *The Golden Fleece Divided into Three Partsm under Which Are Discovered the Errours of Religion, the Vices and Decayes of the Kingdome, and Lastly the Ways to Get Wealth, and to Restore Trading so Much Complained of* (London: Printed for Francis William, 1626).

America and West Indies series and historian Gillian Cell's collection *Newfoundland Discovered*, are especially important sources of documents outside of the scope of this archival research.⁶¹

These sources were catalogued in a database by keywords, such as names, places, topics and dates, to identify documents for further analysis and trace relationships between sources in separate archives. After cataloguing the sources, additional layers of information were created by locating clusters of documents that contained similar keywords and examining the issues and events discussed within them. This keyword analysis provided insight into the relationship between specific individuals, issues and events by connecting documents in separate series and collections. Although every chapter uses this method, chapter four, which examines the development of the 1675 order to evict all English inhabitants from Newfoundland, epitomizes it by identifying and connecting individuals, ideas and issues from multiple series of sources to explore a previously under-studied event.

In addition to the database, analyses of texts and the transcription and analysis of documents were required. Discourse analyses provide in-depth information about specific sources, individuals and topics. These approaches were often complemented by database analysis to contextualize documents. This method is best seen in chapter two, which uses a discourse analysis of promotional texts to guide its study of how writers depicted Newfoundland's natural environment to potential investors and database analysis to link those works to specific enterprises and individuals.

Limitations

There are constraints and other issues related to the source base used here. The documentary evidence about Newfoundland, while extensive, is almost entirely the product of

⁶¹ Gillian Cell, ed., *Newfoundland Discovered : English Attempts At Colonisation, 1610-1630* (London: Hakluyt Society, 1982).

merchants, government officials or the military. The majority of fishers, planters and others who went to Newfoundland yearly or resided there did not leave behind written documents. There are exceptions, such as depositions by fishers, but these are mostly legal documents designed to answer questions about specific issues, limiting their ability to address general topics about how those who fished and lived in Newfoundland perceived the island. As a result of these limitations, this dissertation should be viewed as an account of upper-class English merchants', writers' and politicians' perceptions of Newfoundland, although when possible the perspectives of planters, fishers and sailors are considered.⁶²

There are also significant gaps in the records resulting from political events that reduced the number of sources produced or surviving. One such gap lies in the sources during the Interregnum of 1649 to 1660. The lack of government-led efforts to examine the island that defined later periods, as well as the lack of investor and promotional networks that backed earlier ventures, resulted in fewer sources being written about English experience in Newfoundland during the Interregnum. During this period, the English population of Newfoundland grew, with residents using new practices to profit and survive there, but they did so without receiving formal charters or grants to establish their plantations. Many of the residents who arrived in Newfoundland during this period left few written records of their own, and the chaotic political situation in England meant that those people and the practices they employed received relatively little attention in comparison to the periods of 1610 to 1640 and 1660 to 1699.⁶³ Depositions, wills and other sources produced during and after this period provide some information, but the

⁶² John Cull, Richard Parker, Christopher Selman, et.al., "Depositions," November 28 1667, PWDRO, w1/360/67; Sara Kirke to Charles II, 1660, BL, Egerton MS, 2395, 258.

⁶³ Pope, *Fish into Wine*, 40.

number of sources available in total is smaller than the period preceding and following these eleven years.⁶⁴

The absence of written documents by fishers, planters and sailors, and periods are not the only gaps in the sources regarding Newfoundland. The Beothuk, Inuit and Mi'kmaq are underrepresented and often absent from the surviving documents, reflecting both the infrequent contact between the English and the indigenous peoples of Newfoundland and that the same fishers and sailors who left few written records were the Europeans most frequently in contact with those peoples. The Beothuk resided mostly along the northern coast of Newfoundland stretching from Conception Bay westward. Historian Ralph Pastore estimates that by 1500 there may have been 1000 Beothuk in Newfoundland. The Beothuk interacted with English ships and residents throughout the sixteenth- and seventeenth centuries through trade, competition and conflict, but those relationships seem sporadic with few instances recorded of English merchants or writers contacting either people.⁶⁵ When John Guy, the governor of Cuper's Cove, met a group of Beothuk traders in 1612, he found evidence of trade with other Europeans, such as the presence of a copper kettle and sail canvas, indicating a history not reflected in the surviving written sources. However, conflict and competition for resources led to the Beothuk moving away from the areas used by European fishers, a trend that contributed to a decline in awareness of them in England over the seventeenth century.⁶⁶ English interactions with the Beothuk were

⁶⁴ Cull, Et al., "Depositions," November 27, 1667, PWDRO, W 1/360/67.

⁶⁵ William Gilbert, "Beothuk-European Contact in the 16th Century: A Re-Evaluation of the Documentary Evidence," *Acadiensis* 40, no. 1 (2011): 42–44; Ralph Pastore, *Shanawdithit's People: The Archaeology of the Beothuks* (St. John's: Breakwater Books, 1992), 12.

⁶⁶ John Guy, "Journal of a Voyage to Trinity Bay," in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 68–78; Ingeborg Marshall, *A History and Ethnography of the Beothuk* (Montreal: McGill-Queen's University Press, 1996), 28–32.

either so infrequent or unreported that English merchants claimed in 1639 that only European fishers and colonists lived in Newfoundland.⁶⁷

The Mi'kmaq concentrated along the southern coast of Newfoundland and maintained closer relationships with the French than the English. There are few English accounts about the Mi'kmaq in Newfoundland other than those regarding the French commander Pierre Le Moyne d'Iberville's Avalon campaign in 1696-1697, which included a detachment of Mi'kmaq allies. The absence of written records regarding the Mi'kmaq in Newfoundland during the sixteenth- and seventeenth centuries is so severe that historian Charles Martijn notes it has created "a tendency in some quarters to automatically interpret scarcity of evidence as signifying the absence of the Mi'kmaq at an early date."⁶⁸

The Inuit resided in Labrador and the Great Northern Peninsula, and were frequently in contact and conflict with Basque whaling and French fishing ships during the sixteenth and seventeenth centuries. Pressure for control over natural resources in those regions resulted in what Pope called a nearly two-hundred-year guerrilla war between the Inuit and the French. English fishing ships rarely travelled in these regions from 1610 to 1699, and there were no English plantations on the Great Northern Peninsula during the seventeenth century, leading to little discussion about the Inuit by the English in this period.⁶⁹

These gaps in the sources demonstrate not only the difficulty of researching seventeenth-century Newfoundland but also how the political and social structure of early-modern England

⁶⁷ David Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 109a.

⁶⁸ Charles Martijn, "Early Mikmaq Presence in Southern Newfoundland: An Ethnohistorical Perspective, c.1500-1763," *Newfoundland and Labrador Studies* 19, no. 1 (2003): 46-49; Dennis Bartels and Olaf Janzen, "Micmac Migration to Western Newfoundland," *Canadian Journal of Native Studies* 10, No. 1 (1990), 71-94.

⁶⁹ Peter Pope, "Bretons, Basques, and Inuit in Labrador and Northern Newfoundland: The Control of Maritime Resources in the 16th and 17th Centuries," *Études/Inuit/Studies* 39, no. 1 (2015): 18-20; Charles Martijn, Selma Barkham, and Michael Barkham, "Basques? Beothuk? Innu? Inuit? Or St. Lawrence Iroquoians? The Whalers on the 1546 Desceliers Map, Seen through the Eyes of Different Beholders," *Newfoundland and Labrador Studies* 19, no. 1 (2003): 187-199.

obscured certain experiences from upper-class English merchants, writers and politicians. The dearth of sources by migratory fishers and English residents in Newfoundland, the two groups with the most experience regarding Newfoundland's natural environment and the Beothuk and Mi'kmaq, reflected the lower social and economic status of these fishers and residents in English society. The observations about Newfoundland that influenced policymakers, investors and merchants came mostly from explorers, naval commanders or successful traders, reflecting what Pickstone identifies as a tendency among early practitioners of Natural Historical Ways of Knowing to be composed mostly of "pedigree people."⁷⁰ Although there are opportunities to overcome these gaps by using depositions and archaeological records, English trade with the Beothuk and Mi'kmaq, as well as how English fishers, ship captains and others perceived Newfoundland, remain difficult to study.

This dissertation does not examine documents about the English in Newfoundland written by other Europeans. Spanish, Portuguese, Basque, French and Dutch ships all went to Newfoundland to catch and trade cod during the sixteenth- and seventeenth centuries, and France established colonies there from 1662. Sources written by government officials, merchants and others from these regions could provide valuable information about the English colonization of Newfoundland, but linguistic barriers limited opportunities to explore primary sources related to these issues. Additionally, historians have concentrated either on how other European fisheries operated, such as Laurier Turgeon's work on the French fishery, or how Newfoundland cod was traded within Europe, as seen in Darlene Abreu-Ferreira's study of English merchant communities in Portugal. Although both of these approaches offer insight into the ways in which

⁷⁰ Pickstone, *Ways of Knowing*, 68–73.

Europeans interacted with early-modern Newfoundland, they do not examine European perceptions of the island's natural environment or resident population.⁷¹

Structure of the Argument

This dissertation is divided into two parts composed of three chapters each. Part One covers the period from 1610, the first English colonization effort in Newfoundland, to 1674, when the government began to take a direct role in managing the island. During this period English efforts concentrated on determining what industries could succeed in Newfoundland, starting with ventures focused on developing multiple land-based industries, such as farming and mining. By 1674, planters, policymakers and others had tested and discarded early assumptions that Newfoundland had abundant terrestrial natural resources and identified the fishery as the island's sole major industry. Chapter One examines the Newfoundland Company's establishment of Cuper's Cove in 1610, the first English colony in Newfoundland, and shows how the Company promoted Newfoundland to investors as a place with many natural resources and a temperate climate, and how reports about the colony changed as early efforts to establish agriculture, mines and trade with the Beothuk failed. Cuper's Cove was the first colony to test the idea that Newfoundland's climate and natural resources could be used to create a profitable and self-sustaining colony.⁷² The failure of these experiments to create an economically diverse

⁷¹ Laurier Turgeon, *The Era of Far-Distant Fisheries-Permanence and Transformation (circa 1500-1850)*, trans. Aspi Balsara (St John's: Centre for Newfoundland Studies, Memorial University of Newfoundland, 2005), 2-5; Darlene Abreu-Ferreira, "The English Mercantile Community in Seventeenth-Century Porto: A Case Study of the Early Newfoundland Trade," *Newfoundland and Labrador Studies* 19, no. 1 (2005): 132-35.

⁷² The explorer Humphrey Gilbert claimed Newfoundland for England in 1583, and was expected to establish a colony either there or in New England, but he left without doing so due to a lack of supplies and died at sea: Parkhurst, "Commodities to Growe by Frequenting of Trafficq to New Fond Land"; Parmenius, *The New Found Land of Stephen Parmenius*, 169-173; Karen Kupperman, *Roanoke, the Abandoned Colony*, (Totowa: Rowman & Allanheld, 1984), 11-19.

colony caused disruptions in the Company. Its inability to adjust its practices to the conditions it encountered caused investors and colonists to leave Cuper's Cove.⁷³

To compensate for Cuper's Cove's inability to become profitable, its backers sold titles to land in Newfoundland to individuals interested in establishing their own colonies. This second wave of colonization efforts, stretching from 1616 to 1630, and the promotional literature that influenced it, form the subject of Chapter Two. These promotional texts, written by merchants and sailors with experience either in Newfoundland or investing in colonies, advocated a plan similar to the one used at Cuper's Cove based on the same assumptions that the island's natural environment could support an economically diverse colony. Instead of changing their expectations for Newfoundland, these writers blamed the failure of Cuper's Cove on organizational problems within the Newfoundland Company, and prescribed plans to colonize Newfoundland that encouraged investors to manage their efforts personally, rather than relying on a corporation to colonize the island. However, as with Cuper's Cove, promises of fertile soil, mineral deposits and a temperate climate did not reflect reality. None of the colonization projects launched during this period met the expectations of their backers. By 1629, English investors and planters had abandoned these efforts to create economically diverse colonies.⁷⁴

Following the failure of these colonization efforts, government policies and private ventures shifted their efforts to managing and maximizing the catching and trading of cod. This change demonstrated the flexibility of English assumptions about Newfoundland's natural resources as expectations of abundant and varied terrestrial resources were replaced by practices that targeted a single marine resource. Chapter Three examines the period from 1634, when the

⁷³ Cell, *English Enterprise*, 78–80.

⁷⁴ "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14; Vaughan, *The Golden Fleece*, George Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76; Cell, *English Enterprise*, 94-96.

Western Charter, the first set of government regulations for Newfoundland, was created, to 1674, the year before the government attempted to evict all English inhabitants from the island. During this period, planters, fishers and merchants created new methods of using the transatlantic cod trade to make Newfoundland both habitable and profitable year-round. These developments, demonstrated by the merchant and planter David Kirke's tenure as governor of Ferryland, contributed to a series of disputes about the regulation of Newfoundland, who had authority over the fishery, and what benefits the island created for England. The actions taken by policymakers, planters and merchants during this period re-imagined Newfoundland's natural environment and its value as a colonial possession in response to the failure of prior expectations that the island could host multiple industries.⁷⁵

Part Two focuses on the period from 1675 to 1699. During these twenty-four years, the English government became active in managing the island and collecting information about its residents and natural environment, and focused on developing policy solutions to problems of lawlessness and economic instability in Newfoundland. This approach differed from the period preceding 1675, when the government delegated authority to fishing ships and private ventures, rather than dedicating its resources to managing the island. Throughout these efforts, Newfoundland's natural environment and the colonization practices that succeeded there challenged policymakers. These practices, while successful in making Newfoundland habitable and profitable for Europeans, also made it difficult to control.⁷⁶

The fourth chapter analyzes the creation and failed implementation of the 1675 order to evict all English inhabitants from Newfoundland. This order represented the government's largest intervention in Newfoundland to that point and marked the introduction of a series of new

⁷⁵ Pope, *Fish into Wine*, 91–97.

⁷⁶ Keith Matthews, *A History of the West of England-Newfoundland Fishery* (PhD Diss., Oxford University, 1968), 200–239.

information collection and analysis techniques for managing the island. Working from the assumption that the fishery was the main industry in Newfoundland, policymakers sought to develop a new means of managing the island that accounted for both the difficulties of governing it and created the most benefits from the fishery for England. However, the methods used to learn about Newfoundland led to inaccurate conclusions about English colonists, how they used the island's natural environment and the relationship between the resident and migratory fisheries. These complications caused the commander in charge of the eviction to disobey his orders and allow the inhabitants to remain.⁷⁷

Chapter Five examines the government's response to the failure of the eviction order and its efforts to learn about the island's natural environment, economy and English residents and resolve issues there. Following the failure of the 1675 eviction order, and continuing until d'Iberville's invasion of the Newfoundland in 1696, colonial administrators developed new processes of examining social and economic issues in Newfoundland and creating regulations that better reflected the challenges of managing the island. These inquiries used new sources of information collected directly from Newfoundland, such as reports by naval commanders and planters, to give administrators more control over what data they collected and reduced their reliance on merchants in England to inform their decisions. Throughout this process, officials sought to learn about Newfoundland, test their assumptions about how residents and fishers used the island's natural environment and determined how to deploy their resources to protect and grow the fishery effectively.

Chapter Six examines the French invasion of the English shore in the winter of 1696-1697 and its influence on the creation of King William's Act. This attack offered an opportunity

⁷⁷ Berry, to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-241; John Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156.

for English authorities to reshape England's involvement in Newfoundland. With Newfoundland's English inhabitants forcibly removed by the French, English merchants, naval commanders and policymakers considered how they could address high crime rates, deforestation and other chronic issues in Newfoundland by changing the distribution of inhabitants and the governance of the island. King William's Act's creators took these questions into account by defining the fishery as Newfoundland's sole valuable industry and creating a series of regulations to protect and grow that industry. The Act dealt with questions about land rights, forest use, shore access and law enforcement by considering how Newfoundland's terrestrial natural resources were used to extract marine resources, and how the use of the island made standard approaches to governing colonial spaces, such as a centralized governor, unsuitable there. In answering these questions, policymakers enshrined the idea that while the cod fishery was Newfoundland's main industry, the land was vital for the fishery's success and needed to be managed to ensure that English fishers had access to the shore space, natural resources and protection required to carry out the fishery.⁷⁸

The learning process that defined the English experience in Newfoundland during the seventeenth century frustrated the ambitions of merchants and policymakers more often than it provided clear answers. Early plans to transform Newfoundland into an economically diverse colony gave way to more accurate ideas about what sorts of industries it could support, their value to England and the challenges of both colonizing and managing the island. By 1699, English perceptions of Newfoundland's natural environment and its economic value had undergone a dramatic change. Writers, politicians and merchants no longer portrayed Newfoundland as a land to be shaped into an economically diverse colony by waves of colonists and investors; nor was it merely a convenient place for fishing ships to land and cure their

⁷⁸ "William III, 1698: An Act to Encourage the Trade to Newfoundland," 515-518.

catches. Instead, Newfoundland was something between a fishing station and colony, a place with a permanent English population but whose greatest perceived benefits to England came from its ability to support the seasonal migratory fishery. By the end of the seventeenth century, English merchants, politicians and planters understood the limitations and opportunities afforded by Newfoundland's natural environment better than they had previously done, but they had gained that knowledge through eighty-nine years of hard-earned experience.⁷⁹

⁷⁹ "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14; Berry, to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-241; "William III, 1698: An Act to Encourage the Trade to Newfoundland," 515-518.

Part 1**Encountering Newfoundland: Testing Assumptions about Newfoundland's Climate,
Natural Environment and Economic Value, 1610-1674**

Chapter 1

When Words are not Enough: The Promotion of Cuper's Cove, Newfoundland, 1610-1621

In 1610, the Bristol and London Company of Merchant Adventurers, better known as the Newfoundland Company, established a plantation in Cuper's Cove, now named Cupids, on the southern shore of Conception Bay. The Company based its plans for colonizing Newfoundland on preconceptions about its natural environment established during the sixteenth century. Those assumptions led the Company's planners to believe that Newfoundland had a temperate climate and abundant natural resources that could support farms and mines. These ideas made Cuper's Cove appealing to English investors, but by 1621 the Newfoundland Company's investors and colonists realized that they did not translate into a viable business. The Company's strategy of growing crops, finding minerals and trading with the Beothuk precluded it from focusing on the cod fishery, leading to its inability to become profitable when these anticipated industries and trades failed. By following the idea that Newfoundland could support farms and other on-land industries, Cuper's Cove initiated a period that continued until 1674, of English politicians, merchants and planters testing assumptions about the island's climate and natural resources and then interpreting the feedback. The knowledge about Newfoundland gained from these efforts shifted English colonies and policies to shift away from developing land-based industries to focus on the fishery.¹

This chapter examines the Newfoundland Company's efforts in Newfoundland and the portrayal of its actions to English investors in four sections. The first section discusses the Company before the colonization of Cuper's Cove in 1610, and why Newfoundland attracted investment from English merchants, tradespeople and others. The second section follows the

¹ Mary Fuller, "Images of English Origins in Newfoundland and Roanoke," in *Decentring the Renaissance: Canada and Europe in Multidisciplinary Perspective, 1500-1700*, ed. Germaine Warkentin and Carolyn Podruchny (Toronto: University of Toronto Press, 2001), 139-146;

establishment and early years of Cuper's Cove from 1610 to 1612. During this period, the Company pursued a program of planting crops, searching for minerals and fishing, reporting some successes. The third section examines the Company's exchange with Beothuk traders in the fall of 1612. Although the exchange was the most widely publicized action that the Company undertook, it brought attention to reports of failed crops, harsh weather and mismanagement. The fourth section begins with the winter of 1613, a severe winter which marked the beginning of the decline in the Company's efforts and number of investors. Although the Company existed until 1631, by 1621 its operations had largely ended with the departure of John Mason, its second governor. Throughout its efforts to colonize Newfoundland, the Company based its operations on investors' belief in assumptions formed during the sixteenth century about the island's natural environment and the industries that could succeed there.²

By 1610, England was still a new participant in the European colonization of America. Roanoke, founded in 1585, had failed in 1590, and Jamestown, established in 1607, was three years into its existence. Unlike Roanoke's and Jamestown's planners, who portrayed their colonies as designed to create collective social, political and economic benefits for England, the Newfoundland Company's leaders depicted their enterprise solely as a business venture meant to profit its investors.³ This focus, particularly in its promotional efforts, contrasts what historian Andrew Fitzmaurice identified as the humanist motivation for English colonization: the creation of social, political and economic benefits for England as a whole, an argument supported by the promotional efforts of Jamestown's and Roanoke's backers. These advantages, which

² Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 76–81.

³ Karen Kupperman, *Roanoke, the Abandoned Colony* (Totowa: Rowman & Allanheld, 1984), 124–126; James Horn, "The Conquest of Eden: Possession and Dominion in Early Virginia," in *Envisioning an English Empire: Jamestown and the Making of the North Atlantic World*, ed. Robert Appelbaum and John Sweet (Philadelphia: University of Pennsylvania Press, 2005), 27–35; Fuller, "Images of English Origins in Newfoundland and Roanoke," 139–146; Andrew Fitzmaurice, "The Commercial Ideology of Colonization in Jacobean England: Robert Johnson, Giovanni Botero, and the Pursuit of Greatness," *The William and Mary Quarterly* 64, no. 4 (October, 2007): 791–793.

Fitzmaurice defined as “greatness,” were not the only motives for colonization, but colonial promoters and planners often avoided the topic of personal profitability in the early seventeenth century because it conflicted with the message that colonization served England’s collective interests.⁴ The Newfoundland Company’s charter, as granted by King James I, did include social and political goals, such as expanding the English realm, but these objectives did not enter into the Company’s depictions of its efforts. Instead, the Company offered a different view of the promotion of America, one that aligns with historian Kenneth Andrews’s argument that European expansion was “fundamentally a commercial movement,” in which investors prioritized the economic potential of a venture over other perceived benefits.⁵

In the Company’s view, Newfoundland resembled England, in that could host industries familiar to English investors, making it a potentially profitable place to colonize. This tactic was not unique to the Newfoundland Company. Other colonial ventures and promoters, such as the explorer, soldier and admiral of New England John Smith’s portrayal of Virginia, used similar ideas to promote projects, but they often layered their depictions with arguments for the social and political benefits of colonization, something the Company did not do.⁶ By focusing on the development of familiar industries, as well as similarities between Newfoundland’s and

⁴ Andrew Fitzmaurice, *Humanism and America: An Intellectual History of English Colonisation, 1500-1625* (New York: Cambridge University Press, 2003), 1–3; Fitzmaurice, “The Commercial Ideology of Colonization in Jacobean England,” 791–792; Andrew Fitzmaurice, “The Civic Solution to the Crisis of English Colonization, 1609-1625,” *The Historical Journal* 42, no. 1 (March, 1999): 25–27; John Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven: Yale University Press, 2006), 117–135.

⁵ Kenneth Andrews, *Trade, Plunder and Settlement: Maritime Enterprise and the Genesis of the British Empire, 1480-1630*, (New York: Cambridge University Press, 1984), 5.

⁶ “Instructions Directed by the Council for the Plantation in Newfoundland to John Guy,” 1610, NU, Middleton Mi X 1/1, 12-14; John Smith, *The Generall Historie of Virginia, New England & the Summer Isles* (London: I.D. and I.H. for Michael Sparkes, 1624), 43–77; Walter Woodward, *Prospero’s America: John Winthrop, Jr., Alchemy, and the Creation of New England Culture, 1606-1676* (Chapel Hill: University of North Carolina Press, 2010), 75–94.

England's natural environments, the Company worked to assure its investors that Cuper's Cove was a safe and profitable venture.⁷

Although the Newfoundland Company focused its efforts on turning a profit for its investors, English government officials still expected it to advance their colonial goals. The migratory fishery operated outside of the system of colonial charters that defined early colonization efforts in Newfoundland, making it an essential part of the English presence in Newfoundland, but limited its ability to advance English officials' interests in solidifying their claim to the island. The charter granted to the Newfoundland Company by King James I was predicated on the idea that Newfoundland was an English possession, an idea supported by Humphrey Gilbert's claim of the island in 1583 and his failed attempt to establish a colony in America. However, as historian Patricia Seed argued, for English politicians and advocates of colonizing America, the act of cultivating crops and building houses were central to the actual act of possessing colonial lands. The physical alteration of local environments to accommodate English practices and people, more so than a single ceremony, gave colonists and policymakers a permanent claim to that land and prevented others from encroaching upon it.⁸

The English migratory fishery, although well-established by 1610, built only temporary structures and ships rarely used the same harbours from year to year, making it a poor method for maintaining England's claim to the island, something that the Newfoundland Company's plantations would rectify. The Newfoundland Company's focus on developing land-based natural resources made it well suited for enforcing England's claim to Newfoundland. Unlike the

⁷ Cell, *English Enterprise in Newfoundland 1577-1660*, 53–55; Alan Williams, W. Gordon Handcock, and Chesley Sanger, *John Guy of Bristol and Newfoundland: His Life, Times and Legacy* (St. John's: Flanker Press, 2010), 239–242.

⁸ James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 1609, in *Select Charters of Trading Companies*, ed. Cecil Carr (London: Bernard Quaritch, 1913), 51–62; Patricia Seed, *Ceremonies of Possession in Europe's Conquest of the New World, 1492-1640* (New York: Cambridge University Press, 1995), 16–31.

migratory fishery, the Company's efforts, while directed at profiting its investors, were meant to create a permanent English presence that could both defend against interlopers and support England's claim to the island. This meeting of private interest in colonization and official interest in asserting England's right to possess that space was not unique to Newfoundland. As Seed noted, similar trends emerged in Ireland, New England and other regions where cultivating, enclosing and building on land became symbols of English ownership.⁹

As one of the first English colonies in America and the first settlement in Newfoundland, Cuper's Cove, and its influence on English colonial policies and practices, has been a subject of study by both Atlantic historians and Newfoundland historians. For Newfoundland historian Gillian Cell and geographer Alan Williams, Cuper's Cove marked the beginning of the transition from a seasonal fishery to a permanent onshore English population, and both explored how merchants and politicians in England conceptualized and established it.¹⁰ Atlantic historians have argued that English merchants' and politicians' knowledge of Newfoundland's fishery made Cuper's Cove an often-forgotten contemporary of Jamestown and Roanoke, and they have studied it in the wider context of the colonization of America. David Quinn and Mary Fuller note that fishing and trade routes between England and Newfoundland during the sixteenth century made Newfoundland a known space to English political and economic elites without generating the same amount of attention from colonial promoters that Roanoke or Jamestown received. This

⁹ James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 51–62; John Martin, *Profits in the Wilderness: Entrepreneurship and the Founding of New England Towns in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1991), 28–37; Seed, *Ceremonies of Possession*, 16–31.

¹⁰ Gillian Cell, "The Newfoundland Company: A Study of Subscribers to a Colonizing Venture," *The William and Mary Quarterly* 22, no. 4 (October, 1965): 611–25; Cell, *English Enterprise in Newfoundland 1577-1660*; Cell, *Newfoundland Discovered*, 3–12; Williams, Handcock, and Sanger, *John Guy of Bristol and Newfoundland*, xxi–xxv, 17–24; William Gilbert, "Finding Cupers Cove: Archaeology at Cupids, Newfoundland 1995-2002," *Avalon Chronicles* 8 (2003): 117–154; William Gilbert, "Dwelling There Still: Historical Archaeology at Cupids and Changing Perspectives on Early Modern Newfoundland," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, ed. Pope Peter and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 215–23.

familiarity made Newfoundland seem a land of great wealth for English investors but a poor source of compelling narratives or ambitious plans.¹¹

This chapter bridges the two approaches by examining how the Newfoundland Company based its efforts on the idea that Newfoundland's climate and natural resources resembled England's. This depiction of Newfoundland made colonization appear to be a practical plan with a high chance of success but was based on faulty assumptions that prevented the Company from focusing on the island's one established industry, the fishery. The familiarity of the fishery, combined with the Newfoundland Company's failure, made the colonization of Newfoundland an important event in England's colonial history that challenged assumptions about the island's natural environment, but also one that failed to attract the same amount of attention from contemporaries and later writers.¹²

The most extensive surviving sources regarding the Newfoundland Company are the letters of Percival Willoughby, one of the company's major investors, held at the University of Nottingham. Willoughby sent his own agents and son to Newfoundland to oversee his investments, giving him access to multiple sources of information about the venture, including the Company's own portrayal of its efforts, reports from his agents and comments from other investors. Outside of Willoughby's letters, there are few surviving sources about the Newfoundland Company. A journal kept by John Guy, the Newfoundland Company's first governor, during his voyage to Trinity Bay is in the Lambeth Palace Library in London and was published in full by Gillian Cell in *Newfoundland Discovered*. Additionally, the publisher

¹¹ David Quinn, "Newfoundland in the Consciousness of Europe in the Sixteenth and Early Seventeenth Centuries," in *Early European Settlement and Exploitation in Atlantic Canada: Selected Papers*, ed. G. M. Story (St. John's: Memorial University of Newfoundland, 1982), 9; Fuller, "Images of English Origins in Newfoundland and Roanoke," 141–144; Mary Fuller, *Remembering the Early Modern Voyage: English Narratives in the Age of European Expansion* (New York: Palgrave Macmillan, 2008), 117–163.

¹² Thomas Willoughby to Percival Willoughby, August 3 1616, NU, Middleton Mi X 1/36; Cell, *English Enterprise*, 53–55.

Samuel Purchas included descriptions of Cuper's Cove and the exchange with the Beothuk in *Purchas his Pilgrimage or Relations of the World*. In 1620, Mason wrote the *Brief Discourse of the New-Found-Land*, the only promotional tract about Newfoundland to come from one of the Company's members. An examination of these sources reveals that the Company worked to promote itself and placate investors by focusing on the development of familiar industries in Newfoundland and the potential for profits from its efforts.¹³

The Newfoundland Company 1609-1610

In 1609, James I granted the Newfoundland Company a charter to establish plantations in Newfoundland. Rather than focusing on the cod fishery, the Company's backers expected these plantations to support a range of land-based industries such as agriculture, mining and trade with the Beothuk. The Company did not neglect the cod fishery, but expected fishing to supplement provisions and provide a trade good while other industries developed, instead of forming the basis of the plantation's operations. This approach utilized the received knowledge about Newfoundland and built upon expectations that the island could host an economically diversified plantation. Although these expectations had, to an extent, familiarized Newfoundland to English observers, for whom the island did not offer any unknown resources, the Company used these preconceptions to engage investors.¹⁴

As a joint-stock company, the Newfoundland Company depended on attracting investors to fund its operations, a task that it succeeded at early in its existence. In 1610, the Newfoundland Company had fifty known investors, but efforts to retain them profoundly

¹³ John Guy, "Journal of a Voyage to Trinity Bay," October 7, 1612-November 25, in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 68-78; Samuel Purchas, *Purchas his Pilgrimage or Relations of the World*, (London: Printed by William Stansby for Henrie Fetherstone, 1614), 748.

¹⁴ James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 51-62; "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14.

affected its plans.¹⁵ The Company's investors came from multiple social and economic groups, and their backgrounds created expectations for its operations and the types of industries it would develop. The Company's treasurer, John Slany, a Bristol-based merchant and lawyer, used these expectations to appease investors. He promoted the development of an economically diverse colony at Cuper's Cove, often by promising to develop industries in which investors were already involved or which held significant appeal in England, such as mining.¹⁶ Mining held an especially important place in English arguments for colonizing America in the late sixteenth and early seventeenth centuries. The silver and gold that Spain extracted from America pushed sixteenth-century English colonial promoters to emphasize the importance of mining for English colonization efforts. In 1577, the explorer Martin Frobisher shipped ore samples that he incorrectly thought contained gold to England from Baffin Island, and he led a failed attempt to establish a colony there in 1578. In 1584, the colonial promoter and publisher Richard Hakluyt proposed mining as a major benefit of colonizing America.¹⁷ Slany was not the first to promise an economically diverse colony in Newfoundland, but unlike Anthony Parkhurst, Stephen Parmenius or Edward Hayes, he succeeded in attracting backers. Using his extensive social and business network, Slany recruited shareholders by promising reliable profits from a land similar to England that was, as yet, undeveloped by Europeans.¹⁸

¹⁵ "Names of the adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1, 2; "A copy of a letter sent to Bristol and Dartmouth," 1610, NU, Middleton Mi X 1/1, 15; Cell, "The Newfoundland Company," 621–622; Jerry Markham, *A Financial History of the United States: From Christopher Columbus to the Robber Barons (1492-1900)* (New York: M.E. Sharpe, 2001), 24–25.

¹⁶ John Slany to Percival Willoughby, 1614, NU, Middleton Mi X 1/30.

¹⁷ Richard Hakluyt, *A Particuler Discourse Concerninge the Greate Necessitie and Manifold Commodities That Are like to Growe to This Realme of Englande by the Westerne Discoueries Lately Attempted, Written in the Yere 1584*, ed. David Quinn and Allison Quinn, (London: Hakluyt Society, 1993), 24; James McDermott, *Martin Frobisher: Elizabethan Privateer* (New Haven: Yale University Press, 2001), 163–70, 204, 245–50.

¹⁸ James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 55; "Names of the adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1, 2; "A True Message of a Charter Grated by His Majesty James I for a Plantation in Newfoundland," 1610, NU, Middleton Mi X 1/1, 2-10; "The commission directed by the Council to John Guy for government in Newfoundland," 1610, NU Middleton Mi X 1/1, 14-15a.; Anthony

A significant number of the Company's investors had prior experience in the Newfoundland cod trade as merchants or tradespeople. Grocers and fishmongers, while not directly involved in fishing, were all professions who brought participants into contact with the fishery either by supplying provisions or trading fish. Additionally, Williams notes that eleven of the investors with no listed professions were merchants from Bristol already involved in the Newfoundland fishery, making Cuper's Cove an extension of their existing investment in the island. Not all of the Company's merchant investors had experience in Newfoundland or connections to the fishery. The Company's shareholder list includes four haberdashers and eight merchant tailors. Neither of these professions had any traditional connection to the fishery, but they did develop overseas resources and trade connections to supply their businesses, such as engaging in the fur trade, making the Newfoundland Company an opportunity to diversify their holdings.¹⁹

Parkhurst, "Commodities to Growe by Frequenting of Trafficq to New Fond Land," 1578, BL, Lansdowne MS 100, 95-97.

¹⁹ "Names of the adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1, 2; Cell, *English Enterprise*, 53-55; Nuala Zahedieh, "Making Mercantilism Work: London Merchants and Atlantic Trade in the Seventeenth Century," *Transactions of the Royal Historical Society* 9 (1999): 154-155; Williams, Handcock, and Sanger, *John Guy of Bristol and Newfoundland*, 287-289; William Hutchinson et al., "The Globalization of Naval Provisioning: Ancient DNA and Stable Isotope Analyses of Stored Cod from the Wreck of the Mary Rose, AD 1545," *Royal Society Open Science* 2, no. 9 (September, 2015): 11-12.

Table 1 Investors in the Newfoundland Company, 1610

| Investor's Name | Profession | Investor's Name | Profession |
|-------------------------|--|------------------------|-------------------|
| Henry Howard | Earle of Northampton, Keeper of the Privy Seal | Phillip Gifford | Gentleman |
| Sir Lawrence Tanfield | Knight, Lord Chief Barron of our Exchequer | John Whittington | Grocer |
| Sir John Doddridge | Knight | Edward Allen | Fishmonger |
| Sir Francis Bacon | Knight | Roberd Alder | [Unlisted]+ |
| Sir Daniell Dun | Knight | Richard Bowdler | Merchant Taylor |
| Sir Walter Coape | Knight | Mather Haveland | [Unlisted]+ |
| Sir Percival Willoughby | [Unlisted]* | Thomas Jones | Merchant Taylor* |
| Sir John Constable | Knight | Thomas Allworte | [Unlisted]+ |
| John Weld | Esquire, Gentleman* | Symon Stone | Gentleman |
| William Freeman | Clothmaster | William Lewis | [Unlisted]+ |
| Ralph Freeman | Clothmaster* | Thomas Allen | Gentleman |
| John Slany | Merchant Taylor [Company Treasurer]* | John Guy | [Unlisted]+ |
| Humfry Slanie | haberdasher* | William Diggins | Mariner |
| William Turner | Salter* | Ritchard Hath Wor | [Unlisted]+ |
| Robert Kertan | Gentleman | Thomas Knighton | Fishmonger |
| John Wilde | Gentleman* | John Langton | [Unlisted]+ |
| Richard Fishborne | Mercer* | John Short | Ironmonger |
| John Bironne | Merchant Taylor | Humfree Hoocke | [Unlisted]+ |
| Humphrye Spencer | Haberdasher | John Vigars | Merchant Taylor |
| Thomas Juxon | Merchant Taylor* | Phillip Guy | [Unlisted]+ |
| Ellis Crispe | Salter | John Jaxon | Merchant Taylor |
| Thomas Allport | Merchant Taylor | William Merideth | [Unlisted]+ |
| Francis Nedlilham | Haberdasher | Ritch Hobbye | Haberdasher |
| William Jones | Mariner* | John Daughte | [Unlisted]+ |
| Thomas Laughton | [Unlisted] | Abraham Gennings | [Unlisted] |

(*) Indicates members of the Company's Council, (+) indicates merchants from Bristol. Source: "Names of the Adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1; Williams, Hancock and Sanger, *John Guy of Bristol and Newfoundland*, 287-289

In addition to merchants, the Company listed twelve investors as earls, knights, lords or gentlemen, representing twenty-four percent of the total. Percival Willoughby, who held extensive farming and mining interests around Nottingham, was the most involved in the Company's operations. Willoughby employed three agents to manage his efforts at Newfoundland: Henry Crout, Bartholomew Pearson and Thomas Rowley. Willoughby sent both Crout and Pearson to Newfoundland in 1612 to report on the Company's activities and assess the island's natural resources. Rowley originally went to Newfoundland in 1610 as one of the

Company's colonists, and was hired by Willoughby in 1618. Willoughby also sent his son, Thomas Willoughby, to the island in 1612 in an effort to reform him after he stole silver from Wollaton Hall. Little is known about Thomas outside of his time in Newfoundland and transgressions in England, which may have led to him being disowned in 1621, when he disappears from the family papers and pedigree.²⁰

Cell argues that Slany's influence was likely the reason for Percival Willoughby's investment in the Company. According to Cell, Willoughby joined the Newfoundland Company for the dual purpose of pursuing his interest in overseas expansion and to service debts from the construction of Wollaton Hall. Slany's promises of mining and farming in Newfoundland attracted Willoughby, who was also influenced by the fact that he owed money to Slany. This leverage resulted in a long investment in Newfoundland. Willoughby sent agents to the island to search for farmland and ore deposits as late as 1631, making him the last known investor in the Company.²¹

There is little surviving evidence detailing why other investors joined the Newfoundland Company or their involvement in its operations. Cell, examining the Company's 1610 subscriber list, stated that many investors joined the Company to build their social capital as supporters of English colonial expansion and to bolster their finances, but often had little interest or influence in its activities. Although research into the letters of prominent political figures may yield new sources regarding their engagement in the Newfoundland Company, little is known about their involvement beyond their purchasing and selling shares. While there is no evidence that these

²⁰ "Names of the adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1, 2; John Guy to Percival Willoughby, June 17, 1612, NU, Middleton Mi X 1/7; Thomas Rowley to Percival Willoughby, January 18, 1618, NU, Middleton Mi X 1/48; Gillian Cell, "Willoughby, Thomas," *Dictionary of Canadian Biography Volume I (1000-1700)*, accessed March 31, 2014, http://www.biographi.ca/en/bio/willoughby_thomas_1E.html.

²¹ Richard Crout to Percival Willoughby, August 20 1612, NU, Middleton Mi X 1/13; Nicholas Guy to Percival Willoughby, September 1 1631, NU, Middleton Mi X 1/57; Cell, *English Enterprise in Newfoundland*, 58–59.

investors directly participated in the Company's operations, some information about their interest in Newfoundland can be gleaned from other sources.²²

One of the most prominent investors in the Newfoundland Company was the statesman and philosopher Sir Francis Bacon, and his writings provide some insight into why the Company attracted interest from investors. There is no known source by Bacon stating exactly why he invested in the Newfoundland Company, but its plan did adhere to his own ideas about how to colonize America. Bacon's 1625 essay "Of Plantations" outlined a plan that matched Slany's portrayal of Newfoundland. Writing nine years after he sold his shares in the Newfoundland Company, Bacon argued that colonial ventures, no matter how promising their locations, experienced years of losses before becoming profitable and self-sufficient. These rough beginnings required companies to develop survival strategies, such as fishing and growing crops, before engaging in more lucrative industries.²³ Rather than arguing for the need to locate gold, silver and other exotic resources, as Hakluyt had done, Bacon emphasized the value of staple goods such as salt, furs, pitch and tobacco and minerals such as iron and lead. These goods allowed colonists to develop wealth through trade while reducing their reliance on imports from England. Bacon's plan fit the Newfoundland Company's portrayal of Newfoundland well, especially its emphasis on developing agriculture and mines while supplementing its provisions and income with cod.²⁴

The Company's expectations that Newfoundland could sustain mines and farms did not lack support. Parkhurst, Parmenius and Hayes described Newfoundland as having a temperate

²² Cell, "The Newfoundland Company," 616-618; Williams, Handcock, and Sanger, *John Guy of Bristol and Newfoundland*, 45-53.

²³ Francis Bacon, "Of Plantations," 1625, in *The Essays or Counsels, Civill and Morall*, ed. Michael Kiernan, (Cambridge: Harvard University Press, 1985), 106-108; "Names of the adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1, 2.

²⁴ John Slany to Percival Willoughby, February 1616, NU, Middleton Mi X 1/42; Hakluyt, *A Particuler Discourse Concerninge*, 24.

climate, fertile soil, promising mineral deposits and an abundance of fish, forests and fur-bearing animals. There was a significant English fishery in Newfoundland before 1610, but seasonal ships were ill-equipped to establish mines or other industries that required permanent shore facilities. A permanent English population could develop such resources, and expectations of good soil, as well as the proven fishery, meant that a colony could reduce its reliance on imported provisions, lowering the Company's operating costs.²⁵

Preconceived ideas about Newfoundland's climate also made it attractive to English investors. Using latitude as an indicator of climate, sixteenth- and early seventeenth-century writers expected Newfoundland's climate to resemble that of southern England and northern France.²⁶ Guy and Willoughby also perceived the presumed climatic similarity between Newfoundland and England as an indicator that the colony would not experience many unusual health challenges. Colonists, explorers and investors expected unfamiliar climates, particularly tropical climates, to pose greater health risks to English colonists than temperate climates would do, since their bodies were unaccustomed to the temperature, humidity and biota of those regions. This presumption of climatic similarity increased Newfoundland's appeal to investors by suggesting that crops would grow and that residents would be healthy.²⁷

Accounts of Newfoundland's similarity to England, as well as expectations of fertile soil and mineral deposits, allowed the Company to portray its efforts as a logical expansion of the

²⁵ Parkhurst, "Commodities to Growe by Frequenting of Traffiq to New Fond Land," 1578, BL, Lansdowne MS 100, 95-97; Stephen Parmenius, *The New Found Land of Stephen Parmenius; the Life and Writings of a Hungarian Poet, Drowned on a Voyage from Newfoundland, 1583*, ed. David Quinn and Neil Cheshire (Toronto: University of Toronto Press, 1972), 171; Hayes, "A Report of the Voyage and Success Thereof," 679-97.

²⁶ Purchas, *Purchas his Pilgrimage*, 474; Hayes, "A Report of the Voyage"; Parmenius, *The New Found Land of Stephen Parmenius*, 173; Sam White, "Unpuzzling American Climate: New World Experience and the Foundations of a New Science," *Isis* 106, no. 3 (September 2015): 557-559.

²⁷ John Guy to Percival Willoughby, October 6, 1610, NU, Middleton, Mi X 1/2; Karen Kupperman, "Fear of Hot Climates in the Anglo-American Colonial Experience," *The William and Mary Quarterly* 41, no. 2 (April, 1984): 214-217; Alix Cooper, *Inventing the Indigenous: Local Knowledge and Natural History in Early Modern Europe* (Cambridge: Cambridge University Press, 2007), 4-10.

existing seasonal fishery. This focus on similarity supports Quinn's and Fuller's argument for the familiarity of Newfoundland in the English colonial consciousness. However, instead of making Newfoundland uninteresting to investors, the Company used this similarity to emphasize the potential for profits from industries familiar to its investors. The cod fishery offered Cuper's Cove both a trade good and a source of food while the colony established other industries and trades. This food source was important for the Company since reports of starvation and cannibalism in Jamestown were well known in England by 1610, dissuading potential colonists and investors from joining ventures. Depictions of Newfoundland's climate as similar to England's persuaded investors that the Company would not face the hardships that Jamestown had experienced during the winter of 1609-1610. With a charter to plant, govern and use Newfoundland as well as expectations of agriculture, mining and trade, the Company seemed off to an auspicious start in 1610. Unfortunately for the Company, its assumptions about Newfoundland would undermine its success.²⁸

Establishing Cuper's Cove, 1610 to 1612

Although the idea of Newfoundland as a place with great agricultural potential had existed in England since the sixteenth century, the Cuper's Cove colonists were the first to test it.²⁹ In the summer of 1610, Guy arrived at Cuper's Cove with thirty-nine colonists, provisions and livestock, and established the plantation in accordance with the instructions issued by the Company's Council. Guy selected Cuper's Cove for the site of the Company's colony during a voyage to the island in 1609. The harbour, located on the southern shore of Conception Bay, was

²⁸ John Guy, "Journal of a Voyage to Newfoundland," 1610, NU, Mi X 1/2, 1; "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14; Rachel Herrmann, "The 'tragicall Historie': Cannibalism and Abundance in Colonial Jamestown," *The William and Mary Quarterly* 68, no. 1 (January, 2011): 48-49; John McCusker and Russell Menard, *The Economy of British America, 1607-1789*, (Chapel Hill: University of North Carolina Press, 1998), 35-38.

²⁹ Guy, "Journal of a Voyage to Newfoundland," 1610, NU, Middleton Mi X 1/2, 1; Parkhurst, "Commodities to Growe by Frequenting of Trafficq to New Fond Land," 1578, BL, Lansdowne MS 100, 95-97.

sheltered from storms, close to a supply of wood and fresh water, reportedly had good soil and was unused by migratory fishing ships. English fishing ships already used many of the harbours between Cape Race and Trinity, the region visited the most frequently by English ships during the seventeenth century. According to Williams, Guy chose Cuper's Cove since a colony there would not disrupt migratory fishers. Staying away from harbours already in use allowed the Company to uphold its charter's provision banning it from interfering with the fishery and to avoid conflict with fishing merchants in England.³⁰

The instructions issued to Guy included directions for setting up the plantation, prescribed economic and exploratory activities, and encouraged Guy to take advantage of any business opportunity that presented itself. The activities recommended to Guy included building salt-stills, planting grains and pulses, hunting for furs and food, and looking for raw materials for manufacturing valuable goods around Cuper's Cove, particularly metallic ores such as iron or lead, and sand suitable for producing glass. The Company also instructed Guy to send an expedition to Trinity Bay to establish trade with the Beothuk and locate valuable plants, minerals and animals. This voyage did not take place until 1612. The Company's instructions focused on developing profitable industries on land, but also provided a guide for using two small fishing boats to catch cod to supplement the colony's food supply. From 1610 to 1612, Guy worked to fulfill these instructions with some success, but unexpected challenges regarding Newfoundland's natural environment and piracy challenged Cuper's Cove's growth and the Company's revenue.³¹

³⁰ John Guy, "Journal of the Voyage to Newfoundland," 1610, NU, Middleton MI X 1/2; "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton MI X 1/1, 12-14; Williams, Hancock, and Sanger, *John Guy of Bristol and Newfoundland*, 65-71.

³¹ "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton MI X 1/1, 12-14.

During the first two years of Cuper's Cove's existence there were signs that agriculture was succeeding. In spring 1611, Guy reported that crops planted at Cuper's Cove were growing well, but the provisions left with the colonists that year consisted primarily of foodstuffs, indicating that the crops were insufficient to feed the entire plantation.³² Although there was still a need for imported foodstuffs in 1612, Slany reassured Willoughby that the seeds planted in Newfoundland were growing better than England's crops, and would soon supply enough food to end Cuper's Cove's reliance on imports.³³

In addition to promising crop growth during this early stage, colonists reported that Cuper's Cove's climate was similar to England's, a point that Slany used to convince investors that the colony would not experience the harsh weather and starvation that Jamestown had endured. Guy wrote to the Company that the winter of 1610-1611 was mild and that colonists had little trouble surviving, confirming the Company's expectations of Newfoundland's climate and distinguishing the island from Virginia. The weather journal for the winter of 1611-1612 kept by William Colston, Guy's second-in-command at Cuper's Cove, reported another mild winter.³⁴ Slany relayed Guy's and Colston's reports to investors, and stated in a letter to Willoughby not only that Newfoundland's climate was appealing, but also that its inhabitants experienced less sickness than those in England, reassuring investors that Cuper's Cove would not suffer from any significant illness or starvation.³⁵

³² John Guy, "An Inventory of the Provisions left with the settlers at Cuper's Cove," August 28 1611, NU, Middleton Mi X 1/3.

³³ John Slany to Percival Willoughby, July 17 1612, NU, Middleton Mi X 1/8.

³⁴ John Guy to Percival Willoughby, October 6, 1610, NU, Middleton Mi X 1/2; Purchas, *Hakluytus Posthumus*, 747-748; David Quinn, "Advice for Investors in Virginia, Bermuda, and Newfoundland, 1611," *The William and Mary Quarterly* 23, no. 1 (1966): 145; Karen Kupperman, "The Puzzle of the American Climate in the Early Colonial Period," *The American Historical Review* 87, no. 5 (December, 1982): 2562-563; Herrmann, "The 'tragicall Historie,'" 48.

³⁵ Slany, to Willoughby, July 17 1612, NU, Middleton Mi X 1/8; Hayes, "A Report of the Voyage"; Parmenius, *The New Found Land of Stephen Parmenius*, 171-173; White, "Unpuzzling American Climate," 562-563; Katherine

The Company's first real opportunity to generate revenue came in 1612, when Guy established a cod fishery for export. In the summer of 1612, Guy built a fishing station in Renew's to supplement Cuper's Cove's provisions and give the Company a supply of fish to trade in Europe. Located on the Eastern Avalon Peninsula, Renew's was closer to the epicenter of the Newfoundland cod fishery than Cuper's Cove, giving the Company access to rich fishing grounds and the trade ships that visited the island each summer. Slany wrote to Willoughby that the fishing station was successful and the supply ships sent to Newfoundland that year returned to England with cargoes of cod, which he planned to store until Lent when it would fetch a higher price.³⁶

The Company's success at Renew's did not last. The Newfoundland fishery was an attractive target for pirates, a threat that caused Guy to abandon the fishing station during the same year it was established. In 1612, the English pirate Peter Easton raided Newfoundland with a squadron of ten ships, causing an estimated £20,400 in damages by capturing fishing ships and seizing their cargoes and crews.³⁷ Easton represented an immediate threat to the Company since its supplies and colonists in Renew's and Cuper's Cove made appealing targets. There are two known altercations between Guy and Easton, one of which ended violently when a member of Easton's crew shot one of the Cuper's Cove colonists. Guy, worried about the possibility of a larger attack, withdrew from Renew's and constructed a fort in Cuper's Cove. Easton did not attack Cuper's Cove, but the Company did not return to Renew's after 1612.³⁸

Grandjean, "New World Tempests: Environment, Scarcity, and the Coming of the Pequot War," *The William and Mary Quarterly* 68, no. 1 (January, 2011): 75–78.

³⁶ John Guy, to Percival Willoughby, June 17 1612, NU, Middleton Mi X 1/7; Slany to Willoughby, September 3, 1612, NU, Middleton Mi X 1/18; Whitbourne, *A Discourse and Discovery of New-Found-Land*, 51–53.

³⁷ E Hunt, "Easton, Peter," *Dictionary of Canadian Biography, Volume I (1000-1700)*, accessed February 7, 2015 http://www.biographi.ca/en/bio/easton_peter_1E.html.

³⁸ Richard Crout to Percival Willoughby, August 20 1612, NU, Middleton Mi X 1/13.

Besides piracy, the Newfoundland Company experienced other problems in 1612.

Thomas Cowper, Edward Barton and John Harrington, three planters to whom the Company granted land in Newfoundland, wrote to Willoughby asking for assistance in convincing the Company to change their land allotments. According to Cowper, Barton and Harrington, the fifty-acre parcels of land they received consisted of rocky soil unsuitable for growing crops. These three planters had not given up on Newfoundland as a whole, but they issued an ultimatum to the Company that either it provide them with better land, or they would leave.³⁹ There are no known sources about the settlement of this dispute, but in 1616 a Mrs. Browne of Hereford inherited Cowper's shares in the Newfoundland Company, indicating that, of the three planters, at least Cowper remained with the Company following the incident.⁴⁰

Cowper's, Barton's and Harrington's problems indicated a bigger issue for the Company: Newfoundland's agricultural potential had been overestimated, a concern that was confirmed by Willoughby's agents. In 1612, Pearson reported that most of the fowl sent to Newfoundland lacked sufficient feed and that the available ground was either too rocky or too wet, undermining Slany's claims that the crops planted there were succeeding.⁴¹ Pearson's accusations added to a growing tension between Willoughby and Slany in 1612. In a letter sent in August that year, Slany asked Willoughby for forgiveness for an unnamed offense.⁴² Willoughby forgave Slany, but signaled that he knew more about Newfoundland than Slany thought. Using Pearson's reports, Willoughby told Slany that he should have relied more heavily on hunting caribou than

³⁹ Thomas Cowper, Edward Barton and John Harrington to Percival Willoughby, August 23 1612, NU, Middleton Mi X 1/14.

⁴⁰ Mrs. Browne of Hereford to Percival Willoughby, September 1616, NU, Middleton Mi X 1/40.

⁴¹ Bartholomew Pearson to Percival Willoughby, August 17 1612, NU, Middleton Mi X 1/11.

⁴² John Slany, "Apology," August 1612, NU, Middleton Mi X 1/17.

raising crops and livestock to feed Cuper's Cove, a step that could have reduced the Company's expenses.⁴³

Leading into the fall of 1612, investors had reason to be both optimistic and concerned. Guy had planted crops, but they were mostly unsuccessful, and other hoped-for goods, such as minerals, had not been found. The fishery, while successful in 1612, was hindered by piracy.⁴⁴ Yet in comparison to Jamestown, which suffered from starvation and conflict with its neighbours, Newfoundland was doing well.⁴⁵ By 1612, Cuper's Cove had experienced two mild winters with few deaths, little sickness and no starvation.⁴⁶ However, a healthy plantation did not placate investors. The Company needed a success to demonstrate its ability to become profitable, and in the fall of 1612 John Guy delivered just that by contacting and trading with the Beothuk.⁴⁷

Encountering the Beothuk, Fall 1612

On October 7, 1612, John Guy led nineteen people in two boats from Cuper's Cove to Trinity Bay to locate mineral deposits, collect plant samples and initiate trade with the region's indigenous peoples, the Beothuk. Newfoundland's other indigenous peoples resided elsewhere on the island, with the Mi'kmaq primarily on the island's southern and western coasts and the Inuit on the Great Northern Peninsula. Guy launched this expedition to fulfill both the instructions issued in 1610 and the Company's promise to its investors that it would develop an economically diversified venture. The Company expected Trinity Bay to hold iron and lead deposits, especially valuable since no mineral deposits had been found near Cuper's Cove; and medicinal plants for treating scurvy, an ailment against which colonists depended on imported

⁴³ Henry Crout to Percival Willoughby, 1612, NU, Middleton, Mi X 1/15; Pearson to Willoughby, August 17 1612, NU, Middleton Mi X 1/11; Percival Willoughby to John Slany, 1612, NU, Middleton Mi X 1/19.

⁴⁴ Henry Crout to Percival Willoughby, August 27 1612, NU, Middleton Mi X 1/15.

⁴⁵ Herrmann, "The 'tragicall Historie,'" 48–49.

⁴⁶ Purchas, *Purchas his Pilgrimage*, 747.

⁴⁷ Guy, "Journal of a Voyage to Trinity Bay," 68–69.

foods and medicines. The expedition's most ambitious goal was to contact and trade with the Beothuk. For Guy and the Company, trade with the Beothuk presented an opportunity to secure a supply of pelts for markets in Europe and to promote their efforts to a larger European audience.⁴⁸

In contrast to Roanoke and Jamestown, Guy focused on trading with, rather than dominating, the neighbouring people. Both Roanoke's and Jamestown's colonists sought to establish what historians Jean Russo and J. Elliott Russo describe as tributary relationships with their neighbours.⁴⁹ Roanoke's planners, particularly Ralph Lane and Thomas Hariot, expected supplies provided by the Pamlico people to form a central part of the colony's survival and business plans, and used diplomacy, deceit and coercion to acquire those supplies.⁵⁰ Jamestown's planners similarly expected the Powhatan Confederacy to supply them with food, labour and trade goods, freeing English colonists to develop mines and other industries. This expectation contributed to violent conflicts between Jamestown and the Powhatan.⁵¹ Although Slany and Guy hoped to establish a trade relationship, they did not plan to depend on them for provisions or labour and had no stated social goal, such as converting indigenous peoples to Christianity. Instead, the Company's leadership hoped to acquire pelts, castoreum and other goods. This focus

⁴⁸ Guy, "Journal of a Voyage to Trinity Bay," 68–69; Parmenius, *The New Found Land of Stephen Parmenius*, 171; William Gilbert, "'Divers Places': The Beothuk Indians and John Guy's Voyage into Trinity Bay in 1612," *Newfoundland and Labrador Studies* 6, no. 2 (October 10, 1990): 147–149; J.K. Crellin, "'The Aire, in Newfoundland Is Wholesome, Good': The Medical Landscape in Newfoundland in the Early Seventeenth Century.," *Avalon Chronicles* 4 (1999): 9–11.

⁴⁹ Jean Russo and J. Elliott Russo, *Planting an Empire: The Early Chesapeake in British North America*, Regional Perspectives on Early America (Baltimore: Johns Hopkins University Press, 2012), 31–32.

⁵⁰ Eric Klingelhofer and Nicholas Lucchetti, "Elizabethan Activates at Roanoke," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, ed. Pope Peter and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 181–183; Kupperman, *Roanoke*, 66–87.

⁵¹ Horn, "The Conquest of Eden," 29–35.

on trade allowed the Company to frame Guy's exchange as part of its programme of developing multiple profitable enterprises.⁵²

While Guy's plan diverged from those of his English peers, it resembled that being enacted by the French at the time in New France, especially along the St. Lawrence-Great Lakes waterways. French explorers, traders and soldiers, such as Samuel de Champlain, worked to establish political and economic connections with peoples throughout the region by building trade relationships and supporting allies in military conflicts, actions that reflected both their own business interests as well as the needs of the French for allies in that region. There is no known link between the Newfoundland Company's plans and those being carried out in New France detailed in the sources. However, Champlain's actions in New France, specifically his efforts to build relationships throughout the region as a means of expanding and protecting French interests, were known in Europe by 1612, and as noted by Peter Pope, the Atlantic merchant and explorer community was a small one in which individuals followed each other's actions. The success experienced by French traders and explorers contrasted with the ongoing Anglo-Powhatan War in Virginia and may have influenced Guy's and the Company's decision to focus on developing peaceful trade relationships with the Beothuk.⁵³

On November 6, Guy experienced a breakthrough near Bull Arm, in the southwestern corner of Trinity Bay: Beothuk traders contacted the expedition. Displaying what archaeologist William Gilbert calls significantly more knowledge of trading with Europeans than Guy's company did with them, these traders approached the expedition waving a white wolf pelt to

⁵² Castoreum is extract from the beaver's castor sacs used to manufacture perfume and medicine: "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14; Ingeborg Marshall, *A History and Ethnography of the Beothuk* (Montreal: McGill-Queen's University Press, 1996), 28-32.

⁵³ "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14; Guy, "Journal of a Voyage to Trinity Bay," 73-76; Horn, "The Conquest of Eden," 42-48; Pope, *Fish into Wine*, 79-81; David Hackett Fischer, *Champlain's Dream* (Toronto: Vintage Canada, 2009), 281-290.

signal their peaceful intentions. Following negotiations between the two parties, the Beothuk traded pelts and shell necklaces for knives and beads from Guy, shared food and drink, and arranged to meet and trade the next year. Guy took no priest and mentioned no bible in his account of the encounter, indicating his desire to establish a strictly economic relationship, an action consistent with the Company's focus on developing profitable trade.⁵⁴

This meeting became the Newfoundland Company's most publicized action. Guy's exchange with the Beothuk increased European interest in Newfoundland, particularly among proponents of American colonization, as indicated by two depictions of this encounter by colonial promoters in Europe. Purchas included an account of Guy's encounter in *Purchas his Pilgrimage*, published in 1613. Purchas's description repeated much of the information in Guy's journal. Purchas differed from Guy by contextualizing Newfoundland with reports from eastern North America by comparing the Beothuk's bark canoes with the explorer Jacques Cartier's account of the canoes he saw in Canada, both of which shared common building materials and shapes, according to Purchas.⁵⁵

Matthäus Merian, an engraver from Frankfurt who inherited the publishing business of Johann de Bry, son of the renowned traveler and engraver Theodor de Bry, included two engravings of Newfoundland in his 1628 *Dreyzehender Theil Americae*. The first engraving depicts Guy's exchange with the Beothuk while the second depicts scenes from the promotional writer Richard Whitbourne's 1620 book *Discourse and Discovery of the New-Found-Land*.⁵⁶

Historian Shane O'Dea states that Purchas served as the source for Merian's woodcut, but

⁵⁴ Guy, "Journal of a Voyage to Trinity Bay," 73–76; Gilbert, "Divers Places," 159; Williams, Handcock, and Sanger, *John Guy of Bristol and Newfoundland*, 241–242; David Sacks, "The True Temper of Empire: Dominion, Friendship and Exchange in the English Atlantic, C. 1575–1625," *Renaissance Studies* 26, no. 4 (September, 2012): 542–544.

⁵⁵ Purchas, *Purchas his Pilgrimage*, 748; Guy, "Journal of a Voyage to Trinity Bay," 73–76; Henry Crout to Percival Willoughby, 1613, NU, Middleton Mi X 1/66.

⁵⁶ Matthäus Merian and Theodor de Bry, *Dreyzehender Theil Americae* (Frankfurt: Gedruht bey Caspar Rotel, in Verlegung Matthei Merian, 1628), 7.

Merian includes details from Guy's journal that are not in Purchas's account. Details of the meeting, such as the waving of the white wolf pelt and the exchange of knives for shell necklaces, match Guy's journal but are not included in Purchas's text. These differences indicate that Merian may have had access to Guy's journal rather than just Purchas's book.⁵⁷

Figure 2 John Guy's Exchange with the Beothuk



Source: Matthäus Merian and Theodore de Bry, *Dreyzehender Theil Americae* (Frankfurt: Gedrucht bey Caspar Rotel, 1628), 7 Memorial University of Newfoundland, Digital Archive Initiative (Accessed December 5, 2015, http://collections.mun.ca/cdm/singleitem/collection/cns_images/id/35/rec/5).

⁵⁷ Guy, "Journal of a Voyage to Trinity Bay," 73-76; Purchas, *Purchas his Pilgrimage*, 747; Merian and de Bry, *Dreyzehender*, 7; Shane O'Dea, "Strangers and Livyers: Perspectives on Newfoundland Seen through Prints and Engravings from the Seventeenth, Eighteenth and Nineteenth Centuries," *Newfoundland and Labrador Studies* 1, No. 1 (1985): 2.

The public awareness implied by Purchas's use of Guy's journal and Merian's engraving was not accidental. Slany and Guy promoted this exchange to demonstrate the success of their venture, and its descriptions of the Beothuk enjoyed a wide appeal in Europe.⁵⁸ Guy's journal offered new material for a European audience fascinated by the peoples of America. Unlike Virginia and other colonial ventures, the Company did not try to take any of the Beothuk captive to send to England. Instead of bringing captives to England to display, Guy's reports offered a glimpse into a potentially profitable and peaceful relationship with the Beothuk. This emphasis on trade reflected the Company's pragmatic approach to Newfoundland. Imprisoned Beothuk might have brought the Company attention in England, but a stable trading relationship was more profitable.⁵⁹

While Guy's journal is the most detailed account of the trade with the Beothuk, it was not the only account of the expedition. Both Crout and Pearson participated in the voyage and sent reports to Willoughby. Unlike Guy's journal, Crout's and Pearson's letters remained private, with Willoughby using them to inform his actions. The differences between Guy's, Crout's and Pearson's accounts offer insight into the encounter with the Beothuk and the dissonance between the Company's public portrayal of Newfoundland and the concerns of individual investors.⁶⁰

⁵⁸ "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-1; John Guy and John Poyntz, "Advice on Planting in Newfoundland, Given to Sir Henry Salusbury," in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630*, ed. Gillian Cell (London: The Hakluyt Society, 1982), 246-49; Williams, Handcock, and Sanger, *John Guy of Bristol and Newfoundland*, 239-240.

⁵⁹ Gilbert "Divers Places," 158-160; Martin Quitt, "Trade and Acculturation at Jamestown, 1607-1609: The Limits of Understanding," *The William and Mary Quarterly* 52, no. 2 (April, 1995): 228-230; Alden Vaughan, "Powhatans Abroad: Virginia Indians in England," in *Envisioning an English Empire: Jamestown and the Making of the North Atlantic World*, ed. Robert Appelbaum and John Sweet (Philadelphia: University of Pennsylvania Press, 2005), 49-52; Alden Vaughan, *Transatlantic Encounters: American Indians and Britain, 1500-1776*, (New York: Cambridge University Press, 2006), 42-43; Michael Harkin, "Performing Paradox: Narrativity and the Lost Colony of Roanoke," in *Myth and Memory, Stories of Indigenous-European Contact*, ed. John Lutz, (Vancouver: UBC Press, 2007), 107-110.

⁶⁰ Henry Crout to Sir Percival Willoughby, April 10 1613, NU, Middleton Mi X 1/23; Bartholomew Pearson, to Percival Willoughby, April 11, 1613, NU, Middleton Mi X 1/21; Williams, Handcock, and Sanger, *John Guy of Bristol and Newfoundland*, 99.

Guy was keen to portray the expedition as a major success, but it caused Crout and Pearson to doubt his leadership and raised concerns about the dangers of navigating in Newfoundland. Guy's journal discusses some hazards when travelling in Newfoundland, such as foul weather, but presents them as risks of exploration rather than indicating that the island's coast was dangerous to navigate. Crout and Pearson both emphasized Newfoundland's navigational hazards, particularly its frequent storms and rocky shores, points that Guy downplayed. An incident during the expedition's return to Cuper's Cove illustrates this difference. Guy's entry for November 14 reports that a storm caused him to lose contact with one of the expedition's boats. Outside of the fact that he lost the boat, Guy provides no details about the incident or what happened to its crew.⁶¹ Crout's report reveals that the boat was not just out of contact, but that it was "drived ashore against the rocks," putting its crew in danger.⁶² Pearson, one of the lost boat's crew, provides the most detailed account of this incident. According to Pearson, the boat took on water during a storm and hit a rock, causing it to sink. All of the crew survived, but lost their clothing while swimming to shore. Following the wreck, Guy refused to aid Pearson or the boat's crew, forcing them to hike overland, naked and freezing, back to Cuper's Cove.⁶³

The intended audiences of these documents explain the differences among those accounts. Guy wrote to attract and retain investors by advertising the potential for profitable trade with the Beothuk. Crout, employed to oversee Willoughby's interests, focused on opportunities and issues associated with his employer's investment. In Crout's letter regarding the encounter with the Beothuk, this interest is seen in his focus on launching a second trade

⁶¹ Henry Crout to Sir Percival Willoughby, April 10, 1613, NU, Middleton Mi X 1/23; Guy, "Journal of a Voyage to Trinity Bay," 77-78; Pearson to Willoughby, April 11, 1613, NU, Middleton, Mi X 1/21.

⁶² Crout, "to Sir Percival Willoughby," April 10, 1613, NU, Middleton Mi X 1/23.

⁶³ Pearson to Willoughby, April 11, 1613, NU, Middleton, Mi X 1/21.

expedition and his concern that the Company was losing too much money from piracy and poor weather. Pearson's interest in the island was similar to Crout's, although he was on the expedition to assess the island's agricultural capacity. As a result, Pearson focused on the wildlife encountered during the voyage, which he saw as a plentiful source of food, and raised concerns that the soil at both Trinity Bay and Conception Bay was unsuitable for agriculture.⁶⁴

These differences illustrate not only the goals of their writers, but also the networks of individuals they engaged in. Guy, as governor, needed to maintain a positive outlook or else risk endangering both his own position and the Company's ability to attract and retain investors. Crout and Pearson provided their employer, Willoughby, with direct reports to inform his actions, a role in which an honest assessment of the situation was more valuable than a positive outlook.⁶⁵ A similar dynamic emerged in Jamestown during this period. Colonists in Jamestown sent letters to their families and associates in England detailing hardships they encountered, such as starvation, that were not included in the promotional works by the Virginia Company's planners and major investors.⁶⁶

Trading with the Beothuk was an achievement the Newfoundland Company would not repeat. Crout attempted to contact them in the spring of 1613 but failed, and the Company missed its planned meeting in the fall of that year. In 1616, Mason, who succeeded Guy as governor of Cuper's Cove, searched for the Beothuk, but he too failed. Ethnographer Ingeborg Marshall, in *A History and Ethnography of the Beothuk*, speculates that this difficulty resulted from competition between the Beothuk and fishing ships. During the seventeenth century, the

⁶⁴ Crout to Percival Willoughby, April 10, NU, Middleton, Mi X 1/23; Pearson to Willoughby, April 11, 1613, NU, Middleton, Mi X 1/21.

⁶⁵ Crout to Percival Willoughby, April 10, NU, Middleton, Mi X 1/23; Pearson to Willoughby, April 11, 1613, NU, Middleton, Mi X 1/21; Williams, *John Guy*, 96-97, 99.

⁶⁶ Emily Rose, "The Politics of Pathos, Richard Frethorne's Letters Home," in *Envisioning an English Empire: Jamestown and the Making of the North Atlantic World*, ed. Robert Appelbaum and John Sweet (Philadelphia: University of Pennsylvania Press, 2005), 105-108.

Beothuk, who spent the summer months along Newfoundland's coasts, increasingly competed with fishing ships for shore access, causing them to move away from Trinity Bay to areas with less European traffic. A report written by David Kirke in 1639 supports Marshall. Kirke states that after Guy left Bull Arm, a fishing ship passed by the same group of Beothuk and fired at them. According to the report, after this incident the Beothuk avoided Europeans except to harass and steal from fishing ships and plantations.⁶⁷

Although the Company was unable to establish a regular trade with the Beothuk, the exchange brought attention to the Company and Newfoundland. However, Guy's account was not the only information coming from Newfoundland about this event, and Crout and Pearson presented a very different idea of Newfoundland and the Company. Rather than reporting a land of opportunity, Crout and Pearson expressed doubts about both Newfoundland's agricultural capacity and Guy's leadership. The Company planned for more trade with the Beothuk, but by the winter of 1612-1613, it was becoming apparent to investors that the Newfoundland Company would be unable to achieve its early promises of steady profits based on agriculture and mining.⁶⁸

Disillusionment and Disruption, 1613 to 1621

The winter of 1612-1613 marked the beginning of the Newfoundland Company's decline. Unlike the previous two winters, the winter of 1612-1613 was long, cold and harsh. Twenty-two of the sixty-two inhabitants in Cuper's Cove fell ill, and eight perished from scurvy, hypothermia and other ailments. Additionally, Crout reported that most of the livestock died during the winter because of the cold weather and lack of feed. Guy's relationship with the Company also began to

⁶⁷ Henry Crout to Percival Willoughby, May 15, 1613, NU, Middleton, Mi X 1/24; David Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115; Peter Pope, "Scavengers and Caretakers: Beothuk/European Settlement Dynamics in Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 9, no. 2 (October, 1993): 279-281; Marshall, *A History and Ethnography of the Beothuk*, 32-39.

⁶⁸ Crout to Sir Percival Willoughby, April 10, 1613, NU, Middleton Mi X 1/23; Guy, "Journal of a Voyage to Trinity Bay," 77-78; Pearson to Percival Willoughby, April 11, 1613, NU, Middleton, Mi X 1/21.

deteriorate in 1613, with Guy complaining that the Company would not pay him his wages, while Slany accused Guy of supporting pirates and sending misleading information about the success of crops.⁶⁹ Beginning in 1613, the Company's unprofitability, as well as disputes with its shareholders and migratory fishing merchants, led to a decline in the number of investors. This decrease did not motivate the Company to change its approach. As late as 1621, when Mason left Newfoundland, Cuper's Cove remained focused on developing land-based industries. The Company continued to exist until 1631, but it did not recover from the decline that began in 1613.⁷⁰

Starting in 1613, Willoughby took a much more active role in the Newfoundland Company. Clashes with Slany, and the failure of the Company to live up to its early promises, motivated Willoughby to seek a greater say in the Company's operation and start a plantation of his own. Investors appear to have become widely dissatisfied with the Company in 1613, presenting opportunities for Willoughby to buy shares from disillusioned shareholders and act as a confidant to those who felt cheated by Slany. In this role, he received letters from Guy regarding unpaid wages and helped Bacon to negotiate the sale of his shares back to the Company in 1616.⁷¹

While others were selling their shares in the Newfoundland Company, Willoughby bought more, but he deliberately attempted to avoid attracting Slany's attention while doing so. In 1616, Mrs. Browne of Hereford was looking to sell her shares in the Newfoundland Company. Willoughby, leading Browne along by stating that he was also disappointed with the Company,

⁶⁹ John Guy to Henry Crout, December 27, 1614, NU, Middleton, Mi X 1/28; Percival Willoughby to John Guy, March 14, 1615, NU, Middleton, Mi X 1/29.

⁷⁰ Henry Crout to Percival Willoughby, April 10, 1613 NU, Middleton, Mi X 1/23; John Mason, "A Briefe Discourse on New-Found-Land," 1620, in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630*, edited by Gillian Cell, (London: Hakluyt Society, 1982), 93–99; Cell, *English Enterprise*, 71–76.

⁷¹ Percival Willoughby to John Guy, March 14, 1615, NU, Middleton, Mi X 1/29; Percival Willoughby to John Slany, 1616, NU, Middleton Mi X 1/43; John Slany to Percival Willoughby, February 10, 1616, NU, Middleton Mi X 1/44.

encouraged her to sell her shares to Edward Willoughby, one of his sons, and then to reinvest by purchasing land in St. John's in partnership with Edward. Browne sold half a share to Edward Willoughby for £35, a sum that Cell notes was very high given that Percival Willoughby had told Browne that he had failed to sell his shares at £10 each. There are few known sources regarding Edward Willoughby's interest in Newfoundland, but given his father's involvement, it is likely that this arrangement was meant to obscure the purchase from Slany. Percival Willoughby's attempted deception was apparently necessary, as Slany had blocked Edward from purchasing land in St. John's directly.⁷²

Slany, seeking new ways to make money from Newfoundland, had already sold or granted land around St. John's harbor to individuals trying to establish their own plantations. St. John's did not come under the control of any single English governor during the seventeenth century, and instead was occupied from the 1610's on by English planters. Little is known about the St. John's planters of this period, although they succeeded in establishing a long-lasting presence on the island. In a 1679 petition, Thomas Oxford, a St. John's-based fishing merchant, stated that his family and several others had lived there for seventy years, suggesting that they were descendants of the planters who purchased land from Slany.⁷³

St. John's was not the only site the Newfoundland Company sold. At Bristol's Hope, now named Harbour Grace, Robert Hayman, an English merchant and poet, established a plantation on behalf of a group of merchants from Bristol on land purchased from the Company. Unlike Cuper's Cove, Bristol's Hope appears to have focused exclusively on the fishery. Hayman

⁷² Percival Willoughby to Mrs. Browne of Hereford, September 1616, NU, Middleton Mi X 1/40; John Slany to Percival Willoughby, February 10, 1616, NU, Middleton Mi X 1/44; John Brown to Lady Bridgett Willoughby, June 11 1617, NU, Middleton Mi X 1/46; Cell, *English Enterprise in Newfoundland*, 73.

⁷³ Percival Willoughby, to John Slany, 1616, NU, Middleton Mi X 1/43; Thomas Oxford, "Petition to the King's Privy Council," April 2, 1679, TNA, CO 1/43, 41; Cell, *English Enterprise*, 77-79; Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 53-55.

reported that Bristol's Hope was profitable, but following his departure from the island in the early 1620's there is no known information about whether the plantation continued to operate.⁷⁴ William Vaughan, a Welsh lawyer and writer, purchased land on the southern Avalon Peninsula from the Newfoundland Company in 1616 and established a plantation at Renews in 1617. Although Vaughan's plantation failed in 1619 because of poor organization and harsh weather, he continued to promote Newfoundland with the publication of *The Golden Fleece* in 1626 and *The Newlander's Cure* in 1630. Land sales offset some of the Company's costs, but selling land represented a temporary source of income that limited any future expansion.⁷⁵

With Willoughby's plans for St. John's stymied by Slany, he attempted to develop plantations at Trinity Bay and Bell Island.⁷⁶ Bell Island appealed to Willoughby since it purportedly had good soil, fields for livestock and iron ore deposits. However, Willoughby's request for Bell Island led to further clashes with Slany, who blocked him by claiming that a plantation there would compete with the Company because of its proximity to Cuper's Cove.⁷⁷ Willoughby did succeed in acquiring a parcel of land extending fifty-six kilometers north of what is now Carbonear and Heart's Content. Thomas Willoughby and Crout attempted to develop a plantation there, but by 1616 they had concluded that neither mining nor agriculture could

⁷⁴ On the current map of Newfoundland there is a town named Bristol's Hope, in the seventeenth century that location was named Mosquito. Hayman wished to rename Newfoundland New Britaniola, a proposition that never gained traction: Robert Hayman, *Quodlibets Lately Come Over from New Britaniola, Old Newfoundland* (London: Elizabeth All-de, 1628), ff. A2; Pope, *Fish into Wine*, 50–52; Cell, *English Enterprise in Newfoundland*, 61.

⁷⁵ William Vaughan, *The Golden Fleece Divided into Three Partsm under Which Are Discovered the Errours of Religion, the Vices and Decayes of the Kingdome, and Lastly the Ways to Get Wealth, and to Restore Trading so Much Complained of* (London: Printed for Francis William, 1626), William Vaughan, *The Newlander's Cure : Aswell of Those Violent Sickneses Which Distemper Most Minds in These Latter Dayes*. (London: Imprinted by N.O. for F. Constable, 1630); Anne Prescott, "Relocating Terra Firma: William Vaughn's Newfoundland," in *Decentring the Renaissance: Canada and Europe in Multidisciplinary Perspective, 1500-1700*, ed. Germaine Warkentin and Carolyn Podruchny (Toronto: University of Toronto Press, 2001), 125–127.

⁷⁶ Crout to Willoughby, May 15, 1613, NU, Middleton Mi X 1/24; Henry Crout to Percival Willoughby, 1613, NU, Middleton Mi X 1/25.

⁷⁷ Bell Island does have iron ore deposits, but no mines were established there until the 1890's: John Slany to Percival Willoughby, December 6 1613, NU, Middleton Mi X 1/27; Cell *English Enterprise*, 66–67.

succeed in the area.⁷⁸ In 1616, Thomas Willoughby wrote to his father that “if ever you look for money again in this country, you must send fishermen, or else there will be no good done.”⁷⁹

The Newfoundland Company also attracted criticism from migratory fishing merchants. In 1618, merchants from Dorset, Devon and Hampshire petitioned the Privy Council that the Newfoundland Company restricted access to fishing grounds, stopped migratory fishers from hunting birds, charged ships taxes and provided shelter to pirates.⁸⁰ The Company’s charter forbade it from taxing or obstructing the migratory fishery, and the Company denied that it interfered with fishing ships in any way.⁸¹ This rebuttal did not placate the petitioners who, in reply, insisted that the Company was too inexperienced in the fishery and knew too little about Newfoundland to warrant any say in the fishery’s conduct. The Privy Council decided in favour of the merchants and ordered the Company to adhere to its 1610 charter. The Company did win a ruling in 1619 for Mason to be appointed to suppress pirates in Newfoundland, asserting the Company’s role as the island’s protector.⁸²

Although Daniel Prowse interprets the merchants’ complaints as the start of a long-standing conflict between West Country merchants and Newfoundland’s English inhabitants, his argument is not supported by the evidence.⁸³ Rather than targeting Newfoundland’s English residents, the merchants’ 1618 petition sought security from an organized body based in England

⁷⁸ Thomas Rowley to Percival Willoughby, January 18 1619, NU, Middleton Mi X 1/48.

⁷⁹ Thomas Willoughby to Percival Willoughby, August 3 1616, NU, Middleton Mi X 1/36; Percival Willoughby, to John Slany, 1616, NU, Middleton Mi X 1/43.

⁸⁰ “Earl of Bath sends a Petition of the Merchants of Devon, Against Wrongs Committed during the Fishery,” 1618, TNA, State Papers, Domestic, James I, 14/103, 44.

⁸¹ “Answer of the Company of the Plantation of Newfoundland,” *Calendar of State Papers, Colonial, America and West Indies*, W. Noel Sainsbury, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1860), 20-21.

⁸² “Reply of the Petitioners to the answer of the Governors of Newfoundland Planation,” *Calendar of State Papers Colonial, America and West Indies*, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1860), 20-21; “Commission by Buckingham to Treasurer of Newfoundland Colony to take up ships, mariners and victuals to suppress pirates,” May 29, 1619, TNA, CO 1/1, 178-180; Cell, *English Enterprise*, 74; Ken MacMillan, *The Atlantic Imperial Constitution: Center and Periphery in the English Atlantic World* (New York: Palgrave Macmillan, 2011), 124–26..

⁸³ Daniel Prowse, *A History of Newfoundland* (London: Macmillan and Co., 1895), 99–102; Harold Innis, *The Cod Fisheries: The History of an International Economy* (Toronto: University of Toronto Press, 1954), 54–64.

that they perceived as a threat to their livelihood, an approach that historian Ken MacMillan notes was common in other regions of America. During the early seventeenth century, merchants, colonists and others who had businesses and trade in America often disputed the rights of companies or colonies because the expansive powers often given in their charters hurt pre-existing trades.⁸⁴ Additionally, the merchants directed their complaints at the Newfoundland Company and did not include any other plantations, such as Bristol's Hope or Vaughan's Renew, in their petitions. The complaints against the Company were not isolated cases. English joint-stock companies attracted suspicion from both planters and merchants during this period because of fears that these enterprises pushed out smaller competitors. In the case of Newfoundland, this suspicion is seen in a 1628 manuscript by Hayman titled *A Proposition for Profit and Honour*. Hayman argued that joint-stock companies, particularly the Newfoundland Company, were ineffective because investors were interested only in returns on their investments, not in increasing knowledge about Newfoundland or creating broader political and economic benefits for England.⁸⁵

John Mason worked to address accusations that the Company knew little about Newfoundland by focusing on exploring the island during his tenure as governor from 1615 to 1621. While little information survives about Mason's time in Newfoundland, Rowley dismissed Mason's work and complained that he neglected Cuper's Cove and spent too much time exploring the island.⁸⁶ Mason wrote about the result of his explorations in *A Brief Discourse on the New-Found-Land* (1620), which he distributed in Scotland to individuals interested in

⁸⁴ Ken MacMillan, *Sovereignty and Possession in the English New World: The Legal Foundations of Empire, 1576-1640* (Cambridge: Cambridge University Press, 2006), 97–118.

⁸⁵ Robert Hayman, "A Proposition of Profit and Honour," 1628, BL, Egerton 2541, 162-169v; David Galloway, "Robert Hayman (1575-1629): Some Materials for the Life of a Colonial Governor and First 'Canadian' Author," *The William and Mary Quarterly* 24, no. 1 (January, 1967): 75–87; Philip Stern, "Companies, Monopolies, Sovereignty, and the East Indies," in *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire*, ed. Philip Stern and Carl Wennerlind (New York: Oxford University Press, 2014), 186–188.

⁸⁶ Rowley to Percival Willoughby, April 6, 1616, NU, Middleton Mi X 1/38.

launching colonization projects, such as William Alexander, a poet and courtier involved in the colonization of Port Royal, Nova Scotia and Long Island, New York. Rather than promoting the Newfoundland Company to potential investors, Mason's *Brief Discourse* encouraged others to start their own colonies, with only one reference to the Newfoundland Company. Neither Slany nor Willoughby contributed to Mason's publication, nor are there any references to his *Brief Discourse* in Willoughby's letters.⁸⁷

In his *Brief Discourse*, Mason assessed Newfoundland's natural environment based on his own observations, and used that information to describe the island's potential economic value if colonized. The text includes inventories of plants, animals and fish found in and around the island, and describes the industries Mason believed worth developing. Like Slany, Mason saw potential for agriculture and mining, but he did not present a plan for developing either industry. Mason also insisted that Newfoundland had a temperate climate, with the land being warmer than England in summer because of its southerly position but colder in winter because of cold air and water currents from the north.⁸⁸

Mason does provide some insight into the Company's operations during his tenure as governor. Near the end of the text, he states:

Likewise of the managinge of our businesse in our plantations with the descriptions of their situation in 2 places 16 miles distant from other, on the northside the bay of conception; of the manner charge and benefite of our fishings with the several strange formes, and nature of Fishes, projects for making Yron, Salt, Pitch, Tarre, Tirpentine, Frank-Incense, Furrer, Hope of trade with saluages and such like, with many accidents and occurrences in the time of my government thee, but there may suffice as *Verbum sapienti*.⁸⁹

⁸⁷ Mason, "A Briefe Discourse on New-Found-Land," 90–99; Gillian Cell, "Mason, John," *Dictionary of Canadian Biography, Volume I (1000-1700)*, accessed December 3, 2014, http://www.biographi.ca/en/bio/mason_john_1E.html; John Newell, "Richard Newall's Voyage to Newfoundland in 1623: New Insights into Sir William Alexander's Attempts to Establish a Scottish Colony in Nova Scotia," *International Journal of Maritime History* 28, no. 1 (February, 2016): 103–4.

⁸⁸ Mason, "A Briefe Discourse on New-Found-Land," 92–93; White, "Unpuzzling American Climate," 557–558.

⁸⁹ Mason, "A Briefe Discourse on New-Found-Land," 99.

This passage is Mason's only reference to Cuper's Cove or the Newfoundland Company, and the only mention of a second site used by the Company in 1620, although this could refer to Willoughby's attempt at establishing a plantation. Like Guy, Mason focused on developing land-based industries at Cuper's Cove. Cod supplied a reliable trade good, but the potential for land-based industries was at the centre of Mason's depiction of the island.⁹⁰

Despite his apparent enthusiasm for Newfoundland, Mason left the Company in 1621 for New England, where he undertook a series of ventures in cooperation with Ferdinando Gorges, who directed the establishment of the Province of Maine.⁹¹ Following Mason's departure, the Company's efforts to expand Cuper's Cove stopped. The Company did not have a dramatic end. Instead, it experienced a long decline as failures to find minerals, grow crops and trade with the Beothuk added to the financial burdens on investors to supply provisions. While Willoughby and Slany continued to promote the plantation throughout the 1620's, there is no indication that they attracted any new investors.⁹²

The Newfoundland Company's problems were apparent to investors as early as 1612, but it still existed as late as 1631. In 1631, Percival Willoughby sent provisions to Cuper's Cove, although whether there were any other investors at that point is unknown. There are no more references to Cuper's Cove or the Newfoundland Company in Willoughby's letters after 1631. Slany, who continued to try to attract investors to the Company into the late-1620's, disappears

⁹⁰ Cell, *English Enterprise*, 75–76; Mason, "A Briefe Discourse on New-Found-Land," 93–99.

⁹¹ Nicholas Guy to Percival Willoughby, September 1, 1631, NU, Middleton Mi X 1/57; David Armitage, "Making the Empire English: Scotland in the Atlantic World 1542-1707," *Past & Present* 155 (May, 1997), 46-47; Cell, *English Enterprise*, 77–78.

⁹² Thomas Rowley to Percival Willoughby, 1620, NU, Middleton, Mi X, 1/60; Thomas Rowley, "an inventory of such provisions as are requested," 1620, NU, Middleton Mi X 1/61; Cell, *English Enterprise*, 77–78.

from Willoughby's correspondence in 1628 and died in 1632. Following 1631, Cuper's Cove operated without the backing of the Newfoundland Company.⁹³

The Newfoundland Company, while successful at establishing a lasting plantation, failed as a business venture. Reflecting George Soros's concept of reflexivity, fallibility and human uncertainty, the assumptions about Newfoundland's natural environment and economic value the Newfoundland Company based its plans upon were flawed by inaccurate information that led to unachievable expectations. Newfoundland could not match Slany's promises, but the cod fishery could support an English population, albeit one that did not produce the profits expected by its original backers. If backers measured success as the ability to create a continuing English presence in America, exploring and contacting new people, the Company succeeded, but these were not their goals. The Company did not present Newfoundland as a place that would create benefits for England as a whole in its communications. Instead, Slany, Guy and Willoughby focused on Cuper's Cove as a business venture meant to profit its investors, and without profits, the Company could not survive.⁹⁴

Expectations that Newfoundland could host a profitable venture based on farming, mining, fishing and trade did not lack supporters, and Newfoundland was not an unknown land to England. Parkhurst, Hayes and Parmenius all supported the idea that Newfoundland could host such a colony. Despite this prior knowledge, Newfoundland was still not the land Slany promoted or investors expected. Harsh weather and poor soil made Cuper's Cove more expensive to colonize than anticipated while piracy, a lack of minerals and the failed trade with the Beothuk deprived it of the riches the Company promised its investors. These setbacks and

⁹³ Nicholas Guy to Percival Willoughby, September 1 1631, NU, Middleton Mi X 1/57; Hayman, *Quodlibets*, 33–34; Cell, *English Enterprise*, 76–80; Gilbert, ““Dwelling There Still,”” 220–221.

⁹⁴ Fitzmaurice, *Humanism and America*, 1–7; George Soros, “Fallibility, Reflexivity, and the Human Uncertainty Principle,” *Journal of Economic Methodology* 20, no. 4 (2013): 309–10.

Slany's insistence on developing land-based natural resources prevented Cuper's Cove from focusing on the fishery, its best chance of success, as measured in terms of the Company's goal of becoming profitable.⁹⁵

The Newfoundland Company's failure did not mark the end of the concept of Newfoundland as a land with rich agricultural and mineral resources. Beginning in 1620, a new series of writers and investors used these ideas to promote and organize their ventures. However, unlike the Newfoundland Company, these promoters and colonists used literature to attract investors and portray colonizing Newfoundland as a venture meant to benefit the whole of England, rather than simply profit investors. These writers, while learning some lessons from the Newfoundland Company's experience in Newfoundland, still adhered to the same idea of the island's natural environment used to plan and promote Cuper's Cove.⁹⁶

⁹⁵ Parkhurst, "Commodities to Growe by Frequenting of Trafficq to New Fond Land," 1578, BL, Lansdowne MS 100, 95-97; Hayes, "A Report of the Voyage"; Parmenius, *The New Found Land of Stephen Parmenius*, 168-171; Fuller, *Remembering the Early Modern Voyage*, 131-138; Cell, *English Enterprise*, 75.

⁹⁶ Cell, *English Enterprise*, 81-83; Prescott, "Relocating Terra Firma," 125-127; Pope, *Fish into Wine*, 47-55.

Chapter 2

Promoting Newfoundland: Literature and Colonization Efforts, 1616 to 1630

The Island of Newfoundland is large, temperate and fruitful, the fruitfulness of it consisting not only in things of sustenance for those that shall inhabit it, but in many sorts of commodities likewise, of good use and value to be transported. Richard Whitbourne, *Discourse and Discovery of the Newfoundland* (1620).¹

I am determined to commit this place to fishermen that are able to encounter storms and hard weather.
George Calvert to King Charles I (1629).²

Beginning in 1616, a series of investors and writers attempted to colonize Newfoundland using a set of assumptions about the island's natural environment resembling those promoted by the Newfoundland Company. Rather than learning from the difficulties that the Newfoundland Company encountered in growing crops and finding minerals, these writers and investors blamed the Company's struggles on its business practices, not its plans for developing Cuper's Cove. Unlike the Newfoundland Company, the writers promoting these ventures claimed that colonizing Newfoundland would create social, political and economic benefits for England beyond what the migratory fishery created, and that investors had to manage their operations personally, rather than delegating their authority using corporations.

Three writers gained prominence during this period: William Vaughan, Richard Whitbourne and Robert Hayman, all of whom used similar depictions of Newfoundland's natural resources and climate in their texts.³ However, every venture associated with the plans of these three writers failed, culminating with George Calvert, the first Lord Baltimore, leaving his Ferryland plantation in 1629. This chapter argues that colonies and promotional literature created

¹ Richard Whitbourne, *A Discourse and Discovery of Newfoundland : With Many Reasons to Prove How Worthy and Beneficial a Plantation May There Be Made* (London: by Felix Kyngston, for William Barret, 1620), ff. B1.

² George Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76.

³ William Vaughan, *The Golden Fleece Divided into Three Partsm under Which Are Discovered the Errours of Religion, the Vices and Decayes of the Kingdome, and Lastly the Ways to Get Wealth, and to Restore Trading so Much Complained of* (London: Printed for Francis William, 1626), William Vaughan, *The Newlander's Cure : Aswell of Those Violent Sickneses Which Distemper Most Minds in These Latter Dayes* (London: Imprinted by N.O. for F. Constable, 1630); Whitbourne, *A Discourse and Discovery of Newfoundland*; Robert Hayman, *Quodlibets Lately Come Over from New Britaniola, Old Newfoundland* (London: Elizabeth All-de, 1628).

from 1616 to 1630 were the most extensive expression and test of the idea that Newfoundland could support an economically diverse colony. Calvert's departure from Newfoundland invalidated these perceptions, and English efforts in Newfoundland began to shift away from developing land-based industries to focus on the cod fishery.⁴

This chapter is divided into three sections to examine how promotional writings shaped colonization efforts, and how the depictions of Newfoundland's natural environment contributed to the failure of those colonies. These sections are organized by topic to investigate the strategies that Whitbourne, Vaughan and Hayman employed to persuade readers that their depictions of Newfoundland's natural environment and economic value were accurate, and the influence of their arguments on ventures launched during the 1620's. The first section examines how Whitbourne, Vaughan and Hayman used their personal experiences and education to gain the trust of their readership and persuade them to colonize Newfoundland. The second focuses on how these three writers depicted Newfoundland's natural environment and the similarities and differences in their portrayals of the island. The third section discusses how the colonies established by George Calvert, the First Lord Baltimore, and Henry Cary, the Viscount Falkland, in 1621 and 1623 respectively, employed the ideas presented by Whitbourne, Vaughan and Hayman and how these writers later described these colonies.⁵

Vaughan, Whitbourne and Hayman were not the only people writing about Newfoundland during this period, but their publications gained the widest audience and had the most significant impact on colonization efforts. John Mason published *A Brief Discourse on New-found-land* in 1620, but he distributed it to only a few peers, and he left Newfoundland in

⁴ George Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76; Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 81-85, 91-96.

⁵ Cell, *English Enterprise in Newfoundland*, 81-96.

1621.⁶ Edward Wynne, the governor of Calvert's Ferryland plantation, and T.C., whose full name is unknown but was likely Thomas Cary, the cousin of Henry Cary, also wrote tracts promoting Newfoundland.⁷ T.C.'s, *A Short Discourse of the New-Found-Land* (1623) and Wynne's *The British India* (1630) reiterated information from Whitbourne, Vaughan and Hayman's texts. Mason's, T.C.'s and Wynne's writings did not directly influence any ventures in Newfoundland, and so are not discussed at length in this chapter.⁸

The promotional works by Vaughan, Whitbourne and Hayman, and documents associated with the enterprises they influenced, make up the primary source base of this chapter, particularly Whitbourne's *Discourse and Discovery* (1620), Vaughan's *The Golden Fleece* (1626) and *The Newlander's Cure* (1630), and Hayman's *Quodlibets* (1628) and *A Proposition of Profit and Honour* (1628). Letters regarding these writers and the enterprises they influenced are in London at the National Archives and the British Library. An examination of these sources reveals that the idea of Newfoundland as a land with abundant natural resources was successful at attracting investors, but created unrealistic expectations that led to colonies being unprepared for Newfoundland's natural environment and failing to become profitable.⁹

Vaughan's, Whitbourne's and Hayman's promotional tracts offer insight into both the colonization of Newfoundland and the strategies used by writers to make their proposals appealing to readers. Reflecting these opportunities, studies of Vaughan, Whitbourne and Hayman have examined them as either figures whose interests and actions were limited to Newfoundland or as participants in a larger literary trend advocating the colonization of

⁶ John Mason, "A Briefe Discourse on New-Found-Land," 1620, in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630*, ed. Gillian Cell, Second Series 160 (London: Hakluyt Society, 1982), 90-99.

⁷ Cell, *English Enterprise in Newfoundland*, 89-91.

⁸ Edward Wynne, "The British India or A Compendious Discourse Tending to Advancement," 1630, MHA, Keith Matthews Collection, MHA-16-B-2-001; T.C., "A Short Discourse of the New-Found-Land," 1623, in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630*, ed. Gillian Cell, Second Series 160 (London: Hakluyt Society, 1982), 227-36.

⁹ Robert Hayman, "A Proposition for Profit and Honour," 1628, BL, Egerton MS 2541, 162-169v.

America. Gillian Cell's study of the relationship between promoters and the colonization of Newfoundland exemplifies the first approach. In *English Enterprise in Newfoundland*, Cell examined how promoters and investors enacted plans to move the English presence in Newfoundland inland by developing farms and mines, and away from focusing solely on the fishery.¹⁰ Andrew Fitzmaurice's *Humanism and America* follows the second by analyzing how promotional writings about Newfoundland advertised the island's social and political worth to England, rather than just its financial value, similar to the methods used by other English colonization efforts, such as Virginia. Both Cell and Fitzmaurice examine the methods Whitbourne, Hayman and Vaughan used to make their plans appealing to the English investors' desire to grow its social standing and wealth by establishing profitable colonies that created social and political benefits for England.¹¹

Anne Prescott synthesizes Fitzmaurice's and Cell's approaches by exploring how Vaughan's humanist education shaped his efforts to colonize and promote Newfoundland. In "Relocating Terra Firma: William Vaughan's Newfoundland," Prescott studies Vaughan's use of classical myths, especially the Greek epic *Argonautica* by Apollonius Rhodes, to promote Newfoundland and his efforts to colonize the island. Prescott's combination of Fitzmaurice's literary approach with Cell's focus on the ventures themselves opens an important avenue of study by considering the influence of the educations and motivations of promoters on colonization efforts.¹²

¹⁰ Cell, *English Enterprise*, 81–82.

¹¹ Andrew Fitzmaurice, *Humanism and America: An Intellectual History of English Colonisation, 1500-1625* (New York: Cambridge University Press, 2003), 92–97.

¹² Anne Prescott, "Relocating Terra Firma: William Vaughn's Newfoundland," in *Decentring the Renaissance: Canada and Europe in Multidisciplinary Perspective, 1500-1700*, ed. Germaine Warkentin and Carolyn Podruchny (Toronto: University of Toronto Press, 2001), 125–135.

This chapter examines how promoters used their experiences and education to present Newfoundland to their readership and these writers' impact on subsequent ventures. While influenced by Prescott, it differs by focusing on identifying commonalities between the methods and descriptions of Newfoundland used by promoters. Vaughan, Whitbourne and Hayman created an interrelated body of literature, one that shared many ideas and interpretations, with only minor changes in their arguments over time, but still made separate cases for Newfoundland's social, political and economic value to England.¹³

Building Trust and Conveying Knowledge

Historian Eric Ash, examining the role of expertise in Elizabethan England, argued that individuals seeking to represent investors or encourage them to join complex ventures, such as colonies, attempted to occupy the dual role of "knowledge broker and facilitator."¹⁴ An individual's expertise needed to be proven to potential employers before they could be trusted to provide advice and execute projects, a process that often required them to display either their knowledge of the subject in question or cite relevant experience. Without adequately depicting themselves as trustworthy sources, experts could not expect people to hire them, join their ventures or use their advice.¹⁵

Vaughan, Whitbourne and Hayman each confronted this issue by citing either their personal experiences or educations as giving them the knowledge needed to provide practical advice for colonizing Newfoundland. While all three writers relied on similar depictions of Newfoundland's climate and natural resources, their arguments differed from one another based on how they conveyed their knowledge about the island and established their trustworthiness.

¹³ Prescott, "Relocating Terra Firma," 135-135; Fitzmaurice, *Humanism and America*, 92-97; Cell, *English Enterprise*, 81-82.

¹⁴ Eric Ash, *Power, Knowledge, and Expertise in Elizabethan England* (Baltimore: Johns Hopkins University Press, 2004), 8-9.

¹⁵ *ibid.*

This self-referential method, to which historian Anthony Pagden referred as autoptic discourse, was vital for persuading readers that their accounts and plans were accurate and actionable. The personal histories of Vaughan, Whitbourne and Hayman reveal both their relationships to each other and how their individual backgrounds shaped the descriptions of Newfoundland which they used to persuade their readers.¹⁶

Of the promoters, Richard Whitbourne had the longest personal history in Newfoundland, and he used his experience there as the basis of his argument for colonizing the island. His experience, mostly from working in the migratory fishery, supplied him with a detailed knowledge of Newfoundland, information that he was determined to use to build a colony there that could protect the fishery while becoming a profitable venture. Throughout his works, Whitbourne used his experiences to depict himself as having a detailed knowledge of Newfoundland's natural environment, industries and history, and as someone whose prior service to the English crown evidenced his trustworthiness. Whitbourne stated that he visited Newfoundland regularly with the migratory fishery from 1579 onwards, witnessed Humphrey Gilbert claiming Newfoundland for England, commanded a squadron of ships against the Spanish Armada and was commissioned by the High Court of Admiralty to hold vice-admiralty courts in Newfoundland in 1615. This last assertion is unverifiable since there are no known records regarding the granting of such a commission for Newfoundland during the 1610's.¹⁷

Whitbourne began writing about Newfoundland following the failure of Vaughan's Renew colony in 1619. Vaughan, who was uninvolved in either fishing in or colonizing

¹⁶ Ash, *Power, Knowledge, and Expertise*, 8-11; Fitzmaurice, *Humanism and America*, 92-97; Cell, *English Enterprise*, 85-86; Anthony Pagden, *European Encounters with the New World: From Renaissance to Romanticism* (New Haven: Yale University Press, 1993), 51-60.

¹⁷ Whitbourne, *A Discourse and Discovery of Newfoundland*, B3-C3; Gillian Cell, "Whitbourne, Richard," *Dictionary of Canadian Biography, Volume I (1000-1700)* accessed March 13, 2015, http://www.biographi.ca/en/bio/whitbourne_richard_1E.html.

Newfoundland before Renewes, purchased land from the Newfoundland Company in 1616 and sent a group of Welsh workers there in 1617 to farm, fish and construct buildings. This initial wave of colonists failed, and Vaughan hired Whitbourne in 1618 to rehabilitate his plantation by overseeing construction and farming projects. Whitbourne was unsuccessful and left Vaughan's employ in 1619.¹⁸

Whitbourne published his first book, *A Discourse and Discovery*, in 1620. This work, which describes the history, natural resources and economic potential of Newfoundland, used personal anecdotes and inventories of biota to describe the island as a prime candidate for colonization. Whitbourne submitted this text to King James I and the Privy Council in hopes of receiving royal support for colonizing Newfoundland. Although Whitbourne did not get that support, the Privy Council approved his book for distribution throughout England through the Church and ordered parishes to take collections to pay for printing costs and to compensate Whitbourne.¹⁹ This distribution succeeded in raising awareness about Newfoundland, as evidenced by the priest Richard Eburne's reliance on Whitbourne's work to inform his 1624 book *A Plaine Pathway to Plantation*, which advocated the colonization of America as a whole, and an engraving of scenes from *A Discourse and Discovery* by Matthäus Merian in *Dreyzehender Theil Americae*. Whitbourne reprinted *A Discourse and Discovery* in 1622 and 1623 with additions, including a conclusion detailing an encounter with a mermaid in St. John's, which Merian included in his engraving.²⁰

¹⁸ Whitbourne, *Discourse and Discovery*, ff. C1-C2; Vaughan, *The Golden Fleece*, ff. B1-B2; Cell, *English Enterprise in Newfoundland*, 83-84; Prescott, "Relocating Terra Firma," 125-128.

¹⁹ Whitbourne, *Discourse and Discovery*, ff. A1-A2, B3-C.

²⁰ Matthäus Merian and Theodor de Bry, *Dreyzehender Theil Americae* (Frankfurt: Gedruht bey Caspar Rotel, in Verlegung Matthei Merian, 1628), 5; Richard Eburne, *A Plain Pathway to Plantations* (London: Printed by George Purslowe for John Marriot, 1624), 15-17; Whitbourne, *Discourse and Discovery*, ff. N.

Figure 3 Richard Whitbourne's Encounter with a Mermaid in St. John's



Source: Matthäus Merian and Theodore de Bry, *Dreyzehender Theil Americae*, (Frankfurt: Gedruckt bey Caspar Rotel, 1628), 5 Memorial University of Newfoundland, Digital Archive Initiative (Accessed December 5, 2015, http://collections.mun.ca/cdm/singleitem/collection/cns_images/id/0/rec/4).

Throughout his *Discourse*, Whitbourne used his personal experience and observations in Newfoundland to persuade readers that an economically diverse colony was possible there. This approach is seen in Whitbourne's discussion of Newfoundland's agricultural potential, which states:

but I need not confine myself to probabilities; seeing our men that have wintered there divers years, did for a trial and experiment thereof sow some small quantity of corn, which I saw growing very fair, and they found the increase to be great and the grain very good.²¹

Similar passages record observations about Newfoundland's wildlife, trees and the conduct of the fishery. Whitbourne used anecdotes to persuade readers to invest in colonizing Newfoundland by

²¹ Whitbourne, *Discourse and Discovery*, 7.

first making the case that he was a reliable witness and then reporting that he saw an island with untapped natural resources and fertile soil. This reliance on hands-on experience matches what Ash referred to as technical expertise, knowledge gained through engagement with an object or place that could be deployed to advertise new projects.²²

Whitbourne succeeded in influencing English efforts in Newfoundland. Calvert and Cary, two of the Privy Council members who signed the approval for the distribution of *A Discourse and Discovery*, established plantations in Newfoundland in 1621 and 1623 respectively.²³ In 1622, Cary hired Whitbourne as an advisor and to write a promotional tract for his venture, which was titled *A Discourse and Loving Invitation*. This work contained a condensed version of the information in *A Discourse and Discovery*, but targeted potential investors for Cary's colony instead of Newfoundland in general. Whitbourne also influenced T.C.'s *A Short Discourse of the New-Found-Land*, which repeated much of the information in Whitbourne's work.²⁴

The second major promoter was Vaughan, who began writing about Newfoundland after the failure of his Renews plantation in 1619. Unlike Whitbourne, Vaughan used his education, rather than his personal experience, to convince readers of his expertise regarding Newfoundland. Vaughan, who graduated from Jesus College, Oxford, in 1597 with a Master of Arts, used humanist ideas from that education to argue for colonizing Newfoundland in *The Golden Fleece*. Vaughan used classical imagery and other information gleaned from his studies

²² Whitbourne, *Discourse and Discovery*, 8, 10-11; Ash, *Power, Knowledge and Expertise*, 9-14.

²³ Whitbourne, *A Discourse and Discovery*, i-ii; Peter Pope, *Fish into Wine : The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 54-55.

²⁴ Richard Whitbourne, "A Discourse Containing a Loving Invitation," 1622, in *Newfoundland Discovered : English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 207-20; T.C., "A Short Discourse of the New-Found-Land"; Cell, *English Enterprise in Newfoundland*, 89-91.

to provide an interpretive model for understanding the social, economic and political challenges facing England, and Newfoundland's role in solving those problems.²⁵

In *The Golden Fleece*, Vaughan, writing under the pseudonym Orpheus Junior, used his knowledge of classical Greek literature as a tool for persuading readers. Vaughan likened the colonization of Newfoundland to a quest reminiscent of the one undertaken by Jason and the Argonauts to obtain the golden fleece. A colonized Newfoundland could, in Vaughan's view, reduce overpopulation, unemployment and drunkenness in England while increasing trade, common concerns among English politicians at the time.²⁶ This use of Greek mythology leveraged what Fitzmaurice identifies as the persuasive power of classical rhetoric in seventeenth-century England. The familiarity and value conferred upon classical sources gave writers, especially those with humanist educations, a powerful tool of persuasion by using these respected stories to describe contemporary issues and prescribe solutions.²⁷ Additionally, historian Kevin Sharpe found that among those with a humanist education, classical texts served as guides for leading virtuous lives that balanced physical feats with spiritual learning.²⁸ Vaughan's employment of classical rhetoric in *The Golden Fleece* adheres to these arguments by making the case that England's social, political and economic challenges resembled those faced by ancient Argos, and that the solution to those problems was a grand venture to a wealthy and faraway land. Vaughan contended that Newfoundland, with its temperate climate, fertile soil, minerals, forests and established fishery, was a prime candidate to be the golden fleece that

²⁵ Vaughan, *The Newlanders Cure*; Vaughan, *The Golden Fleece*; Prescott, "Relocating Terra Firma," 128–129.

²⁶ Vaughan, *The Golden Fleece*, i–vi; Ted McCormick, "Population: Modes of Seventeenth-Century Demographic Thought," in *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire*, ed. Philip Stern and Carl Wennerlind (New York: Oxford University Press, 2014), 25–30.

²⁷ Andrew Fitzmaurice, "Classical Rhetoric and the Promotion of the New World," *Journal of the History of Ideas* 58, no. 2 (April, 1997): 223–224.

²⁸ Kevin Sharpe, *Reading Revolutions: The Politics of Reading in Early Modern England* (New Haven: Yale University Press, 2000), 307–310.

England, like Argos before it, needed to solve its internal issues and increase its standing on the world stage.²⁹

Hayman, the third major promoter, completed two works in 1628: *Quodlibets Lately Come over from New Britaniola* and *A Proposition for Profit and Honour*. In both texts, Hayman used his personal experience in Newfoundland and education to persuade readers of the potential for a profitable colony there with social, economic and political benefits for England as a whole. Before 1628, Hayman, an Oxford-educated merchant from Totnes, spent one full year and several summers in Newfoundland as the governor of Bristol's Hope. During Hayman's tenure, Bristol's Hope flourished, so much so that he commented that he had to do little to keep it running. The success of the colony allowed Hayman to spend his time writing poetry and translating the works of the Welsh epigrammatist John Owen and the French humanist writer François Rabelais into English.³⁰

The product of Hayman's leisure time was *Quodlibets*, a book of poems and translations.³¹ Hayman did not explicitly state in *Quodlibets* that he was promoting Newfoundland, but he included poems that praised the island's temperate climate and natural resources. For example, in the poem "A Skeltonicall continued ryme, in praise of my New-Found-Land" he stated:

Although in cloaths, company, buildings faire,/ with England, *New-Found-Land*
cannot compare./ Did some know what contentment I found there,/alwayes
enough, most times somewhat to spare,/ With little paines, less toyle, and lesser
care,/ exempt from taxings, ill newes, lawing, feare,/ is cleane, and warme, no
matter what you weare,/ healthy, and wealthy, if men carefull are,/ with much-
much more, then I will now declare,/ (I say) if some wise men knew what this
were,/ (I doe believe) they'd live no other where.³²

²⁹ Vaughan, *The Golden Fleece*, 302–303.

³⁰ Hayman, *Quodlibets*, A2-A3; Galloway, "Robert Hayman (1575-1629)," 75–87.

³¹ Hayman, *Quodlibets*, 8–9.

³² *Ibid.*, 19.

Although Hayman was keen to demonstrate Newfoundland's qualities to readers, at no point in *Quodlibets* does he say that he is writing with the intent of encouraging colonists to go there. The result is a work of literature meant to entertain readers, particularly his Oxford peers such as the jurist William Noye, to whom he dedicated a poem, while providing information about Newfoundland to potential colonists.³³

Mary Fuller argues that by writing and translating literature Hayman implicitly promoted Newfoundland to readers. Translating the works of Owen and Rabelais into English, as well as writing original poetry, demonstrated to readers that Newfoundland could host English cultural producers, not just profitable business ventures. Much like Vaughan's use of classical rhetoric, Hayman created a familiar frame for English readers to observe the island by showing that an educated merchant could establish a profitable plantation and still engage in intellectually and culturally rewarding work.³⁴

Unlike *Quodlibets*, *A Proposition for Profit and Honour* focused on the potential economic and political benefits of colonizing Newfoundland. *A Proposition for Profit and Honour* was not published. The manuscript copy, which Hayman submitted to George Villiers, the Duke of Buckingham, in the hopes of him presenting it to Charles I, was not reprinted. There is no known evidence that Charles I or his advisors disapproved of Hayman's text, and events in 1628, notably the assassination of Villiers and Hayman's departure for Guyana, where he died of a fever, likely led to it being overlooked. In this work, Hayman describes how to develop an economically diverse colony in Newfoundland using forestry, mining and agriculture to support a permanent English population. He also argued that English residents in Newfoundland would help the migratory fishery by denying French and Spanish ships access to the island's shore. In

³³ Ibid., 15, 19.

³⁴ Hayman, *Quodlibets*, 1-4; Fuller, "The Poetics of a Cold Climate," 44-48.

addition to providing directions for colonizing Newfoundland, Hayman critiqued the failure of the Newfoundland Company's Cuper's Cove and Cary's Renewals.³⁵

Hayman cited his experience governing Bristol's Hope to argue that previous colonization attempts, especially those by joint-stock companies such as the Newfoundland Company, failed because of the lack of personal leadership and investment in their projects. According to Hayman, joint-stock companies were unsuitable for Newfoundland because shareholders had little personal interest in the ventures they took part in beyond their financial commitments and so withdrew too quickly when they encountered problems. To resolve this issue, investors needed to personally manage their enterprises, instead of indirectly sharing responsibility with other shareholders. Direct personal management gave investors control over their investments and made them more willing to confront challenges rather than withdrawing when they encountered setbacks. Hayman also argued that the government should support individuals interested in colonizing Newfoundland by providing protection and incentives such as armed convoys, titles and governorships.³⁶

The last of the tracts written by these three promoters was Vaughan's *The Newlander's Cure*, which he published in 1630 under his own name rather than a pseudonym. Unlike *The Golden Fleece*, *The Newlander's Cure* was written as a response to the troubles encountered by the colonies established over the previous decade, particularly those Calvert encountered at Ferryland before he left Newfoundland in 1629. Vaughan used his knowledge of medicine as a tool to persuade readers in the *Newlander's Cure* in the same way that he used classical rhetoric in *The Golden Fleece*. Vaughan described illnesses common in America and their treatment to explain why Calvert's Ferryland failed and why colonizing Newfoundland was still a worthy

³⁵ Vaughan, *The Newlander's Cure*, 67–69; Hayman, "A Proposition for Profit and Honour," 165–169; Galloway, "Robert Hayman," 75–78.

³⁶ Hayman, "A Proposition for Profit and Honour," 165–167.

venture. Throughout the text, Vaughan discusses health-related reasons for colonizing Newfoundland, such as the virtues of physical labour in a rural setting, mainly farming and fishing, and the plants and animals present there that could be used to treat scurvy and other illnesses.³⁷ By providing information about specific ailments in Newfoundland and listing their cures, Vaughan attempted to convince readers that he was familiar with the island, that previous failures were avoidable, and that his works were accurate sources of information about the island.³⁸

Establishing trustworthiness formed a central component of Vaughan's, Whitbourne's and Hayman's works. In each text, they prominently displayed their personal experiences and educations as a means of proving both their knowledge about Newfoundland and the viability of their plans. In effect, each writer promoted themselves in order to promote Newfoundland, reflecting Pagden's argument for the importance of autoptic discourse as a tool writers used to persuade readers of the reliability of their accounts of America.³⁹ Whitbourne used his personal experience and knowledge of Newfoundland's history, natural environment and industries to advertise the island. Vaughan's humanist education provided the basis for using classical literature and medicine to describe the viability of an English population in Newfoundland. Hayman combined these two approaches, demonstrating his training by writing a work of poetry and translations during his tenure in Newfoundland, and using experiences there to inform his proposals.⁴⁰

³⁷ Vaughan, *The Newlanders Cure*, vi–iv, 2, 6–7.

³⁸ Fuller, "The Poetics of a Cold Climate," 42–45; J.K. Crellin, "Early Settlements in Newfoundland and the Scourge of Scurvy," *Canadian Bulletin of Medical History* 17, no. 1–2 (2000): 127–130.

³⁹ Pagden, *European Encounters with the New World*, 56–57.

⁴⁰ Whitbourne, *A Discourse and Discovery of Newfoundland*, ff. B3–C3; Hayman, *Quodlibets*, 1–4; Vaughan, *The Newlander's Cure*, 67–69; Fitzmaurice, *Humanism and America*, 92–97.

Promoting Newfoundland's Natural Environment

All three writers used a similar image of Newfoundland's natural resources and climate in their accounts. This cohesive message made Newfoundland appealing to readers and allowed writers to advocate a common plan for colonization based on developing land-based natural resources. Although each author used a similar depiction of Newfoundland's natural environment, they used different approaches to describe it to their readers. Whitbourne and Vaughan used inventories to support their arguments, while Hayman provided general assessments of Newfoundland's natural environment and why it was valuable to England. The approaches employed by these writers reflected the purposes of their texts and their awareness of both how others were promoting Newfoundland and the challenges encountered by colonies there.⁴¹

A central component of each writer's work was the description of Newfoundland's natural resources and the industries that could succeed there. Vaughan and Whitbourne each produced inventories of Newfoundland's natural resources to describe the island and recommend specific industries and trades. Inventories formed a central component of Pickstone's *Natural Historical Ways of Knowing*. Practitioners of these methods sought to understand the world by cataloging and classifying the biota and other natural objects of particular regions. Merchants, politicians and others in Europe used these inventories to determine the commercial value of regions by identifying objects that could be traded or processed. Both Whitbourne and Vaughan used this technique to describe Newfoundland as a land rich with plants and animals that were useful as food, trade goods or could be used to manufacture other goods. Both writers listed the species of waterfowl found in Newfoundland that could be used as food and fishing bait, which

⁴¹ Whitbourne, *A Discourse and Discovery of Newfoundland*, 5–13; Vaughan, *The Golden Fleece*, ff. Bbb3–Ccc; Hayman, *Quodlibets*, 31–33; Hayman, “A Proposition for Profit and Honour,” 167; Prescott, “Relocating Terra Firma,” 134–136.

fish species were valuable trade commodities and the species of trees suitable for producing lumber, tar and turpentine. These lists, which extend over multiple pages in both texts, provide readers with a detailed inventory of Newfoundland's biota and the industries it could support, reinforcing Whitbourne's and Vaughan's arguments that English politicians and investors should classify the island as worthy of immediate colonization.⁴²

Hayman did not include any inventories in *Quodlibets*. Instead, he focused on individuals in Newfoundland, describing their efforts rather than listing of the island's natural resources, a decision that reflected his awareness of what previous authors had written about the island. *Quodlibets* included a poem, attributed to Vaughan, applauding Hayman for his ability to make Newfoundland appealing to readers, and Hayman wrote a poem complimenting Whitbourne's *Discourse and Discovery* for its descriptions of the island.⁴³ When Hayman discussed Newfoundland's natural resources he used general terms to convey their value, rather than describing them with any specificity. In the preface to *Quodlibets* Hayman states:

I suppose it not fit at this time (but attending the success of this presumption) in some other larger manner to make known unto your Majesty, the inestimable riches of the Seas circling that island the hopeful improvements of the main land thereof the more than probable invaluable hidden treasured therein.⁴⁴

Keeping to this statement, Hayman praised the work of individuals living in and promoting Newfoundland, such as Mason, John Slany and Thomas Milware, a planter who lived in Harbour Grace, without describing the island's biota. This difference between Hayman's work and that of the other writers matched the format he used. Hayman did not use poetry as a tool for conveying bulk information. Instead, he used it to present new ideas to readers who already had some

⁴² Whitbourne, *A Discourse and Discovery of Newfoundland*, 5–13; Vaughan, *The Golden Fleece*, ff. Bbb3–Ccc; Pickstone, *Ways of Knowing*, 60–68; Peter Bowler, *The Norton History of the Environmental Sciences* (New York: W.W. Norton, 1993), 83–86; John McCusker and Russell Menard, *The Economy of British America, 1607-1789*, (Chapel Hill: University of North Carolina Press, 1998), 309–319.

⁴³ Hayman, *Quodlibets*, A4, F.

⁴⁴ *ibid.* A2.

knowledge about the subject. The only exception to this pattern was Hayman's description of the commodities that colonists could produce in Newfoundland. He listed fish, pitch, tar and ship masts, but he did not accompany this with any discussion of the species used to make those goods.⁴⁵

Whitbourne's and Vaughan's methods differed from Hayman's, but their ideas about how to use Newfoundland's natural resources were consistent. All three promoters agreed that while the fishery was valuable, establishing a self-sustaining colony in Newfoundland depended on land-based industries such as farming. They also argued that these colonies would create a range of benefits for England, with Newfoundland becoming a source of trade goods to support enterprises in England and elsewhere in America as well as a place to send and reform England's undesirable people, such as the urban poor. MacMillan notes that in addition to benefiting England's economic and social interests, the growth of a colony and population advocated by Whitbourne and Vaughan also served a legal purpose by securing England's sovereignty over the island.⁴⁶ This approach was not unique to Newfoundland. Historian Daniel Vickers found that the English colonization of Massachusetts involved a similar framework of using fish as a trade good and farming as the means of establishing a permanent and self-sustaining English population.⁴⁷

The writers diverged in their ideas of which benefits were most important. Vaughan proposed Newfoundland as a solution to social issues afflicting England, such as overcrowding, unemployment and "sins" associated with the overconsumption of alcohol and tobacco.

⁴⁵ Hayman, *Quodlibets*, 31–33; Hayman, "A Proposition for Profit and Honour," 167; Fuller, "The Poetics of a Cold Climate," 45–46.

⁴⁶ Whitbourne, *A Discourse and Discovery of Newfoundland*, 14–20; Vaughan, *The Golden Fleece*, ff. LII–LII2; Hayman, *Quodlibets*, ff. A2; Ken MacMillan, *Sovereignty and Possession in the English New World: The Legal Foundations of Empire, 1576-1640* (Cambridge: Cambridge University Press, 2006), 136–40.

⁴⁷ Daniel Vickers, *Farmers & Fishermen: Two Centuries of Work in Essex County, Massachusetts, 1630-1850* (Chapel Hill: The Institute of Early American History and Culture, University of North Carolina Press, 1994), 13–29.

According to Vaughan, deforestation and barren soil in England were caused by the burden of feeding growing urban populations and the resource requirements of industries such as metalworking. Vaughan's views reflect what historian Bruce Boehrer calls a larger literary trend in the early seventeenth century, linking environmental degradation in England, specifically deforestation, urban pollution and less fertile soil, to the moral decay of England's population through disease, poverty and unsavory practices such as smoking and drinking. Newfoundland was, in Vaughan's estimation, a version of England before overpopulation and exploitation reduced its natural resources, and offered an opportunity to solve England's issues.⁴⁸

Vaughan's proposition took advantage of the lack of English development in Newfoundland by arguing that colonies could be kept free of vice goods such as alcohol by limiting their import and sale. Following this model, Vaughan proposed that the way to colonize Newfoundland and reduce social and environmental stress in England was to send the urban poor and other undesirable populations from cities such as London to the island. These people were, in Vaughan's view, the greatest cause of crime, vice and depletion of natural resources in England but, he argued, through employment as fishers and farmers in a land with restricted access to tobacco and alcohol, they could transform themselves into useful members of society. For Vaughan, colonization became a moral venture aimed as much at improving England as it was at possessing and developing Newfoundland. However, Vaughan did not see Newfoundland as a possible utopia. Instead, Newfoundland allowed Vaughan to propose a larger moral project that used the labour required by colonization projects, and the economic rewards of that work, as part of a mission to save England from the moral degeneracy, environmental degradation and

⁴⁸ Vaughan, *The Golden Fleece*, ff. B2–C; Vaughan, *The Newlander's Cure*, 89–92; James Nicholls, *Politics of Alcohol: A History of the Drink Question in England* (New York: Manchester University Press, 2009), 16–18; Bruce Boehrer, *Environmental Degradation in Jacobean Drama* (Cambridge: Cambridge University Press, 2013), 166–168.

unemployment. This argument for colonizing America was common among promoters in the seventeenth century, with America often depicted as a land where colonists could lead pious lives, and Vaughan was its leading proponent in regards to Newfoundland.⁴⁹

Hayman and Whitbourne shared similar sentiments about Newfoundland's ability to resolve English problems, but their focus was on the economic and political possibilities afforded by the island's natural resources. Although Hayman used poetry to show what Fuller called the fertile cultural possibility of Newfoundland, Hayman underpinned this bucolic image with a pragmatic insistence that the island had abundant natural resources and a temperate climate, making it inviting and profitable for merchants.⁵⁰ In all of Hayman's and Whitbourne's works, colonization played a central role in growing England's economy, particularly its overseas trade, and countering threats from European rivals, such as Spain and the Dutch Republic.⁵¹

Colonies in Newfoundland were expected to create benefits for the migratory fishery and the West Country ports that supported it. According to Hayman and Whitbourne, economically diverse colonies created opportunities for fishing merchants and shipbuilders to reduce their reliance on European suppliers for salt and forestry products, such as ships masts, while increasing the trade goods they could export. Although both writers advocated the development of an economically diverse colony, the migratory fishery still played a significant role in their proposals. A permanent English population in Newfoundland could, in their view, increase the amount of fish caught by supplying ships and protecting their harbours from foreign competitors, thus supporting England's shipping, provisioning and shipbuilding industries while increasing

⁴⁹ Vaughan, *The Golden Fleece*, ff. Bbb3; Prescott, "Relocating Terra Firma," 125–127, 131–132; Jeffrey Knapp, *An Empire Nowhere: England, America, and Literature from Utopia to The Tempest*, (Berkeley: University of California Press, 1992), 109–117; McCormick, "Population: Modes of Seventeenth-Century Demographic Thought," 25–30.

⁵⁰ Fuller, "The Poetics of a Cold Climate," 44–48.

⁵¹ Whitbourne, *A Discourse and Discovery of Newfoundland*, 15–24; Hayman, "A Proposition for Profit and Honour," 164–167.

the number of people employed at sea. In turn, these experienced seamen could be drawn upon by the Royal Navy in times of war, increasing England's military strength. Colonists could derive social benefits from these ventures as well, such as Newfoundland's ability to host a culturally valuable merchant class, but these were secondary to the island's ability to produce trade goods for England and experienced seamen for the Navy.⁵² This mercantilist argument for colonizing Newfoundland targeted English politicians, who worried that the lack of goods to trade in Iberian markets was draining England of gold and silver while enriching its rivals.⁵³

In addition to this shared economic message, Hayman, Whitbourne and Vaughan wrote that Newfoundland had a temperate climate similar to England's, even though there was a growing body of data about America that opposed that idea. Sociologist Eviatar Zerubavel argues that sixteenth- and early seventeenth-century colonial promoters developed expectations for what colonists would encounter in America by projecting their knowledge of Europe onto America, such as using latitude as an indicator of climate.⁵⁴ However, by the 1620's explorers were challenging the accuracy of those projections. The French explorer Samuel de Champlain and writer Marc Lescarbot reported that winters in New France were colder than anticipated, and Champlain criticized the idea that latitude was an accurate predictor of climate. Regarding Newfoundland, Mason's *Brief Discourse* described how cold air and water from the Arctic resulted in a colder than expected climate.⁵⁵ Hayman, Vaughan and Whitbourne did not mention

⁵² Hayman, "A Proposition for Profit and Honour," 168–169; Hayman, *Quodlibets*, ff. A2; Whitbourne, *A Discourse and Discovery*, 45–55.

⁵³ McCusker and Menard, *The Economy of British America*, 35–36; Pope, *Fish into Wine*, 102–103; Christian Koot, "Balancing Center and Periphery," *The William and Mary Quarterly* 69, no. 1 (January 1, 2012): 44–46.

⁵⁴ Eviatar Zerubavel, *Terra Cognita: The Mental Discovery of America* (New Brunswick: Transaction Publishers, 2003), 8–20.

⁵⁵ Samuel de Champlain, *The Works of Samuel de Champlain*, Vol. 1, ed. Henry Biggar (Toronto: Champlain Society, 1922), 302–303; Marc Lescarbot, *The History of New France*, Vol. 2, ed. Henry Biggar (Toronto: Champlain Society, 1907), 344–346; Mason, "A Briefe Discourse on New-Found-Land," 90–93; David Hackett Fischer, *Champlain's Dream* (Toronto: Vintage Canada, 2009), 292–316; Sam White, "Unpuzzling American Climate: New World Experience and the Foundations of a New Science," *Isis* 106, no. 3 (2015): 557–562.

these reports about climate in their writings. None of these writers reference Champlain's or Lescarbot's texts, but all three wrote about Mason and his work with the Newfoundland Company without discussing his reports about Newfoundland's climate. This awareness indicates that Whitbourne, Vaughan and Hayman preferred to cite their own experiences or Newfoundland's latitude as evidence that it had a temperate climate, rather than disputing accounts that reduced their proposals' attractiveness to readers.⁵⁶

These writers' willingness to focus on a single explanation for Newfoundland's climate, even when there was conflicting evidence, was not unusual in this period. Historian Sam White argues that European perceptions of America, especially in regard to its geography and climate, were flexible in the early seventeenth century. There was no systematic method of recording or synthesizing information about specific regions of America, and many firsthand accounts recorded climate and natural environment only for specific locations or times of the year. Additionally, the interests of the writers themselves, particularly those trying to promote the colonization of a specific region like Newfoundland, favoured the use of information that, while not representative of the latest evidence from that region, was still widely accepted in England as accurate. As a result of this processes, prior ideas that Newfoundland's climate was similar to that of southern England persisted even when contradictory evidence existed.⁵⁷ Historian Mark Carey described this tendency among writers to favour specific types of evidence as an effort to define America's regional climates by their suitability for Europeans, even if details about those climates were inaccurately portrayed.⁵⁸

⁵⁶ Vaughan, *The Golden Fleece*, B3, 302–303; Hayman, *Quodlibets*, 15–19, 31–33; Whitbourne, *A Discourse and Discovery of Newfoundland*, 15–24.

⁵⁷ White, "Unpuzzling American Climate," 547–549.

⁵⁸ Mark Carey, "Inventing Caribbean Climates: How Science, Medicine, and Tourism Changed Tropical Weather from Deadly to Healthy," in *Klima*, ed. James Fleming and Vladimir Jankovic, vol. 26, Osiris (Chicago: University

These depictions of Newfoundland's climate, natural resources and their ability to serve specific political, economic and social needs were not remarkably different from writings promoting other regions of America. John Smith used similar descriptions to appeal to English investors in his *A Description of New England* (1616).⁵⁹ Unlike New England, which its promoters portrayed as a place with unfamiliar people and resources that could bring glory to England, Hayman, Vaughan and Whitbourne depicted Newfoundland as part of England's larger colonial expansion.⁶⁰ Fuller described this as transforming Newfoundland into a "wet nurse," a place whose value came from its ability to support other colonies, industries and political institutions.⁶¹ Vaughan's, Whitbourne's and Hayman's writings support Fuller's argument. All three writers argue that Newfoundland was not an isolated land, but rather that it was an important component of a broader imperial network. All three writers described Newfoundland in terms related to either its transformative value, as seen in Vaughan's plan to send England's undesirable people to the island, or its ability to supply specific goods, such as fish, and human resources, such as experienced seamen.⁶²

Although there were differences between each writer's portrayal of Newfoundland and the benefits of English investment there, they shared a similar vision for colonizing the island that used both the cod fishery and land-based resources. Using these natural resources, Whitbourne, Vaughan and Hayman promised investors an opportunity to develop economically diverse plantations, with the cod fishery serving as both a valuable trade good and a source of

of Chicago Press, 2011), 132–36; Karen Kupperman, "Fear of Hot Climates in the Anglo-American Colonial Experience," *The William and Mary Quarterly* 41, no. 2 (April, 1984): 214–217.

⁵⁹ John Smith, *A Description of New England* (London: Humfrey Lownes for Robert Clerke, 1616), 18–25.

⁶⁰ Andrew Fitzmaurice, "The Commercial Ideology of Colonization in Jacobean England: Robert Johnson, Giovanni Botero, and the Pursuit of Greatness," *The William and Mary Quarterly* 64, no. 4 (October, 2007): 795–798; Fuller, *Remembering the Early Modern Voyage*, 124–126.

⁶¹ Fuller, "Images of English Origins in Newfoundland and Roanoke," 154.

⁶² Vaughan, *The Golden Fleece*, ff. Bbb3; Whitbourne, *A Discourse and Discovery of Newfoundland*, 45–55; Hayman, *Quodlibets*, ff. A2.

provisions. This promise made the island an attractive investment for individuals interested in increasing their land, wealth and social standing. However, in testing those ideas, colonists discovered that the Newfoundland promoted to them did not match the actual conditions there.⁶³

Promoters and Plantations: 1621 to 1629

Whitbourne, Vaughan and Hayman inspired individuals to invest in Newfoundland, but their colonies revealed flaws in the promoters' depictions of the island. Calvert's Ferryland, established in 1621, and Cary's Renewes, founded in 1622, both followed the ideas that Whitbourne, Vaughan and Hayman promoted. However, every attempt to implement the plans promoted by these three writers failed. Expectations of a temperate climate and abundant natural resources that could support economically diverse colonies resulted in ventures unprepared for Newfoundland's harsh weather and unable to become profitable by catching, curing and trading cod. Although Hayman and Vaughan tried to explain the failure of these colonies and convince readers that their plans were still viable, after Calvert's departure from Newfoundland in 1629 colonization efforts shifted away from developing the land-based industries they promoted.⁶⁴

Peter Pope noted that the investors who used the ideas advocated by these three promoters were not merchants involved in the fishery. Instead, they were politicians who saw Newfoundland as a means to advance their social and economic standing. This political interest in colonization was not an exclusively English trend. The Compagnie de la Nouvelle France, better known as the Company of One Hundred Associates, was composed mostly of courtiers focused on developing the fur trade and other land-based industries in New France, such as agriculture. In contrast, while New France came under the control of the One Hundred

⁶³ Hayman, *Quodlibets*, 31–33; Vaughan, *The Golden Fleece*, ff. Bbb3; Fuller, "The Poetics of a Cold Climate," 44–45.

⁶⁴ Vaughan, *The Golden Fleece*, ff. Aaa 1-4; George Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76; Cell *English Enterprise in Newfoundland*, 81-82.

Associates in 1627, during the 1620's the English colonization of Newfoundland was managed by individuals granted portions of the island. Although there are few surviving written sources by fishing merchants from the 1620's, accounts about Newfoundland by fishers, ship captains and others who travelled to the island annually were available to West Country merchants. This knowledge about Newfoundland was often unavailable to Cary and Calvert because of their lack of involvement in the fishing industry. As a result, colonial investors in this period relied on either the written accounts or personal expertise of promoters to inform their ventures.⁶⁵

Calvert's Ferryland is both the most-fully documented colony established in the 1620's and the largest investment of people, money and resources in Newfoundland made during this period. In 1620, Calvert purchased land on the Avalon Peninsula from Vaughan, and the following year sent colonists to Ferryland under the leadership of his agent Edward Wynne, whom Vaughan had recommended to Calvert. On April 7, 1623, Calvert received a charter from James I containing rights to govern the land between Fermeuse and Petty Harbour on the Avalon Peninsula, including authorization to enforce laws, appoint magistrates and issue pardons.⁶⁶ The reason for Calvert's choice of Ferryland is not as well documented as the Newfoundland Company's reasons for choosing Cuper's Cove. However, by 1620 Ferryland was already a well-established fishing station known for its sheltered harbour and, unlike Cuper's Cove, was located near the epicenter of the cod fishery, giving colonists access to rich fishing grounds and trade routes, factors which likely appealed to Calvert. There is perhaps no better indication of this harbour's advantages than its status for much of the seventeenth century as, according to Pope,

⁶⁵ David Hackett Fischer, *Champlain's Dream* (Toronto: Vintage Canada, 2009), 402-405; 436-440; Pope, *Fish into Wine*, 50-55.

⁶⁶ James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 1609, in *Select Charters of Trading Companies*, ed. Cecil Carr (London: Bernard Quaritch, 1913), 51-62; James I, "Grant of the Province of Avalon to George Calvert," 1623, TNA, CO 1/2, 130-140a.

“the most important of the south Avalon settlements and, considered with nearby Caplin Bay, one of the larger settlements in Newfoundland.”⁶⁷

For Calvert, whose political position in England deteriorated in the early 1620's following the failure of his negotiations with Spain and fears of persecution for being a Catholic, Ferryland represented an opportunity to serve England by expanding its presence in America while staying true to his faith.⁶⁸ Calvert invested heavily in Ferryland, with his expenditures estimated to range from £12,000 to £30,000 and including the construction of a mansion to house his family, assert his authority over the surrounding area and serve as the administrative hub for managing his venture. This financial investment was not meant only to create an economically viable colony. Calvert sought to turn Ferryland into a refuge for English Catholics and sent priests to the island.⁶⁹

Calvert did develop a fishery, but his plans for Ferryland included farming and developing other land-based industries. Writing about Calvert's intention to establish a Catholic enclave in Newfoundland, the London-based Catholic missionary Simon Stock reported to the *Propaganda Fide*, the branch of the Roman Curia responsible for missionary work, that Ferryland was “most fertile and stocked with fish beyond all measure,” emphasizing Calvert's plans to both fish and farm.⁷⁰ Although Calvert's instructions to Wynne do not survive, Ferryland's soil was a major topic of discussion in reports from the plantation, indicating its importance to Calvert. Wynne reported in 1621 that “the land here is (without doubt) very fertile,

⁶⁷ John Guy, “Journal of the Voyage to Newfoundland,” 1610, NU, Middleton MI X 1/2; “An Account of Sir George Calvert's Interest in Newfoundland,” 1670, in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 250-253 Pope, *Fish into Wine*, 4-5, 32.

⁶⁸ John Krugler, “George Calvert: Courtier, Colonizer, Capitalist, Catholic,” *Avalon Chronicles* 6 (2001): 1-11; Luca Codignola, *The Coldest Harbour of the Land Simon Stock and Lord Baltimore's Colony in Newfoundland, 1621-1649* (Montreal: McGill-Queen's University Press, 1988), 12-13.

⁶⁹ Erasmus Strouton, “Probation,” October 9, 1628, TNA, CO 1/4, 144-145; Pope, *Fish into Wine*, 124-132, 288-289.

⁷⁰ Simon Stock to Propaganda in Rome, February 8, 1625, in *The Coldest Harbour in the Land*, ed. Luca Codignola (Montreal: McGill-Queen's University Press, 1988), 77-79.

for I have since my arrival seene wheate, barley and rye growe here full eared and kernalled.”⁷¹ In addition to these staple crops, Wynne also stated that he grew tobacco and woad for making dye, both of which Whitbourne identified as cash crops colonists could grow to diversify their incomes.⁷²

In 1622, two years after Calvert bought land from Vaughan, Henry Cary launched his own effort to colonize Newfoundland by obtaining two land grants: South Falkland, a strip of land that extended from Fermeuse to Renews, and North Falkland, which contained the Bonavista Peninsula.⁷³ Cary’s employment of Whitbourne as an advisor and writer is the clearest example of the influence the promoters had on colonization efforts during the 1620’s. Using Whitbourne’s ideas, Cary worked to diversify his plantation by raising livestock, searching for minerals mining and forestry. Whitbourne’s 1622 *Discourse and Loving Invitation* outlined Cary’s plan for Renews. Like his *Discourse and Discovery*, Whitbourne’s *Loving Invitation* described Newfoundland’s natural resources, but focused on Renews, the main site for Cary’s colony. Whitbourne stated that Renews’s soil was suitable for growing “wheat, rye, barley, and other grain: as also for flax, hemp, woad, tobacco, and many other purposes.”⁷⁴ Whitbourne reiterated this plan in a letter he wrote to Cary in 1622 recommending that he send tradespeople to Newfoundland to build structures, plant crops and raise livestock, along with a complement of fishers. While tradespeople established the buildings and industries that would make the colony self-sufficient, the fishers provided a source of food and a trade good.⁷⁵

⁷¹ Edward Wynne, “Letter to George Calvert, August 26 1621,” in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 255-56.

⁷² Edward Wynne, “Letter to George Calvert, August 28 1621,” in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 257–58; Whitbourne, “A Discourse Containing a Loving Invitation,” 209.

⁷³ Richard Whitbourne to Henry Cary, December 24, 1622, BL, Sloane MS 3827, 16-18.

⁷⁴ Whitbourne, “A Discourse Containing a Loving Invitation,” 209.

⁷⁵ Whitbourne to Cary, December 24, 1622, BL, Sloane MS 3827, 16-18

Cary attempted to put the plan outlined by Whitbourne into action. In 1623, Cary hired Francis Tanfield, a relative of Cary's, to govern Renew's and sent Whitbourne to Newfoundland as an advisor.⁷⁶ Additionally, Cary instructed his colonists to prepare the land for crops and cattle and to establish a fishery. Cary also ordered that none of his colonists trade or live with the Beothuk, but proposed that, if the opportunity arose, they should abduct Beothuk children and raise them according to English customs. Cary does not discuss what his plans were for these abducted children, and there is no known evidence that his colonists encountered any Beothuk.⁷⁷ This point diverged from Whitbourne's advice that Cary's colonists should trade with the Beothuk, and T.C.'s description of Renew's, which stated that the Beothuk did not inhabit the land near Cary's plantation. Neither writer mentioned nor recommended abducting children.⁷⁸

It is unclear why Cary's efforts failed, but by 1626 Whitbourne had given up on the enterprise and sought employment from Villiers as a naval commissioner, after which he did not take part in any ventures involving Newfoundland.⁷⁹ Similarly, there is no known evidence about how long Tanfield remained in Newfoundland, but in 1630 he was no longer associated with Cary's venture and was working in Ireland as an agent for Charles I.⁸⁰ In 1628, Hayman criticized Cary for not taking a greater personal role in managing his colony, and stated that the Renew's colony existed in "words only."⁸¹ Hayman's claim that Cary's plantation only existed as

⁷⁶ Leonard Welstead to Henry Cary, Lord Falkland, January 8, 1622, BL, Additional MS 11033, 18-19v; Whitbourne to Cary, December 24, 1622, BL, Sloane MS 3827, 16-18; Gillian Cell, "Tanfield, Sir Francis," *Dictionary of Canadian Biography, Volume I (1000-1700)*, Accessed March 13, 2015, http://www.biographi.ca/en/bio/tanfield_francis_1E.html.

⁷⁷ Henry Cary, "Henry Cary's Instructions to His Settlers," in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell Second Series 160 (London: The Hakluyt Society, 1982), 244-45.

⁷⁸ T.C. "A Short Discourse of the New-Found-Land," 232; Whitbourne, "A Discourse and Loving Invitation," 225.

⁷⁹ Whitbourne to the Duke of Buckingham, November 10, 1626, TNA, CO 1/4, 42-43; Edward Seymour, John Drake, Edward Prideaux, et. al., "Letter of Reference for Richard Whitbourne," November 10, 1626, TNA, CO 1/4, 44.

⁸⁰ Cell, "Tanfield, Sir Francis."

⁸¹ Hayman, "A Proposition for Profit and Honour," 166.

a concept was an exaggeration. Like Cuper's Cove, Renews remained inhabited by English colonists after its investors pulled out.⁸²

Although Hayman criticized Cary's approach to the colonization of Newfoundland, Calvert embodied the principles that he, Vaughan and Whitbourne espoused as necessary for succeeding there, and the early reports from Ferryland reinforced the idea that the island could host an economically diverse plantation. The growth of a variety of crops Wynne reported, including cash crops, indicated both the arability of Newfoundland's soil and its temperate climate, raising hopes that colonists could expand inland by clearing farmland.⁸³ All three writers praised Calvert. Whitbourne focused on the success of crops at Ferryland as vindicating his proposals, while Vaughan and Hayman advocated Calvert's management of Ferryland, which included multiple visits to the colony before moving there with his household, as the model for future plantations. Although all three writers included anti-Catholic statements in their works, they either ignored or were unaware of Calvert's Catholicism, choosing instead to focus on his efforts as proof that their proposals were viable.⁸⁴

Ferryland's success was short-lived. Beginning with the Anglo-Spanish War in 1625 and the Anglo-French War in 1627, wartime restrictions and the Navy's need for ships and seamen complicated Calvert's attempts to support his plantation. Shipping delays, trade restrictions, piracy and raids hindered both Ferryland's supply line from England and access to Iberian trade ports, the primary market for the Newfoundland cod produced by English fishers. Calvert was

⁸² William Gilbert, "'Dwelling There Still': Historical Archaeology at Cupids and Changing Perspectives on Early Modern Newfoundland," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, ed. Pope Peter and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 215–217; Pope, *Fish into Wine*, 53.

⁸³ Whitbourne, *A Discourse and Discovery*, 1; Kupperman, "The Puzzle of the American Climate," 1262–1265; Marcy Norton, *Sacred Gifts, Profane Pleasures: A History of Tobacco and Chocolate in the Atlantic World* (Ithaca: Cornell University Press, 2008), 161–167.

⁸⁴ Whitbourne, *A Discourse and Discovery*, ix; Vaughan, *The Golden Fleece*, ff. ccc2; Hayman, *Quodlibets*, 46–50; Hayman, "A Proposition for Profit and Honour," 166.

able to use his political connections to stop the seizure of his goods and the press-ganging of his sailors by English authorities, but he was also responsible for defending Newfoundland.⁸⁵ In 1628, French ships led by Raymond de la Ralde, an enforcer for the de Caën family's monopoly on the Canadian fur trade, attacked English fishing ships in Newfoundland, forcing Calvert to divert his ships away from trading cod to engage in a lengthy and expensive defensive campaign. According to Pope, these troubles reduced any opportunity Calvert had to generate revenue from the fishery.⁸⁶

In addition to military and financial setbacks, Newfoundland itself did not meet Calvert's expectations. Calvert took personal control of the management of Ferryland and moved there with his family and household in 1628. Despite Wynne's claims of cultivating tobacco and woad, neither crop appeared to have been growing when Calvert arrived, indicating that Wynne's early successes were either exaggerated or could not be repeated.⁸⁷ Additionally, the winter of 1628-1629 was severe, with fifty of Ferryland's one hundred English inhabitants becoming ill, including Calvert himself, and "nine or ten" perished.⁸⁸ The harsh winter, expensive defense and reduced trade caused Calvert to leave Newfoundland in 1629 and obtain a new grant to colonize Maryland. In a letter to Charles I, Calvert explained that his troubles at Ferryland forced him to

⁸⁵ George Calvert, "Letter to Sir John Coke," March 15, 1624, Melbourne Hall, Derby, Cowper MSS, Bundle 24. Sir John Coke; George Calvert, "Letter to Sir Edward Nicholas," April 7, 1627, TNA, CO 1/4, 19; George Calvert, "Letter to the Duke of Buckingham," August 25, 1628, TNA, CO 1/4, 57; Cell, *English Enterprise in Newfoundland*, 106–107.

⁸⁶ George Calvert to Charles I, August 25, 1628, TNA, CO 1/4, 56; Marcel Hamelin, "La Ralde, Raymond de," *Dictionary of Canadian Biography*, accessed October 8, 2015, http://www.biographi.ca/en/bio/la_ralde_raymond_de_1E.html; Pope, *Fish into Wine*, 126.

⁸⁷ Lisa Hodgetts, "Feast or Famine? Seventeenth-Century English Colonial Diet at Ferryland, Newfoundland," *Historical Archaeology* 40, no. 4 (January, 2006): 125–126; Allison Bain and Marie-Annick Prévost, "Environmental Archaeology and Landscape Transformation at the Seventeenth-Century Ferryland Site, Newfoundland," *Historical Archaeology* 44, no. 3 (January, 2010): 25–30.

⁸⁸ Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75–76; George Calvert to Sir Francis Cottington, August 18, 1629, in *Newfoundland Discovered: English Attempts At Colonisation, 1610-1630.*, ed. Gillian Cell (London: Hakluyt Society, 1982), 292–294; Pope, *Fish into Wine*, 129–132; Codignola, *The Coldest Harbour*, 46–48; Crellin, "Early Settlements in Newfoundland," 130–136.

seek a more hospitable land, and stated “I am determined to commit this place to fishermen that are able to encounter storms and hard weather.”⁸⁹

Vaughan’s *The Newlander’s Cure*, published a year after Calvert announced he was leaving Ferryland, blamed scurvy and poor site selection for the colony’s failure. According to Vaughan, Ferryland was known as “the coldest harbour of the land,” and was less hospitable than Aquaforte, the harbour he claimed to have recommended to Calvert.⁹⁰ Vaughan identified Aquaforte, situated two kilometers south of Ferryland and sheltered within a deep bay, as a more suitable location since it was protected from the ocean wind. Despite this assertion, Calvert clearly held Vaughan’s advice in some regard: he hired Wynne based on Vaughan’s recommendation and his plan adhered to the one presented in *The Golden Fleece* by developing an economically diversified plantation to meet both political and social goals. Although Vaughan criticized the choice of Ferryland in *The Newlander’s Cure*, he made no reference to problems with that harbour before 1630.⁹¹

Vaughan’s explanation for Calvert’s failure was not enough to preserve any remaining interest in the program of colonization he, Whitbourne and Hayman promoted. Calvert was the last of the Newfoundland planters to dedicate their resources to developing an economically diverse colony.⁹² The next major investor in Newfoundland, David Kirke, who took over Ferryland in 1638, diverged from his predecessors by eschewing the development of farms and other land-based industries. Instead, Kirke used the cod fishery to make Ferryland profitable by

⁸⁹ Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76.

⁹⁰ Vaughan, *The Newlander’s Cure*, ff. F2-F3.

⁹¹ Vaughan, *The Newlander’s Cure*, ff. F2-F3; Vaughan, *The Golden Fleece*, 6-8; Pope, *Fish into Wine*, 51-54; Prescott, “Relocating Terra Firma,” 138-139.

⁹² Wynne, “The British India,” 3-36; Barry Gaulton and Aaron Miller, “Edward Wynne’s *The British India* or *A Compendious Discourse Tending to Advancement* (circa 1630-1631),” *Newfoundland and Labrador Studies* 24, no. 1 (April, 2009): 111-112.

exporting cod and servicing the migratory fishery. This change in focus became the standard practice for planters in Newfoundland for the remainder of the seventeenth century.⁹³

The ventures launched by Cary and Calvert all relied on the idea that Newfoundland had a temperate climate and abundant natural resources. However, this conceptualization did not translate into a viable plan. Efforts to establish industries besides the cod fishery made colonies both expensive and exposed to disruptive shocks when Newfoundland's natural environment did not meet expectations. By the time Calvert left Newfoundland, it was apparent to him that the ideas promoted by Vaughan, Whitbourne and Hayman were based on a fundamental misconception of the island's natural environment. Calvert did not leave Ferryland to farmers: he declared that only fishers could subsist there, a reversal from the vision promoted throughout the 1620's.⁹⁴

Vaughan's, Whitbourne's and Hayman's works belong to an understanding, prevalent during the sixteenth and early seventeenth centuries, of Newfoundland as a place similar to England that could support economically diverse colonies. This interpretation originated in the writings of figures such as Parkhurst, Parmenius and Hayes, and focused on promoting the economic, political and social value of self-sufficient colonies that served England by supplying trade goods, rather than relying on England for support. The Newfoundland Company was the first to test this plan in Newfoundland, but the promoters and colonies of the 1620's represent the most thorough application of this idea to both colonize the island and advertise the advantages of an economically diverse colony.⁹⁵

⁹³ Pope, *Fish into Wine*, 138–141.

⁹⁴ Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76.

⁹⁵ Anthony Parkhurst, "Commodities to Growe by Frequenting of Traffick to New Fond Land," 1578, BL, Lansdowne MS 100, 95-97; Stephen Parmenius, *The New Found Land of Stephen Parmenius; the Life and Writings of a Hungarian Poet, Drowned on a Voyage from Newfoundland, 1583*, ed. David Quinn and Neil Cheshire (Toronto: University of Toronto Press, 1972); Edward Hayes, "A Report of the Voyage and Successe Thereof,

Building from either their experiences or education, Whitbourne, Hayman and Vaughan worked to convince readers to follow their plans by establishing themselves as experts regarding Newfoundland. However, rather than questioning whether the Newfoundland Company failed because its assumptions about Newfoundland were inaccurate, all three writers presented the same image of the island as a place with abundant natural resources and a temperate climate that John Slany had promoted. Although their plans attracted investors and colonists, they did not translate into sustainable ventures. Like the Newfoundland Company before them, Calvert and Cary discovered that Newfoundland's climate and natural resources did not live up to the promises of promoters, and that colonizing the island was a more challenging task than anticipated. These efforts either employed promoters as advisors, as was the case with Whitbourne's work with Cary, or were praised by the three writers for following their advice, were unprepared for Newfoundland's harsh weather and lack of natural resources.⁹⁶

Although Cary and Calvert's efforts failed, they left behind a growing population of English inhabitants in Newfoundland. These inhabitants, who garnered little attention from the promoters, did not build economically diversified plantations. They focused their efforts on the cod fishery by catching, curing and selling fish and servicing migratory fishers and ships. While English writers and investors ignored this group in the 1620's, beginning in the 1630's these inhabitants dominated the discussions of English merchants and policymakers seeking to colonize and regulate Newfoundland.⁹⁷

Attempted in the Yeere of Our Lord, 1583. by Sir Humphrey Gilbert Knight," in *Principall Navigations*, ed. Richard Hakluyt, (London: George Bishop and Ralph Newberie, 1589), 679–97.

⁹⁶ Cell, *English Enterprise in Newfoundland*, 94-96; Prescott, "Relocating Terra Firma," 138-139.

⁹⁷ Pope, *Fish into Wine*, 194–196.

Chapter 3

Looking out from the Shore: Regulation, Trade and Re-imagining Newfoundland, 1634-1674

The historical events of this island, from Sir David Kirke's coming thither to the First French War, are too trivial to remember, consisting only of common accidents in life among fishers and their traffic.
John Oldmixon (1741).¹

The lack of explorers and conquerors made mid-seventeenth century Newfoundland seem uninteresting to the historian John Oldmixon, but the period from 1634 to 1674 was one of significant economic, social and political change. Following George Calvert's departure from Ferryland in 1629, English perceptions of Newfoundland's natural environment and how to use it moved away from developing economically diverse colonies through the use of multiple natural resources towards focusing on the cod fishery. Two strategies exemplify this shift. The first was the creation of policies that prioritized the fishery over other industries by giving fishing ships preferential rights to Newfoundland's natural resources. The second was the use of trade routes by planters and fishers to transport people and goods to and from the island, allowing them to specialize in fishing and servicing fishers and ships. This chapter examines these developments in three sections to argue that, between 1634 and 1674, English merchants, planters and policymakers recognized the cod fishery as Newfoundland's main industry by adopting and codifying practices that used the fishery to expand the English presence in Newfoundland. These decisions overturned prior assumptions that Newfoundland's natural resources could support an economically diverse colony and raised questions in England about the island's value as a colonial possession.²

¹ John Oldmixon, *The History of Newfoundland Containing an Account of Its Discovery, Settlement, Encrease, Inhabitants, Climate, Soil, Product, Trade and Present State* (London, 1741), 22.

² Oldmixon, *The History of Newfoundland*, 22-23; Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 80-91; Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 106-124.

The first section analyzes the 1634 “An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland,” better known as the Western Charter. This Charter was the first attempt by English policymakers to re-think how English fishers and colonists should use Newfoundland since George Calvert’s departure from Ferryland in 1629. This foundational legislative document introduced a series of regulations and enforcement mechanisms that defined the cod fishery as Newfoundland’s main industry and reserved the island’s other natural resources, such as its forests, for the use of that fishery. These changes, as noted by Gillian Cell and Keith Matthews, constituted the government’s first effort to control the English fishery and colonization of Newfoundland. The Western Charter laid out a set of regulations to be enforced throughout all of Newfoundland, breaking from the government’s previous habit of granting individual planters and companies the right to control portions of the island.³

The Western Charter was not the only attempt to redirect English efforts in Newfoundland. The second section focuses on how David Kirke, who took over Ferryland in 1638, built a profitable enterprise by exchanging cod for provisions and consumer goods otherwise unavailable in Newfoundland. Kirke, rather than attempting to develop an economically diverse colony, operated on the idea that there were few on-land natural resources in Newfoundland and focused his efforts on catching and trading cod. This approach, as Peter Pope argued, demonstrated that Kirke was an intelligent businessperson who leveraged transatlantic markets to enrich himself and his family.⁴ Using documents from the National Archives and British Library, and reports from archaeological excavations in Newfoundland, this

³ Cell, *English Enterprise in Newfoundland*, 108–112; Keith Matthews, *A History of the West of England-Newfoundland Fishery* (PhD Diss., Oxford University, 1968), 63–67.

⁴ Pope, *Fish into Wine*, 1–10; David Quinn, “Newfoundland in the Consciousness of Europe in the Sixteenth and Early Seventeenth Centuries,” in *Early European Settlement and Exploitation in Atlantic Canada: Selected Papers*, ed. G. M. Story (St. John’s: Memorial University of Newfoundland, 1982), 9.

section studies how Kirke's success relied on the fishery and transatlantic trade connections instead of land-based industries.⁵

The Western Charter and Kirke represent the best-documented cases of a wider shift in English fishing and plantation efforts occurring after 1630. The third section examines how other residents and fishers in Newfoundland focused their activities on fishing and servicing the fishery. Service industries, such as taverns, and transatlantic trade connections allowed Newfoundland's English population to grow in number through specialization, rather than attempted self-sufficiency, a trend that reflected the growing understanding of what types of industries the island's natural resources could sustain. This specialization, which historian Robert Sweeny argued was indicative of the development of a capitalist society in Newfoundland, limited inland development, particularly efforts to develop mining and forestry sectors, and incentivized the creation of small, widely dispersed plantations with access to fishing grounds and shipping routes.⁶

Newfoundland was not the only European colony to experience growth in this period. During the late 1620's and 1630's, English, Dutch and French colonies in America grew in number and population. The development of agriculture and trade, especially the trade of locally produced goods such as beaver pelts, fish and tobacco, allowed colonies to sustain permanent European populations that spread out to establish new towns, farms and outposts. Some of the towns founded during this period, such as Boston, established in 1630, grew quickly in population and importance during the mid-seventeenth century and became powerful economic and political centres that traded throughout the Atlantic. Newfoundland, in contrast with these

⁵ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27.

⁶ Robert Sweeny, "What Difference Does a Mode Make? A Comparison of Two Seventeenth-Century Colonies: Canada and Newfoundland," *The William and Mary Quarterly* 63, no. 2 (April, 2006): 281–290.

colonies, grew by focusing on a single natural resource. Rather than combining agricultural expansion with an export fur trade, as happened in New France, or establishing a fishery and hinterland that produced a variety of trade goods, like in New England, successful English efforts in Newfoundland concentrated on catching and trading cod. Newfoundland was not alone in this focus, the English colonies in Maine similarly focused on the fishery as a means to trade for goods that could not be produced locally.⁷

By focusing on the fishery, policymakers, merchants and planters re-categorized Newfoundland's place within England's overseas empire by narrowing their definition of what natural resources made it worth possessing and how to control the use of those resources. Defining fishing as Newfoundland's sole major industry created a new understanding of its natural environment, the challenges of managing the island and how residents used the transatlantic trade enabled by exporting cod to survive there.⁸ However, English residents and fishers in Newfoundland did not abandon all land-based activities. They used forests for fuel and building materials, and hunted for food and furs during the winter months, but these activities supplied the fishery or supplemented incomes.⁹ The growing population of planters and fishers became the target of complaints and petitions about Newfoundland by West Country merchants, who accused them of using abusive practices and reducing the fishery's economic and social

⁷ John Martin, *Profits in the Wilderness: Entrepreneurship and the Founding of New England Towns in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1991), 118-128; Daniel Vickers, *Farmers & Fishermen: Two Centuries of Work in Essex County, Massachusetts, 1630-1850* (Chapel Hill: The Institute of Early American History and Culture, University of North Carolina Press, 1994), 13-29; John McCusker and Russell Menard, *The Economy of British America, 1607-1789*, (Chapel Hill: University of North Carolina Press, 1998), 91-97, 211-220; Allan Greer, *The People of New France* (Toronto: University of Toronto Press, 1997), 27-33; Sweeny, "What Difference Does a Mode Make," 284-290.

⁸ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Jerry Bannister, *The Rule of the Admirals Law, Custom and Naval Government in Newfoundland, 1699-1832* (Toronto: Osgoode Society for Canadian Legal History by University of Toronto Press, 2003), 20-32; Pope, *Fish into Wine*, 161-185.

⁹ Peter Pope, "Outport Economics: Culture and Agriculture in Later Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 19, no. 1 (May, 2005): 153-155; Peter Pope, "Early Migratory Fishermen and Newfoundland's Seabird Colonies," *Journal of the North Atlantic* 2, no. 1 (October, 2009): 57-62.

value to England. The English government's response to these complaints varied between commissioning individuals to intervene on its behalf or passing new legislation, a pattern that continued until 1675 when it adopted new methods of learning about and managing the island.¹⁰

The 1634 Western Charter

The Western Charter, issued in 1634 by the Privy Council, was the English government's first attempt to enact a framework for enforcing laws and best practices across all of Newfoundland.¹¹ Previous charters contained limitations in regards to whom they applied. Both Calvert and the Newfoundland Company's charters forbade them from interfering with the migratory fishery.¹² The failure of prior colonization efforts, complaints about colonists interfering with the fishery, such as those by West Country merchants about the Newfoundland Company in 1618, and an ongoing economic depression in England prompted the Privy Council to enact legislation to protect the fishery and address chronic complaints. The Western Charter worked in broad strokes to define Newfoundland's function as an English possession by using a series of regulations and enforcement practices to preserve and grow the fishery while minimizing the government's financial and military commitments there.¹³

The Western Charter defined the cod fishery as Newfoundland's main industry, and that the island's value to England came from its ability to host fishers and supply them with wood and other necessities while they caught and cured cod. Its provisions covered crimes and

¹⁰ "Reply of Merchants, Owners and Masters of Ships to the Allegations of Robert Robinson," 1669, TNA, CO 1/22, 119.

¹¹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Cell, *English Enterprise*, 109-111.

¹² James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 1609, in *Select Charters of Trading Companies*, ed. Cecil Carr (London: Bernard Quaritch, 1913), 51-62; James I, "Grant of the Province of Avalon to George Calvert," 1623, TNA, CO 1/2, 150-140a.

¹³ "Earl of Bath sends a Petition of the Merchants of Devon, Against Wrongs Committed during the Fishery," TNA, State Papers, Domestic, James I, 14/103, 44; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Cell, *English Enterprise in Newfoundland*, 108-125; Matthews, *A History of the West of England-Newfoundland Fishery*, 63-67.

regulations ranging from general law-and-order issues, such as murder and theft, to the Newfoundland specific, such as regulating the amount of shore space a ship could use and the banning of taverns. The goal of these regulations was to prevent activities that threatened to reduce the value of the fishery by either managing access to natural resources or banning practices that were perceived to interfere with fishers. These regulations responded to complaints made by merchants about conditions in Newfoundland while also clearly stating, in a way that had not been done before, the government's perception of what the island's natural resources were and its value as a colonial possession.¹⁴

The fishing admiral system, the Western Charter's main enforcement mechanism, was the core component for ensuring the Charter's efficacy. The system granted the title of fishing admiral to the captain of the first ship to arrive in a harbour in Newfoundland each year. The fishing admiral was responsible for enforcing laws and regulations, keeping records of crimes committed in their harbour and transporting anyone accused of an offence in Newfoundland to England, where the accused would be tried in one of the West Country towns. The Western Charter did not create the fishing admiral system. The Charter called fishing admirals an "ancient custom" in use since the sixteenth century, thus turning an informal method of dispute resolution into the main law enforcement practice in Newfoundland.¹⁵

Empowering West Country ship with the administration of laws and regulations in Newfoundland was an appealing choice for English lawmakers. On January 24, 1634, William Noye wrote that any regulation regarding Newfoundland should rely on the West Country for enforcement since merchants and captains from that region were both the most familiar with

¹⁴ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6.

¹⁵ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Bannister, *The Rule of the Admirals*, 26-32; Alexander McEwen, *Newfoundland Law of Real Property: The Origin and Development of Land Ownership* (PhD Diss., University of London, 1978), 22-35.

Newfoundland and impacted by any policy regulating the fishery. Noye, following instructions from the Privy Council, drafted the Western Charter.¹⁶ There is no known business connection between Noye and the Newfoundland fishery, but Robert Hayman dedicated a poem to him in *Quodlibets*, suggesting that Noye may have had some familiarity with the island through either Hayman or his book.¹⁷

Although the Western Charter remained the main regulatory document for Newfoundland until 1699, in practice it did little to reduce or punish crimes.¹⁸ Jerry Bannister, investigating the effectiveness of the fishing admiral system, concluded that in the known sources there are “no examples of any fishing admirals’ court presiding over a criminal case or ordering punishments for criminal offences.”¹⁹ The Western Charter’s reliance on fishing ships to enforce regulations made the system inexpensive for the government, but unwieldy for ships because of the added responsibilities of hearing complaints, recordkeeping and transporting accused criminals. Cell and Matthews both argued that the Charter’s true value came from the political leverage it gave West Country merchants during future debates, particularly those regarding issues that could increase government authority over the fishery, something many West Country merchants opposed. In effect, the Western Charter was powerful on paper but rarely enforced because of the burdens it placed on ships, a trend historian David Ormrod argued was common to other

¹⁶ William Noye, “Opinion that the King may give Laws to Newfoundland,” January 24, 1634, TNA, CO 1/8, 7-8; Paul Hunneyball, “Noy, William (c.1577-1634),” *The History of Parliament British Political, Social & Local History*, Accessed February 10, 2015, <http://historyofparliamentonline.org/volume/1604-1629/member/noye-william-1577-1634>.

¹⁷ Robert Hayman, *Quodlibets Lately Come Over from New Britaniola, Old Newfoundland* (London: Elizabeth Allde, 1628), 19.

¹⁸ “A Grant of Additional Powers for Regulating the Newfoundland Fishery,” January 22, 1661, TNA, CO 195/1, 33-36; “Order in Council,” March 10, 1671, TNA, CO 1/26, 20-26; Charles II in Council Order, January 27, 1676, CO 1/65, 36, in *Collection and Commentary on the Constitutional Laws of the Seventeenth Century Newfoundland*, ed. Keith Matthews (St. John’s: Memorial University of Newfoundland: Maritime History Group, 1975) 167-180; “William III, 1699: An Act to Incurage the Trade to Newfoundland. [Chapter XIV. Rot. Parl. 10 Gul. III. p. 3. n.5.],” in *Statutes of the Realm: Vol. 7, 1695-1701*, ed. John Raithby, (London: Great Britain Record Commission, 1820), 515-518.

¹⁹ Bannister, *Rule of the Admirals*, 27-28.

contemporary trade measures, such as the 1651 Navigation Act, which relied on similar onerous enforcement mechanisms that compromised its effectiveness.²⁰

In addition to imposing regulations, the Western Charter overturned earlier assumptions about Newfoundland's natural resources. Before 1634, writers and colonists promoted forestry as an alternative industry to fishing. Anthony Parkhurst, Stephen Parmenius and Richard Whitbourne all wrote that Newfoundland's forests were a potential source of timber, tar and turpentine for the English shipbuilding industry.²¹ However, the Western Charter portrayed these same forests as a limited resource to be protected and used exclusively for the fishery by stating:

That noe person set fire in any of the woodes of the Country or worke any detriment or destruction to the same, by ryndings of the Trees, either for the seeling of Shippes, houldes, or for Roomes on Shoare, or for any other uses, Except for the coverings of the Roofes for Cookeroomes to dresse their meate in, and those Roomes not to extend above sixteene foote in length at the most.²²

This change built from the experiences of the previous twenty years, particularly the shift from the idea of Newfoundland's forests as an abundant resource that could supply new industries, to a limited one that needed protection to ensure its availability for the fishery.²³

The Privy Council's efforts to preserve Newfoundland's forests echoed contemporary worries that islands were vulnerable to deforestation, which could reduce their economic and strategic value to England. English officials were aware of the need to strategically manage the use of forests and the potential harm that could be caused by deforestation. In *Green*

²⁰ Cell, *English Enterprise*, 108–112; Matthews, *A History of the West of England-Newfoundland Fishery*, 129–136; Bannister, *The Rule of the Admirals*, 26–29; David Ormrod, *The Rise of Commercial Empires, England and the Netherlands in the Age of Mercantilism, 1650-1770* (Cambridge: Cambridge University Press, 2003), 32–33.

²¹ Anthony Parkhurst, "Commodities to Growe by Frequenting of Traffiq to New Fond Land," 1578, BL, Landsowne MS 100, 95-97; Stephanus Parmenius, *The New Found Land of Stephen Parmenius; the Life and Writings of a Hungarian Poet, Drowned on a Voyage from Newfoundland, 1583*, ed. David B Quinn and Neil M Cheshire (Toronto: University of Toronto Press, 1972), 175–176; Richard Whitbourne, *A Discourse and Discovery of Newfoundland: With Many Reasons to Prove How Worthy and Beneficial a Plantation May There Be Made* (London: by Felix Kyngston, for William Barret, 1620), 6–10.

²² "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6.

²³ George Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76.

Imperialism, Richard Grove identified the preservation of forests on islands as a central concern for colonial policymakers. Early European ventures on tropical oceanic islands, such as Saint Helena, destroyed large portions of forest, causing concern in Europe that these islands would be rendered incapable of providing the supplies that trade ships needed for long voyages. Although Grove concentrated on tropical oceanic islands, his analysis is relevant for studying Newfoundland, where the Western Charter enshrined a similar program to preserve the island's forests for the fishery, which relied on them for building materials and fuel. Without sufficient quantities of wood, fishing ships would be unable to build stages or other buildings necessary for curing fish, significantly decreasing the fishery's productivity and profitability. The risk of deforestation through overharvesting was exacerbated by the temporary nature of the migratory fishery's buildings, which were often destroyed during the winter, intensifying the need for building materials each spring.²⁴

In addition to securing Newfoundland's forests for the fishery, the Western Charter also addressed concerns that forest fires diminished the island's cod stocks. In 1583, Parmenius reported that ash runoff from forest fires caused cod to leave the affected harbours and stated that "fish never came to the place about it for a space of seven whole years after, by reason of the waters made bitter."²⁵ Noye and the Privy Council recognized the dangers of both deforestation and forest fires by reclassifying forests as a source of supplies and a potential hazard to the fishery if mismanaged, rather than as a source of trade goods. This effort to balance the future needs of the fishery, and protect the cod stocks from human actions, represents a nuanced understanding on the part of the Privy Council regarding the impact of human actions on the

²⁴ Richard Grove, *Green Imperialism: Colonial Expansion, Tropical Island Edens, and the Origins of Environmentalism, 1600-1860* (New York: Cambridge University Press, 1995), 95–101; Olaf Janzen, "'They Are Not Such Great Rogues as Some of Their Neighbours': A Scottish Supercargo in the Newfoundland Fish Trade, 1726," *Newfoundland and Labrador Studies* 17, no. 2 (October, 2001): 294–298; Pope, *Fish into Wine*, 91–97.

²⁵ Parmenius, *The New Found Land of Stephen Parmenius*, 175–176.

ecosystem in Newfoundland. Through its regulations on forest use, the Western Charter sought to ensure the long-term viability of the migratory cod fishery and protect the fishery from short-term damage due to human action. Forest fires remained a concern for policymakers and writers after 1634. James Yonge reported in 1671 that ash runoff from forest fires drove fish into deep waters far from shore, making them difficult to catch.²⁶

While restrictions on cutting and burning trees defined the purpose of Newfoundland's forests, the Western Charter's ban on taverns focused on managing fishers. Policymakers viewed taverns as socially and economically detrimental. Drunkenness among fishers decreased the quantity of fish caught, thus reducing the fishery's profitability. In addition to drunkenness hurting fishers' effectiveness, policymakers worried that fishers indebted to tavern owners would stay in Newfoundland, abandoning their families in England and burdening the church with providing for them. Although the Western Charter banned taverns, complaints about them persisted. In 1639, a letter signed by fourteen justices of the peace from Devon argued that drinking in Newfoundland hurt the value of the fishery, increased the number of poor in England and reduced the amount of trained seamen available to the Navy.²⁷

The Western Charter was not the first attempt to reduce access to alcohol in Newfoundland. William Vaughan, in both *The Golden Fleece* and *The Newlander's Cure*, proposed banning alcohol from Newfoundland to create an economically productive and religious colony. Unlike Vaughan, the Western Charter framed the ban on taverns as a means to

²⁶ James Yonge, "Considerations Touching By-Boats (1671 Source Text)," *Newfoundland and Labrador Studies* 19, no. 1 (2003): 5; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Stephen Pyne, *Awful Splendour: A Fire History of Canada*, Nature, History, Society (Vancouver: UBC Press, 2007), 70-72.

²⁷ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; "Petition from the Justices of the Peace of Devon about Newfoundland," January 10, 1639, TNA, CO 1/10, 129; Peter Pope, "Historical Archaeology and the Demand for Alcohol in 17th Century Newfoundland," *Acadiensis* 19, no. 1 (October, 1989): 72-74; Pope, *Fish into Wine*, 401-406; James Nicholls, *Politics of Alcohol: A History of the Drink Question in England* (New York: Manchester University Press, 2009), 21-31.

stop an ongoing practice with negative economic consequences. Newfoundland, according to English authorities, was a place inhabited and changed by Europeans, but not all of these developments were perceived as good. Deforestation and taverns threatened the longterm profitability of the fishery, and the lack of a central governor complicated the management of that fishery.²⁸

The Western Charter represented a different perception of Newfoundland's natural resources than the one that had guided the colonization efforts launched over the previous twenty years. The Charter portrayed Newfoundland as a sparse shoreline whose value lay in its ability to support the migratory fishery. While this perception aligned with historical fishing practices and the failure of previous colonization efforts, it was not the only idea present in England about how to use Newfoundland. The Western Charter defined the rights of fishing ships in Newfoundland, but it did not define how to use the island's fishery. There were two main methods of using Newfoundland: visiting the island seasonally to fish, or living there year-round by using the fishery and cod trade to supply the goods Newfoundland could not provide. These two approaches came to the forefront of the government's considerations in 1637 with David Kirke's grant to colonize and govern Newfoundland.²⁹

David Kirke's Ferryland: 1637-1654

On November 13, 1637, King Charles I granted the right to colonize and govern Newfoundland to David Kirke; James Hamilton, the Marquis of Hamilton; Philip Herbert, the

²⁸ William Vaughan, *The Golden Fleece Divided into Three Partsm under Which Are Discovered the Errours of Religion, the Vices and Decayes of the Kingdome, and Lastly the Ways to Get Wealth, and to Restore Trading so Much Complained of* (London: Printed for Francis William, 1626), ff. Bb2-C; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Pope, *Fish into Wine*, 401-406.

²⁹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27; Pope, *Fish into Wine*, 401-406.

Earl of Pembroke; and Henry Rich, the Earl of Holland.³⁰ Kirke, the only one of the grantees to go to Newfoundland or take an active role in managing the venture, established a multi-generational enterprise based in Ferryland. Kirke's success came from his ability to leverage the transatlantic cod trade, exchanging fish for goods that Newfoundland could not provide and operated using a perception of Newfoundland's natural environment like the one contained in the Western Charter. Both Kirke and the Western Charter viewed the fishery as the reason for visiting and colonizing Newfoundland. However, Kirke's use of the fishery differed from the migratory fishery protected by the Western Charter. While the Western Charter focused on maximizing the amount of fish caught by migratory ships to boost industries in England, Kirke traded cod for goods that he could either use or sell in Newfoundland.³¹

The grant that Charles I issued to Kirke and his associates defined their rights to Newfoundland and judged prior colonization efforts. Except for the Western Charter, Charles I revoked all previous grants and charters regarding Newfoundland, acknowledging their failures and giving Kirke authority to enforce the terms of his grant over the entirety of the island. Kirke and his associates were also granted the right to tax foreign ships in Newfoundland at a rate of five percent of their cargoes, a right meant to reduce foreign competition with the English fishery. Archeologist Barry Gaulton states that this tax rate exceeded the profit margins typical in the provision and cod trade, making it a potentially effective tool for pushing foreign competitors out of Newfoundland, particularly Dutch and Iberian traders, which often used the same harbours as the English. The grant included some restrictions, such as banning Kirke from building or

³⁰ "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27; Pope, *Fish into Wine*, 134-137.

³¹ "Complaints of Mr. Fowell of Plymouth [...] against David Kirke," March 8, 1640, in *Acts of the Privy Council of England*, Vol. 1, ed. W.L. Grant and James Munro (Hereford: His Majesty's Stationary Office, 1908), 278-279; David Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115.

living within six miles of the shore, a limit meant to encourage land-based industries and reduce competition with the migratory fishery. The six-mile limit was added to the Western Charter after the issuance of Kirke's grant, thus applying it to all English residents in Newfoundland. Additionally, Kirke's grant stated that migratory fishing ships had the first choice of shore spaces each spring, a restriction designed to prevent him from occupying the best spaces before ships arrived. There is no known evidence of Kirke or any other English resident in Newfoundland adhering to either restriction.³²

Charles I's grant to Kirke and his associates was influenced by both Kirke's prior service to the King and his mercantile success. In 1629, David Kirke, along with his brothers Lewis, Thomas, John and James, captured Quebec City and Samuel de Champlain, an achievement that brought them notoriety in England. Although the Treaty of Susa forced the Kirke brothers to give up their prizes, David Kirke was knighted in 1633 for his actions and became a favourite of Charles I. By 1637, David Kirke had also created an extensive commercial network by building upon his father Gervase Kirke's wine trade. Kirke's connections spanned the Atlantic, with business relations with William Alexander's colonization efforts in Nova Scotia and the French and Iberian wine trades. The royal favour bestowed upon Kirke and his business connections assisted him in establishing the trade network that made Ferryland profitable.³³

In 1638, David Kirke arrived in Ferryland, a harbour he likely chose because of the facilities Calvert built there in the 1620's, and established himself as both the governor of

³² "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27; Berry Gaulton, "The Commercial Development of Newfoundland's English Shore," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, eds. Peter Pope and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 279.

³³ "The Petition of Sir William Alexander and Captain David Kirke," November 29, 1630, TNA, CO 1/6, 8-9; Pope, *Fish into Wine*, 80-87; David Hackett Fischer, *Champlain's Dream* (Toronto: Vintage Canada, 2009), 406-26; John Moir, "Kirke, Sir David," *Dictionary of Canadian Biography*, accessed June 30, 2015, http://www.biographi.ca/en/bio/kirke_david_1E.html.

Newfoundland and its leading merchant. Rather than developing land-based industries, Kirke focused his efforts on catching and trading fish as well as servicing and taxing fishing ships and their crews. Kirke used the transatlantic cod trade, the rights granted to him by Charles I and the lack of local authorities to stop him from breaking the terms of his grant or the Western Charter, to build a successful enterprise.³⁴

Kirke's business strategy was to use a multilateral trade network to exchange cod for provisions and other goods that he sold in either England or Newfoundland. This strategy upended the assumptions of prior colonization efforts by using Newfoundland as fishing station and base for trade, rather than trying to develop a self-sustaining colony. By using Ferryland as the headquarters for his operations, Kirke also broke from the Western Charter in that his efforts to profit from trade and servicing the fishery ultimately enriched his family and other planters in Newfoundland, rather than the West Country ports the Privy Council preferred in 1634.³⁵

The primary tool for trading and transporting these goods were sack ships, cargo ships designed to cross the Atlantic Ocean quickly to ensure that their goods could fetch profitable prices at market. The average sack ship displaced 75-tons, smaller than the average fishing ship at 100-tons, but some were larger, such as the 250-ton *Faith* operated by Kirke and his associates.³⁶ Sack ships specialized in trading and transporting fish and other commodities, with little involvement in the actual catching or curing of fish. These ships typically operated using a triangular trade, with the first leg being from England or Southern Europe to Newfoundland,

³⁴ "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115; Pope, *Fish into Wine*, 132-144; Gaulton, "The Commercial Development of Newfoundland's English Shore," 279-280.

³⁵ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Gaulton, "The Commercial Development of Newfoundland's English Shore," 279-280.

³⁶ Pope argues that the term Sack Ship is derived from the phrase *Vino de Sacca*, wines set aside for trade: Pope, *Fish into Wine*, 95, 103-106.

with ships bringing provisions, salt and wine to trade for fish. The second leg was from Newfoundland to Southern Europe, New England or the Caribbean, where they traded fish for alcohols, sugar and other goods, a trade possible since Newfoundland cod was exempt from the Navigation Acts which ordered that trade ships pass through England before continuing to other ports. The third leg was the return voyage to England.³⁷ This process, which Pope succinctly described as turning “fish into wine,” gave planters in Newfoundland the ability to subsist and profit based entirely on the export of cod.³⁸

Planters and sack ships often cooperated since, as historian Olaf Janzen noted, timing was crucial in the cod trade. In general, the first ships to arrive at a market would get higher prices for their cargoes and obtain goods at lower prices than those that arrived later and had to contend with gluts of fish and shortages of other goods. This dynamic encouraged merchants to build relationships with planters to ensure that sufficient quantities of cod were available upon arrival in Newfoundland. The sack trade became a popular investment in England because of its flexibility and potential to profit on all three legs of the journey. For example, the politician and economic writer Dudley North had no known involvement in the Newfoundland fishery, but financed sack ships in the cod trade.³⁹

The consumer goods, primarily alcohol and tobacco, gathered through the sack trade allowed Kirke to operate taverns in Newfoundland. Taverns existed in Newfoundland before Kirke’s arrival, but his use of the sack trade to supply taverns reshaped planter’s relationships

³⁷ William Poole, “A list of sack ships in St. John’s,” 1677, TNA, CO 1/43, 122; Cell, *English Enterprise in Newfoundland*, 21, 130; Pope, *Fish into Wine*, 103-106; James Candow, “Salt Fish and Slavery: The Supply and Consumption of Salt Fish in the British Caribbean during Slavery,” *Studia Atlantica* 2 (2006):165–170; Nuala Zahedieh, *The Capital and the Colonies: London and the Atlantic Economy, 1660-1700*, (New York: Cambridge University Press, 2010), 190-192; Joshua Tavenor, “Imports to Newfoundland in the Late Seventeenth and Early Eighteenth Centuries,” *Newfoundland and Labrador Studies* 26, no. 1 (May, 2011): 76-82.

³⁸ Pope, *Fish into Wine*, 92.

³⁹ Richard Grassby, *The English Gentleman in Trade: The Life and Works of Sir Dudley North, 1641-1691* (Oxford: Oxford University Press, 1994), 65–67; Janzen, “They Are Not Such Great Rogues as Some of Their Neighbours,” 295–302; Pope, *Fish into Wine*, 104–105.

with the island.⁴⁰ Taverns allowed planters to sell alcohol and tobacco to both their servants and seasonal fishers, creating a new source of income and a means of reclaiming wages. Alcohol was especially useful to planters since, as Pope noted, demand for it was elastic and changed in accordance with adjustments in prices and wages paid to servants. This elasticity allowed planters to change how much they charged to match local conditions, such as poor catches, wars or other factors that altered fishers' and servants' incomes.⁴¹ Kirke operated a tavern in Ferryland that sold alcohol and provisions to his servants and visiting ships, a business that was large enough to warrant creating a credit system using tokens to exchange for goods. Four tokens have been found: three in Newfoundland and one in England.⁴² The Kirke family's collection of luxury goods, including elaborate Terra Sigillata Earthenware from Portugal, and expensive imported food items, such as preserved fruits from Portugal, also indicates their success.⁴³

Kirke's achievements came at a political cost. From 1637 until his death in 1654, Kirke was the subject of a series of complaints, hearings and lawsuits regarding his grant and abuse of the Western Charter.⁴⁴ At the core of these grievances, which came mostly from West Country

⁴⁰ Cruse, "Deposition," November 22, 1667, PWDRO, w360/74; Gaulton, "The Commercial Development of Newfoundland's English Shore," 280–283.

⁴¹ Pope, "Historical Archaeology and the Demand for Alcohol," 84–90; Pope, *Fish into Wine*, 402–6; Donald Holly and John Erwin, "Terra Incognita, Still: Archaeological Investigations in the Interior of the Island of Newfoundland," *Archaeology of Eastern North America* 37 (January, 2009): 65–67; Amanda Crompton, "Of Obligation and Necessity: The Social Contexts of Trade Between Permanent Residents and Migratory Traders in Plaisance (1662–90)," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, eds. Pope Peter and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 248–52.

⁴² Barry Gaulton, "The Kirke House at Ferryland: Gentry Life in Seventeenth-Century Newfoundland," in *From Arctic to Avalon: Papers in Honour of Jim Tuck*, eds. Lisa Rankin and Peter Ramsden, (Oxford: British Archaeological Reports, 2006), 165–174; Gaulton, "The Commercial Development of Newfoundland's English Shore," 279.

⁴³ Hodgetts, "Feast or Famine?," 125–128; Barry Gaulton and Cathy Mathias, "Portuguese Terra Sigillata Earthenware Discovered at a 17th-Century Colonial Site in Ferryland, Newfoundland," *Avalon Chronicles* 3 (1998): 1–5; Eric Tourigny and Stephane Noel, "Status and Diet: Variations in Elite Foodways at Newfoundland Fishing Stations in the 17th and 18th Centuries," in *Exploring Atlantic Transitions: Archaeologies of Transience and Permanence in New Found Lands*, ed. Pope Peter and Shannon Lewis-Simpson (Woodbridge: The Boydell Press, 2013), 235–237.

⁴⁴ "John Crewkerne and other deputies for Western Ports petition against the desired patent for Newfoundland," April 19, 1637, in *Acts of the Privy Council*, Vol. 1, eds. W.L. Grant and James Munro, (Hereford: His Majesty's Stationary Office, 1908), 215–216; "The Privy Council's response to complaints against Sir David Kirke," September 9, 1640, in *Acts of the Privy Council*, Vol. 1, eds. W.L. Grant and James Munro, (Hereford: His

merchants, was the idea that Newfoundland's value to England came from its cod, and that Kirke interfered with the fishery. Additionally, Cecil Calvert, the son of George Calvert, initiated a lawsuit in 1651 regarding Kirke's right to inhabit Ferryland. Calvert claimed that his father appointed an agent to manage Ferryland in his place in 1629, making Kirke's use of the harbour and its facilities illegal. Kirke's response to these complaints is revealing. Instead of arguing that his ability to leverage a transatlantic trade and tax foreigners justified his grant, Kirke contended that by colonizing Newfoundland he could establish new industries using land-based resources. Although this argument did not accurately represent Kirke's actions, his use of the same ideas presented by writers such as Whitbourne and Vaughan reflected his awareness of the dissonance between English expectations for colonies and the limited natural resources in Newfoundland.⁴⁵

Two of Kirke's responses to the complaints exemplify his approach to defending himself. The first, titled "Reply to the Answer to the Description of Newfoundland," (1639) was written by Kirke to address specific complaints about him and Newfoundland.⁴⁶ The second is a letter written in 1639 from Kirke to Charles I describing his experience in Newfoundland.⁴⁷ In both documents, Kirke argued that his opponents depicted Newfoundland's climate and natural resources inaccurately to downplay the possibility of any economic activity besides fishing, such as salting and forestry.⁴⁸

The list of industries that Kirke provided matched those promoted by Whitbourne and Vaughan, but Kirke assessed the potential profitability of each industry and how difficult they

Majesty's Stationary Office, 1908), 290; Peter Pope, "Baltimore vs. Kirke, 1651: Newfoundland Evidence in an Interregnum Lawsuit," *Avalon Chronicles* 3 (1998): 63–68.

⁴⁵ "Minutes of the Privy Council Committee for Trade and Foreign Plantations," Whitehall, March 8, 1640, in *Acts of the Privy Council of England, Colonial Series*, Vol 1, eds. W.L. Grant, James Munro, Almeric Fitzroy (Hereford: His Majesty's Stationary Office, 1908), 278–279; "Complaint of the Newfoundland Fishery from the Merchants of Plymouth," September 4, 1640, TNA, CO 1/10, 195; Pope, "Baltimore vs. Kirke, 1651," 63–64.

⁴⁶ Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97–115.

⁴⁷ David Kirke to Charles I, October 2, 1639, TNA, CO 1/10, 119–120.

⁴⁸ Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97–115; Kirke to Charles I, October 2, 1639, TNA, CO 1/10, 119–120.

would be to establish, something previous writers did not do.⁴⁹ In the “Reply to the Answer,” industries are categorized by how easily they could be set up, how they benefited the fishery and their potential profitability to determine what was worthwhile for colonists to pursue. Some industries, such as making salt by evaporating seawater, were categorized as viable since they produced valuable commodities that could reduce the fishery’s reliance on imported supplies, while others, such as making potash, were deemed too difficult to be worth pursuing.⁵⁰ Kirke repeated this approach in his letter to Charles I. He argued that not only could Newfoundland host multiple land-based industries, but the complaints made about the island by both merchants and failed colonists, particularly Calvert, were also incorrect. Kirke blamed mismanagement and a lack of expertise for the failure of prior efforts.⁵¹

Kirke did not limit his responses to proposing new industries. He attacked the fishing merchants by arguing that they purposefully misrepresented Newfoundland to support their claims. Kirke focused on two assertions by his opponents to make his case: that Newfoundland’s fog made the island unhealthy to Europeans and that there were no people there besides Europeans. In regard to fog, which the West Country merchants claimed surrounded Newfoundland for months at a time, making navigation dangerous and sickening inhabitants, Kirke stated that he had not experienced or heard of fog lasting more than three or four days. Kirke’s response to the argument that only Europeans visited and lived in Newfoundland was more forceful, he mocked his detractors by stating:

First say you if there be a trade, there must be somebody supposed with whom to trade and there be no natives upon the island, how noe natives in Newfoundland! Have you lost your eyesight in the fog again and so blinded do you know at whom

⁴⁹Whitbourne, *A Discourse and Discovery of Newfoundland*, 1–12; William Vaughan, *The Golden Fleece*, 305–306.

⁵⁰ Kirke, “Reply to the Answer to the Description of Newfoundland,” September 29, 1639, TNA, CO 1/10, 97–115.

⁵¹ Kirke to Charles I, October 2, 1639, TNA, CO 1/10, 119–120.

you strike?⁵²

Kirke maintained that trade and conflict between Europeans and the Mi'kmaq and Beothuk were common occurrences. Additionally, Kirke cited John Guy's encounter with Beothuk traders to demonstrate his opponents' lack of knowledge about Newfoundland. While there is no known evidence that Kirke personally interacted with the Beothuk or Mi'kmaq, there are two Beothuk warriors depicted on the coat of arms granted to Kirke by Charles I in 1638. These arguments, although contrary to Kirke's actions in Newfoundland, appealed to the assumption that the island could host economically diverse colonies, indicating his knowledge of the divergence between English perceptions of the island's natural environment and the actual conditions there.⁵³

Kirke's claims that Newfoundland could host an economically diverse colony, even if they did not match his actual business strategy, were an effective defence during the 1630's and 1640's, although his loyalty to Charles I likely helped him protect his position. During the English Civil War (1642-1651), Kirke remained supportive of the Royalists and his brother Lewis served as an officer in the Royalist army. It was not until David Kirke lost Charles I's support that the complaints against him resulted in a response from the government. During the Interregnum (1649-1660), Kirke's position became unstable, particularly following the deaths of his co-grantees. In 1649, Hamilton and Rich were executed by Parliament because of their Royalist ties, and in 1650 Herbert, who was a Parliamentarian, died from an illness. Coinciding with this lost support, Kirke's main detractors, merchants from the West Country, gained a higher standing with the government since the region had largely sided with Parliament during

⁵² Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 109a.

⁵³ The Kirke family's coat of arms was adopted as the official coat of arms of Newfoundland in 1928: Guy, "Journal of a Voyage to Trinity Bay"; Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115; Peter Neary and Patrick O'Flaherty, *Part of the Main: An Illustrated History of Newfoundland and Labrador* (St. John's: Breakwater Books, 1983), 31.

the war.⁵⁴

Kirke was arrested in 1651 by a commission approved by Parliament and led by the merchant John Treworgie, who then became the governor of Newfoundland. The charges against Kirke were that he abused his grant by illegally taxing English ships and restricted access to the shore. Although Treworgie's commission reflected what historians Christopher Hill and Carla Pestana called Parliament's determination to bring the English colonies under its control by suppressing Royalists, little changed in regards to the actual management of Newfoundland. Most of Treworgie's letters are concerned with the lack of financial support he received for his governorship from the government, and he left Newfoundland in 1659.⁵⁵

Kirke's defence after his arrest used similar arguments as his previous claims by focusing on the potential for land-based industries in Newfoundland. Like his "Reply to the Answer to the Description of Newfoundland," Kirke did not include any references to running taverns or selling provisions in his defence, and there is no known evidence that he established the industries he claimed could succeed.⁵⁶ Although the Council of State, the executive branch of the English government during the Interregnum, cleared Kirke of the charges that he taxed ships and restricted shore access, Calvert's lawsuit resulted in Kirke's continued detention in England. Kirke died in prison in 1654.⁵⁷

⁵⁴ David Kirke to Charles I, September 12, 1640, TNA, CO 1/10, 196; David Kirke, "A Narrative made by the late governor," 1652, MHA, Keith Matthews Collection, MHA-16-B-5-001; Pope, *Fish into Wine*, 137–39; Christopher Matusiak, "Elizabeth Beeston, Sir Lewis Kirke, and the Cockpit's Management during the English Civil Wars," *Medieval and Renaissance Drama in England* 27 (2014): 161–70; Carla Pestana, *The English Atlantic in an Age of Revolution, 1640-1661* (Cambridge: Harvard University Press, 2004), 44–50.

⁵⁵ John Treworgie, "Petition of the Governor of Newfoundland," April 8, 1654, TNA, CO 1/12, 53–54; John Treworgie, Walter Sikes and William Piles, "Report on Newfoundland," April 24, 1654, TNA, CO 1/12, 55–56; Christopher Hill, *A Nation of Change and Novelty: Radical Politics, Religion, and Literature in Seventeenth Century England* (New York: Routledge, 1990), 10–21; Pestana, *The English Atlantic in an Age of Revolution*, 45–46.

⁵⁶ Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97–115; Kirke, "A Narrative made by the late governor," 1652, MHA, Keith Matthews Collection, MHA-16-B-5-001.

⁵⁷ "Reply of Merchants, Owners and Masters of Ships to the Allegations of Robert Robinson," 1669, TNA, CO 1/22, 119; Pope, *Fish into Wine*, 138–141.

During David Kirke's absence and following his death, his wife, Sara Kirke, managed Ferryland and continued to develop both the fishery and provisioning trade. Sara Kirke stands out as a major figure in Newfoundland's merchant community. The 1675 census of Newfoundland reported that she operated five fishing boats, kept livestock and possessed enough servants, lands and goods to place her among the wealthiest English residents in Newfoundland. Kirke overcame significant challenges during her tenure, including resisting efforts by Cecil Calvert to seize the family's plantations and rebuilding Ferryland after a Dutch raid in 1673. She continued to manage Ferryland until her retirement in 1679, after which her sons took over the plantation.⁵⁸ Kirke was one of a number of women managing plantations in Newfoundland in the mid-seventeenth century. Her sister, Frances Hopkins, a Royalist who fled to Newfoundland in 1649, operated a plantation in Ferryland, and Margaret Taverner, originally from Poole, ran plantations in Bay de Verde and Trinity.⁵⁹ Additionally, wills from the period show that women controlling and inheriting fishing plantations in Newfoundland were not uncommon occurrences.⁶⁰

Although David Kirke promoted the development of land-based resources, his use of the cod fishery and transatlantic trade allowed him to succeed where previous colonists failed. Ferryland prospered during his tenure and after because he used cod to trade for the goods that Newfoundland could not provide, not because of the availability of minerals or fertile soil. The Kirke family was not alone in this approach. Other planters and fishers also focused their efforts on using transatlantic trade networks to survive and profit in Newfoundland, changes that

⁵⁸ Sara Kirke to Charles II, 1660, BL, Egerton Ms., 2395, 258; John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; Pope, *Fish into Wine*, 59-60, 300-303.

⁵⁹ John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; Pope, *Fish into Wine*, 59-60, 300-303.

⁶⁰ "Will of Dennis Luony of St. John's, Newfoundland," January 18, 1678, TNA, PROB 11/356/76; "Will of Ann Dennis of Toads Cove, Newfoundland," November 22, 1699, TNA, PROB 11/453/135; "Will of John Pollard of Capeling Bay, Newfoundland," March 28, 1717, TNA, PROB 11/557/213.

English merchants and policymakers became increasingly aware of during the 1660's and 1670's.⁶¹

Planters, By-boats and Governance: 1660-1674

By 1660, English policies and practices regarding Newfoundland focused on the cod fishery and trade, rather than developing land-based resources. This change benefited two groups in particular: planters and by-boat keepers, both of whom increased in number and prominence by specializing in catching and trading cod. Neither planters nor by-boat keepers completely ignored Newfoundland's land-based natural resources. Both groups depended on wood from the island's forests and their practices made use of the island's isolated and protected harbours. The growth of both groups occurred outside of the control of the English government or any other authority figure. Beginning in 1660, the English government confronted these changes by reconsidering what its goals in Newfoundland were, the impact of previous charters and grants on the situation there, and how to manage the island's English inhabitants and migratory fishers.⁶²

Following the Restoration in 1660, policymakers found an uncertain situation in Newfoundland. That year, a legal battle between the Kirke family and Cecil Calvert for the governorship of Newfoundland brought attention to multiple claimants to that title. This dispute began with Sara Kirke petitioning King Charles II to have her son, George Kirke, appointed governor. To justify her son's claim to the title, she cited her late husband's grant, his service to Charles I and the hardships suffered by her family during the Interregnum. Calvert contested this

⁶¹ Gordon Handcock, "English Migration to Newfoundland," in *The Peopling of Newfoundland: Essays in Historical Geography*, ed. John Mannion, Social and Economic Papers, no. 8 (St. John's: Institute of Social and Economic Research, Memorial University of Newfoundland, 1977), 15–17.

⁶² Yonge, "Considerations Touching By-Boats (1671 Source Text)," 1–4; Keith Mercer, "Some Considerations Touching ... By-Boats: James Yonge on the Fisheries Controversy in the 1660s," *Newfoundland and Labrador Studies* 19, no. 1 (2003): 2–3; Pope, *Fish into Wine*, 41–44; Gordon Handcock, *Soe Longe as There Comes Noe Women : Origins of English Settlement in Newfoundland* (St. John's: Breakwater, 1989), 36–43; Pope, "Outport Economics," 154–155.

claim by arguing that Charles I wrongfully annulled his family's charter when issuing Kirke's grant, making him the rightful governor of Newfoundland.⁶³ Calvert won the title in court, and sent the captain John Rayner to Ferryland to govern Newfoundland in his place. Rayner's actions in Newfoundland are mostly unknown, with few known sources about his time there. His most notable achievements were the seizure of an English ship that he claimed illegally traded with Dutch ships and reporting the establishment of a French colony in Plaisance (Placentia) in 1662. Rayner left Newfoundland in 1667, and Calvert did not appoint a replacement. Following Rayner's departure, the English government began to learn that the English presence in Newfoundland had changed significantly during the Interregnum, and that addressing environmental, social and political concerns there would be a difficult process.⁶⁴

Plaisance did not receive significant attention from the English government at the time of its establishment, and it was not until 1675 that the French presence in Newfoundland was discussed in England as a serious threat. Instead, wars with Spain and the Dutch Republic preoccupied English merchants and officials. The Dutch threat to the English in Newfoundland was particularly acute. While Dutch trade ships were common in Newfoundland during the seventeenth century, they did not maintain a sizable fishery there. However, with the advent of the Anglo-Dutch wars in 1654, the Dutch fleets inflicted significant damage on English trade and fishing operations. In 1665, a Dutch fleet led by the famed admiral Michiel de Ruyter sacked St. John's and raided English migratory fishing vessels. In 1673, another Dutch fleet attacked St.

⁶³ Sara Kirke to Charles II, 1660, BL, Egerton MS, 2395, 258; Lewis Kirke, "Petition on behalf of the sons of David Kirke deceased late governor of Newfoundland," 1660, TNA, CO 1/14, 12; Cecil Calvert, "The humble petition of Cecil Lord Baltimore," June 17, 1660, TNA, CO 1/14, 13.

⁶⁴ Charles II, "to Sir Lewis Kirke for Restitution of the Province of Avalon to the Lord Baltimore," June 17 1660, TNA, CO 1/14, 21-22; John Rayner, "Petition," November 12, 1662, CO 1/16, 248; "Report on the Petition of John Rayner and William Rayner," November 14, 1662, TNA, CO 1/16, 246-247; Robert Robinson, "A List of fifteen reasons for the settlement of Newfoundland under a governor," 1668, TNA, CO 1/22, 113-114; Gillian Cell, "Rayner, John," *Dictionary of Canadian Biography*, accessed June 30, 2015, http://www.biographi.ca/en/bio/rayner_john_1E.html.

John's but failed to break into the harbour, and instead raided other harbours along the English shore, including Ferryland.⁶⁵

While English planters, families and servants had lived in Newfoundland since 1610, the Interregnum saw significant growth in their numbers. The political chaos of the Interregnum and Civil War provided opportunities for new plantations and practices to develop without the oversight or restrictions of a charter granted by the government. Links between Newfoundland and England fostered the growth of a dispersed population of planter families and servants extending from Salvage, on the northern coast, to Trepassey, on the south-eastern Avalon Peninsula, by the time of the Restoration.⁶⁶ Pope estimated that by 1660 the overwintering English population in Newfoundland was near 1,500, up from a few hundred before 1640, with periods of growth comparable to New France, which had 3,215 overwintering French inhabitants in 1666.⁶⁷ This population growth was not limited to Newfoundland. Historian Christian Koot found that the English population in America grew significantly from 1649 to 1660, creating an empire that, when Charles II took the throne, bore little resemblance to the one his father had ruled.⁶⁸

Not all English inhabitants were new arrivals. Some residents could trace multi-generational family histories in Newfoundland. In 1676, John Downing, a planter from St. John's, told the Committee for Trade and Plantations, appointed in 1674 by King Charles II and

⁶⁵ James Houblon, "Reasons for the Decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-61; William Gilbert, "'Ye Strength of Ye Place': Defence Works in the St. John's Narrows, 1638-1780," *Newfoundland and Labrador Studies* 25, no. 2 (2010): 198-199.

⁶⁶ Sweeny, "What Difference Does a Mode Make?" 281-284; Handcock, *So Longe as There Comes Noe Women*, 33-35; Robert Brenner, *Merchants and Revolution: Commercial Change, Political Conflict, and London's Overseas Traders, 1550-1653* (London: Verso, 2003), 393-400.

⁶⁷ Handcock, "English Migration to Newfoundland," 33-38; Pope, *Fish into Wine*, 197-202; Leslie Choquette, *Frenchmen into Peasants Modernity and Tradition in the Peopling of French Canada* (Cambridge: Harvard University Press, 1997), 4-16.

⁶⁸ Christian Koot, *Empire at the Periphery: British Colonists, Anglo-Dutch Trade, and the Development of the British Atlantic, 1621-1713*, (New York: New York University Press, 2011), 89-90.

his Privy Council to consider colonial and trade issues, that his father, George Downing, arrived in Newfoundland in the 1630's with orders from David Kirke and Charles I to "reduce the Indians to civility and religion."⁶⁹ There are no known records of this commission, but George Downing and his sons John and William did establish plantations in St. John's in that period.⁷⁰ Downing never portrayed his family's plantations as self-sufficient. He petitioned the government to protect trade routes between Newfoundland and Europe to secure the provision and cod trades, which he argued were essential for supporting the island's English population.⁷¹

Transatlantic familial connections contributed to this population growth, as exemplified by the Taverner family. In the 1670's two branches of the Taverner family emerged, one in Newfoundland, descended from Margaret Taverner, and one in Poole, headed by William Taverner, a merchant and surveyor who frequently travelled to Newfoundland. Both branches maintained a close relationship with each other by trading fish for provisions and promoting common interests. Margaret Taverner and her children established multiple plantations in Newfoundland and married other merchant families from Poole, resulting in her descendants operating plantations with trade connections to Poole into the nineteenth century. William Taverner advocated appointing a governor of Newfoundland in a 1680 petition and again in 1713 in a survey of the island he conducted for the government.⁷²

English inhabitants in Newfoundland relied on the sea for the fishery, access to trade ships and transportation around the island, often to the detriment of developing overland connections between harbours. Throughout Newfoundland, land-based connections between

⁶⁹ John Downing, "Petition," November 24, 1676, TNA, CO 391/1, 129a.

⁷⁰ John Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40; "Petition of John Downing," November 24, 1676, TNA, CO 391/1, 129a.

⁷¹ Minutes of the Committee for Trade and Plantations, Whitehall, March 26, 1677, TNA CO 391/1, 155-156.

⁷² John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; John Carter, Mayor of Poole, "Several Reasons Offered for Not Removing the Planters from Newfoundland," 1680, TNA, CO 1/46, 150-151; Handcock, *So Longe as There Comes Noe Women*, 46-47; Olaf Janzen, *War and Trade in Eighteenth-Century Newfoundland*, (St. John's: International Maritime Economic History Association, 2013), 22-24.

harbours were often limited to small trails, even in cases where harbours were near one another. Yonge noted in his journal that the path between Renewes and Fermeuse, which are four kilometers from each other and were used by both planters and migratory fishers in the 1660's, was a small, rarely travelled and difficult trail that traversed bogs and forests.⁷³ The lack of inland connections differentiated Newfoundland from other European colonies, such as New France and New England, where waterways, trails and roads connected farms, outposts, plantations and towns.⁷⁴

Depositions taken during the 1660's provide valuable information about how fishers and inhabitants interacted with each other in Newfoundland and the opinions present in England about the island. The depositions by John Cull, Richard Parker, Christopher Selman, Thomas Pitcher, Nicholas Luce, Thomas Fowles, Thomas Cruse and Gabriel Hiddomas, all seamen, fishers and former planters, offer a rare insight into the concerns of those who carried out fishery regarding Newfoundland. These depositions were all taken as part of a single inquiry held in Totnes in 1667, and discuss topics concerning David Kirke's governorship, illegal practices in Newfoundland, such as operating taverns, and how deforestation and foreign raids endangered the English fishery.⁷⁵

The condition of the island's forests and planters' business activities were two important topics within these depositions. Luce, a sailor who claimed to have spent fifty-five summers fishing in Newfoundland, accused fishers and residents in Newfoundland of destroying so much of the island's forests that fishers needed to trek four miles inland to find sufficient wood for building houses and flakes. Luce also stated that Newfoundland's poor soil harmed the fishery

⁷³ Henry Crout to Percival Willoughby, September 8, 1612, NU, Middleton Mi X 1/20; Yonge, *The Journal of James Yonge*, 56.

⁷⁴ Martin, *Profits in the Wilderness*, 9–28; Greer, *The People of New France*, 27–33.

⁷⁵ John Cull, et al., "Depositions," November 28 1667, PWDRO, w1/360/67.

since planters had few options besides selling alcohol to fishers to supplement their incomes, highlighting how planters and fishers used transatlantic connections to develop new businesses and make the island habitable. The lack of building materials in Newfoundland was a serious issue for the English government. The Western Charter attempted to reduce overharvesting forests by limiting the types of buildings that were allowed to be built using the island's forests. However, Luce's complaint highlighted that the Charter was either unenforced or insufficient, and that enough damage had already been done to Newfoundland's forests that the productivity of the migratory fishery was reduced by the amount of time needed to collect building materials.⁷⁶

The growing number of English inhabitants in Newfoundland created concerns among merchants in England, who complained to the government that the island's residents violated the Western Charter by establishing taverns and competing with migratory fishing ships for shore space.⁷⁷ Fears of the effects of illegal drinking were not unfounded. In 1667, Luce described drinking establishments as a problem in Newfoundland for over thirty years, with the prevalence of taverns causing many fishers to become drunk and indebted to planters.⁷⁸ Cruse, a planter who resided in Bay Bulls from the 1630's until returning to England in the early 1660's, supported Luce's statement by admitting that he ran a tavern that sold alcohol to migratory fishers as part of his business in Newfoundland.⁷⁹

⁷⁶ Nicolas Luce, "Depositions," November 28 1667, PWDRO, w1/360/67; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6.

⁷⁷ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; "Petition of the Merchants, Owner and Masters of Ships and inhabitants of the Western Parts of the Kingdom," December 23, 1670, TNA, CO 195/1, 39-40; Cull, et al., "Depositions," November 28 1667, PWDRO, w1/360/67.

⁷⁸ Luce, "Deposition," November 22, 1667, Plymouth and West Devon Record Office, w360/74; Pope, *Fish into Wine*, 350-360.

⁷⁹ Thomas Cruse, "Deposition," November 22, 1667, Plymouth and West Devon Record Office, w360/74.

Seasonal fishers also took advantage of trade connections between England and Newfoundland by using the by-boat fishery.⁸⁰ There is little evidence about the origins of the by-boat fishery, but it appears to have developed during the Interregnum and quickly attracted criticism from West Country merchants, who blamed the practice for causing declining catches in Newfoundland. The first documentary evidence of the by-boat fishery is the 1661 re-issue of the Western Charter, which contained provisions banning ships from transporting by-boat keepers to Newfoundland.⁸¹

Yonge's 1671 manuscript *Some Considerations Touching By-boats* examined both the by-boat fishery and the opposition to that fishery. In this work, Yonge positions himself as an authority about both Newfoundland and the English fishery because of his experience travelling with fishing vessels as a surgeon and his familiarity with merchants, ship-owners and by-boat keepers from Plymouth. Yonge concluded that merchant resistance to the by-boat fishery was not the result any inherent problem with its practices. Instead, opposition originated from the fact that by-boats operated outside of the ship-based migratory fishery controlled by merchants. Because of their lower overhead costs, by-boat keepers seldom required merchants to finance their ventures, increasing competition and reducing how much of the fishery merchants controlled. Additionally, there were incentives for fishers to work for by-boats keepers rather than the traditional migratory fishing ships. By-boat fishers were paid in shares, not wages, as

⁸⁰ "Petition of the Mayors and merchants of Dartmouth, Totnes, Plymouth and Barnstaple," November 27, 1663, in *Calendar of State Papers Colonial, America and West Indies*, Vol 5, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1880), 166-171; Yonge, "Considerations Touching By-Boats," 202-203; Pope, *Fish into Wine*, 187-191; Mercer, "Some Considerations Touching," 190-192.

⁸¹ Western Charter, January 27, 1661, in Keith Matthews, ed., *Collection and Commentary on the Constitutional Laws of Seventeenth Century Newfoundland* (St. John's: Memorial University of Newfoundland: Maritime History Group, 1975), 131.

was common on fishing ships in this period, creating the potential for fishers to earn more money on by-boats if catches were good.⁸²

The by-boat fishery and concerns about drinking and deforestation in Newfoundland highlighted a problem present in the 1634 Western Charter: the lack of effective enforcement mechanisms. On paper, the English government split the administration of laws and regulations in Newfoundland between the fishing admirals and a governor, but both mechanisms were flawed. Neither Kirke, Treworgie nor Rayner effectively enforced laws and regulations in Newfoundland, and after 1667 there was no governor present.⁸³ Additionally, the burdens the Western Charter placed on fishing ships and the lack of oversight in Newfoundland led to complaints that the Charter was ignored and abused.⁸⁴

Beginning in 1668, the issue of governing Newfoundland began to attract attention beyond the Kirke and Calvert families, with merchants, members of the Navy and planters presenting the government with petitions and advice for solving issues of lawlessness and deforestation.⁸⁵ The naval commander Robert Robinson's 1668 petition to be named the governor of Newfoundland typifies the approach used by pro-governor advocates in this period. Robinson presented a list of reasons for appointing a governor in his petition, such as how one could defend Newfoundland from foreign raids, prevent and punish crimes, and grow the fishery. Robinson posited that his personal experience in Newfoundland as a captain, as well as his vision

⁸² Mercer, "Some Considerations Touching ... By-Boats," 3–5; Yonge, "Considerations Touching By-Boats (1671 Source Text)," 6–8; Pope, *Fish into Wine*, 41–44.

⁸³ William Bridgeman, "Report to His Majesty upon the Lord Baltimore's Petition," February 28, 1660, TNA, CO 1/14, 21-22; "Depositions," November 28 1667, PWDRO, w1/360/67; Pope *Fish into Wine*, 155-157.

⁸⁴ William Hinton, "Pretended Reasons against Erecting the King's Government in Newfoundland, with Answers," February 23, 1675, MHA, Keith Matthews Collection, MHA-16-C-2-153; William Hinton, "Statement of the reasons the West Country fishermen are against the taking of Newfoundland under the King's government," February 23, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 596-597.

⁸⁵ Sara Kirke to Charles II, 1660, BL, Egerton MS, 2395, 258; Lewis Kirke, "Petition on behalf of the sons of David Kirke deceased late governor of Newfoundland," 1660, TNA, CO 1/14, 12; Cecil Calvert, "The humble petition of Cecil Lord Baltimore," June 17, 1660, TNA, CO 1/14, 13.

for transforming the island into a law-abiding colony, made him a prime candidate for the governorship.⁸⁶

West Country merchants resisted calls to appoint a governor to Newfoundland, such as Robinson's proposal, by citing incidents during Kirke's governorship and the lack of natural resources besides cod as justification for rejecting these requests.⁸⁷ However, as Matthews argues, this resistance demonstrated no overt hostility towards Newfoundland's English inhabitants. Rather, it reflected fears among merchants that a governor would tax the fishery and institute regulations disadvantageous to the migratory fishery, such as ending their right to the first choice of shore spaces. The government rejected Robinson's petition following a debate and there were no proposals made to address the issues he raised.⁸⁸

In England, the assumption that the island could host an economically diverse colony had been dismissed by 1674, with fishers, merchants, planters and policymakers concentrating their efforts on using the fishery, and the transatlantic connections it enabled, to make the island profitable. Although the English government recognized Newfoundland as an important part of its growing empire, there was no consensus about how to manage the island. Despite banning taverns, deforestation and other damaging practices, complaints about those activities persisted. Additionally, the delegation of authority to fishing ships was unable to counter military threats to Newfoundland, with Dutch attacks in 1665 and 1673 damaging both the migratory and inhabitant

⁸⁶ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116.

⁸⁷ "Petition of the Merchants, Owner and Masters of Ships and inhabitants of the Western Parts of the Kingdom," December 23, 1670, TNA, CO 195/1, 39-40.

⁸⁸ "The Reply of Merchants, Owners and Masters of Ships to the Allegations of Capt. Robert Robinson concerning the Newfoundland Fishery," 1668, TNA, CO 1/22, 119; Keith Matthews, "Historical Fence Building: A Critique of the Historiography of Newfoundland," *Newfoundland and Labrador Studies* 17, no. 2 (2001): 153-160; Pope, *Fish into Wine*, 33-39.

fisheries.⁸⁹ However, Newfoundland's growing population raised concerns among officials that a governor would be unable to enforce regulations and could hurt the fishery by imposing taxes on the fishing ships. Except for re-issuing the Western Charter in 1661 and 1671, the English government did not change its approach to managing Newfoundland until 1675.⁹⁰

Beginning in 1634, policymakers created legislation to protect and increase the economic value of the cod fishery, an approach reflected in the methods used by merchants, fishers and planters in Newfoundland. Although these policymakers' decisions were, in part, a reaction to prevailing concerns of their day, their decisions set long-term precedents for the management of Newfoundland that were consistently reinforced through updated versions of the Western Charter and in King Williams' Act in 1699. This focus on the fishery represented a significant break from the assumptions about Newfoundland's natural environment that dominated the previous twenty-four years. Unlike the promotional texts and colonies launched from 1610 to 1630, the Western Charter took a narrow view of Newfoundland's natural environment by focusing on making the most of a single resource, rather than developing multiple industries. This specialization had a significant impact on the governance, economy and society of Newfoundland, and English policy focused on protecting and growing the cod fishery.⁹¹

⁸⁹ Hinton, "Pretended Reasons against Erecting the King's Government in Newfoundland, with Answers," February 23, 1675, Maritime History Archive, MHA 16-C-2-153; Robinson, "A list of fifteen reasons," 1668, TNA, CO 1/22, 113-114; George Pley to the Naval Commissioners, July 1, 1665, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 5, 1661-1668, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1880), 307-316; William Gilbert, "'Ye Strength of Ye Place': Defence Works in the St. John's Narrows, 1638-1780," *Newfoundland and Labrador Studies* 25, no. 2 (2010): 198-199.

⁹⁰ Cecil Calvert, "Petition," June 17, 1660, TNA, CO 1/14, 31-32; "A Grant with Additional Powers for Regulating the Newfoundland Fishery," January 22, 1661, CO 195/1, 33-36; Rayner, "Report on the State of Newfoundland," 1667, CO 1/22, 12-13; "A Report to his Majesty by the Council of Plantations Concerning the Newfoundland Fishery," March 2, 1670, TNA, CO 195/1, 52-57; "Discussion of the Rules Received from Council," 1674, PWDRO, w1/360/85.

⁹¹ Western Charter, March 2, 1671, PWDRO, w360/79/2; Sweeny, "What Difference Does a Mode Make?" 282-284; Pope, "Outport Economics," 171-176.

The Western Charter's emphasis on the fishery also prompted policymakers to rethink the importance of Newfoundland's natural resources for the fishery and the impact of actions by English fishers and residents on that fishery. This trend continued with Kirke's governorship and became entrenched with the growing population of English inhabitants and by-boat keepers in Newfoundland. However, while the Western Charter focused on supporting the migratory fishery, planters and by-boat keepers developed economic niches that used the cod fishery and trade to supply trade goods to resell and circumvent traditional labour practices.⁹²

Between 1610 and 1674, English perceptions of Newfoundland underwent a dramatic shift as assumptions about the island's natural environment were challenged by colonies failing to achieve their goals. Unexpected hardships disrupted widely accepted ideas about Newfoundland's economic value to England, and the practices that would allow colonists to extract that value. This history reflects George Soros' concept of reflexivity and the fallibility of human decision making. Changing assumptions about Newfoundland's value to England built upon information from the problems encountered by prior efforts shaped new policies and colonies. This recursive cycle resulted in English conceptions of the island's natural environment narrowing to focus on using the fishery to make Newfoundland profitable and habitable.⁹³

During the 1610's and 1620's, English investors and writers assumed that Newfoundland's natural environment resembled England's and that it could host an economically diverse colony, but the experiences of colonists in Newfoundland undermined those expectations. Despite inventories and expert advice supporting these early assumptions, Newfoundland did not have the climate or natural resources these colonial projectors expected.

⁹² Bridgeman, "Report to His Majesty upon the Lord Baltimore's Petition," February 28, 1660, TNA, CO 1/14, 21-22; "Depositions," November 28 1667, PWDRO, w1/360/67; Gaulton, "The Commercial Development of Newfoundland's English Shore," 278-284.

⁹³ George Soros, "Fallibility, Reflexivity, and the Human Uncertainty Principle," *Journal of Economic Methodology* 20, no. 4 (2013): 309-10.

However, by challenging these expectations, a new, more accurate, perception of Newfoundland's natural environment emerged. Kirke, merchants, planters and by-boat keepers engaged in a process of defining Newfoundland's economic value and directed resources to extract that value. This focused approach worked by identifying Newfoundland's most economically valuable natural resource, thus reclassifying the island as a place where colonists succeeded through specializing in the fishery and trade. However, the cod fishery and trade enabled industries and competition that West Country merchants and government officials viewed as undesirable.⁹⁴

While there was a growing permanent English population in Newfoundland, it engaged in activities that government officials and merchants disapproved of, such as operating taverns. The tension between what industries and activities succeeded in Newfoundland, and those that English merchants and policymakers preferred, brought attention to the question of what Newfoundland's role as an English possession was and how to control the conduct of fishers and residents there. In response to these problems, in 1675 the English government adopted an interventionist approach to governing Newfoundland with an attempt to evict all English inhabitants from the island.⁹⁵

⁹⁴ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Luce, "Deposition," November 22, 1667, Plymouth and West Devon Record Office, w360/74; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115; John Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001), 10-11, 60-82.

⁹⁵ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151.

Part 2
Government Efforts to Understand and Control the Use of Newfoundland's Natural Environment, 1675-1699

Chapter 4

“If it were not for Wood or Fish”: Newfoundland, Knowledge Production and Policy Development in 1675

By 1675, English policymakers, merchants and planters had supplanted the assumption that Newfoundland could host an economically diverse colony and instead focused their efforts on the cod fishery. From 1675 to 1699, discussions in England turned to the specifics of managing Newfoundland: how should residents, fishers and ships use Newfoundland’s natural resources to conduct the fishery, and how should the government stop practices that threatened the fishery’s profitability? Throughout their inquiries, government officials collected information about Newfoundland, tested conclusions drawn from those sources as policies, and reassessed their plans when challenged by unexpected results, continuing the reflexive cycle that began in 1610. Unlike the period from 1610 to 1674, English considerations were not focused on determining what industries Newfoundland could support. Instead, policymakers worked to identify business and governance practices suited to their new understanding of Newfoundland’s natural environment and to determine whether those practices helped meet their goal of protecting and increasing the fishery’s economic value.¹

The introduction of new methods of collecting and analyzing information about Newfoundland in 1675 marked a turning-point for the English government’s management of the island. In February of that year, the Committee for Trade and Plantations investigated complaints that declining cod stocks and abuses of existing regulations disrupted Newfoundland’s fishery. The resulting hearings were the most comprehensive consideration of Newfoundland by the English government to that point and used new, more systematic, techniques to collect

¹ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; “William III, 1699: An Act to Encourage the Trade to Newfoundland. [Chapter XIV. Rot. Parl. 10 Gul. III. p. 3. n.5.],” in *Statutes of the Realm*: Vol. 7, 1695-1701, ed. John Raithby, (London: Great Britain Record Commission, 1820), 515-518; George Soros, “Fallibility, Reflexivity, and the Human Uncertainty Principle,” *Journal of Economic Methodology* 20, no. 4 (2013): 309–329.

information about the island's natural resources and inhabitants. The Committee concluded from this evidence that evicting Newfoundland's English residents would solve the environmental, economic and legal issues facing the island, such as deforestation and destruction of the migratory fishery's onshore facilities by English residents. However, John Berry, the English naval commander in Newfoundland, refused to remove the island's inhabitants, citing discrepancies between his orders and the situation he found on the scene, prompting the Committee to re-evaluate its findings. This chapter argues that the eviction order and its reconsideration resulted from an emerging approach to knowledge production employed by natural philosophers and politicians in Restoration England to form both scientific hypotheses and government policies. This inductive method, based on the work of Francis Bacon, used cumulative evidence and continually scrutinized conclusions in the face of new information and insights to make decisions, practices the Committee applied in both its initial investigation and response to Berry's resistance.²

The chapter is divided into three sections covering the Committee's investigation and the reaction to Berry's refusal to carry out the eviction. The first section examines why the Committee opened an inquiry into the legal, economic and environmental situation of Newfoundland in 1675, and shows how its membership influenced the proceedings. The second section discusses the methods that the Committee used to collect and evaluate information about Newfoundland, including town surveys, opinions and an outside observer, and why those techniques led it to conclude that eviction was the best course of action. The third section

² Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; John Berry, to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-241; Steven Shapin and Simon Schaffer, *Leviathan and the Air-Pump: Hobbes, Boyle, and the Experimental Life* (Princeton: Princeton University Press, 1985), 298-310; Peter Burke, *A Social History of Knowledge: From Gutenberg to Diderot*, (Cambridge: Blackwell Publishers, 2000), 45-48, 210-216; Ian Steele, *Politics of Colonial Policy: The Board of Trade in Colonial Administration 1696-1720* (Oxford: Oxford University Press, 1968), 7-9.

examines Berry's refusal to execute his orders, the reports he wrote about Newfoundland, and how the Committee used this new evidence to reassess its findings. The most complete record of the 1675 Newfoundland investigation can be found in the Committee for Trade and Plantation's minute books, held at the National Archives in Kew, London. These records, more than any other source, illuminate the Committee's primary concerns, the methods it used and the individuals involved. The Colonial Office files, also at the National Archives, contain the letters, reports and other documents that informed the Committee. Letters and drafts related to the West Country's impressions of the proceedings are held at the Plymouth and West Devon Record Office. These collections reveal that the Committee, which underwent a major reorganization in 1674 when Charles II replaced the previous board, which he perceived as ineffective, with a new body of administrators, worked extensively to understand Newfoundland by accessing previously unused information sources.³

The approach that the Committee used to examine Newfoundland in 1675 reflected the adoption of Francis Bacon's method of inductive reasoning by natural philosophers and politicians in Restoration England. Bacon, an English statesman and natural philosopher who died in 1626, proposed that knowledge should be produced inductively through the interpretation of evidence accrued from observation and experimentation, and continually tested to ensure its accuracy. Building on natural history methods, Bacon's inductive method used the process of collecting and cataloguing evidence to form broader hypotheses about the natural world, rather than simply categorizing natural objects. In turn, these hypotheses would be scrutinized against new ideas and insights in a continuous cycle of reinforcing, refining, or rejecting conclusions. Central to this cycle was Bacon's prioritization of negative evidence, information that

³ Charles Andrews, *British Committees, Commissions, and Councils of Trade and Plantations, 1622-1675* (Baltimore: Johns Hopkins University Press, 1908), 111–113.

contradicted initial findings, since it allowed for faulty hypotheses to be quickly dismissed or refined. Bacon argued that by methodically working towards more general principles, this inductive approach would create a body of knowledge free from prejudices and preconceptions. This technique contrasted with classical deductive methods of reasoning which often relied on syllogistic argumentation, a method that used general principles to establish specific conclusions.⁴

Following Bacon's death, his ideas found a series of influential proponents, such as the natural philosopher Robert Boyle, and spread beyond natural philosophy during the Interregnum, when the economist and philosopher William Petty adapted Bacon's ideas to inform political decisions. This trend accelerated in 1660 with the Restoration of Charles II and the establishment of the President, Council and Fellows of the Royal Society of London for Improving Natural Knowledge. Founded as a meeting place, organizer, publisher and promoter of methods of knowledge production based on Baconian principles, the Royal Society based its program on the methods and goals laid out by Bacon in *The Advancement of Learning* (1605) and *Novum Organum* (1620).⁵

The Royal Society's membership included not only natural philosophers but also politicians interested in employing its ideas to inform their decisions, including those regarding colonial projects. Founded in 1670, The Hudson's Bay Company's leadership included several members of the Royal Society and, as historian Theodore Binnema found, merchants working

⁴ Francis Bacon, *The Advancement of Learning of the Partitions of Science*, 1605, ed. William Armstrong (London: The Athlone Press, 1975) 51-54; Francis Bacon, *Novum Organum*, 1620, trans. James Spedding, Robert Ellis and Douglas Heath, (England: Library of English Renaissance Literature, 1970; Interlex Past Masters, 2000) <http://pm.nlx.com/xtf/view?docId=britphil/britphil.01.xml;chunk.id=div.britphil.v1.10;toc.depth=2;toc.id=div.britphil.v1.10;brand=default>; Anthony Quinton, *Francis Bacon*, Past Masters (New York: Hill and Wang, 1980), 55-69; Michael Hunter, *Science and Society in Restoration England* (Cambridge: Cambridge University Press, 1981), 32-42.

⁵ Bacon, *The Advancement of Learning*; Bacon, *Novum Organum*; Shapin and Schaffer, *Leviathan and the Air-Pump*, 12-15; Quinton, *Francis Bacon*, 54-57; Paul Slack, "Government and Information in Seventeenth-Century England," *Past & Present* 184 (August 2004): 42-46; Hunter, *Science and Society in Restoration England*, 130-135.

for the Company sought support from the Royal Society by reporting findings from the Company's territory. The Company's charter reflected the importance placed upon natural knowledge as a tool for advancing England's interests in the 1660's and 1670's. Binnema noted that the charter "made the connection between exploration and knowledge explicit."⁶ This joining of natural philosophy, exploration, colonization, business and politics reflected what John Pickstone described as the Natural Historical Ways of Knowing's emphasis on using new knowledge to achieve political and commercial goals. By collecting new information about America, and using that information to build hypotheses about its natural environment, natural philosophers, politicians and merchants were identifying goods, practices and strategies that could advance England's political and imperial ambitions.⁷

Historian Michael Hunter argued that, following the Restoration, English government officials developed policy by accumulating firsthand accounts to understand issues and judge the efficacy of proposed solutions, basing decisions on the available information and allowing for change if challenged by new insights or evidence. However, policymakers often disregarded or worked around specific components of Bacon's method, such as his concept of the Idols of the Mind, a collection of fallacies that obstructed scientific reasoning by making findings conform to prejudices and expectations, to address priority issues.⁸ Additionally, as noted by historian Gary Stuart de Krey, London's merchant community worked to ensure that government decisions guarded the cities' economic and political power by pressuring policymakers, many of whom were merchants themselves, to pay particular attention to local merchant interests in their

⁶ Theodore Binnema, *"Enlightened Zeal": The Hudson's Bay Company and Scientific Networks, 1670-1870* (Toronto: University of Toronto Press, 2014), 47-57.

⁷ John Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001), 60-68; Ted McCormick, *William Petty: And the Ambitions of Political Arithmetic* (Oxford: Oxford University Press, 2010), 85-90.

⁸ Hunter, *Science and Society in Restoration England*, 11-21.

decisions.⁹ Even though political realities often shaped their decisions, this approach attracted politicians seeking to avoid repeating the violence of the Civil War and Interregnum by minimizing the influence of partisan politics. Historians Simon Schaffer and Steven Shapin called these efforts an attempt to create an “ideal society, where dispute could occur safely and where subversive errors were quickly corrected.”¹⁰

These techniques became particularly important for considering issues either difficult for policymakers to observe directly because of the nature of the topic, such as colonial issues, or required the careful consideration of large quantities of data. Petty’s investigation of English colonial policy in *Political Arithmetick*, written in 1676 and published in 1690, applied these ideas by using economic and demographic data from America to identify ways to increase the economic value of England’s colonies.¹¹ The Committee’s investigation shared these goals of developing accurate decisions and avoiding partisan interference. In both its investigation and its reaction to Berry’s reports, the Committee sought accounts based on firsthand information about Newfoundland and based its decision on conclusions drawn from those sources, but was willing to reassess its findings when presented with contradictory evidence.¹²

The events of 1675 have received little scholarly attention despite their importance for understanding both the management of Newfoundland and policymaking in Restoration England in general. In 1895, Daniel Prowse ascribed the eviction order to the bribery of the Committee by Josiah Child, a prominent politician and economic writer who opposed appointing a governor of

⁹ Gary Stuart De Krey, *A Fractured Society: The Politics of London in the First Age of Party, 1688-1715* (Oxford: Clarendon Press, 1985), 9–15; for an account of major London merchants in this period see J. R. Woodhead, *The Rulers of London, 1660-1689: A Biographical Record of the Aldermen and Common Councilmen of the City of London* (London: London & Middlesex Archaeological Society, 1965).

¹⁰ Shapin and Schaffer, *Leviathan and the Air-Pump*, 298; Slack, “Government and Information in Seventeenth-Century England,” 42–46.

¹¹ William Petty, *Political Arithmetick*, (London: Printed for Robert Clavel and Henry Mortlock, 1690), 84-90; McCormick, *William Petty*, 230-248.

¹² Minutes of the Committee for Trade and Plantations, Whitehall, April 8 1675, TNA, CO 391/1, 11; John Berry report for the officers and commissioners of his Majesty’s Navy, July 25, 1675, ADM 106/308, 75-76.

Newfoundland. Although there is no evidence indicating that Child, or anyone else, bribed the Committee, there are few other interpretations of the event by historians. The only other examinations of the eviction order are found in historians Keith Matthews's and Glanville Davies's doctoral dissertations. Both Matthews and Davies attributed the eviction order to attempts by government officials to support West Country towns during a period of economic hardship by reducing competition. Neither of their dissertations explained how the Committee made the choice that it did or why it reconsidered its findings after Berry's reports.¹³

Both the methods used by the Committee and its efforts to develop and enforce a long-term solution to Newfoundland's problems were unprecedented. Before 1675, the English government did not have a unified Newfoundland policy. Previous monarchs and government bodies divided the management of English efforts in Newfoundland between proprietary governors authorized by the government to manage chartered plantations, all of whom had left Newfoundland by 1675, and the Western Charter, which delegated the regulation of the Newfoundland fishery to West Country fishing ships. The English government had habitually made piecemeal decisions based on historical and legal documents and left enforcement to outside parties, such as revising the Western Charter to ban by-boats in 1661.¹⁴ An examination of the methods used by the Committee during its Newfoundland investigation opens new insights

¹³ Minutes of the Committee for Trade and Plantations, Whitehall, 25 March 1675, TNA, CO 391/1, 9; Josiah Child, "Indulging a Colony at Newfoundland," 30 March 1675, TNA, CO 391/1, 10; John Ferris, "CHILD, Josiah (c. 1630-1699), of Wanstead, Essex," *The History of Parliament British Political, Social & Local History*, 1983, <http://www.historyofparliamentonline.org/volume/1660-1690/member/child-josiah-1630-99>; Daniel Prowse, *A History of Newfoundland* (London: Macmillan and Co., 1895), 189-90; Glanville Davies, *England and Newfoundland: Policy and Trade 1660-1783* (PhD Diss., University of Southampton, 1980), 22-4; Keith Matthews, *A History of the West of England-Newfoundland Fishery* (PhD Diss., Oxford University, 1968), 209-21.

¹⁴ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," 24 January 1633, TNA, CO 1/8, 1-6; Jerry Bannister, *The Rule of the Admirals Law, Custom and Naval Government in Newfoundland, 1699-1832* (Toronto: Osgoode Society for Canadian Legal History by University of Toronto Press, 2003), 29-30; Peter Pope, "Baltimore vs. Kirke, 1651: Newfoundland Evidence in an Interregnum Lawsuit," *Avalon Chronicles* 3 (1998): 63-5.

into an overlooked turning point in both Newfoundland history and English policy in the Atlantic World.¹⁵

Initiating the Investigation: William Hinton and the Committee for Trade and Plantations, February 12

The petition to which the Committee was responding made no request for eviction. The petitioner, William Hinton, an English courtier, merchant and royalist with experience in the Newfoundland cod trade, requested on February 12, 1675, that he be appointed governor of Newfoundland. If granted with rights similar to those held by previous governors such as David Kirke, the position would have provided Hinton significant control over Newfoundland, including the authority to tax foreign ships and enforce laws.¹⁶ Hinton based his petition on two claims: that Charles II had promised him the governorship, and that a governor was needed to provide security for the fishery.¹⁷ Hinton was not the first to pursue this title since Cecil Calvert's agent, John Rayner, had left Newfoundland nine years earlier.¹⁸ However, while the government had rejected previous requests, such as Robert Robinson's 1668 petition, following debates about their merits, Hinton triggered an investigation that expanded far beyond his request by seeking long-term solutions to Newfoundland's chronic problems.¹⁹

¹⁵ Minutes of the Committee for Trade and Plantations, 4 December 1675, TNA, CO 391/1, 25-6; Hunter, *Science and Society in Restoration England*, 32-42.

¹⁶ James I, "Grant of the Province of Avalon to George Calvert," 1623, TNA, CO 1/2, 150-140a; "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27; Hinton, "Order of the King in Council, referring to the petition of William Hinton," February 12, 1675, in *Calendar of State Papers Colonial*, 596.

¹⁷ William Hinton, "The Pretended Reasons against Government...with the Answer," February 12, 1675, TNA, CO 1/65, 89v; C.M. Rowe, "Hinton, William," *Dictionary of Canadian Biography, Volume I (1000-1700)*, accessed February 7, 2015, http://www.biographi.ca/en/bio/hinton_william_1E.html.

¹⁸ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Jack Sosin, *English America and the Restoration Monarchy of Charles II: Transatlantic Politics, Commerce, and Kinship* (Lincoln: University of Nebraska Press, 1980), 40.

¹⁹ "The Reply of Merchants, Owners and Masters of Ships to the Allegations of Capt. Robert Robinson concerning the Newfoundland Fishery," 1668, TNA, CO 1/22, 119.

Hinton's defense of his petition spurred the Committee in this direction. Anticipating a debate like the one Robinson had instigated, Hinton presented two letters attacking his potential opponents before the Committee made any requests for outside opinions or information.²⁰ He accused West Country merchants of profiteering by lending money at interest rates as high as 25 to 30 percent, charging planters and fishers excessive prices for provisions and stranding fishers in Newfoundland and New England to avoid paying for return passages to England. Hinton also argued that merchants abused the Western Charter by selectively enforcing its provisions, creating a predatory relationship in which merchants could do as they pleased while Newfoundland's inhabitants had no legal recourse.²¹

The government had other motives for an expanded consideration of Newfoundland in 1675: declining catches and participation in the fishery in the 1660's and 1670's. Beginning in the late 1660's and continuing until the early 1700's, Newfoundland experienced declining cod populations because of lower temperatures connected to the little ice age, a period of colder temperatures from 1300 to 1870. Catches bottomed out between 1669 and 1674 to 100-140 quintals (5-7 tons) of dry-salted cod per boat, down significantly from the 180-200 quintals (9-10 tons) per boat in years reported to be average in the seventeenth century.²² In addition to poor catches, conflicts with Spain and the Dutch Republic caused losses of English fishing and trade ships, and Dutch raids on Newfoundland in 1665 and 1673 damaged both migratory and

²⁰ Minutes of the Committee for Trade and Plantations, Whitehall, February 23, 1675, TNA, CO 391/1, 4.

²¹ William Hinton, "Pretended Reasons against Erecting the King's Government in Newfoundland, with Answers," February 23, 1675, MHA, Keith Matthews Collection, MHA 16-C-2-153; William Hinton, "Statement of the reasons the West Country fishermen are against the taking of Newfoundland under the King's government," February 23, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 596-597.

²² Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 33, 37; George Rose, *Cod: The Ecological History of the North Atlantic Fisheries*, (St. John's: Breakwater Books, 2007), 240-242; Irene Mantzouni and Brian MacKenzie, "Productivity Responses of a Widespread Marine Piscivore, *Gadus Morhua*, to Oceanic Thermal Extremes and Trends," *Proceedings: Biological Sciences* 277, no. 1689 (June 22, 2010): 1871-1873; Dag Ø. Hjermann et al., "Food Web Dynamics Affect Northeast Arctic Cod Recruitment," *Proceedings: Biological Sciences* 274, no. 1610 (March, 2007): 665-666.

inhabitant fisheries. The resulting losses hurt West Country towns such as Plymouth and Dartmouth, which relied on the fishery to employ their residents, support the local provisioning industry and supply trade goods.²³

At the time of Hinton's petition, French activities in Newfoundland worried English politicians. While the English fishery struggled in the 1660's and 1670's, the French expanded their presence in Newfoundland. In 1662, French military forces and planter families established a town and fortifications at Plaisance with the dual purpose of protecting the French fishery in Newfoundland and protecting French shipping to and from New France. France had maintained a seasonal fishery in Newfoundland since the sixteenth century, but Plaisance was the first French attempt to develop a permanent presence on the island. Unlike the English colonies in Newfoundland, Plaisance was initially established by the French government to integrate its fisheries there into politician Jean-Baptiste Colbert's larger mercantilist policies. Plaisance was selected as the site of the colony because of its large protected harbour, which could accommodate 150 ships, and its proximity to the fishing banks and shipping routes between the St. Lawrence River and Europe. The French population in Newfoundland grew slowly during the seventeenth century, with an estimated total summer population, including seasonal residents, of 600 in 1680.²⁴ Although the English government was slow to recognize the significance of

²³ James Houblon, "Reasons for the decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-6; George Pley to the Naval Commissioners, July 1, 1665, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 5, 1661-1668, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1880), 307-316; William Gilbert, "'ye Strength of Ye Place': Defence Works in the St. John's Narrows, 1638-1780," *Newfoundland and Labrador Studies* 25, no. 2 (2010): 198-199; Matthews, *A History of the West of England-Newfoundland Fishery*, 181-182.

²⁴ Pope, *Fish into Wine*, 202-203; Laurier Turgeon, *The Era of Far-Distant Fisheries-Permanence and Transformation (circa 1500-1850)*, trans. Aspi Balsara (St John's: Centre for Newfoundland Studies, Memorial University of Newfoundland, 2005), 12-13; Marc Egnal, *New World Economies: The Growth of the Thirteen Colonies and Early Canada* (New York: Oxford University Press, 1998), 128-32; Amanda Crompton, *The Historical Archaeology of a French Fortification in the Colony of Plaisance the Vieux Fort Site (CHA1-04) Placentia Newfoundland*, (PhD Diss., Memorial University of Newfoundland, 2012), 70-73.

Plaisance, in 1675 the Committee was beginning to view Plaisance as a threat to their interests in Newfoundland. However, the Committee was unsure how serious that threat was.²⁵

The troubled English fishery and the growing French presence complicated Hinton's petition, and the lack of reliable information about Newfoundland magnified these issues. The Committee's review of prior documents, debates and legislation regarding Newfoundland revealed more problems than solutions.²⁶ Much of this information was outdated or came from questionable sources. Recognizing these difficulties, the Committee collected and analyzed new evidence about Newfoundland's economic, environmental and political issues.²⁷

The structure and the attendance record of the Committee provide insight into how it conducted the Newfoundland investigation. Historian Ian Steele notes that the Committee, one of a series of bodies of colonial administrators appointed from 1655 onwards, was the most active of these agencies in investigating and intervening in colonial issues until the Board of Trade succeeded it in 1696. In 1675, the Committee was composed of the Clerk of the Privy Council and twenty-four members of the Privy Council appointed by Charles II, but attendance averaged six appointees per meeting during its hearings about Newfoundland.²⁸ The most regular attendees were Arthur Annesley, John Berkeley, George Carteret, William Craven and Joseph Williamson. These members either held high offices or were involved in other colonies, giving them a vested interest in the proceedings. In 1675, Williamson was Secretary of State and Annesley was the

²⁵ John Rayner, "Petition," November 12, 1662, CO 1/16, 248; "Report on the Petition of John Rayner and William Rayner," November 14, 1662, TNA, CO 1/16, 246-247; John Parrett, "on the French at Newfoundland," February 27 1675, TNA, CO 391/1, 5-6; Alan Williams, *Father Baudoin's War: d'Iberville's Campaigns in Acadia and Newfoundland, 1696, 1697* (St. John's: Memorial University of Newfoundland, 1987), 10-12.

²⁶ Minutes of the Committee for Trade and Plantations, February 25, 1675, TNA, CO 391/1, 4-5; "Newfoundland," February 27, 1675, TNA, CO 1/35, 25-26.

²⁷ George Pley to the Naval Commissioners, July 1, 1665, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 5, 1661-1668, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1880), 307-316; Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Pope, *Fish into Wine*, 187-191.

²⁸ "A List of the Lords of the Privy Council appointed a Committee for Trade and Plantations," CO 391/1, 2; Steele, *Politics of Colonial Policy*, 7-10.

Lord Privy Seal. Berkeley, Carteret and Craven financed and governed colonies in Carolina and New Jersey, giving them an interest in how the English government managed its North American possessions.²⁹ Robert Southwell, a diplomat and the Clerk of the Privy Council assigned to the Committee, attended regularly but appears in the minutes only when he spoke or presented evidence, owing to his position as a paid bureaucrat rather than an appointed politician.³⁰

Non-appointed bureaucrats, merchants and others regularly attended the Committee's meetings and offered opinions and evidence on the issues at hand, although the meeting minutes seldom recorded who was present beyond the appointed members. The minutes often recorded non-appointed individuals only if they submitted information or the Committee gave them a task. For example, Child was not a member of the Committee, but he offered opinions about Newfoundland on two occasions and appeared in the minutes only on those occasions. There are no references as to whether Child attended any other meetings about Newfoundland, but his recorded opinions indicate he was well-informed regarding the island's economy.³¹ Additionally, Samuel Pepys, the famed bureaucrat and diarist, was not an appointed member of the Committee but attended in his position as Secretary of the Admiralty Commission. Like Child, Pepys appears in the Committee's minutes only when he spoke or was assigned a task.³²

²⁹ Malcolm Smuts, "Craven, William, Earl of Craven (bap. 1608, D. 1697)," *Oxford Dictionary of National Biography*, accessed August 8, 2015, <http://www.oxforddnb.com/view/article/6636>; C.H. Firth, "Carteret, Sir George, First Baronet (1610-1680)," *Oxford Dictionary of National Biography*, accessed August 8, 2015 <http://www.oxforddnb.com/index/4/101004803>; Sosin, *English America and the Restoration*, 126.

³⁰ Minutes of the Committee for Trade and Plantations, February 9 to April 8, 1675, CO 391/1, 2-12.

³¹ Minutes of the Committee for Trade and Plantations, Whitehall, March 25, 1675, TNA, CO 391/1, 9; Josiah Child, "Indulging a Colony at Newfoundland," March 30, 1675, TNA, CO 391/1, 10; John Ferris, "CHILD, Josiah (c. 1630-1699), of Wanstead, Essex," *The History of Parliament British Political, Social & Local History*, accessed August 10, 2015, <http://www.historyofparliamentonline.org/volume/1660-1690/member/child-josiah-1630-99>; Prowse, *A History of Newfoundland*, 189-190.

³² "Samuel Pepys to send their lords a draft of the instructions given to the convoys," April 8 1675, TNA, CO 391/1, 11a; C.S. Knighton, "Pepys, Samuel (1633-1703)," *Oxford Dictionary of National Biography*, accessed August 10, 2015, <http://www.oxforddnb.com.libproxy.wlu.ca/view/article/21906>.

Scientific and political developments in the 1660's and 1670's influenced the Committee's proceedings, particularly the spread of Bacon's inductive reasoning as a political tool. Three fellows of the Royal Society participated in the Newfoundland investigation: Williamson, Southwell and Pepys, each of whom would be elected President of the Royal Society in 1677, 1684 and 1690, respectively. Their involvement in the Royal Society indicates a shared interest in Baconian methods of reasoning, an interest that continued into their political work. Williamson, Southwell and Pepys developed new sources of information about Newfoundland based on the idea that decisions should be based on cumulative evidence and allow for further scrutiny.³³

Williamson influenced the Committee's proceedings in these ways: he attended all but one of the meetings about Newfoundland and promoted the collection and analysis of firsthand accounts. Although Craven attended all the meetings about Newfoundland, there is no recorded instance of him offering any information or opinions during the proceedings.³⁴ Williamson promoted town surveys and the critical assessment of information as key to understanding Newfoundland, emphasizing an inductive approach to knowledge production by scrutinizing hypotheses.³⁵

Although Pepys and Southwell were not appointed members of the Committee, they significantly influenced the investigation. Pepys, who coordinated communications and resources between the Committee and the Admiralty, developed the articles of inquiry for John

³³ "List of Fellows of the Royal Society 1660-2007," 278, 333, 383; Hunter, *Science and Society in Restoration England*, 11-21; G. E. Aylmer, *The Crown's Servants: Government and Civil Service under Charles II, 1660-1685* (New York: Oxford University Press, 2002), 195-196; John Gascoigne, "The Royal Society and the Emergence of Science as an Instrument of State Policy," *The British Journal for the History of Science* 32, no. 2 (June 1999): 171-84.

³⁴ Minutes of the Committee for Trade and Plantations, February 9 to April 8, 1675, CO 391/1, 2-12.

³⁵ Minutes of the Committee for Trade and Plantations, February 27, 1675, TNA, CO 391/1, 5-6; Edward Walker, "Order of the Council about Newfoundland," May 5, 1675, TNA, CO 1/34, 151; Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25-26.

Berry to complete in Newfoundland in the summer of 1675. These organized sets of questions, designed to record observations in a standardized format, collected comparable qualitative information from multiple observers. Historian Barbara Shapiro argues that Restoration politicians developed the articles of inquiry using a Baconian approach to decision-making by gathering multiple sets of answers to the same questions over time, allowing for the creation of policies that represented the most viable solution to a problem. This survey format allowed politicians to retest their conclusions by creating comparable sets of information before and after the implementation of a policy. Articles of inquiry would be issued for Newfoundland annually after 1675, and represent one of the most detailed series of surviving documents about the English presence in early modern Newfoundland.³⁶

Southwell used his connections and skills as both a diplomat and a fellow of the Royal Society to contribute to the proceedings. He obtained statistical information about French participation in the Newfoundland fishery and supported the introduction of an outside observer to provide an independent analysis of the information collected. In both cases, Southwell worked to ensure that the Committee received reliable information about the state of Newfoundland and that its analysis represented an accurate interpretation of that evidence.³⁷

Pepys, Williamson and Southwell's approach diverged from Hinton's expectations. Rather than hosting a debate like the one held in response to Robinson's 1668 petition, the

³⁶ "Samuel Pepys to send their lords a draft of the instructions given to the convoys," April 8 1675, TNA, CO 391/1, 11a; Pope, *Fish into Wine*, 197–198; John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; John Berry to Secretary Joseph Williamson, July 24 1675, TNA, CO 1/34, 240-241; Barbara Shapiro, *Probability and Certainty in Seventeenth-Century England: A Study of the Relationships between Natural Science, Religion, History, Law, and Literature* (Princeton: Princeton University Press, 1983), 37–44, 237–246; Barbara Shapiro, *Political Communication and Political Culture in England, 1558-1688* (Stanford: Stanford University Press, 2012), 67–68.

³⁷ Robert Southwell, "Request for a report on information from St. Malo on the Number of ships sent to Newfoundland," March 1, 1675, TNA, CO 1/34, 27; James Houblon to Robert Southwell, March 30, 1675, TNA, CO 1/34, 58-61; Minutes of the Committee for Trade and Plantations, Whitehall, March 30, 1675, TNA, CO 391/1, 9a-10; Shapin, *A Social History of Truth*, 6–9.

Committee focused on collecting and assessing information to address a range of issues regarding Newfoundland. The investigation initiated in response to Hinton's petition thus constituted a reaction not only to issues faced in Newfoundland, but also problems with the information available about Newfoundland. Using methods rooted in Bacon's inductive method, the Committee and its attendees, particularly Williamson, Pepys and Southwell, sought new sources of information about Newfoundland to guide their decision and to correct flaws in prior management practices.³⁸

Investigating Newfoundland: Collecting and Evaluating Evidence, February 25 to May 5

The Committee used three methods to collect and assess information about Newfoundland: town surveys, opinions and an outside observer. Government requests for opinions regarding the condition of Newfoundland's cod fishery had appeared as early as 1527, but the use of a town survey and an outside observer in 1675 were both firsts. Each of these three methods provided information about the condition of Newfoundland and the concerns of English fishers and merchants while allowing the Committee to make an informed judgement on Hinton's petition. The methods the Committee used focused on collecting firsthand information about Newfoundland, such as accounts by fishers and merchants who travelled there. These observations, often reported in formats that were easily comparable across multiple accounts, allowed the Committee to develop a policy solution based on a large body of evidence about the island's economy and natural environment.³⁹

The 1675 use of the town survey was the English government's first application of political arithmetic for managing Newfoundland. Defined by the historian Ted McCormick as

³⁸ Minutes of the Committee for Trade and Plantations, Whitehall, February 25, 1675, in *Calendar of State Papers Colonial*, 172.

³⁹ Edmund Howard to Thomas Wolsey, December 26-31, 1527, in *Letters and Papers, Foreign and Domestic, Henry VIII*, Vol. 4, 1524-1530, ed. J.S. Brewer, (London: Her Majesty's Stationary Office, 1875), 1653-1672.

the use of quantitative information collected from observational records to guide policy decisions, political arithmetic was especially useful for gathering information from multiple sources about one subject, as in the case with the town surveys. The Committee issued the surveys in response to both Hinton's concerns and problems found in the review of materials from prior hearings.⁴⁰ West Country towns had kept quantitative records of catch rates and ships in Newfoundland in port books before 1675, but that information had been used exclusively for taxation purposes. Unlike the port books, the town survey gathered information about Newfoundland's economic value and English population.⁴¹

The Committee sent the survey to fourteen West Country towns as a series of questions to be answered by their mayors in consultation with local merchants, ship-owners and others with experience in Newfoundland. The survey asked what harbours were used, these harbours' locations in relation to one another, the number of English inhabitants in these harbours, the harbours' navigability, the quality of fishing in each harbour and what locations were suitable for fortifying. The Committee collected this information to determine the distribution of Newfoundland's English population, what harbours were the most important for the fishery and where fortifications would be most useful.⁴² Of the fourteen towns contacted, only six replied: Weymouth, Falmouth, Plymouth, Southampton, Barnstaple and Bideford. The other eight towns, Poole, Lyme Regis, Melcombe, Exeter, Dartmouth, East Low, Foy and Bristol, did not respond to the survey despite their involvement in the Newfoundland fishery.⁴³

⁴⁰ Minutes of the Committee for Trade and Plantations, Whitehall, February 25, 1675, in *Calendar of State Papers Colonial*, 172.

⁴¹ John Berry, "A List of Planter Names....," September 12, 1675, TNA, CO 1/35, 149-156; McCormick, *William Petty*, 8-11; Gillian Cell, *English Enterprise in Newfoundland 1577-1660*, (Toronto: University of Toronto Press, 1969), i-iii.

⁴² Minutes of the Committee for Trade and Plantations, February 25, 1675, TNA, CO 391/1, 1-10.

⁴³ Minutes of the Committee for Trade and Plantations, February 25, 1675, 598; Burr, "Report on Newfoundland," March 3 1675, TNA, CO 1/34, 35-37; William Arundel, "Report on Newfoundland," March 16 1675, TNA, CO

Tobias Burr, the mayor of Weymouth, followed the instructions issued with the survey closely, providing the best example of what the Committee wanted from the respondents. Burr summoned “the owners and masters of ships usually trading at the Newfoundland” to account for “all the ports and places of that plantation together with the number of planters at present residing there.”⁴⁴ He completed the survey by listing the requested information without adding additional information or opinions, providing a straightforward response that purported to represent the collective experience of Weymouth’s merchants and ship-owners regarding Newfoundland.⁴⁵

Unlike Burr, Thomas Farr, the mayor of Southampton, was reluctant to complete the survey as requested by the Committee. Farr argued that he was unsure why he should respond since all he was reporting was common knowledge about Newfoundland. While he did complete the survey, Farr provided unsolicited opinions about Newfoundland’s English inhabitants. According to Farr, residents destroyed buildings belonging to West Country fishing ships, causing delays each spring as fishing crews rebuilt structures. Farr’s addenda indicated not only antipathy in Southampton towards Newfoundland’s English inhabitants, but also reluctance simply to list the requested information.⁴⁶

Farr’s response represented a trend among West Country merchants to portray Newfoundland’s English inhabitants as detrimental to the fishery, a point that Prowse interpreted as an organized English effort to suppress Newfoundland’s development. Matthews, W. Gordon Handcock and Peter Pope have contested Prowse’s interpretation by arguing that while anti-

1/34, 44-46; William Weekes, Mayor of Plymouth, “Answers and Opinions on Newfoundland,” March 12, 1675, TNA, CO 1/34, 41-42; Thomas Farr, Mayor of Southampton, “Answer to orders on Newfoundland,” March 24 1675, TNA, CO 1/34, 62-63; Richard Hook, Mayor of Barnstaple, and Thomas Gearing, Mayor of Bideford, “Answer from the Mayors Concerning Newfoundland,” March 30 1675, TNA, CO 1/34, 87-88.

⁴⁴ Burr, “Report on Newfoundland,” March 3 1675, TNA, CO 1/34, 35.

⁴⁵ Ibid.

⁴⁶ Farr, “Answer to orders on Newfoundland,” March 24 1675, TNA, CO 1/34.

inhabitant opinions were present in the West Country, there was no active effort to suppress Newfoundland's English inhabitants by merchants of that region. Instead, West Country merchants and mayors often resisted government interference in the fishery, such as the appointment of a governor, which they worried would increase taxes and reduce the rights granted to them in the 1634 Western Charter.⁴⁷

The 1675 town survey supports Matthews's, Handcock's and Pope's interpretation. With the exception of Farr's response, the town surveys did not express anti-inhabitant views. The four other completed surveys from Falmouth, Plymouth, Barnstaple and Bideford followed a format like Burr's, offering basic information about what harbours were used, whether they were inhabited and how well protected they were. Their responses were largely identical with few minor differences, such as the distances between harbours and the number of inhabitants in specific places. The surveys offer no breakdown of the population numbers in Newfoundland beyond planters and servants, which the mayors estimated was between nine hundred and one thousand in total. The town surveys defined the English population of Newfoundland solely by the fishery and the economic relationship between planters and servants, with no larger society or government. When analyzed together, the town surveys present a Newfoundland characterized by many sheltered harbours inhabited by small clusters of planters and their servants.⁴⁸

The town surveys are different from any other method used to gather information about Newfoundland during the initial investigation. Until Berry's census later that year, no other

⁴⁷ Prowse, *A History of Newfoundland*, xiii; Harold Innis, *The Cod Fisheries: The History of an International Economy* (Toronto: University of Toronto Press, 1940), 95–101; Keith Matthews, "Historical Fence Building: A Critique of the Historiography of Newfoundland," *Newfoundland and Labrador Studies* 17, no. 2 (2001): 143–145; W. Gordon Handcock, *So Longe as There Comes Noe Women: Origins of English Settlement in Newfoundland* (St. John's: Breakwater, 1989), 38–40; Pope, *Fish into Wine*, 65–68.

⁴⁸ Burr, "Report on Newfoundland," March 3 1675, TNA, CO 1/34, 35–37; Farr, "Answer to orders on Newfoundland," March 24 1675, TNA, CO 1/34, 62–63; Arundel, "Report on Newfoundland," March 16 1675, TNA, CO 1/34, 44–46; Weekes, "Answers and Opinions on Newfoundland," March 12, 1675, TNA, CO 1/34, 41–42; Hook and Gearing, "Answer from the Mayors Concerning Newfoundland," March 30 1675, TNA, CO 1/34, 87–88; Pope, *Fish into Wine*, 56.

sources of demographic information about Newfoundland existed in England, making town surveys a vital source of otherwise unavailable information. This demographic data allowed the Committee to produce and implement an evidence-based solution immediately, rather than wait months for censuses and reports to arrive from Newfoundland. Later, when Berry completed his census of Newfoundland, the Committee revisited its initial findings, particularly the demographics reported by the town surveys.⁴⁹

While the Committee emphasized the importance of firsthand accounts presented with little interpretation, respondents preferred the more familiar format of opinions. This familiarity is seen in the fact that the opinions submitted exceeded the town surveys in both the quantity of responses and diversity of information provided. Although opinions represented a form of partisan argumentation, there was valuable information in the letters and oral arguments elicited by Hinton's petition that the Committee used in its deliberations.⁵⁰

Two influential opinions came from John Parrett, a West Country merchant and lobbyist who opposed Hinton's petition, and from John Gould, a London merchant who supported the appointment of a governor of Newfoundland.⁵¹ In an oral argument, Parrett insisted that Hinton's petition presented an inaccurate depiction of Newfoundland. Rejecting Hinton's accusations that merchants abused Newfoundland's inhabitants, Parrett argued that the West Country merchants were both the best source of information about the island and the best choice to carry out the fishery. Parrett also stated that establishing a governor would be difficult due to the island's climate and poor soil, as they would require expensive buildings and imported supplies to overcome. Repeating what he claimed was a common saying in the West Country, Parrett stated

⁴⁹ Farr, "Answer to orders on Newfoundland," March 24 1675, TNA, CO 1/34, 62-63; Shapiro, *Probability and Certainty in Seventeenth-Century England*, 37-44.

⁵⁰ Minutes of the Committee for Trade and Plantations, February 25 to April 8, 1675, CO 391/1, 4-12.

⁵¹ Minutes of the Committee for Trade and Plantations, Whitehall, February 27, 1675, CO 391/1, 5-6; Pope, *Fish into Wine*, 44.

that “if it were not for wood or fish New-Found-Land were not worth a rush.”⁵² Opposing Parrett, Gould argued that if Newfoundland had a governor, it could produce fish more cheaply than France, boosting England’s trade. Although Gould does not discuss it, appointing a governor to Newfoundland could protect London’s merchant community from the West Country’s privileged position in the fishery outlined in the Western Charter, a move that aligns with De Krey’s argument that London merchants used their influence over the government to protect themselves from regional competitors. Gould, echoing Hinton’s letters, accused merchants such as Parrett of destructive self-interest that would permanently reduce the island’s value to England. Unlike Parrett, Gould did not offer any source for his claims.⁵³

In addition to opinions from individuals, some West Country towns coordinated their efforts. Richard Hook, the mayor of Barnstaple, wrote to William Weekes, the mayor of Plymouth, stating that the two towns shared similar outlooks about Newfoundland and that they needed to work together during the ongoing “examination of all things relating to the settlement, government and trade of Newfoundland.”⁵⁴ Hook argued that by working together Plymouth and Barnstaple could prevent the appointment of a governor and support the West Country as the best choice to enforce regulations and conduct the fishery.⁵⁵ Weekes, in agreement with Hook, gathered abstracts on the regulation, business and environment of Newfoundland and appointed

⁵² Parrett, “Thoughts on Newfoundland,” February 27, 1675, TNA, CO 391/1, 5-6.

⁵³ John Gould, “Encouraging a colony,” February 27, 1675, TNA, CO 391/1, 5-6; “John Gould to Sir Robert Southwell” March 18, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Volume 17, Cecil Headlam (London: His Majesty's Stationery Office, 1908), 598; J.R. Jones, *London Overseas: Merchant Groups at the End of the Seventeenth Century and the Moves Against the East India Company* (D.Phil. Thesis, Oxford University, 1970); De Krey, *A Fractured Society*, 9-15.

⁵⁴ Richard Hook to William Weekes, March 1, 1675, PWDRO, w360/85.

⁵⁵ *ibid.*

two representatives to argue against Hinton's petition.⁵⁶ Hook, along with Thomas Gearing, the mayor of Bideford, wrote to the Committee asking it to reject calls for the appointment of a governor of Newfoundland.⁵⁷

Despite such opposition to a governor, there were advocates for the cause in the West Country as well. George Pley, a merchant from Weymouth, wrote to the Committee arguing for the appointment of a governor of Newfoundland to prevent the theft and vandalism of shore facilities, to protect the fishery from the French and to stop deforestation. Pley reported that 250,000 young trees and 50,000 older trees were cut yearly in Newfoundland to construct and repair buildings. Additionally, unknown quantities of Newfoundland's trees were destroyed annually by forest fires started by inhabitants and fishing crews. Repeating the complaints made by Nicolas Luce and others since 1634, Pley argued that deforestation was a long-term threat to the migratory fishery, as it depended on Newfoundland's forests for fuel and building materials. The island's forests continued to diminish despite the government's recognition of the threat posed by deforestation to the viability of Newfoundland's fishery, and the agreement among fishers and merchants that overharvesting and burning trees hurt the fishery.⁵⁸

Despite their more subjective nature, opinions did provide information unavailable in the town surveys. Parrett and Pley provided quantitative information and references to their sources: Pley relied on quantitative data about deforestation in Newfoundland to make his case and Parrett cited accounts from sailors and merchants who had experience in Newfoundland. In both

⁵⁶ "Abstracts of several papers delivered to William Weekes, Mayor of Plymouth, concerning Newfoundland," March 6 1675, PWDRO, 1/360/86; Weekes, "Answers and Opinions on Newfoundland," March 12, 1675, TNA, CO 1/34, 41-42; "Remembrance of the Owners and Masters of Plymouth and Dartmouth," 1675, PWDRO, 1/19/2.

⁵⁷ Richard Hook and Thomas Gearing, letter to the Committee for Trade and Plantations, April 7, 1675, TNA, CO 1/34, 87-88.

⁵⁸ George Pley, "Arguments for a Settled Government at Newfoundland," March 17, 1675, TNA, CO 1/34, 49-50; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1633, TNA, CO 1/8, 1-6; Cell, *English Enterprise in Newfoundland*, 112-113; Nicolas Luce, "Depositions," November 28 1667, PWDRO, w1/360/67.

instances, Pley's and Parrett's opinions presented firsthand accounts about Newfoundland otherwise unavailable during the hearings. Although the Committee prioritized observational information presented without interpretation, such as the town surveys, it did not ignore informed opinions. However, the partisan nature of opinions did create problems. On December 4, 1675, following Berry's refusal to carry out the eviction, Williamson criticized Parrett for misrepresenting evidence in his opinions for political gain.⁵⁹

Faced with a large quantity of information and contradictory opinions, the Committee brought in an outside observer to provide an analysis of the challenges facing the Newfoundland fishery and propose a solution. James Houblon, a London merchant involved in the Iberian wine trade and later a director of the Bank of England, was selected as the observer.⁶⁰ Houblon did not participate in the investigation before his report, but he did have personal connections to Southwell, Pepys and Williamson. Houblon made a point of ensuring the Committee recognized his outsider status, stating:

I am altogether a stranger to the point in issue, though Mr. Secretary Williamson was pleased the other day to tell me that there was an intention to lead a governor to Newfoundland, and a colony, and to plant there, as a thing fit to be done to retrieve that trade.⁶¹

These connections, as well as his background as a merchant, made Houblon at once an outsider to the issue and a trusted analyst.

⁵⁹Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25-26; Parrett, "Thoughts on Newfoundland," February 27, 1675, TNA, CO 391/1, 5-6; Pley, "Arguments for a Settled Government at Newfoundland," March 17, 1675, TNA, CO 1/34, 49-50; Sosin, *English America and the Restoration*, 50-52.

⁶⁰James Houblon, "Reasons for the Decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-61; Perry Gauci, "HOUBLON, Sir James (1629-1700), of Winchester Street, London, and Leyton, Essex," *The History of Parliament British Political, Social & Local History*, accessed February 10, 2015, <http://www.historyofparliamentonline.org/volume/1690-1715/member/houblon-sir-james-1629-1700>; Pope, *Fish into Wine*, 116-121.

⁶¹Houblon, "Reasons for the Decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-61.

Houblon's report considers Newfoundland in the context of the English shipping decline in the 1670's and whether changes in the governance of Newfoundland could help resolve this problem. In this context, Houblon advised that a new legislative framework and a governor were needed to solve Newfoundland's problems and boost England's fishery. Houblon qualified his stance with doubts about the ability of either Newfoundland's inhabitants or a governor to defend against foreign incursions without investments in fortifications and garrisons. In Houblon's view, the advantage of a governor would be in regulating the fishery to reduce costs and increase the volume of cod produced, not security. Although the Committee did not agree with Houblon's final assessment, it accepted his report.⁶²

There were gaps in the Committee's consideration, most notably the lack of accounts from Newfoundland's English inhabitants and the absence of discussion of the Beothuk and Mi'kmaq people. Instead, the Committee relied on sources in England, many of whom had little or no experience in Newfoundland, and were mainly concerned with financial issues, such as merchants. The fact that the investigation took place in the winter, when sea ice surrounds much of Newfoundland, precluded the Committee from sending requests for information to the island. However, Newfoundland planters who wintered in England could have contributed.⁶³ In 1677, Williamson identified the absence of testimony from any of Newfoundland's English inhabitants in 1675 as one of the reasons for both the eviction decision and its failure.⁶⁴

The lack of any consideration of the Beothuk and Mi'kmaq peoples is notable since it represents a gap in the Committee's knowledge that was neither corrected nor recognized. The only reference to either people is in a report from the French port city of Saint-Malo presented by

⁶² Houblon, "Reasons for the Decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-61; Matthews, *A History of the West of England-Newfoundland Fishery*, 179-183.

⁶³ Minutes of the Committee of Trade and Plantations, Whitehall, May 6, 1677, TNA, CO 391/2, 23.

⁶⁴ *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16, 14-15.

Southwell. The report, primarily focused on the size of the French fishery, stated that the French built the fortifications at Plaisance to defend against the Beothuk and Mi'kmaq.⁶⁵ This assertion is questionable. Although the Mi'kmaq presence in Newfoundland was concentrated near Plaisance, French-Mi'kmaq relations were peaceful and focused on trade. Additionally, the fortifications at Plaisance were positioned to defend against large seaborne threats such as English warships, not attacks from land or small canoes like those used by the Mi'kmaq and Beothuk.⁶⁶ The Beothuk also frequented the area around Plaisance, but their presence in that region was smaller than that of the Mi'kmaq.⁶⁷ There is evidence of English-Mi'kmaq trade in this period, but no references to English-Mi'kmaq relations in the 1675 investigation.⁶⁸

The questionable explanation for French fortifications in Southwell's report highlights the absence of the Beothuk peoples during the hearings. Unlike Plaisance, the Beothuk frequented Trinity Bay, an important region for the English fishery. There is documentary evidence as well as archaeological evidence of Beothuk-English contact and trade in this period, but the Committee did not receive any such reports.⁶⁹ It did review Samuel Purchas's *Hakluytus Posthumus*, which included an account of John Guy's 1612 encounter with Beothuk traders in Trinity Bay, but there is no mention of this meeting in the minute books or letters. The failure to consider the Beothuk and Mi'kmaq limited the Committee's understanding of the possibility of

⁶⁵ Southwell, "Report on information from St. Malo," March 1, 1675, TNA, CO 1/34, 27.

⁶⁶ Charles Martijn, "Early Mi'kmaq Presence in Southern Newfoundland: An Ethnohistorical Perspective, c.1500-1763," *Newfoundland and Labrador Studies* 19, no. 1 (May 2005): 68–70; Crompton, *The Historical Archaeology of a French Fortification in the Colony of Plaisance*, 117–124.

⁶⁷ Ingeborg Marshall, *A History and Ethnography of the Beothuk* (Montreal: McGill-Queen's University Press, 1996), 273.

⁶⁸ Peter Pope, "A True and Faithful Account: Newfoundland in 1680," *Newfoundland and Labrador Studies* 12, no. 1 (January 1996): 34.

⁶⁹ Peter Pope, "Scavengers and Caretakers: Beothuk/European Settlement Dynamics in Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 9, no. 2 (October 1993): 286–289; Marshall, *A History and Ethnography of the Beothuk*, 273–274.

trade, cooperation or conflict with either people, skewing its view of the importance of a governor and the English population on the island.⁷⁰

On April 1, the Committee announced its intention to reject Hinton's petition and evict all English inhabitants from Newfoundland, reserving the island for the sole use of the migratory fishery. Additionally, in recognition of the Western Charter's flaws, the Committee called for suggestions on how to revise the Charter to reflect the needs of the fishery.⁷¹ Following the announcement, Hinton's opponents pushed their advantage to gain more favourable terms. Hook and Gearing requested that provisions in the Western Charter regulating the cutting of trees be removed, arguing that these restrictions were unnecessary once Newfoundland's English inhabitants were evicted.⁷² Parrett, along with representatives from Barnstaple and Dartmouth, requested that English warships seize any New England fishing ships at Newfoundland and that the government distribute an updated version of the Western Charter.⁷³ Except for the seizing of ships from New England, the Committee adopted all of the suggestions it received. On May 5, Charles II approved the Committee's decision and ordered letters be sent to the governors of other plantations to prepare to receive Newfoundland's inhabitants.⁷⁴

No known source explicitly states why the Committee chose eviction. The Committee never discussed or proposed eviction before its announcement on April 1, and it was not among any of the suggestions made by Hinton's opponents, who argued only for the rejection of

⁷⁰ Minutes of the Committee for Trade and Plantations, February 25, 1675, TNA, CO 391/1, 4-5; Samuel Purchas, *Hakluytus Posthumus, or Purchas His Pilgrimes: Contayning a History of the World in Sea Voyages and Lande Travells*, (Glasgow: J. Maclehose, 1625), 748.

⁷¹ "A New Charter to be taken out by the Western Mayors," April 1 1675, TNA, CO 391/1, 10-11.

⁷² Hook and Gearing, letter to the Committee for Trade and Plantations," April 7, 1675, TNA, CO 1/34, 87-88.

⁷³ John Parrett, Harris of Barnstaple and the Recorder of Dartmouth on Newfoundland, April 8, 1675, TNA, CO 391/1, 11.

⁷⁴ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; Charles II in Council Order, January 27, 1676, CO 1/65, 36, in *Collection and Commentary on the Constitutional Laws of the Seventeenth Century Newfoundland*, ed. Keith Matthews (St. John's: Memorial University of Newfoundland: Maritime History Group, 1975). 167-180.

Hinton's petition and stricter enforcement of the Western Charter. Davies and Matthews have argued that the decision stemmed from economic decline in the West Country, but their conclusions do not reflect many of the concerns presented or the methods the Committee used to collect and evaluate evidence.⁷⁵

The clearest indication of why the Committee chose eviction is in a 1677 reference book compiled by Williamson. Williamson's *An Account of the Colony and Fishery of Newfoundland and the Present State Thereof* contains historical, geographical and political information about Newfoundland. In regards to 1675, the *Account of the Colony and Fishery* states that the Committee, after gathering and analyzing accounts of Newfoundland, agreed that the island's inhabitants hurt the fishery by destroying the island's forests. Additionally, the Committee found that Newfoundland's poor soil and winter ice would make defending and governing the island expensive and ineffective.⁷⁶

The minute books and letters from the hearings reveal the Committee's use of Baconian reasoning to determine the best course of action regarding Newfoundland. It valued evidence that could easily be compared across multiple accounts, as seen in the town surveys, and prioritized firsthand accounts in its decision-making process.⁷⁷ This prioritization extended to opinions as well. Parrett's and Pley's opinions, although highly partisan, presented valuable information about Newfoundland in the form of statements made by fishers and merchants.⁷⁸ The emphasis

⁷⁵ Davies, *England and Newfoundland*, 22–24; Matthews, *A History of the West of England-Newfoundland Fishery*, 209–219; C. Grant Head, *Eighteenth Century Newfoundland: A Geographer's Perspective*, The Carleton Library ; No. 99 (Toronto: McClelland and Stewart, 1976), 38–40.

⁷⁶ *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16, 13-14.

⁷⁷ Quinton, *Francis Bacon*, 54-57

⁷⁸ Parrett, "Thoughts on Newfoundland," February 27, 1675, TNA, CO 391/1, 5-6.

on firsthand accounts worked against Hinton, whose supporters could not provide sufficient evidence to counter his opponents.⁷⁹

Both the *Account of the Colony and Fishery* and the Committee's minute books and letters present eviction as the choice backed by the most evidence. The accounts presented a Newfoundland that was sparsely populated, had few defensible harbours and suffered widespread deforestation. While migratory fishers received some criticism for damaging Newfoundland's forests, most blame was assigned to inhabitants for destroying buildings and forests and committing crimes. Working from the evidence it collected about the population, economy and natural environment of Newfoundland, the Committee developed the hypothesis that evicting the island's English inhabitants would remove the primary cause of complaints, boost the migratory fishery's value and facilitate the enforcement of regulations. However, the sources it used to make that decision would be proven inaccurate.⁸⁰

Encountering Newfoundland: Berry's Refusal and its Reception, July 24 to December 4

Upon his arrival in Newfoundland, John Berry refused to carry out the eviction, reporting on July 24, 1675 that the situation he found there did not match his orders.⁸¹ In the articles of inquiry and letters Berry sent to England, he stated that fishing ships, not inhabitants, destroyed buildings for firewood. Additionally, he found that fishing ships stranded fishers in Newfoundland to avoid paying for return passages to England, giving credence to Hinton's

⁷⁹ Gould, "Encouraging a colony," February 27, 1675, TNA, CO 391/1, 5-6; Houblon, "Reasons for the Decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-61; Southwell, "letter presented to the Committee," March 25, 1675, TNA, CO 391/1, 9.

⁸⁰ Burr, "Report on Newfoundland," March 3 1675, TNA, CO 1/34, 35-37; Arundel, "Report on Newfoundland," March 16 1675, TNA, CO 1/34, 4; Weekes, "Answers and Opinions on Newfoundland," March 12, 1675, TNA, CO 1/34, 41-42; Farr, "Answer to orders on Newfoundland," March 24 1675, TNA, CO 1/34, 62-63; Charles II to Williamson, May 5, 1675, TNA, CO 1/34, 151.

⁸¹ Charles II, order for the removal of inhabitants from Newfoundland, May 5, 1675, TNA, CO 1/34, 151; John Berry report for the officers and commissioners of his Majesty's Navy, July 25, 1675, ADM 106/308, 75-76; John Berry, to Secretary Joseph Williamson, July 24, 1675, CO 1/34, 240-241.

letters.⁸² The French presence in Newfoundland had also been underestimated, with Plaisance representing an immediate threat to the English fishery. Berry argued that if he removed Newfoundland's English residents, French inhabitants would quickly move from Plaisance into the English harbours and threaten the migratory fishery, and he instead supported the establishment of a governor and garrison at St. John's. Although there were few efforts by French planters to inhabit the spaces used by English fishers after the initial colonization of Plaisance, the French invasion of the English shore in 1696 vindicated Berry's fear of French expansion.⁸³ In a letter to Williamson, Berry goes further in his support for Newfoundland's English inhabitants, stating that he "cannot but pity the poor inhabitants, considering so many false informations have been laid at their charge, as formerly reported."⁸⁴ The Committee did not discount Berry's information because it contradicted its findings. Instead, the Committee used Berry's reports to question how it came to its initial conclusion and identified flaws in its investigation.⁸⁵

Berry provided the Committee with new information about Newfoundland by completing the census and articles of inquiry. Both documents reported information about Newfoundland's population and fishery, as well as economic, environmental and political conditions, by recording observations about every harbour used by English fishing ships and inhabitants

⁸² Berry to Secretary Joseph Williamson, July 24 1675, TNA, CO 1/34, 240-241; Hinton, "Statement of the reasons," in *Calendar of State Papers Colonial*, 596-597.

⁸³ John Berry to Secretary Joseph Williamson, September 12, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 9, 1675-1676 and Addenda 1574-1674, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1893), 273; John Berry to Robert Southwell, September 12, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 9, 1675-1676 and Addenda 1574-1674, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1893), 273; Alan Williams, *Father Baudoin's War: d'Iberville's Campaigns in Acadia and Newfoundland, 1696, 1697* (St. John's: Memorial University of Newfoundland, 1987), 3-12.

⁸⁴ John Berry to Secretary Joseph Williamson, December 17, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 9, 1675-1676 and Addenda 1574-1674, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1893), 316.

⁸⁵ Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25-26.

between Salvage and Trepassey.⁸⁶ The Committee valued the 1675 census since it reported a larger population than previously portrayed, including families raising children and keeping livestock, two points missing from the town surveys. The census reported 1,523 inhabitants in total, including 132 male planters, 66 women, 62 of whom are listed as wives and 4 as widows, 214 children and 1,111 fishing servants employed by planters, a much higher number than the estimated total population of 900 to 1,000 residents reported in the town surveys. In addition to population figures, Berry reported the planters kept 522 cattle and an unspecified number of sheep, contradicting the argument that inhabitants were entirely dependent on trade for provisions.⁸⁷ Berry argued that many inhabitants would be unable to find employment in England as lucrative as the Newfoundland fishery, with some making “in a summer season near £20 [...] while such a person would not get £3 in England.”⁸⁸

The English society in Newfoundland as presented by Berry in his articles of inquiry and census was more complex than the one the Committee originally envisioned. Rather than being a lawless land whose residents competed with the migratory fishery, Newfoundland had a growing population of prosperous English workers and families who benefited the migratory fishery by preventing unchecked French expansion. In addition to protecting the fishery from French incursions, the inhabitant fishery employed individuals who would otherwise be impoverished in England. The Newfoundland fishery’s ability to employ England’s poor offered an argument for inhabiting the island that first appeared in William Vaughan’s *The Golden Fleece*, but little evidence had supported Vaughan’s argument until Berry’s reports. Given concerns in England

⁸⁶ “Samuel Pepys to send their lords a draft of the instructions given to the convoys,” April 8 1675, TNA, CO 391/1, 11a; John Berry, “A List of Planter Names...,” September 12, 1675, TNA, CO 1/35, 149-156.

⁸⁷ Berry, “A List of Planter Names...,” September 12, 1675, TNA, CO 1/35, 149-156; John Berry to Secretary Joseph Williamson, July 24 1675, TNA, CO 1/34, 240-241; Farr, “Answer to orders on Newfoundland,” March 24 1675, TNA, CO 1/34, 62-63; Burr, “Report on Newfoundland,” March 3 1675, TNA, CO 1/34, 35-37; Pope, *Fish into Wine*, 59–60, 300–303.

⁸⁸ Berry to Williamson, July 24 1675, TNA, CO 1/34, 240-241.

regarding the costs of poor relief programs, the employment of the poor in the Newfoundland fishery made eviction a less appealing option to the Committee.⁸⁹

Outside of employing England's poor, Berry's reports did not present many new ideas about Newfoundland. Rather, he offered more detailed observations about Newfoundland than any other source the Committee collected in 1675. The problems Berry reported, such as abuses by West Country fishing ships and the extent of the French threat, were previously reported by Hinton, Gould and Pley.⁹⁰ However, before Berry's census and articles of inquiry, the pro-governor advocates did not have the evidence needed to counter the town surveys, opinions and reports coming from Hinton's opponents. Berry presented the evidence that these pro-governor advocates lacked, and challenged the hypothesis that Newfoundland was a poor and lawless land best served by removing its inhabitants.⁹¹

Berry's actions and reports received a mixed reception in England. Parrett protested Berry's actions and argued that the Committee needed to enforce the eviction order immediately, or else Newfoundland's inhabitants would grow in number and cause more problems. However, Williamson, who had initially approved of evicting Newfoundland's residents, supported Berry and criticized Parrett for misrepresenting information about Newfoundland and trying to exclude

⁸⁹ Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; Berry to Secretary Williamson, July 24 1675, TNA, CO 1/34, 240-241; William Vaughan, *The Golden Fleece Divided into Three Parts* (London: Printed for Francis William, 1626), 303-304; Craig Muldrew, "Economics and Urban Development," in *A Companion to Stuart Britain*, ed. Barry Coward, (Oxford: Blackwell, 2003), 152-153.

⁹⁰ Berry to Williamson, July 24 1675, CO 1/34, 240-241; Hinton, "The Pretended Reasons against Government...with the Answer," February 12, 1675, TNA, CO 1/65, 89v; Gould, "Encouraging a colony," February 27, 1675, TNA, CO 391/1, 5-6; Pley, "Arguments for a Settled Government at Newfoundland," March 17, 1675, TNA, CO 1/34, 49-50; Houblon, "Reasons for the Decay of the Trade at Newfoundland," March 20, 1675, TNA, CO 1/34, 58-61.

⁹¹ Berry to Williamson, July 24 1675, TNA, CO 1/34, 240-241.

the poor from benefiting from the fishery. Following a debate, the Committee accepted Berry's reports on December 4 and did not issue any reprimand for his disobedience.⁹²

The Committee's acceptance of Berry's findings reflects the changing use of observation and negative results in knowledge production and policymaking in Restoration England, and the reflexive relationship English politicians, planters and merchants had with Newfoundland. The Committee, working from evidence gathered within England, developed a perception of the situation in Newfoundland that it attempted to resolve through direct intervention. However, Berry's evidence opposed the Committee's conclusions and questioned the reliability of town surveys and opinions from the West Country, all while coming from a figure considered politically independent. This distinguished Berry from Houlblon, who, while also politically independent, could not provide new evidence to support his views. Although the Committee expected West Country mayors, merchants and ship owners to provide accurate reports, Berry accused these same groups of misrepresenting Newfoundland for political purposes. These accusations had a significant impact. Following 1675, the committee annually issued articles of inquiry to naval commanders going to Newfoundland but conducted no additional town surveys.⁹³

Despite the acceptance of Berry's reports, the Committee did not rescind the eviction order. Instead, Berry's focus on providing information about Newfoundland had an immediate impact on the government's approach to managing Newfoundland. In 1676, the Committee gave Captains Russell and Wybourne, the naval commanders for Newfoundland that year, the same

⁹² Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25-26; C.M. Rowe, "Berry, John," *Dictionary of Canadian Biography, Volume I (1000-1700)*, accessed February 7, 2015, http://www.biographi.ca/en/bio/berry_john_1E.html?revision_id=6220.

⁹³ Farr, "Answer to orders on Newfoundland," March 24 1675, TNA, CO 1/34, 62-63; Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25-26; Berry to Williamson, December 17, 1675, in *Calendar of State Papers Colonial*, Vol. 9, 316; Shapin, *A Social History of Truth*, 65-75; Mordechai Feingold, "When Facts Matter," *Isis* 87, no. 1 (March 1996): 132-133.

orders Berry received the previous year, including the census and articles of inquiry. Like Berry, Russell and Wybourne refused to remove Newfoundland's inhabitants, and the Committee reprimanded them only for failing to provide timely responses to the articles of inquiry and census. In 1677, the Committee officially cancelled the eviction order, but the practice of issuing yearly articles of inquiry and censuses for Newfoundland continued.⁹⁴

The Committee's 1675 Newfoundland investigation grew from a larger change in how Restoration politicians and natural philosophers understood the world and made decisions. Rather than holding a debate solely on the merits of the petition, as had been the case during prior considerations, the Committee sought to address broader issues regarding Newfoundland by collecting new information about the island. This approach adhered to Bacon's inductive method of reasoning by emphasizing the importance of building hypotheses using firsthand accounts and retesting those ideas as new evidence became available. The Committee used observations collected from town surveys and opinions to form hypotheses about Newfoundland's population, natural resources and the challenges that faced the English fishery, using their findings on these individual issues to inform a more general solution. By issuing Berry a census form and articles of inquiry to complete in Newfoundland, the Committee created in advance a means to verify its conclusions. This arrangement proved fortunate for the Committee: when Berry refused to carry out the eviction, the Committee was quickly able to collect new firsthand information about Newfoundland to test its initial conclusions and identify errors in its judgement.⁹⁵

⁹⁴ "Newfoundland Convoy," April 6 1676, TNA, CO 391/1, 53; "Instructions given on Newfoundland," April 13 1676, TNA, CO 391/1, 57a; "Letter concerning the Newfoundland trade," December 4 1676, TNA, CO 391/1, 133; "Order in Council," March 30, 1677. MHA, Keith Matthews Collection, MHA 16-C-2-101.

⁹⁵ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Quinton, *Francis Bacon*, 54-57; Hunter, *Science and Society*, 120-125; Gascoigne, "The Royal Society and the Emergence of Science," 171-174; Shapiro, *Probability and Certainty*, 37-44.

The Committee's use of new methods of information collection and interpretation challenges the idea that the English government's actions originated from an inherent hostility towards Newfoundland's inhabitants. Although Farr, Parrett and Child opposed Hinton's petition, none of them proposed eviction. Instead, the Committee's focus on identifying the issues facing Newfoundland and finding a solution to its problems, as presented by the evidence submitted during its investigation, made eviction an appealing course of action. The accounts gathered prior to Berry's reports presented a Newfoundland with a small population of English inhabitants that caused significant damage to the migratory fishery and the island's forests; removing those English inhabitants represented the clearest solution backed by the most evidence. The Committee's willingness to reopen the issue following Berry's refusal, and his presentation of evidence that opposed its conclusions, demonstrates the Committee's dedication to finding an evidence-based solution. The Committee's willingness to re-examine its initial decision refutes the idea that the eviction decision was the product of any active hostility or corruption regarding Newfoundland.⁹⁶

Although the Committee reissued the eviction order in 1676, the conversation in England about Newfoundland had changed. Berry's reports cast doubts on the reliability of West Country mayors, merchants and representatives to supply accurate accounts about Newfoundland, making the Committee consider them a source of what Shapin and Schaffer refer to as "subversive errors" that used incorrect information to gain favourable outcomes.⁹⁷ Following Berry's reports, the Committee worked to prevent these errors from affecting future decisions. Beginning in

⁹⁶ Prowse, *A History of Newfoundland*, 189–190; Matthews, *A History of the West of England-Newfoundland Fishery*, 209–221; Davies, *England and Newfoundland*, 22–24; Charles II, order for the removal of inhabitants from Newfoundland, May 5, 1675, TNA, CO 1/34, 151; Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25–26.

⁹⁷ Minutes of the Committee for Trade and Plantations, December 4, 1675, TNA, CO 391/1, 25–26; Farr, "Answer to orders on Newfoundland," March 24 1675, TNA, CO 1/34, 62–63; Shapin and Schaffer, *Leviathan and the Air-Pump*, 298.

1676, Newfoundland planters, members of the Navy and other direct sources from Newfoundland played a central role in the English government management of the island and its understanding of its natural environment. This approach defined the relationship between politicians and Newfoundland's English inhabitants for the remainder of the seventeenth century.⁹⁸

⁹⁸ John Downing, "Petition," November 7, 1675, TNA, CO 1/38, 33-40; "Letter concerning the Newfoundland trade," December 4 1676, TNA, CO 391/1, 133; Pope, *Fish into Wine*, 66-70.

Chapter 5

New Voices and Old Problems: Debate, Policy and Action, 1676-1696

Following the failure of the order to evict Newfoundland's English inhabitants, the Committee for Trade and Plantations entered a new period of learning about the island's English residents and how they had adapted to the island's natural environment. The goal of the Committee's hearings and considerations, which extended from 1676 until Pierre Le Moyne d'Iberville's invasion of the English shore of Newfoundland in 1696, remained the same as it had been in 1675: to find a way to protect and grow the fishery. To investigate this issue, the Committee solicited information and opinions from Newfoundland's residents and members of the Navy, something it did not do during its previous hearings. This process revealed an English society more complex than was reported during the 1675 hearings. Newfoundland's English inhabitants, rather than being a small group of planters who only fished and sold alcohol, were a growing population of new arrivals and multi-generational families who supplemented their fishing incomes with farming, fur hunting and other industries that used land-based natural resources. These findings increased the government's awareness of Newfoundland's society and economy, but complicated efforts to manage the island as policymakers responded to the challenges of regulating a widely dispersed population and reformulated their ideas about Newfoundland's natural environment. Learning from the failure of the 1675 eviction order, the Committee focused on identifying ongoing practices and updating policies to align with new information about how fishers and planters used Newfoundland's natural resources, rather than implementing policy changes designed to alter the practices of residents and fishers.¹

This chapter is divided into three sections examining how colonial administrators collected and used reports about Newfoundland to define its value as an English possession after

¹ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; John Berry to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-24.

1675. The first section examines the emergence of planters and fishers from Newfoundland as participants in policy discussions, and how members of the Navy supplied decision-makers with information about the island. The information these sources brought forward challenged the Committee's assumptions about how residents and migratory fishers used Newfoundland's natural resources and the legal and business relationships between these two groups. The participation of these people, as seen in the Committee for Trade and Plantation minute books and Colonial Office files, was a significant shift from the government's prior reliance on sources from within England during debates and hearings. The second section considers the government's reaction to new sources after 1675, particularly the increase in interventions by naval officials and the Committee to resolve individual legal, political and economic issues, as seen in the Committee's minutes and Joseph Williamson's *Account of the Colony and Fishery of Newfoundland* (1677). The third section examines the fortification of St. John's following the Glorious Revolution, and how this military investment accounted for the challenges of protecting and managing the geographically dispersed English fishery and population in Newfoundland.²

The Committee's focus on collecting information directly from Newfoundland was a response to the problems it experienced in 1675, but it also reflected the ongoing centralization of English colonial administration in London occurring in the late seventeenth century. Historian Jack Greene argued that from the mid-seventeenth century onwards, metropolitan politicians increased their political power by replacing traditional contractual arrangements with direct government control that concentrated English economic and political power in London. England was not alone in this centralization. Similar trends were occurring across Europe, most notably in

² *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16.

France, where King Louis XIV used a centralized bureaucracy to restrict the authority of regional rulers and project the government's power overseas.³

This process of centralization did not just involve creating legislation and appointments that increased central authority. It required policymakers to communicate with colonial lands to understand the needs of specific places and the challenges of governing them. In the case of Newfoundland, this meant that policymakers in England used trade connections and convoys as a means to learn about the island and exert their authority, a pattern that contrasts with Greene's findings that the English government used local centres in New England, such as Boston, to govern the region. In both New England and Newfoundland, the increase in direct government control was meant to protect the benefits the government derived from its colonies and address complaints that colonists competed with English merchants or supported activities, such as smuggling, that hurt the government's interests.⁴ Although this centralization began during the Interregnum, events in the late seventeenth century, such as the ascension of the co-regents William and Mary in the 1688 Glorious Revolution, accelerated the trend. Following the Glorious Revolution, Parliament and other central government bodies increased their powers to both make legislative decisions and manage English interests in Europe and abroad. The hallmark of this process was the growth of state apparatus for both collecting information and exerting authority, such as the use of convoy commanders to protect trade ships and report on local conditions.⁵

³ Jack Greene, *Negotiated Authorities: Essays in Colonial Political and Constitutional History* (Charlottesville: University Press of Virginia, 1994), 45–61; Jack Greene, "Transatlantic Colonization and the Redefinition of Empire in the Early Modern Era," in *Negotiated Empires: Centers and Peripheries in the Americas, 1500-1820*, ed. Christine Daniels and Michael Kennedy (New York: Routledge, 2002), 267–69; Jacob Soll, *The Information Master: Jean-Baptiste Colbert's Secret State Intelligence System* (Ann Arbor: University of Michigan Press, 2009), 34–66.

⁴ Greene, "Transatlantic Colonization," 267–69.

⁵ Greene, *Negotiated Authorities*, 45–47; Ian Steele, *Politics of Colonial Policy: The Board of Trade in Colonial Administration 1696-1720* (Oxford: Oxford University Press, 1968), 3–18.

A similar trend emerged in the English government's management of Newfoundland in this period. Historians Gillian Cell and Elizabeth Mancke argued that between 1630 and 1674 the government began to actively manage English efforts in Newfoundland, rather than simply granting authority over the island to individuals and companies. However, the government did so by delegating power to participants in the fishery through the Western Charter or to individual colonists through grants and commissions, such as John Treworgie's commission to arrest David Kirke in 1651, rather than by deploying its own resources. This focus on delegating authority changed after 1675 as government officials reconsidered their intentions in Newfoundland and the difficulties of policing the day-to-day practices of fishers, planters and merchants.⁶

Keith Matthews, discussing the issue of translating government interests into orders and results, noted that late seventeenth century policymakers struggled to make decisions that balanced what was desirable with what was achievable in Newfoundland, often without finding clear solutions.⁷ The government's findings challenged presumptions about the efficacy of the fishing admiral system and revealed what Jerry Bannister called a system of informal dispute resolution customs which could not be easily replaced. As a result of the government's efforts, the authority of the West Country towns and merchants as enforcers of regulations in Newfoundland, and the main sources of information about conditions there, eroded after 1675. Studying how the government collected and considered information about Newfoundland after 1675 reveals not only the importance of firsthand observations within the government's hearings,

⁶ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 108-25; Elizabeth Mancke, "Negotiating an Empire, Britain and Its Overseas Peripheries, C. 1550-1780," in *Negotiated Empires: Centers and Peripheries in the Americas, 1500-1820*, ed. Christine Daniels and Michael Kennedy (New York: Routledge, 2002), 238-41.

⁷ Keith Matthews, *A History of the West of England-Newfoundland Fishery* (PhD Diss., Oxford University, 1968), 200-239.

but also how English ideas changed about Newfoundland's natural resources and the importance of industries besides fishing.⁸

New Voices and New Perspectives: Planters, Naval Commanders and Policymakers

Beginning with Berry's 1675 census and articles of inquiry, there was a growing awareness among government officials in London that Newfoundland hosted a more complex English society than previously depicted and that residents were engaged in various economic activities besides fishing. Petitions, reports, censuses and opinions submitted to the Committee by Newfoundland's planters and members of the Navy revealed that not only was the island's English population larger than expected, but that it had developed business and legal practices adapted to the island's natural environment. Some of these practices, such as small-scale agriculture, were previously discounted by officials as not viable in Newfoundland.

Policymakers were not uncovering a society unknown in England, but rather they were learning about activities obscured by distance and class divides stemming from the fact that few who presented petitions or reports to the government before 1676 had experience living in Newfoundland. The merchants and mayors that had submitted reports during the 1675 investigation had little or no personal experience in Newfoundland. John Parrett cited information collected from sailors and fishers who went to Newfoundland, not his own experiences there. The availability of sources with firsthand knowledge of Newfoundland after 1675 gave policymakers new insights into the English society developing there, creating a more

⁸ Minutes of the Committee For Trade and Plantations, Whitehall, February 21, 1680, TNA, CO 391/3, 67-68a; "Request for opinions on how a governor might be settled," October 11, 1680, TNA, CO 391/3, 107; Francis Wheler, "a List of what rules were being enforced at Newfoundland and what were not," October 27, 1684, TNA, CO 1/55, 247-248; Jerry Bannister, *The Rule of the Admirals Law, Custom and Naval Government in Newfoundland, 1699-1832* (Toronto: Osgoode Society for Canadian Legal History by University of Toronto Press, 2003), 29-47.

nuanced understanding of how residents and migratory fishers adapted to the island's natural environment.⁹

On November 7, 1676, John Downing, a planter from St. John's, presented the first petition in a series of debates about the governance of Newfoundland held by the Committee. These discussions questioned the Committee's 1675 findings and revealed that residents and fishers had a more complex relationship with each other and Newfoundland's natural resources than previously depicted. Downing challenged the 1675 eviction order by arguing that it violated previous government decisions that allowed planters to inhabit Newfoundland and pass land, titles and charters to their heirs. To support his argument, Downing cited his father's appointment as deputy-governor of Newfoundland in 1640, and a commission issued by Charles I and David Kirke to build a plantation in St. John's, grow crops and convert the Beothuk and Mi'kmaq to Christianity.¹⁰ Downing did not mention any contact with the Beothuk or Mi'kmaq. Additionally, Downing reported that the government's decision to evict Newfoundland's inhabitants in 1675 hurt planters even though Berry refused to carry out the order. According to Downing, before Berry's arrival migratory fishers used the eviction order as an excuse to destroy planter's buildings and drive families away from St. John's.¹¹ Downing's account of these attacks is difficult to verify. Berry reported that migratory fishers destroyed their own buildings and that

⁹ John Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156; "Reply of Merchants, Owners and Masters of Ships to the Allegations of Robinson," 1668, TNA, CO 1/22, 119; Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 32-33, 350-60.

¹⁰ John Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40; Pope, *Fish into Wine*, 138.

¹¹ Charles II, order for the removal of inhabitants from Newfoundland, May 5, 1675, TNA, CO 1/34, 151; Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40.

he found standing buildings in every inhabited harbour, including St. John's, suggesting that any violence between planters and fishers was likely limited.¹²

From 1660 to 1675, there was little discussion about the development of agriculture in Newfoundland outside of merchants, such as Parrett, stating that the island had too little arable soil for farming. Berry and Downing complicated this idea by reporting that Newfoundland did, in fact, support some agriculture. Berry recorded in his census that there were 522 heads of cattle and an uncounted quantity of sheep kept in Newfoundland by planters, a point that Downing expanded.¹³ Downing reported that his family raised cattle in St. John's for food and to sell in addition to fishing, diversifying their plantation's income and reducing its dependence on imported provisions.¹⁴ Peter Pope found that pigs were also valuable livestock in Newfoundland during the seventeenth century since they ate fish offal, turning one of the fishery's waste products into edible calories.¹⁵ Additionally, excavations in Ferryland have found that vegetables from kitchen gardens were an important component of English planter diets.¹⁶ While kitchen gardens and livestock indicated that English planters could supplement their diets and incomes using agriculture, they fell short of the promises made in the 1610's and 1620's that Newfoundland could host an agricultural colony.¹⁷

Downing also complicated English understandings of what residents in Newfoundland did during the winter months by describing how the fishery's seasonal cycle allowed residents to

¹² Berry to Secretary Joseph Williamson, July 24 1675, CO 1/34, 240-241; Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156; Barry Gaulton and James Tuck, "The Archaeology of Ferryland, Newfoundland until 1696," *Avalon Chronicles* 8 (2003): 212.

¹³ Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156.

¹⁴ Downing, "Petition," November 7, 1675, TNA, CO 1/38, 33-40.

¹⁵ Peter Pope, "Outport Economics: Culture and Agriculture in Later Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 19, no. 1 (May, 2005): 160-161.

¹⁶ Lisa Hodgetts, "Feast or Famine? Seventeenth-Century English Colonial Diet at Ferryland, Newfoundland," *Historical Archaeology* 40, no. 4 (January, 2006): 134-36.

¹⁷ Parrett, "Thoughts on Newfoundland," February 27, 1675, TNA, CO 391/1, 5-6; Richard Whitbourne, *A Discourse and Discovery of Newfoundland: With Many Reasons to Prove How Worthy and Beneficial a Plantation May There Be Made* (London: by Felix Kyngston, for William Barret, 1620), 6.

use the island's other natural resources. While both the complaints against Kirke and the 1667 depositions reported that English residents spent the winter months drunk and damaged the migratory fishery's facilities, Downing instead asserted that residents were busy cutting trees, hunting for furs, and repairing boats and nets. These activities, like the agriculture Downing reported, supplemented incomes or assisted the fishery by reducing resident's dependence on imported provisions and the time needed each spring to prepare for fishing. These insights presented a part of life previously obscured from policymakers by their reliance on information from fishing merchants and naval personnel, groups that did not overwinter in Newfoundland and were therefore unable to observe these activities.¹⁸

Downing did not just describe the living conditions in Newfoundland and the crimes committed by fishing ships, he asked the Committee to establish a governor there, as William Hinton did in 1675.¹⁹ Unlike Hinton, Downing had significant experience and knowledge of Newfoundland and a connection to the previous governors through his father's position as deputy-governor. The Committee requested more information about Newfoundland to make a decision on Downing's petition, but delays prevented an in-depth consideration of the matter until March 1677, and proceedings continued until May, when Downing returned to St. John's to prepare for the fishing season.²⁰ Downing was able to secure one victory before leaving London.

¹⁸ "Complaint about David Kirke and Interference in the Trade," January 10, 1639, TNA, CO, 1/10, 129; Nicholas Luce, "Deposition," November 22, 1667, PWDRO, w360/74; John Downing, "How inhabitants employ themselves after the Fishing Ships leave," May 3, 1677, CO 391/2, 17.

¹⁹ Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40; Hinton, "Order of the King in Council, referring to the petition of William Hinton," February 12, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 596.

²⁰ John Downing, "An Account of the Colony and Fishery," September 10, 1677, BL, Additional MS 13972, 15-31; Minutes of the Committee of Trade and Plantations, Whitehall, March 26, 1677, TNA, CO 391/1, 155-156; Minutes of the Committee of Trade and Plantations, Whitehall, May 6, 1678, TNA, CO 391/2, 23.

On March 30, 1677, the Privy Council issued an order stating that Newfoundland's inhabitants were not to be disturbed or removed, officially ending the 1675 eviction order.²¹

Downing's accounts arrived at a time when the Committee focused on collecting information about Newfoundland, rather than creating new policies. Before 1677, no government body expressed interest in collecting texts, maps or other sources about Newfoundland in anticipation of future hearings about the subject. However, following the failure of the 1675 eviction order, the Committee began to gather materials and compile reports to inform any future considerations about the island, rather than to make decisions at that time. This interest was not unique to Newfoundland. Historian Natasha Glaisyer found that, during the late seventeenth century, English merchants and politicians began to collect commercial, political and natural information with the expectation that it could be useful in the future, not just for addressing immediate concerns.²² In 1677, the Committee acquired a copy of William Vaughan's *The Golden Fleece*, paid a mapmaker to paste a map of Newfoundland on cloth for the Committee, and Williamson created the reference book *An Account of the Colony and Fishery of Newfoundland* to inform their decisions about Newfoundland.²³ *The Golden Fleece* provided detailed descriptions of Newfoundland with a plan for turning the island into an economically diversified colony. Although this plan was no longer considered viable, Vaughan included accounts of early voyages and colonization ventures. In regards to the map, there is no known

²¹ "Order in Council Not to Disturb the Planters," March 30, 1677, CO 1/39, 190.

²² Captain Davis on the French at Newfoundland, May 3, 1677, CO 391/2, 17; Natasha Glaisyer, *The Culture of Commerce in England, 1660-1720* (Rochester: The Boydell Press, 2006), 184–86.

²³ "Entry Book: May 1677, 21," in *Calendar of Treasury Books*, Vol. 5: 1676-1679, ed. William Shaw (London: His Majesty's Stationery Office, 1911), 635-645.

information about it outside of a Treasury Book entry about paying the mapmaker. There is no reference to the specific map used.²⁴

The *Account* belongs to a series of reference books, collected letters and notebooks produced by or for Williamson about colonies, people and politics.²⁵ The text contains summaries of Newfoundland's history, geography, natural resources, economy and contemporary affairs. There is a map of Newfoundland included in the text, but it is unclear if this is the same one mentioned in the Treasury Books or a separate one meant for Williamson's use. The Newfoundland presented in Williamson's book does not resemble the one described by Vaughan in 1626. While Vaughan depicted Newfoundland as a place with a temperate climate and rich soil, Williamson's book emphasizes Newfoundland as a barren land whose English residents relied on imported supplies to survive, indicating that *The Golden Fleece* was likely not used as a source for writing the *Account of the Colony and Fishery*.²⁶

Although the Committee was interested in learning about Newfoundland, it did not implement any policy changes after Downing's departure, prompting his brother William Downing and Thomas Oxford, a merchant from St. John's, to appear before the Committee in 1679 to request that they appoint a governor of Newfoundland. Oxford, like the Downing brothers, attributed his right to live in Newfoundland to the fact that his family had resided in St. John's for over seventy years. Unlike John Downing, William Downing and Oxford stated that their request for the government to appoint a governor of Newfoundland was made on behalf of

²⁴ *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16; William Vaughan, *The Golden Fleece Divided into Three Parts* (London: Printed for Francis William, 1626); "Entry Book: May 1677, 21," in *Calendar of Treasury Books*, 635-645.

²⁵ *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16; "Sir Joseph Williamson's note book on public affairs," 1674-1679, TNA, SP 29/366; Alan Marshall, "Sir Joseph Williamson and the Conduct of Administration in Restoration England," *Historical Research* 69, no. 168 (February 1, 1996): 20.

²⁶ *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16, 18-20; Vaughan, *The Golden Fleece*, 315-18.

all the island's English residents.²⁷ Downing's and Oxford's claim to represent Newfoundland's inhabitants, and that residents desired a governor, was a first. Previous requests to appoint a governor focused on either the qualifications of the individual who petitioned for the title or the reasons why a governor was needed, but before 1679 none claimed that they wrote on behalf of the island's English population.²⁸

Table 2 The English Population of Newfoundland Reported by Convoy Commanders, 1675-1693

| Year | Men | Women | Children | Servants | Total |
|------|-----|-------|----------|----------|-------|
| 1675 | 132 | 66 | 214 | 1111 | 1523 |
| 1676 | 138 | 57 | 148 | 953 | 1286 |
| 1677 | 152 | 108 | 269 | 1355 | 1884 |
| 1679 | | | | | 1700 |
| 1680 | 212 | 99 | 251 | 1130 | 1692 |
| 1681 | 219 | 97 | 246 | 1956 | 2518 |
| 1682 | 138 | 56 | 56 | 1400 | 1650 |
| 1684 | 197 | 117 | 199 | 1450 | 1963 |
| 1691 | 261 | 149 | 309 | 1331 | 2050 |
| 1692 | 149 | 139 | 261 | 1012 | 1561 |
| 1693 | 745 | 141 | 358 | 1098 | 2342 |

The ages that constituted childhood were not specified. No details were recorded in 1679 other than the total number of English inhabitants. No census numbers were registered for 1678, 1683 or 1685-1690. Source: TNA, CO 390/6, 1-4.

Downing and Oxford's claim to represent Newfoundland's inhabitants indicates the beginnings of the political and economic centralization of English activities around St. John's. While explorers and fishers recognized St. John's as one of Newfoundland's best harbours for

²⁷ William Downing "Petition of on Behalf of the Inhabitants of Newfoundland," in Calendar of State Papers Colonial, America and West Indies, Volume 10, 1677-1680, ed. W Noel Sainsbury and J W Fortescue (London: Her Majesty's Stationery Office, 1896), 324; Thomas Oxford, "Petition to the King's Privy Council," April 2, 1679, TNA, CO 1/43, 41; Minutes of the Committee for Trade and Plantations, Whitehall, April 29, 1679, TNA, CO 391/3, 3.

²⁸ Cull, Parker, Selman, et.al., "Depositions," November 28 1667, PWDRO, w1/360/67; Sara Kirke to Charles II, 1660, BL, Egerton MS, 2395, 258.

shipping and fishing since the sixteenth century, no chartered company or governor colonized the harbour during the seventeenth century.²⁹ However, by the 1670's, St. John's hosted a growing population of English residents that both fished and serviced the migratory fishery. St. John's became home to an active political community in the late seventeenth and early eighteenth centuries as residents of that harbour became vocal proponents of increased local legal and political authority over Newfoundland.³⁰

Before 1675, planters, other than those with charters such as Calvert and Kirke, rarely appeared in any documents about Newfoundland. The presence of the Downing brothers and Oxford before the Committee in 1676 reflected the threat the eviction order posed to their livelihoods, the growing political community in Newfoundland and the Committee's interest in collecting information about Newfoundland from individuals with firsthand experience there. While the Downing brothers and Oxford did not succeed in convincing the Committee to appoint a governor, they provided new insights into the economic, political and social lives of Newfoundland's English residents.³¹

Just as Williamson and the Committee were not the only parties interested in collecting information about Newfoundland, Oxford and the Downing brothers were not the only individuals with a stake in changing the island's management. Members of the Royal Navy, particularly those involved in the convoys to Newfoundland, became important sources of information and political actors who used their knowledge of the island to push for favourable policies. Historian Sari Hornstein, examining the peacetime functions of the Royal Navy, found

²⁹ George Peckham, *A True Report, of the Late Discoveries, and Possession, Taken in the Right of the Crown of England, of the New-Found Landes* (London: Printed by JC for John Hinde, 1583), 9.

³⁰ James Yonge, *The Journal of James Yonge [1647-1721]*, *Plymouth Surgeon*, ed. F.N.L. Poynter (Hamden, Connecticut: Archon Books, 1963), 119–20; Jeff Webb, "Leaving the State of Nature: A Locke-Inspired Political Community in St. John's, Newfoundland, 1723," *Acadiensis* 21, no. 1 (October 1991): 158–61.

³¹ Minutes of the Committee for Trade and Plantations, February 12, 1675 to December 4, 1675, TNA, CO 391/1, 4-26.

that the Newfoundland convoy played a significant role in English commerce because of its route from Newfoundland to markets on both the Atlantic and Mediterranean coasts of Iberia before returning to England. This route allowed the convoy to protect English merchant ships travelling around Iberia, not just those coming from Newfoundland. This importance contributed to naval personnel, especially commanders, becoming advocates for policies they thought would better secure the Newfoundland fishery and increase its volume.³²

Naval interest in Newfoundland predated 1675, as evidenced by Robert Robinson's 1668 petition for the governorship, but the institution of yearly convoys and articles of inquiry in 1675 correlated with captains and other personnel becoming more active in advocating specific policies. The opinions convoy commanders included with their annual articles of inquiry are the best example of this advocacy. While the inquiries recorded qualitative and quantitative data, such as the types of businesses residents engaged in and the number of fish caught, convoy commanders often included unasked-for policy recommendations.³³ This relationship between convoy commanders and bureaucrats was not unique to Newfoundland, it reflected what historian John Brewer identified as the Navy's increasing importance as a tool for both exerting the English government's authority over colonies and informing decisions related to those colonies.³⁴

Captain William Poole's 1677 answers to the articles of inquiry exemplify how members of the Royal Navy became politicized regarding Newfoundland. Poole, using information about the economic connections between residents and migratory fishers collected in Newfoundland,

³² Sari Hornstein, *The Restoration Navy and English Foreign Trade, 1674-1688: A Study in the Peacetime Use of Sea Power* (Worcester: Scholar Press, 1991), 55–58.

³³ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, CO 1/22, 115–116; "Samuel Pepys to send their lords a draft of the instructions given to the convoys," April 8 1675, TNA, CO 391/1, 11a.

³⁴ John Brewer, *The Sinews of Power: War, Money and the English State, 1688 - 1783* (London: Routledge, 1989), 3–5.

argued that the government should support the growth of both the inhabitant and migratory fisheries. In his reports, Poole reinforced Berry's and John Downing's accounts by describing Newfoundland's English inhabitants as a valuable resource for the migratory fishery. According to Poole, residents cut trees to build boats and structures during the winter for migratory fishers to use in spring, provided care for the sick and injured, and rented their rooms and warehouses for migratory ships to store equipment and salt in for the next season. While Poole acknowledged that there was an "ancient animosity" between inhabitants and migratory fishers, he assured the Committee that there was sufficient room for both in Newfoundland, and that migratory fishers and residents relied on each other to make their ventures profitable.³⁵ Following Poole's reports, other captains, such as Robinson, who was the convoy commander in 1680, and Charles Talbot, the convoy commander in 1683, used the answers to the articles of inquiry to advocate that the English government support a mixed inhabitant and migratory fishery by appointing a governor.³⁶

The crews of the warships in Newfoundland also provided information and opinions about the island. Two reports come from Nehemiah Troute, a ship's purser who served under Berry in 1675 and gave a deposition about Newfoundland in 1678, and John Thomas, a chaplain who served under Robinson in 1680 and wrote a report about the island.³⁷ Both Troute and Thomas described Newfoundland as a place with significant undeveloped potential. Thomas, writing from a religious perspective, warned that the current situation there was unsustainable without a civil government and church, since many residents lived together out of wedlock,

³⁵ William Poole, "Answers to inquiries," September 10, 1677, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 10, 1677-1680, ed. W Noel Sainsbury and J W Fortescue, (London: His Majesty's Stationery Office 1896), pp. 145-160.

³⁶ Robert Robinson, "Answers to Inquiries," September 16, 1680, TNA, CO 1/46, 19-34; Talbot, "Proposal to send a governor to Newfoundland," February 14, 1683, TNA, CO 391/4, 61-62.

³⁷ Nehemiah Troute, "Deposition of Nehemiah Trout about Newfoundland," February 1, 1678, TNA, CO 1/42, 58-59v; Peter Pope, "A True and Faithful Account: Newfoundland in 1680," *Newfoundland and Labrador Studies* 12, no. 1 (January, 1996): 32-34.

raised unbaptized children and committed crimes.³⁸ Troute, writing from an economic perspective, was concerned that Newfoundland's English inhabitants were becoming dependent on New England for supplies, undercutting England's trade with the island and creating opportunities for smuggling, an activity that a governor could, in his view, prevent.³⁹

Beginning in the late seventeenth century, English politicians increasingly saw New England as a threat to England's trade and political influence in America, including Newfoundland. Because of New England's proximity to Newfoundland, traders from Boston and other ports arrived at the island before English ships each spring, allowing them to sell provisions and buy fish at better rates than their English counterparts.⁴⁰ In 1675, Josiah Child argued that Newfoundland risked forming closer ties to New England than England because of this trade, hurting English shipping by reducing the provisioning trade and increasing competition.⁴¹ In 1687, Samuel Pepys reported that New England traders used Newfoundland as a base for smuggling tobacco to Dutch ships to demonstrate for the Committee the difficulties English authorities had controlling trade in America.⁴²

The reports by members of the Navy largely agreed about Newfoundland's climate and natural environment. Poole, Robinson, Troute and Thomas all described Newfoundland as having poor soil, receding forests and harsh winters. Unlike those arguing against a governor in 1675, these members of the Navy did not see these concerns as reasons to stop the government from investing its resources in protecting and managing the island. Without solving the problem

³⁸ Pope, "A True and Faithful Account," 42.

³⁹ Troute, "Deposition of Nehemiah Trout about Newfoundland," February 1, 1678, TNA, CO 1/42, 58-59v.

⁴⁰ Ralph Lounsbury, *The British Fishery At Newfoundland, 1634-1763* (Hamden: Archon Books, 1934), 182-203; Greene, *Negotiated Authorities*, 45-61; Pope, *Fish into Wine*, 157-60.

⁴¹ Child on Indulging a Colony at Newfoundland, March 30, 1675, TNA, CO 391/1, 10.

⁴² Samuel Pepys to William Blathwayt, November 11, 1687, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 12, ed. J. W. Fortescue (London: Her Majesty's Stationery Office, 1899), 295; "Extracts from letters of Captain Allen and Captain Crofts to Samuel Pepys," November 11, 1687, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 12, ed. J. W. Fortescue (London: Her Majesty's Stationery Office, 1899), 463-464.

of how to govern Newfoundland's widely dispersed residents and migratory fishers, ongoing issues, such as deforestation, smuggling and lack of cooperation with authorities, threatened to undermine the cod fishery's value to England.⁴³

This new information about Newfoundland and the growing number of people advocating for the government to change how it managed the island challenged policymakers. Reflecting the reflexive framework George Soros described, the information collected after 1675 highlighted the complexity of life in Newfoundland and challenged England's Newfoundland policy, rather than supporting the presumption that Newfoundland could only support a cod fishery. Assumptions about what practices worked in Newfoundland and the limits of its natural environment formed after the failure of the colonies launched in the 1610's and 1620's, were not entirely accurate. The existence of agriculture and other industries, even in the limited form John Downing reported, disrupted the image of Newfoundland as a barren land on which policymakers based their policies. The prevalence of complaints about abuses by fishers, planters and merchants, and evidence that residents engaged in industries besides fishing to supplement their incomes, led policymakers to view the Western Charter as insufficient. However, although the Downing brothers, Oxford and members of the Navy, such as Wheler and Poole, raised awareness in England about the challenges facing the English in Newfoundland, the government had difficulty solving those issues.⁴⁴

⁴³ Troute, "Deposition of Nehemiah Troute about Newfoundland," February 1, 1678, TNA, CO 1/42, 58-59v; Francis Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246.

⁴⁴ Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246; Robinson, "Answers to Inquiries," September 16, 1680, TNA, CO 1/46, 19-34; Downing "Petition of on Behalf of the Inhabitants of Newfoundland," in Calendar of State Papers Colonial, 324; Oxford, "Petition to the King's Privy Council," April 2, 1679, TNA, CO 1/43, 41; George Soros, "Fallibility, Reflexivity, and the Human Uncertainty Principle," *Journal of Economic Methodology* 20, no. 4 (2013): 309-10.

Changing Actions in Newfoundland, 1680-1688

Beginning in 1680, the Committee used the information it had collected over the previous five years about Newfoundland's residents, economy and natural environment to launch a series of initiatives to defend the island, grow the fishery and enforce laws. Its announcements reflected both its awareness of the difficulty of managing Newfoundland's widely dispersed population and the need to stop practices that hurt the fishery's value. However, implementing these ideas proved difficult, resulting in multiple announced plans being abandoned and an increased reliance on allowing previously banned practices and addressing issues on a case-by-case basis, rather than enforcing regulations throughout Newfoundland. Despite spending considerable time and resources learning about Newfoundland, the Committee was unable to address questions about how to stop undesirable practices, preserve natural resources necessary for the fishery and protect the fishery from threats.⁴⁵

In 1680, the Committee declared that it would appoint a governor of Newfoundland and fortify St. John's. There had been multiple petitions to appoint a governor of Newfoundland since 1667, but, despite announcing that a governor would be appointed, the Committee did not follow through on its plan. There is no discussion in the Committee's minute books or letters about why it did not appoint a governor after the announcement, and there was confusion in England about the government's intentions. In 1680, the mayor, merchants and ship-owners from Poole advised the Committee against removing Newfoundland's inhabitants, an order that had been struck down three years earlier.⁴⁶

Rather than sending a governor to Newfoundland, members of the Navy and the Committee took a direct role in settling disputes that threatened to disrupt the fishery and trade.

⁴⁵ Matthews, *A History of the West of England-Newfoundland Fishery*, 200-239.

⁴⁶ Minutes of the Committee for Trade and Plantations, Whitehall, February 21, 1680, TNA, CO 391/3, 67-68a; John Carter, "Several Reasons for not removing the planters from Newfoundland," 1680, TNA, CO 1/46, 150-151.

This interventionist approach increased the government's control over English affairs in Newfoundland, but did not extend to policing the day-to-day activities of fishers and residents. Two events illustrate this approach: a dispute in 1680 regarding the theft and destruction of French fishing boats and supplies by English fishers and planters, and a 1681 petition by the merchant William Miles asking the Committee to collect debts from planters. In both cases, the Navy and the Committee dedicated resources to resolving the issues themselves, rather than leaving them to be addressed by fishing admirals and planters.⁴⁷

In 1680, a French planter named Jean Ducarret requested that the English fishing admirals in Trepassey investigate the theft and destruction of his property by English fishing servants and planters who hunted for furs along the French shore during the winter of 1679-1680. In addition to asking the admirals investigate the issue, Ducarret gave George Perriman, an English planter in Trepassey, power of attorney to retrieve his stolen property. Perriman delegated part of this authority to George Kirke, one of Sara and David Kirke's sons, to recover a boat stolen from Ducarret. The fishing admirals, Perriman and Kirke settled part of the dispute on their own, with two planters, Christopher Pollard and John Roulston, agreeing to pay Ducarret damages, but Robinson, the convoy commander that year, tried four others implicated in the incident. Robinson, whom the fishing admirals and Kirke asked to examine the case, tried the fishing servants Francis Knapman, William Couch, Samuel Wood and John Wallis and, upon finding them guilty, punished them onboard his ship.⁴⁸

⁴⁷ William Miles, Petition to the Committee for Trade and Plantations, May 10, 1681, TNA, CO 1/46, 359-360; Pope, "Outport Economics," 154-56.

⁴⁸ "Papers Relating to the damage done to the French at St. Mary's," in *Calendar of State Papers Colonial, America and West Indies*, Vol. 10, ed. W Noel Sainsbury and J W Fortescue (London: Her Majesty's Stationery Office, 1896), 579-585; Pope, "Outport Economics," 154-157.

Robinson's involvement represents an insertion of government authority in a case that, according to the Western Charter, should have been handled entirely by the fishing admirals.⁴⁹ Before King William's Act in 1699, there was no document giving Naval captains the power to hear cases in Newfoundland or punish those found guilty, but Robinson received no reprimand for exceeding his authority.⁵⁰ The complicated delegation of investigative and collections duties suggests that these processes were not unfamiliar to those involved, reflecting what Bannister calls the reliance on legal customs by residents and fishers when formal legal systems were insufficient.⁵¹

The second case shows the Committee intervening in legal matters relating to Newfoundland, rather than a member of the Navy becoming involved because of a request by fishers or planters. In 1681, Miles, who traded provisions to planters in exchange for fish, complained to the Committee that fourteen planters refused to pay the debts they owed him. The planters listed in the petition, mostly located in New Perlican and Heart's Content, collectively owed Miles £684 payable in 1,289 quintals (65 tons) of cod. To resolve the issue, Miles asked the Committee to collect the debts for him or support an agent of his sent to collect those debts.⁵² The Committee ordered the convoy commander to collect Miles's debts and announced that Newfoundland's English inhabitants could not be allowed to ignore their debts to merchants since it would discourage trade.⁵³

⁴⁹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6.

⁵⁰ William III, 1698: An Act to Incurage the Trade to Newfoundland. [Chapter XIV. Rot. Parl. 10 Gul. III. p. 3. n.5.], in *Statutes of the Realm*: Vol. 7, 1695-1701, ed. John Raithby, (London: Great Britain Record Commission, 1820), 515-518; "Papers Relating to the damage done to the French at St. Mary's," 579-585; Bannister, *The Rule of the Admirals*, 30-32.

⁵¹ Bannister, *The Rule of the Admirals*, 43-59.

⁵² Miles, "Petition to the Committee for Trade and Plantations," May 10, 1681, TNA, CO 1/46, 359-360.

⁵³ "Report touching on Account of William Miles with the Planters of Newfoundland," May 17, 1681, TNA, CO 1/46, 362-363.

Government interventions to resolve individual complaints such as Miles's were uncommon. However, the reasoning behind the Committee's decision is consistent with its interest in increasing its control over Newfoundland. Like the 1675 investigation, the Committee's decision to collect debts for Miles demonstrates its focus on finding a way to protect and govern the Newfoundland fishery, as well as its recognition that the current regulations, specifically the Western Charter, were insufficient. Crime and abuses of the Western Charter's terms were widespread, but the habitation and economic patterns that succeeded in Newfoundland made enforcing regulations difficult since the distribution of residents and fishing ships limited the abilities of any single authority to stop unwanted practices.⁵⁴

The Committee addressed some of the Western Charter's insufficiencies by changing its provisions so that they better aligned with how residents used the island's natural resources. In 1680, the Committee announced that Newfoundland's English inhabitants could build houses no closer to the shore than a quarter-mile, much closer than the previous six-mile limit required in the Western Charter.⁵⁵ The six-mile limit existed as a prescriptive regulation since its inception in 1637. Residents rarely lived far from their boats and shore facilities, and the lack of arable soil or other natural resources gave them little reason to move further inland. Not only was the limit regularly violated, as seen in archaeological finds of houses from that period near the shore, but there is no known evidence that any English planter followed it or that fishing admirals or convoy commanders punished residents for living near the shore.⁵⁶ The Committee also

⁵⁴“An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland,” January 24 1634, TNA, CO 1/8, 1-6; Wheler, “Answers to the Heads of Inquiry,” October 27 1684, TNA, CO 1/55, 239-246; Cell, *English Enterprise*, 124–25; Pope, “Outport Economics,” 154-157.

⁵⁵ Minutes of the Committee for Trade and Plantations, Whitehall, February 26, 1680, TNA, CO 391/3, 69; John Collins, *Salt and Fishery, a Discourse Thereof* (London: Printed for A. Godbid and J. Playford, 1682), 100–101.

⁵⁶ “A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs,” November 13, 1637, TNA, CO 195/1, 11-27; Minutes of the Committee for Trade and Plantations, Whitehall, April 8 1675, TNA, CO 391/1, 11; “An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland,” January 24 1634, TNA, CO 1/8, 1-6; Pope, *Fish into Wine*, 194–96.

announced that inhabitants were allowed to keep gardens and orchards so long as they were no closer than a quarter-mile to the shore, a decision that acknowledged the reports by John Downing and naval commanders that small-scale agriculture was common in Newfoundland.⁵⁷

By allowing planters to live and grow crops closer to the shore, the Committee recognized the limits of its ability to enforce regulations in Newfoundland, the economic relationships between migratory fishers and residents, and its prior misreading of the situation there. This awareness originated in the Committee's use of information from the Downing brothers, Oxford, Poole, Troute and Thomas. These individuals all noted that inhabitants maintained shore facilities, built boats and reserved space for fishing ships, thus reducing the amount of time migratory fishers spent setting up each year.⁵⁸ These arrangements did not mean that resident-migratory fisher relations were without incident, only that these relations were, on the whole, beneficial to both parties. Although the Committee did not expect Newfoundland to become an economically diverse colony, its recognition that residents grew crops and raised livestock was a major change from its 1675 decision that the island was only valuable for its ability to support the migratory fishery.⁵⁹

The Committee's decisions better aligned policy with conditions in Newfoundland, although they did not resolve the question of how to enforce laws and regulations there. The convoy commander Francis Wheler's 1684 answers to the articles of inquiry supported appointing a governor, but he differed from Poole, Robinson and Talbot in his reason for that

⁵⁷ Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156; Downing, "How inhabitants employ themselves after the Fishing Ships leave," May 3, 1677, TNA, CO 391/2, 17; Minutes of the Committee for Trade and Plantations, February 26, 1680, TNA, CO 391/3, 69.

⁵⁸ Poole, "Answers to inquiries," September 10, 1677, in *Calendar of State Papers Colonial*, 145-160; Pope, "A True and Faithful Account," 38-45; Troute, "Deposition of Nehemiah Trout about Newfoundland," February 1, 1678, TNA, CO 1/42, 58-59v; Downing, "How inhabitants employ themselves after the Fishing Ships leave," May 3, 1677, CO 391/2, 17.

⁵⁹ Poole, "Answers to inquiries," September 10, 1677, in *Calendar of State Papers Colonial*, 145-160; Bannister, *Rule of the Admirals*, 39-44.

support. Wheler described Newfoundland as a lawless place with a population united in its refusal to cooperate with naval authorities, making it impossible to discover who had committed a crime. Like Poole, Wheler portrayed inhabitants as useful for the fishery since they maintained the stages and houses left overwinter by fishing ships but added that both migratory fishers and residents committed crimes that hurt the fishery, such as starting forest fires. Wheler also recognized the difficulties of governing Newfoundland's widely distributed population and proposed that the only way to enforce laws there would be to appoint a magistrate in every harbour, an approach that had not been suggested previously.⁶⁰

Wheler's insight into how Newfoundland's natural environment complicated law enforcement was accompanied by one of the first descriptive accounts of fur hunting in Newfoundland. While most English inhabitants focused on cutting wood during the winter, Wheler found that Bonavista's residents spent the winter inland trapping beaver and otter for sale to trade ships in the spring.⁶¹ Bonavista's English inhabitants, intentionally or not, loosely followed the Beothuk's seasonal pattern of spending summer on the coast and winter inland, moving as the seasons favoured different natural resources.⁶² This practice spread throughout Newfoundland in the eighteenth century and remained in use into the early twentieth century in remote communities.⁶³

Although government officials recognized that the existing legislation was ineffective, they were unable to find an adequate replacement. The Committee and the Navy intervened in individual cases, especially when they threatened merchant interests, but did not follow through

⁶⁰ Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246.

⁶¹ Ibid.

⁶² Peter Rowley-Conwy, "Settlement Patterns of the Beothuk Indians of Newfoundland: A View from Away," *Canadian Journal of Archaeology / Journal Canadien d'Archéologie* 14 (January, 1990): 25-27; Barry Gaulton and Stephen Mills, "A Seventeenth Century 'Winter House' in Sunnyside, Newfoundland?" *Provincial Archaeology Office. Archaeological Review* 9 (2010): 51-52.

⁶³ Philip Smith, "Transhumant Europeans Overseas: The Newfoundland Case," *Current Anthropology* 28, no. 2 (April, 1987): 245-46.

on broad policy changes except to legalize ongoing practices that, while previously banned, the fishing admirals had not been punishing. Matthews asserted that this approach represented “the only way to reconcile two absolutely opposed factors. If settlers were removed the French would possess the whole island, but if a governor was sent, then settlement would be unduly encouraged and Newfoundland would become another New England.”⁶⁴ Matthews’ explanation does not account for the logistical difficulties of governing Newfoundland’s geographically dispersed English population, as depicted in the town surveys and censuses from 1675 onwards. However, policymakers were attempting to accommodate several conflicting goals. The Committee could not easily address questions about how to govern Newfoundland’s residents and fishery, how to control activities besides fishing, such as farming and tavern keeping, or what the government’s role was in shaping the island’s growing population and their activities. Additionally, there was no one outcome desired by the merchant communities in London or the West Country, and merchants from both regions differed in their opinions about the efficacy of new ideas for governing Newfoundland. This lack of action persisted until the political climate in England changed in 1688.⁶⁵

Protecting Newfoundland: The Glorious Revolution and King William’s War, 1688-1696

The political instability after 1688 associated with the Glorious Revolution, which resulted in the ouster James II and ascension of William and Mary, and the outbreak of King William’s War, which brought England into conflict with France, had a different effect on the development of Newfoundland than the Interregnum had. Unlike the period of the Interregnum, during which the government did little to manage Newfoundland other than arresting David

⁶⁴ Matthews, *A History of the West of England-Newfoundland Fishery*, 233.

⁶⁵ Berry, “A List of Planter Names...,” September 12, 1675, TNA, CO 1/35, 149-156; Tobias Burr, “Report on Newfoundland,” March 3 1675, TNA, CO 1/34, 35-37; Gary Stuart De Krey, *A Fractured Society: The Politics of London in the First Age of Party, 1688-1715* (Oxford: Clarendon Press, 1985), 10–15.

Kirke, after 1688 the changing political tides in England and the threat of French attack resulted in an increase in government efforts to defend and manage Newfoundland.⁶⁶ This interest took the form of a series of surveys by the Royal Navy and the fortification of St. John's. By focusing on defense, the English government took on the role of protecting Newfoundland's English population, something it had not done previously. At the centre of this change was a decision made in 1689, and carried out in 1693, to fortify St. John's and place a garrison there. The government's choice of St. John's recognized that harbour as the most important English-controlled location in Newfoundland, and attempted to answer the question of how to protect Newfoundland's isolated and widely dispersed English population. Although these defenses failed to repel d'Iberville's 1696 invasion, English military investment in St. John's continued after the Treaty of Ryswick in 1697, creating a permanent government presence in Newfoundland. This focus on developing St. John's contrasted with the Committee's previous concerns about its limited ability to govern Newfoundland. Before 1688, English efforts to regulate Newfoundland were complicated by questions about how to enforce laws over a widely dispersed population and whether a permanent government presence would help the fishery. However, the outbreak of King William's War and the threat of French attack motivated the government to define what, exactly, its role in Newfoundland was and how to deploy its resources to protect the island's benefits for England.⁶⁷

⁶⁶ Julian Hoppitt, "Checking the Leviathan, 1688-1832," in *The Political Economy of British Historical Experience, 1688-1914*, ed. Donald Winch and Patrick O'Brien (Oxford: Oxford University Press, 2002), 267-73; Jack Sosin, *English America and the Revolution of 1688: Royal Administration and the Structure of Provincial Government* (Lincoln: University of Nebraska Press, 1982), 79-87.

⁶⁷ "Proclamation for the acceptance of King William and Queen Mary by the Colonies," February 1689, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 606; "Agreement to send a Military Governor to St. John's, Newfoundland," May 16, 1689, TNA, CO 391/6, 121-122; Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246; William Gilbert, "'ye Strength of Ye Place': Defence Works in the St. John's Narrows, 1638-1780," *Newfoundland and Labrador Studies* 25, no. 2 (2010): 200-210.

The government's interest in controlling Newfoundland was part of a larger trend of English intervention in America after 1688. Greene, writing about the governance of the Thirteen Colonies, found that the reign of William and Mary accelerated the ongoing centralization of colonial authority in London under Parliament and a growing administrative class.⁶⁸ Historian Nuala Zahedieh, writing about London's political and merchant community, built upon Greene's argument by stating "the resolution of the rules of the Atlantic game in 1689 allowed a consolidated state better to manipulate and manage the imperial economy in its own interests and ushered in an extended period of slow growth."⁶⁹ Newfoundland did not experience the same level of disruption as New England, where the governor was overthrown in 1689 and replaced by a charter that limited the colony's autonomy, but authority over Newfoundland did become concentrated in parliament and administrative bodies such as the Committee.⁷⁰

On May 16, 1689, four months after the proclamation of the acceptance of William and Mary as co-regents was sent to Newfoundland, the Committee announced it would spend £3,000 to establish fortifications, a garrison and military governor in St. John's. Although this was not the first announcement of a governor of Newfoundland, it was the first to result in action since 1660. The reason for establishing this governor and garrison, as recorded in the Committee's minute books, was to defend Newfoundland and its fishery from French attacks, not to enforce regulations.⁷¹

⁶⁸ Greene, *Negotiated Authorities*, 78–92.

⁶⁹ Nuala Zahedieh, "Regulation, Rent-Seeking, and the Glorious Revolution in the English Atlantic Economy," *The Economic History Review* 63, no. 4 (November, 2010): 887.

⁷⁰ Jack Sosin, *English America and the Revolution of 1688: Royal Administration and the Structure of Provincial Government* (Lincoln: University of Nebraska Press, 1982), 88–101; Greene, *Negotiated Authorities*, 88–92; John Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven: Yale University Press, 2006), 179–181.

⁷¹ "Proclamation for the acceptance of King William and Queen Mary by the Colonies," February 1689, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 606; "Agreement to send a Military Governor to St. John's, Newfoundland," May 16, 1689, TNA, CO 391/6, 121-122.

This commitment to defending Newfoundland marked the beginning of a permanent government presence in the island, but it was a decision motivated more by military needs than by a desire to govern the island's English populace. Although French forces built fortifications and placed a garrison in Plaisance in 1662, before King William's War they launched no attacks on English ships or inhabitants except to push English planters out of the immediate area around Plaisance. With the outbreak of war with France in 1688, Plaisance became a serious threat to the English fishery. There were no English harbours as fortified as Plaisance for ships and inhabitants to shelter in or for the Navy to launch ships from, making English fishers and residents vulnerable to attack.⁷²

The choice of location for these fortifications indicated an important realization in England: that St. John's was the main harbour of the English fishery, and that the government could not protect every English-inhabited harbour in Newfoundland. St. John's, despite being acknowledged since the sixteenth century as one of the best harbours in Newfoundland, was not chosen as an operational base by either the Newfoundland Company, Henry Cary, George Calvert or David Kirke. Instead, the harbour became, as Pope called it, "the most important of the migratory fishing stations," and a series of planters, such as the Downing and Oxford families, independently transformed it into a major fishing, trading and military centre by the late-seventeenth century.⁷³ The lack of defined roads and paths between many regions of the English shore meant that a governor and garrison would be limited in their ability to respond to incidents in remote harbours. Defending every English inhabited-harbour in Newfoundland would have been prohibitively expensive, forcing the Committee to choose where its resources

⁷² "An Account of the French Colony and Trade of Newfoundland," 1677, TNA, CO 195/1, 25-26; Amanda Crompton, *The Historical Archaeology of a French Fortification in the Colony of Plaisance the Vieux Fort Site (CHA1-04) Placentia Newfoundland* (PhD Diss., Memorial University of Newfoundland, 2012), 113-16; Gilbert, "'ye Strength of Ye Place,'" 200-201.

⁷³ Pope, *Fish into Wine*, 51-56.

would be best deployed. Fortifying St. John's presented a way to protect a significant portion of the fishers and residents in Newfoundland without overextending the government's resources.⁷⁴

Before 1689, merchants, companies and proprietary governors were responsible for building and maintaining fortifications and guns to defend the English shore. Despite the expense and lack of government support, there were private efforts to build defenses. John Guy built a fort near Cuper's Cove in 1612 to protect the plantation from pirates, and Kirke placed fifty-six cannons in Ferryland, St. John's and Bay Bulls between 1637 and 1651. The merchant Christopher Martin reported that he landed cannons in St. John's in 1665 and 1667 and built fortifications near the harbour's narrows.⁷⁵ The defenses in St. John's were functional in 1673, when the guns at the port's entrance and a chain strung across the narrows repulsed a squadron of Dutch warships, but by 1688 these defenses were abandoned and in poor condition.⁷⁶

The Committee ordered the fortification of St. John's in 1689, but there were delays in beginning construction. In 1691, English inhabitants from St. John's petitioned the Committee to send the promised governor to Newfoundland and begin fortifying the harbour.⁷⁷ Despite French raids on English fishing ships, it was not until 1693 that Wheler, at the behest of the inhabitants of St. John's, began the process of designing fortifications. On the recommendation of Christian

⁷⁴ Downing "Petition of on Behalf of the Inhabitants of Newfoundland," in *Calendar of State Papers Colonial*, 324; Oxford, "Petition to the King's Privy Council," April 2, 1679, TNA, CO 1/43, 41; James Yonge, *The Journal of James Yonge [1647-1721]*, *Plymouth Surgeon*, ed. F.N.L. Poynter (Hamden: Archon Books, 1963), 57; Gilbert, "'Ye Strength of Ye Place,'" 200–210.

⁷⁵ Richard Crout, "to Percival Willoughby," August 20 1612, NU, Middleton Mi X 1/13; Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33–40; Christopher Martin, "Deposition," February 6, 1678, TNA, CO 1/42, 62.

⁷⁶ Gilbert, "Ye Strength of Ye Place," 198–99.

⁷⁷ Petition of the Inhabitants of St. John's to Captain Stephen Akarman, October 15, 1691, in *Calendar of State Papers Colonial, America and West Indies*, Vol 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 622.

Lilly, Wheler's engineer, two forts were built in St. John's and cannons placed on either side of the harbour narrows.⁷⁸

Although policymakers avoided the topic of Newfoundland's governance after 1688, their recognition that the island and its English inhabitants were worth defending was a significant change. No state resources were spent to protect Newfoundland's English residents before 1693. The warships sent each spring to Newfoundland were there to defend fishing and trade ships and collect information, and once the ships left in the fall, policymakers saw little reason to defend Newfoundland. Fortifying St. John's was an important step towards settling the question of how to manage and protect Newfoundland's widely dispersed fishery and inhabitants. The government's decision to focus on St. John's acknowledged its limited ability to oversee and defend Newfoundland, by concentrating resources in the area it perceived as the most relevant to the fishery.⁷⁹

While the reflexive process of basing plans on preconceptions about Newfoundland's natural environment and adjusting assumptions when those plans were challenged revealed the fishery to be the island's single major industry, the Committee discovered after 1675 that this conclusion was incomplete. Berry's refusal to evict Newfoundland's English inhabitants began an extended reconsideration of the island's place in England's growing overseas empire and how residents and fishers used the island. From 1676 to 1696, the Committee learned that prior efforts to regulate how English residents and fishers used Newfoundland's natural environment, based on the assumption that the island's natural resources were only valuable for supplying the fishery, were inaccurate. The petitions, opinions, censuses and answers to inquiries the

⁷⁸ Minutes of the Committee of Trade and Plantations, Whitehall, June 17, 1692, TNA, CO 391/7, 53-54a; Gilbert, "Ye Strength of Ye Place," 200-201.

⁷⁹ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; John Berry to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-24; Minutes of the Committee of Trade and Plantations, Whitehall, May 6, 1677, TNA, CO 391/2, 23.

Committee received revealed that Newfoundland's English residents farmed and hunted fur-bearing animals as well as supported the migratory fishery by storing goods, repairing equipment and tending the sick and injured. None of these activities supplanted the fishery, but they complicated the image of Newfoundland as a place that was, as John Parrett argued in 1675, only valuable for its fish and wood.⁸⁰

The Committee's re-evaluation of Newfoundland was not an isolated occurrence. Rather, it was part of a broader change occurring in England regarding the management of its colonies that increased the central government's authority over its colonial subjects, often at the expense of regional interests. Wars during the late seventeenth century, the growth of mercantilist policies in England and an increasingly powerful central government had, according to Christian Koot, solidified English control over its transatlantic trade and increased the government's capacity to implement policies in remote regions. These changes resulted in an interconnected English empire with more trade between colonies, but they also increased the central government's willingness to end local practices and depose figures it perceived as a threat to its interests. Officials did not intervene in Newfoundland to the same degree they did in New England, but the use of new sources of information and focus on using reports from Newfoundland changed how the government perceived the island's value and how residents used its natural resources.⁸¹

After the failure of the 1675 eviction order, the government resisted enacting new policies in Newfoundland. The Committee acknowledged that there were chronic problems in

⁸⁰ John Parrett, "Thoughts on Newfoundland," February 27, 1675, TNA, CO 391/1, 5-6; Poole, "Answers to inquiries," September 10, 1677, in *Calendar of State Papers Colonial*, 145-160; Robinson, "Answers to Inquiries," September 16, 1680, TNA, CO 1/46, 19-34; Talbot, "Proposal to send a governor to Newfoundland," February 14, 1683, TNA, CO 391/4, 61-62.

⁸¹ Greene, *Negotiated Authorities*, 45-61; Christian Koot, *Empire at the Periphery: British Colonists, Anglo-Dutch Trade, and the Development of the British Atlantic, 1621-1713*, (New York: New York University Press, 2011), 181-189.

Newfoundland that threatened to undermine the cod fishery's profitability, and that the existing regulations and enforcement practices were insufficient to address those problems. However, the information the Committee collected and the hearings it held revealed more problems than solutions. At the centre of the Committee's considerations was the question of how to manage a land whose English population was widely distributed and whose commercial value came from an industry reliant on a complex relationship between residents, migratory ships and trade with Europe and America. Although policymakers changed sections of the Western Charter, such as reducing building limits, these alterations had few practical effects. Migratory fishers and planters continued to fish and live in Newfoundland in the same fashion as they had before 1675, and with few exceptions, such as the collection of debts for Miles, there was little government intervention.⁸²

It was not until war threatened the fishery that the government began to invest its resources in Newfoundland, and even then they avoided creating any new civil authority there. Although the English government made no final decision about how to govern Newfoundland, the information available to policymakers about the island presented a much more complicated place than perceived before 1675.⁸³ However, while the government gradually adopted new approaches to managing Newfoundland from 1676 to 1696, it was d'Iberville's invasion of the English shore in the winter of 1696-1697 that initiated a period of change.⁸⁴

⁸² "Report touching on Account of William Miles with the Planters of Newfoundland," May 17, 1681, TNA, CO 1/46, 362-363.

⁸³ Trout, "Deposition of Nehemiah Trout about Newfoundland" February 1, 1678, TNA, CO 1/42, 58-59v; Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246; Downing, "Petition," November 7, 1675, TNA, CO 1/38, 33-40.

⁸⁴ Minutes of the Committee for Trade and Plantations, Whitehall, February 26, 1680, TNA, CO 391/3, 69; Alan Williams, *Father Baudoin's War : d'Iberville's Campaigns in Acadia and Newfoundland, 1696, 1697* (St. John's: Memorial University of Newfoundland, 1987), 3-12.

Chapter 6

Defining Newfoundland: Pierre Le Moyne d'Iberville and King William's Act

Then back once more to Carbonear, / where stubborn English still held out./
 Again he looked with fierce desire/ at the frowning cliffs of the island grim,/ and
 again the cannon's thunderous roar/ right royally did welcome him./ His pride
 was crushed, his rage was great,/ all mercy to the winds he threw/ the settlement
 to the torch was put,/ then d'Iberville sullenly withdrew.
 Anonymous, "The Ballad of d'Iberville's Raid."¹

The decades after the Restoration saw numerous ineffective and failed attempts by the English government to manage residents and fishers in Newfoundland. Between 1660 and 1696, the logistics of overseeing Newfoundland's isolated harbours, and new information about how English migratory fishers and residents used the island's natural resources, thwarted the government's efforts to regulate activities in Newfoundland. However, 1696 marked the beginning of a period of rapid change. Pierre Le Moyne d'Iberville's invasion of the English shore of Newfoundland in the winter of 1696-1697 devastated the English fishery and population there, prompting the English government to assess how to rebuild the island and whether it should change how the island was governed and defended. Building from the knowledge government bodies, merchants and planters had gained about Newfoundland's economy and natural environment over the previous eighty-nine years, policymakers considered what the island's value as an English colonial possession was and how to manage the practices of fishers and residents there. The result of these considerations was the 1699 statute King William's Act, which defined the fishery as Newfoundland's sole valuable industry, reserved the island's terrestrial natural resources for the use of that fishery and refined how Newfoundland was governed.²

¹ George Hoskins, "The Ballad of D'Iberville's Raid," in *Newfoundland Quarterly* 59, (March, 1960): 22.

² "William III, 1698: An Act to Encourage the Trade to Newfoundland. [Chapter XIV. Rot. Parl. 10 Gul. III. p. 3. n.5.]," in *Statutes of the Realm: Vol. 7, 1695-1701*, ed. John Raithby, (London: Great Britain Record Commission,

News of the French attacks on Newfoundland caused the English government to hold hearings about what the island's economic value to England was, how to retake the island and how fishers and residents there should be governed. Merchants, lobbyists and naval officials sent reports of d'Iberville's attack to the government accompanied by petitions advocating changes in the management of Newfoundland. This political pressure, which continued until the passage of King William's Act in 1699, differed from prior considerations of Newfoundland. Rather than entering a cycle of debates and little action, as had occurred after 1675, the hearings beginning in 1696 resulted in new legislation. The discussions took place in three phases. The first was the reaction to d'Iberville's attack and the planning of the English counterattack in 1696. The second phase began with the retaking of Newfoundland's English shore in 1697 by English forces. Following this campaign, the commanders of the attack used their experiences in Newfoundland to argue for the government to change its approach to governing the island. The third phase occurred in 1699 with the creation of King William's Act, which both updated the provisions contained in the Western Charter and introduced new regulations and enforcement mechanisms to protect the migratory and resident fisheries.³

There are few known surviving sources about the drafting of King William's Act, making it difficult to study. However, examining the letters and reports presented to the government before Parliament passed the Act provides insight into the issues considered by its writers, an approach assisted by the introduction of new recordkeeping techniques in 1696. Beginning that year, specialized files were created for documents about Newfoundland presented to the government, a change from the previous method of combining records about multiple regions of America into a single series. In 1696, the Colonial Office 194 file was created to hold reports,

1820), 515-518; Jerry Bannister, *The Rule of the Admirals Law, Custom and Naval Government in Newfoundland, 1699-1832* (Toronto: Osgoode Society for Canadian Legal History by University of Toronto Press, 2003), 122-28.

³ "William III, 1698: An Act to Incurage the Trade to Newfoundland," 515-518.

communications, agreements and other materials regarding Newfoundland sent to the Secretary of State and to the Board of Trade, a committee of the Privy Council formed in 1696 to replace the Committee for Trade and Plantations. Unlike the Committee, which was composed of members of the Privy Council and, as Ian Steele notes, was perceived by King William III as costly and ineffective, the Board of Trade was composed of eight paid commissioners appointed by the king who were not members of the Privy Council. Select documents from before 1696 were copied and collected in the Colonial Office 195 file to complement the 194 file. In addition to these government documents, the British Library holds the letter books and journals of Michael Richards, the military engineer in charge of fortifying St. John's from 1697 to 1703. Richards's writings discuss the condition of Newfoundland after d'Iberville's campaign and the difficulties encountered while fortifying and defending the island. These sources, when viewed together, provide insight into the people, events and questions that defined the period leading up to the writing of the Act.⁴

King William's Act has been the subject of academic and popular debate since the late eighteenth century, with little consensus about either the intentions of its writers or its impact on Newfoundland's history. The traditional assessment of the Act, which comes from John Reeves and Daniel Prowse, is that it concentrated political and legal authority over Newfoundland in West Country fishing merchants, who then abused their power to suppress Newfoundland's

⁴ Michael Richards, "Logbook of Michal Richards at St John's Giving Daily Observations of the Weather and Abstract of Work Done," BL, Stowe MS 463; Michael Richards, "Logbook of Michal Richards at St John's Giving Daily Observations of the Weather and Abstract of Work Done," BL, Stowe MS 465; Michael Richards, "1700-1702, Richards Letter Book," BL, Stowe MS 464; William Gilbert, "'Ye Strength of Ye Place': Defence Works in the St. John's Narrows, 1638-1780," *Newfoundland and Labrador Studies* 25, no. 2 (2010): 203-204; Charles Andrews, *British Committees, Commissions, and Councils of Trade and Plantations, 1622-1675* (Baltimore: Johns Hopkins University Press, 1908), 113-114; Ian Steele, *Politics of Colonial Policy: The Board of Trade in Colonial Administration 1696-1720* (Oxford: Oxford University Press, 1968), 9-30.

English inhabitants.⁵ Since the 1980's, historians Patrick O'Flaherty and Frederick Rowe have used the idea that King William's Act concentrated political power in West Country merchants to argue that the Act was meant to prevent Newfoundland from developing into a colony with any degree of political self-determination.⁶ Opposing this argument, both Keith Matthews and Jerry Bannister argued that King William's Act did not restrict Newfoundland's inhabitants since their established practices were largely unaffected by the Act's provisions. Bannister also asserted that whatever the Act's purpose was on paper, it did not match the actual legal and economic developments in Newfoundland, with few known cases of its provisions ever being fully enforced.⁷

Much of this debate originates from the lack of known sources about what Parliament's intentions were when writing King William's Act. Historian Alan Cass called the Act's genesis a mystery, with few sources indicating why Parliament would propose or pass it in 1699. Examining the Parliamentary minute books and other sources, Cass found that the Act was not the result of any singular vision for Newfoundland. Instead, King William's Act underwent a series of major, but poorly recorded, revisions between its introduction and passing that complicate analysis of its drafting. Multiple individuals and committees made significant changes to the Act's provisions that accounted for how Newfoundland's fishery and its associated trades, such as provisioning and shipbuilding, affected the economies of towns in

⁵ John Reeves, *History of the Government of the Island of Newfoundland with an Appendix, Containing the Acts of Parliament Made Respecting the Trade and Fishery* (London: Printed for J. Sewell, 1793), 31–50; Daniel Prowse, *A History of Newfoundland* (London: Macmillan and Co., 1895), 224–226; Christopher English, "The Legal Historiography of Newfoundland," in *Essays in the History of Canadian Law - Two Islands: Newfoundland and Prince Edward Island*, ed. Christopher English (Toronto: University of Toronto Press, 2005), 19–23.

⁶ Frederick Rowe, *A History of Newfoundland and Labrador* (Toronto: McGraw-Hill Ryerson, 1980), 115–17; Patrick O'Flaherty, "King William's Act (1699): Some Thoughts 300 Years Later," *Newfoundland Quarterly* 43, no. 2 (2000): 21–22; Patrick O'Flaherty, "Was Settlement Legal? - 17th Century Laws in Perspective" (17th Century Newfoundland: The English Shore Symposium, St. John's: Centre for Newfoundland Studies, Memorial University of Newfoundland, 2001).

⁷ Matthews, *A History of the West of England-Newfoundland Fishery*, 254–55; Bannister, *The Rule of the Admirals*, 31–39.

England. According to Cass, these economic interests made King William's Act an imperial trade measure, rather than a colonial constitution. The Act's focus on trade indicates that it was enacted with the goal of increasing Newfoundland's economic value to England by allowing both migratory and inhabitant fishers to ply their trade "without any other restraint than was customary."⁸

Although Cass and O'Flaherty have explored the legislative process behind the passing of King William's Act, the political, economic and military history that preceded it has received little scholarly attention. Historians have used King William's Act as the beginning of their studies, as is the case in Bannister's *Rule of the Admirals*, or focus on its provisions without considering the period before it was passed, as is the case in Cass's and O'Flaherty's works.⁹ Studying the events and discussions that occurred over the three years leading up to King William's Act, this chapter examines the Act as the result of a larger debate over Newfoundland's role as an English colonial possession occurring in the late seventeenth century. The events and hearings that took place over this three-year period demonstrate both the pressure placed upon the government to manage English activities in Newfoundland, and the difficulties of creating policies that balanced the needs of all parties involved in the fishery. This approach agrees with Cass's argument that King William's Act was a trade measure, and expands upon it by examining the Act as the result of a history of English officials, merchants, naval commanders and planters assessing what Newfoundland's trade value was and how best to extract it.¹⁰

D'Iberville's Campaign and English Reactions: 1696-1697

⁸ Alan Cass, "Mr. Nisbet's Legacy, or the Passing of King William's Act in 1699," *Newfoundland and Labrador Studies* 22, no. 2 (June, 2007): 523–25; O'Flaherty, "King William's Act (1699)," 25–28.

⁹ Bannister, *The Rule of the Admirals*, 31–39; Cass, "Mr. Nisbet's Legacy," 505–506; O'Flaherty, "King William's Act (1699)," 25–26.

¹⁰ Cass, "Mr. Nisbet's Legacy," 523–25.

D'Iberville's military campaigns have brought him notoriety in Canadian history. In popular and scholarly work, particularly French language media, d'Iberville is a symbol of New France's importance and strength in the Atlantic World during the seventeenth century. Historian Charles Reed wrote a biography of d'Iberville titled *The First Great Canadian* (1910), and statues of d'Iberville stand outside the Parliament Building of Quebec and as part of the Valiants Memorial in Ottawa. D'Iberville's reputation as a military commander came from a series of successful campaigns he led against the English in America, and he was known to English authorities before invading Newfoundland. Prior to his Newfoundland campaign, d'Iberville successfully raided the Hudson Bay Company and attacked English colonies and allies throughout New York.¹¹

In Newfoundland, d'Iberville's legacy is the destruction of the English shore during the winter of 1696-1697, and how the English campaign to retake the island initiated a larger discussion about the management of Newfoundland and its value as a colonial possession. Wartime raids and piracy were common dangers in Newfoundland since the sixteenth century, but d'Iberville's campaign was the largest attack on the English there to that point, and the reaction to his attack reshaped England's Newfoundland policy. Politicians, merchants and military officials treated the forcible removal of Newfoundland's English inhabitants and destruction of shore facilities as an opportunity to re-evaluate how the island was managed and

¹¹ Charles Reed, *The First Great Canadian the Story of Pierre Le Moyne Sieur d'Iberville* (Chicago: A.C. McClurg & Co., 1910), v-vii; Guy Frégault, *Iberville le Conquérant*, (Montreal: Société des Éditions Pascal, 1944), 217-235; Bernard Andres, "Pierre Le Moyne d'Iberville (1706-2006): Trois Siècles à l'Hue et à la Dia," *Les Cahiers Des Dix* 60 (2006): 79-80; "The Valiants Memorial," Government Website, *Canadian Heritage*, (October 25, 2013), Accessed May 21, 2016, <http://www.pch.gc.ca/eng/1380043646059>.

decide how, once it was retaken, the government could change the practices of fishers and residents there.¹²

In November 1696, d'Iberville, leading a force of 220 fighters, composed of 100 French soldiers and 120 coureur de bois and Mi'kmaq allies, marched overland from Plaisance to the English shore. Beginning in Renews and continuing northward to Trinity, d'Iberville's forces attacked every inhabited harbour they encountered. Attacking from land allowed the French forces to circumvent English fortifications since they were mostly positioned to repel warships, not land forces. The only successful resistance was in Carbonear, where residents took shelter on a fortified island until d'Iberville withdrew.¹³

The exact number of affected English inhabitants is unknown, but historian Alan Williams, using the journal of Jean Baudoin, a priest who accompanied d'Iberville, estimated that at least 105 English residents were killed and 1,166 captured, 300 of whom were deported. These figures are low since they do not include three of Baudoin's entries reporting that "some" or "many" English were captured, and one entry that stated that "some" English were killed without providing figures.¹⁴ The number of people who died in captivity is unknown, but was likely high. All three of David and Sara Kirke's living children and four of their six grandchildren died while imprisoned in Plaisance, suggesting that many of the individuals captured, but not deported, perished.¹⁵

¹² "Petition from the Inhabitants of Ferryland, now in Appledore," November 27, 1696, TNA, CO 391/9, 125-126; "Votes relating to the Newfoundland Trade," November 28, 1696, in *The History of the Proceedings of the House of Commons*, vol. 3, 1695-1706, (London: Chandler, 1742), 69-73; "Memorial from the Town of Barnstaple upon their late loss at Newfoundland," November 30, 1696, TNA, CO 195/2, 36-46; Alan Williams, *Father Baudoin's War: d'Iberville's Campaigns in Acadia and Newfoundland, 1696, 1697* (St. John's: Memorial University of Newfoundland, 1987), 3-12.

¹³ Williams, *Father Baudoin's War*, 9-12, 61-71; Gilbert, "Ye Strength of Ye Place," 200-202.

¹⁴ Williams, *Father Baudoin's War*, 52, 72.

¹⁵ Jarvis Kirke, Sara and David Kirke's only other child, died in 1684: Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 58, 407-9.

There was no debate in England about whether Newfoundland was worth retaking, only disagreement over how to manage the island after it was recaptured. Requests to appoint a governor to Newfoundland or to strengthen the Western Charter arrived before the government soon after reports about the destruction of the English shore. On November 16, the Board of Trade received its first reports about d'Iberville's invasion. Seven days later, Robert Robinson appeared before the Board and argued that Newfoundland needed a governor and that the military campaign to retake the island was a prime opportunity to appoint one. Beyond Robinson's claims about the opportunities presented by d'Iberville's invasion, his argument repeated the same points he used to support appointing a governor in his 1668 petition and 1680 articles of inquiry. Opposing Robinson, representatives from Plymouth, Barnstaple and Bideford requested that there be no governor appointed to Newfoundland and asked the Board of Trade to reaffirm the Western Charter as the principal document governing the island.¹⁶

To understand the situation in Newfoundland, the Board requested information from individuals who had knowledge of the attacks, an appeal that contributed to the debate about what to do with the island once it was recaptured.¹⁷ Christopher Coke, a fishing merchant and lobbyist from the West Country, submitted the depositions of 200 refugees from St. John's who witnessed d'Iberville's attack. Coke used these depositions to argue that the government's best course of action would be to stop inhabitants from returning to Newfoundland, and dedicate its

¹⁶ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Robert Robinson, "Answers to Inquiries," September 16, 1680, TNA, CO 1/46, 19-34; "Orders related to petitions from inhabitants of Bideford and Barnstaple related to losses at Newfoundland," November 16, 1696, TNA, CO 194/1, 117-118; Robert Robinson, "Message about the advantages of Newfoundland and Canada for England," November 23, 1696, TNA, CO 391/9, 121-122; "Memorial of the town of Bideford relating to their Interest in that trade," November 30, 1696, TNA, CO 195/2, 41-43; "Address of Plymouth to the Council about the Newfoundland Fishery," December 18, 1696, TNA, CO 195/2, 49-54.

¹⁷ William Trumbull to the Commissioners of Trade, January 23, 1697, TNA, CO 194/1, 181; Paula Watson and Basil Henning, "Trumbull, Sir William (1639-1716)," *The History of Parliament British Political, Social & Local History*, accessed June 14, 2016, <http://www.historyofparliamentonline.org/volume/1660-1690/member/trumbull-sir-william-1639-1716>.

resources to protecting the migratory fishery. This approach would, in Coke's opinion, make the fishery more profitable to England by ending competition between the migratory and resident fisheries, and prevent future raids and invasions from having such a devastating effect since there would be no residents to attack.¹⁸ Opposing Coke, John Whitrow, a merchant from Dartmouth, presented a letter to the Board with advice about what harbours to retake first and recommended that the government support re-colonizing Newfoundland by establishing a governor there. According to Whitrow, a permanent English colony in Newfoundland would increase the migratory fishery's value by providing it with labour, support services and protection from future attacks.¹⁹

The Board of Trade's response to d'Iberville's invasion was based upon information from letters and depositions by merchants and refugees since there were few alternative sources of information about the situation in Newfoundland. A French fleet defeated the English warships in Newfoundland during two battles in Ferryland and Bay Bulls before d'Iberville began his campaign. Additionally, poor weather foiled an attempt in December 1696 to send more English warships to Newfoundland to counter the French attacks and collect information. Officials in London believed naval commanders to be the most reliable sources of information about Newfoundland, but without these sources, they relied on refugees and merchants.²⁰

The reports presented to the Board led them to misunderstand d'Iberville's mission in Newfoundland. These mistakes, like the Committee's eviction decision in 1675, resulted in the Board's actions misaligning with the actual situation in Newfoundland. In the spring of 1697, d'Iberville was sent to Hudson Bay to capture York Factory from the Hudson Bay Company, but

¹⁸ Christopher Coke to the Commissioners of Trade, January 16, 1697, TNA, CO 194/1, 156.

¹⁹ John Whitrow to the Commissioners of Trade, January 26, 1697, TNA, CO 194/1, 168-169.

²⁰ "Memorial of Captain William Holman," November 23, 1696, TNA, CO 391/9, 121-122; The Commissioners for Trade to Secretary Trumbull, December 23, 1696, TNA, CO 195/2, 55.

the Board was informed that he was recruiting soldiers in France to complete his conquest of Newfoundland and garrison its harbours. As a result, the force of 1,500 soldiers and eight warships raised to recapture the English shore encountered none of d'Iberville's forces. The information supplied by merchants and refugees also shaped the plan to retake Newfoundland. Norris and Gibson would start by attacking St. John's, securing the harbour for a convoy of fishing ships before spreading out along the coast to retake harbours, relieve holdouts and engage d'Iberville's forces. Following Gibson's and Norris's campaign, the Board changed its focus from taking back the island to developing a strategy for holding the island and managing it.²¹

Retaking and Rethinking Newfoundland: 1697-1699

In June 1697, Norris and Gibson captured St. John's without a fight. As Norris and Gibson expanded their campaign along the coast, they found that the French forces had destroyed every English structure. Gibson reported to the Board of Trade that everywhere he went in Newfoundland he found "nothing but destruction and ruin, not a house standing" and that "nothing escaped the barbarous fury of the enemy."²² Despite the damage caused by d'Iberville, the remaining residents and fishers rebuilt their operations soon after the English shore was retaken. Unlike mining and other capital intensive industries, the cod fishery could be re-established relatively easily once new boats and tackle arrived. Rebuilding the shore facilities necessary for the fishery was not an unusual task for residents or migratory fishers since flakes and stages were often damaged or destroyed during the winter. The crops and livestock d'Iberville destroyed were replaced by provisions imported through existing trade routes.²³

²¹ "Appointment of John Gibson, Number of Forces and Transportation," February 17, 1697, TNA, CO 391/9, 204; "Newfoundland squadron ready," April 8, 1697, TNA, CO 391/10, 33.

²² John Gibson, "Report on Newfoundland," August 4, 1697, TNA, CO 195/2, 123-127.

²³ "Instructions Directed by the Council for the Plantation in Newfoundland to John Guy," 1610, NU, Middleton Mi X 1/1, 12-14; William Blathwayt to Mr. Putney, May 10, 1698, TNA, CO 195/2, 216; W. Gordon Handcock, *So*

Recapturing Newfoundland started a new series of discussions in England about what the role of a colony with a single valuable natural resource was, and how policymakers could use this period of reconstruction to increase their ability to manage the island. At the core of the Board's considerations were Norris's and Gibson's reports. The two officers provided different interpretations of what Newfoundland's economic value to England was and how to adapt to the challenges of governing the island created by its geography and natural environment.²⁴

Gibson and Norris regularly disagreed with each other while in Newfoundland and afterwards. During their campaign, Norris proposed an attack on Plaisance to push the French out of Newfoundland, but Gibson and Richards opposed him, preferring to dedicate their resources to securing English harbours and fortifying St. John's. Gibson's and Richards's choice was vindicated when a squadron of French ships blockaded St. John's, but were deterred from attacking by the soldiers guarding the harbour narrows and warships within the harbour. In 1699, the Admiralty investigated Norris's disagreements with Gibson, Richards and other officers while in Newfoundland, some of which were alleged to have turned violent, and consequently suspended Norris from the Navy for two years. These disagreements extended beyond operational choices. Gibson and Norris presented different opinions to the Board of Trade about how Newfoundland should be rebuilt and governed.²⁵

Like John Berry in 1675, Norris and Gibson provided opinions and firsthand accounts about Newfoundland that officials used to inform their decisions. There were some similarities between Norris and Gibson's reports, such as the extent of the destruction caused by d'Iberville

Longe as There Comes Noe Women : Origins of English Settlement in Newfoundland (St. John's: Breakwater, 1989), 44-45; Pope *Fish into Wine*, 407-410.

²⁴ Gibson, "Report on Newfoundland," August 4, 1697, TNA, CO 195/2, 123-127.

²⁵ Norris, "At a Consultation held on the ship Monk in St. John's Harbour," July 20, 1697, TNA, CO 195/2, 141-152; David Aldridge, *Admiral Sir John Norris and the British Naval Expeditions to the Baltic Sea 1715-1727* (Lund: Nordic Academic Press, 2009), 45-46; Michael Godfrey, "Norris, Sir John," *Dictionary of Canadian Biography*, accessed November 13, 2015, http://www.biographi.ca/en/bio/norris_john_3E.html.

and their opinions that a new approach to governing the island was needed, but there were also significant differences. Reflecting their positions, Gibson, the army officer, advocated for appointing a governor and garrison, while Norris, the naval officer, preferred minimizing the government's presence on land and favoured the use of ships to defend the island and enforce laws.²⁶

Norris argued that the fishing admiral system represented the best means to regulate Newfoundland and that a governor would be ineffective because of the fishery's wide geographic distribution and the lack of inland development. These factors made meant that ships were better suited to monitoring resident's activities since they could reach more harbours than a land-based governor during the spring and summer. According to Norris, merchants and ship captains were already familiar with the fishing admiral system, making it an ideal system to oversee harbours that convoy commanders seldom visited. Norris did not promote the removal of inhabitants or stopping their return to Newfoundland. Instead, he saw the migratory fishery as more valuable to England than the resident fishery, and favoured practices that could increase the number of fishing ships and seamen employed in Newfoundland. Norris's focus on limiting the government's presence in Newfoundland was not just a situational recommendation. Historian David Aldridge described Norris as a cautious decision maker "impervious to the provocations of circumstance" and often focused on maintaining the status quo.²⁷ Although Norris opposed appointing a governor, he supported placing a garrison in St. John's to create a safe harbour

²⁶ John Gibson, "Memorial relating to the Civil and Military Government of Newfoundland," March 10, 1698, TNA CO 391/10, 227-228; John Norris, "Memorial relating to Newfoundland," March 17, 1698, TNA, CO 194/1, 196.

²⁷ Norris, "At a Consultation held on the ship Monk in St. John's Harbour," July 20, 1697, TNA, CO 195/2, 141-152; Norris, "Memorial relating to Newfoundland," March 17, 1698, TNA, CO 194/1, 196; Aldridge, *Admiral Sir John Norris*, 48-49.

during times of war. Norris continued to promote this view following another assignment to Newfoundland in 1698 as a convoy commander.²⁸

Although Norris's opinions aligned with those presented by many West Country merchants, such as Coke, he differed from his peers in the Navy. Beginning in 1668, with Robinson's request for the governorship of Newfoundland, members of the Navy, such as Berry, Nehemiah Troute and Francis Wheler, consistently supported appointing a governor to the island. Norris did not explain or acknowledge this divergence from his peers, indicating that despite the prevalence of one set of opinions about Newfoundland within the Navy, it was not a monolithic organization.²⁹ Like George Pley's opposition to his fellow West Country merchants in 1675, Norris's experiences led him to different conclusions than those presented by other contemporary naval personnel, and there was no rebuttal submitted by those peers regarding his findings.³⁰ Instead of being corrected or countered by other members of the Navy, Norris became a prominent figure in discussions about Newfoundland in 1698 and 1699.³¹

Although Gibson did not return to Newfoundland after 1697, he remained an advocate for appointing a governor. His argument, as presented to the Board of Trade in 1697, was that Newfoundland required more than a military governor, it needed a "civil and church government also."³² By making Newfoundland a colony with three branches of government, Gibson hoped to defend it from future attacks, stop crimes and fix what he saw as a lack of Christianity among the

²⁸ Norris, "At a Consultation held on the ship Monk in St. John's Harbour," July 20, 1697, TNA, CO 195/2, 141-152; Minutes of the Commissioners for Trade and Plantations, June 15, 1698, TNA, CO 391/11, 48-48a.

²⁹ Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Berry to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-24; Troute, "Deposition of Nehemiah Trout about Newfoundland," February 1, 1678, TNA, CO 1/42, 58-59v; Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246.

³⁰ Pley, "Arguments for a Settled Government at Newfoundland," March 17, 1675, TNA, CO 1/34, 49-50; John Parrett, "Thoughts on Newfoundland," February 27, 1675, TNA, CO 391/1, 5-6.

³¹ Norris, "Memorial relating to Newfoundland," March 17, 1698, TNA, CO 194/1, 196; John Norris, "Answers to the Heads of Inquiry," February 6, 1699, TNA, CO 195/2, 265-267; "Petition of the masters of ships in Newfoundland sent to John Norris," February 6, 1699, CO 195/2, 270-274.

³² Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127.

island's English inhabitants. Gibson, commenting on the absence of churches and poor living conditions in Newfoundland stated that the English residents there "lived more like heathens than Christians."³³ In 1698, Gibson responded to arguments that a governor would have limited capabilities because of the dispersed English population by proposing that the government relocate English residents to St. John's and its neighbouring harbours. Centralizing Newfoundland's residents would be a major policy change, but if completed could allow a governor to enforce regulations and punish crimes effectively. In Gibson's opinion, resettling residents would also address complaints about competition between resident and migratory fishers, since many of the harbours occupied by residents would become available to fishing ships.³⁴

There was agreement in England that the cod fishery was Newfoundland's single major industry, but this did not stop Gibson from considering if the island had other natural resources worth developing. Writing about St. John's, Gibson stated in 1697 that:

Such a quantity of strawberries I never see nor ever hear. The few meadows with 5 miles of this place are full of them, and currants both white and red and rasberries in great abundance growing wild in the woods bit all this had noe been enough to make the inhabitants or planters apply themselves to cultivate the ground but wholle that of the fishing, which yeild them a vast advantage and far beyond anythign that they could maye by labouring the ground.³⁵

While Gibson did see a potential for agriculture in Newfoundland, he maintained that the codfish was the main reason for residents to live there. This stance aligned Gibson's comments more with John Downing's reports of small-scale agriculture than William Vaughan's claims that the

³³ *ibid.*

³⁴ John Gibson, "Memorial," March 10, 1698, TNA, CO 194/1, 194-195.

³⁵ Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127.

island could support an agricultural colony.³⁶ The opportunity for some agriculture in Newfoundland supported Gibson's argument for establishing a permanent military, civil and church presence since crops could reduce the upkeep costs of a governor and support a larger centralized population. Gibson did not acknowledge the failure of previous attempts to create economically diverse colonies such as the Newfoundland Company's Cuper's Cove or George Calvert's Ferryland.³⁷

Although Gibson and Norris were the most prominent sources of information in the Board of Trade's 1697 and 1698 minutes, they were not the only ones. In 1698, Thomas Handaside, the officer Gibson left in charge of defending and fortifying Newfoundland during the winter of 1697-1698, wrote a report about his time there and presented it orally to the Board. Handaside and his command of 300 men experienced a harsh winter in St. John's. Due to insufficient building materials and supplies, Handaside's force was unprepared for the cold winter conditions. 214 of Handaside's men died, a seventy-one percent fatality rate. The minute books do not include any reactions or questions regarding Handaside's reports, and the fortification of St. John's continued despite this setback. These deaths indicated not only the severity of Newfoundland's winters but also that planners did not always learn the lessons of previous English experiences, making them vulnerable to repeating prior mistakes. Knowledge of Newfoundland's potentially lethal winter conditions for the unprepared was available in England since George Calvert's reports that he was leaving Ferryland in 1629. Additionally, the

³⁶ John Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40; William Vaughan, *The Golden Fleece Divided into Three Parts* (London: Printed for Francis William, 1626), ff. Bbb3-Ccc; Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127.

³⁷ Pearson to Percival Willoughby, August 17 1612, NU, Middleton Mi X 1/1, 1; Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76; Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127.

lack of trees in Newfoundland suitable for building with was known to English politicians since the 1660's.³⁸

The recapture of the English shore presented an opportunity to change how the government managed Newfoundland to address the island's limited natural resources and the challenges of overseeing a geographically dispersed population. There were still misunderstandings and questions about Newfoundland's natural environment, such as Gibson's comments about agriculture and the deaths during the winter of 1697-1698, but the reports presented to the Board of Trade focused primarily on the management of the fishery. Both Norris and Gibson suggested changes to settlement patterns and law enforcement practices that reflected the difficulties of managing a single-industry colony with little terrestrial development whose widely dispersed English population was difficult to oversee. Although the government's discussions about Newfoundland had largely turned to military matters in 1697 and 1698, in 1699 legislators examined the state of the island and, after sixty-five years of relying on the Western Charter, passed a new statute to govern the island.³⁹

King William's Act, 1699

King William's Act, given Royal Assent on May 4, 1699, defined how the English in Newfoundland could use the island's natural resources and implemented management practices adapted to the challenges of governing the island. At the centre of King William's Act's provisions was the idea Newfoundland's value to England came from its cod fishery, and that the government's goal was to protect and grow that fishery. Building from the previous eighty-nine

³⁸ George Calvert to Charles I, August 19, 1629, TNA, CO 1/5, 75-76; John Cull, et al., "Depositions," November 28 1667, PWDRO, w1/360/67; Thomas Handaside, "Narrative on Newfoundland Affairs," December 12, 1698, TNA, CO 195/2, 259-261; Minutes of the Board of Trade, December 12, 1698, TNA, CO 391/11, 150.

³⁹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; "The Reply of Merchants, Owners and Masters of Ships to the Allegations of Capt. Robert Robinson concerning the Newfoundland Fishery," 1668, TNA, CO 1/22, 119; Hinton, "The Pretended Reasons against Government," February 12, 1675, TNA, CO 1/65, 89v; Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40.

years of English efforts to colonize and govern Newfoundland, policymakers focused on understanding how Newfoundland's geography influenced its governance, how its forests and other natural resources were used to support the fishery and the practices adopted by residents and migratory fishers.⁴⁰

Unlike the Western Charter and its reissues, which were developed by committees of the Privy Council, Parliament wrote and passed King William's Act. Parliament's involvement reflected both the growth of its power in England after the Glorious Revolution, Newfoundland's status in English imperial policy, and the history of policies and regulations passed by the Privy Council and its committees that delegated authority over the island. Unlike the Western Charter, which specifically gave West Country towns and fishing ships the right to manage Newfoundland and a series of regulations to uphold, a statute could be applied broadly to the island without the same preferential delegation of authority.⁴¹ Parliament's decision to pass a statute governing Newfoundland adhered to a larger trend during the 1690's and early 1700's of Parliament increasing its influence over colonial policy, often by projecting its authority over areas traditionally controlled by regional authorities. Historian Jack Sosin argued that during this period Parliament enacted legislation that reduced the control of colonial charters, particularly chartered governors such as those in New England, in an effort to align the colonies with its own

⁴⁰ Coke to the Commissioners of Trade, January 16, 1697, TNA, CO 194/1, 156; "Affidavit of Phillip Roberts," January 10, 1697, TNA, CO 194/1, 51-52; Gibson, "Report on Newfoundland," August 4, 1697, TNA, CO 195/2, 123-127; Norris, "At a Consultation held on the ship Monk in St. John's Harbour," July 20, 1697, TNA, CO 195/2, 141-152; "Copy of Bill now in House of Commons," March 28, 1699, TNA, CO 391/11, 213; "Thomas Nisbet and David Waterhouse offer objections to the Bill," March 29, TNA, CO 391/11, 213a; Bannister, *The Rule of the Admirals*, 122-28.

⁴¹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Charles II in Council Order, January 27, 1676, in *Collection and Commentary on the Constitutional Laws of the Seventeenth Century Newfoundland*, ed. Keith Matthews (St. John's: Memorial University of Newfoundland: Maritime History Group, 1975) 167-180; Cass, "Mr. Nisbet's Legacy," 505.

vision for England's empire. Parliament's decisions in 1699 support Sosin's argument.⁴² Rather than delegating authority over Newfoundland to West Country towns, as the Western Charter had done, King William's Act allowed Parliament to define the island's value as a colonial possession and manage the island in accordance with its larger imperial policy. Legislators confined their discussions to finding ways to increase the amount of fish caught and the number of seamen participating in the fishery. The goal of these inquiries was to increase Newfoundland's economic and military value to England. Three presentations about Newfoundland and the cod trade demonstrate this focus.⁴³

The first presentation was Norris's answers to inquiries and opinions about Newfoundland given to the Board of Trade on January 2, 1699. Norris, continuing from the ideas he submitted in his 1697 and 1698 reports, argued that the government should keep the Western Charter and leave law enforcement and dispute resolution duties to the fishing admirals. He also argued that any new regulations should favour the West Country's migratory fishery and provisioning trade by stopping residents from trading with ships from regions besides the West Country. According to Norris, Newfoundland's poor soil made residents dependent on trade ships for food and other goods, creating a valuable market for the victualing industry. However, ships from New England and Southern Europe brought alcohol and other goods that reduced the provisioning trade's value to England by competing with West Country ships and contributing to the proliferation of taverns and other businesses that hurt the migratory fishery.⁴⁴

⁴² Jack Sosin, *English America and the Revolution of 1688, Royal Administration and the Structure of Provincial Government*, (Lincoln: University of Nebraska Press, 1982) 245-247; Cass, "Mr. Nisbet's Legacy," 507; Bannister, *Rule of the Admirals*, 30-32.

⁴³ "Copy of Bill now in House of Commons," March 28, 1699, TNA, CO 391/11, 213; "Thomas Nisbet and David Waterhouse offer objections to the Bill," March 29, TNA, CO 391/11, 213a; Downing, "Petition," November 7, 1675, TNA, CO 1/38, 33-40; Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127.

⁴⁴ Norris, "Answers to the Heads of Inquiry," February 6, 1699, TNA, CO 195/2, 265-268.

The second presentation came from fifteen migratory fishing ship captains who visited St. John's in 1698. On February 6, 1699, the captains wrote to the Board of Trade that residents and by-boat keepers in St. John's illegally competed with the migratory fishery by taking the best shore spaces before the fishing ships arrived in spring. This competition meant that fishing ships were often unable to find adequate room on shore and were forced to use spaces far from the fishing grounds or move to other harbours.⁴⁵ For fishers, finding sufficient space on shore was essential for producing dry-salted cod and Newfoundland's vulnerability to storms and rocky coast meant that the amount of usable space was limited. Additionally, taking a spot far from the fishing grounds increased the amount of time boats spent travelling, reducing their efficiency, and relocating to another harbour meant starting fishing later in the season, reducing the amount of time they had to fill their cargoes before the convoy left. The government had tried to address these concerns previously. The Western Charter regulated how much space fishers could use and gave migratory ships first-choice of shore space, but these provisions had proven difficult to enforce. Unlike Norris, who wanted to strengthen the Western Charter, the captains wanted the government to intervene directly by sending representatives to Newfoundland to stop illegal practices.⁴⁶

The Board of Trade wrote the third presentation on March 30, 1699, to advise King William III about Newfoundland's economic value to England, which they estimated to be above £300,000 annually, and how to increase that value. Because of the importance of the cod fishery and its vulnerability to attack, the Board recommended that the government invest more money and resources into fortifying St. John's. The Board also argued that fortifications needed to be

⁴⁵ "Petition of the Masters of Ships in Newfoundland," February 6, 1699, TNA, CO 195/2, 270-274.

⁴⁶ "The Privy Council's response to complaints against Sir David Kirke," September 9, 1640, in *Acts of the Privy Council*, Vol. 1, eds. W.L. Grant and James Munro, (Hereford: His Majesty's Stationary Office, 1908), 290; "Petition of the Masters of Ships in Newfoundland," February 6, 1699, TNA, CO 195/2, 270-274.

built to withstand Newfoundland's harsh climate, and that bricks and other building materials necessary to protect a garrison from cold weather should be shipped to the island. The Board cited Handaside's reports about the winter of 1697-1698 to demonstrate the need for these materials, using the hardships Handaside's force experienced to counter any assumptions that Newfoundland's climate was temperate and that a garrison there required no special preparations.⁴⁷

Although the Board of Trade did not directly participate in writing King William's Act, there is evidence that its efforts influenced Parliament's decisions. Parliament sent a draft of King William's Act to the Board of Trade for it to review, and the Board's minutes mention that it made some unspecified suggestions for the draft, but there are no references to the Board submitting its ideas to Parliament. Cass notes that while the surviving documentation obscures the connections between different government bodies, merchants involved in the Newfoundland fishery, such as the London-based merchant Thomas Nisbet, discussed the Act with both Parliament and the Board of Trade. Additionally, there is evidence that Edward Seymour, who was the Member of Parliament for Exeter and Totnes, and submitted the first draft of King William's Act to Parliament for consideration, was familiar with the Board of Trade's presentations about Newfoundland. On April 4, 1699, Seymour stated in a speech to Parliament that the Newfoundland fishery was worth over £300,000 annually, the same amount the Board reported five days earlier. In addition to these connections, King William's Act accounted for the

⁴⁷ Handaside, "Narrative on Newfoundland Affairs," December 12, 1698, TNA, CO 195/2, 259-261; "Representation relating to Newfoundland," March 30, 1699, TNA, CO 195/2, 277-278; Minutes of the Board of Trade, March 30, 1699, TNA, CO 391/11, 214.

same issues of tensions between residents and migratory fishers and limited land-based natural resources that Norris and the fishing captains submitted to the Board.⁴⁸

The statute passed by Parliament defined the rules by which migratory fishers and residents should interact, banned activities thought to harm the fishery, and reserved Newfoundland's terrestrial natural resources, particularly its forests and shoreline, for use by the fishery. These rules did not explicitly ban other industries, but the focus on the fishery indicates that Parliament expected no other major industries to be established in Newfoundland. Parliament's emphasis on the cod fishery above all other businesses, and preserving terrestrial natural resources for the use of that fishery, supports John Pickstone's findings about how governments and merchants used natural history to identify goods with commercial value and how to increase their production. Although the Natural Historical Ways of Knowing were often an additive process, where new information was used to identify new commercial goods and industries, Parliament instead used the knowledge collected about Newfoundland to focus on a single industry. King William's Act limitations on activities besides fishing, even if it did not explicitly ban them, ensured that all English efforts in Newfoundland went towards the fishery, the industry which created more economic value for England than the small-scale agriculture, fur hunting and forestry described between 1676 and 1696.⁴⁹ The Act's twelfth provision, which bans the cutting or burning of trees and the clearing of land for any purpose other than providing

⁴⁸ "William III, 1699: An Act to Encourage the Trade to Newfoundland," 1820), 515-518; "Copy of the Bill now in the House of Commons," March 28, 1699, TNA, CO 391/11, 213; "Representation relating to Newfoundland," March 30, 1699, TNA, CO 195/2, 277-278; Cass, "Mr. Nisbet's Legacy," 511-519; "House of Commons Journal Volume 12: 4 May 1699," in *Journal of the House of Commons: Volume 12, 1697-1699*, (London: His Majesty's Stationery Office, 1803), 683-688; David Hayton, ed., *Debates in the House of Commons, 1697-1699*, Vol. 34, (London: Royal Historical Society, 1987), 392; Cass, "Mr. Nisbet's Legacy," 509-515.

⁴⁹ John Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40; Francis Wheler, "a List of what rules were being enforced at Newfoundland and what were not," October 27, 1684, TNA, CO 1/55, 247-248; Nehemiah Troute, "Deposition of Nehemiah Troute about Newfoundland," February 1, 1678, TNA, CO 1/42, 58-59v; Francis Wheler, "Answers to the Heads of Inquiry," October 27 1684, TNA, CO 1/55, 239-246; John Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001), 60-82.

fuel and building materials for fishing facilities and boats, demonstrates this interest in reserving natural resources for the fishery.⁵⁰

Besides implicitly banning forestry industries, such as making tar and turpentine, the Act's land clearance restrictions reduced residents' ability to expand their agricultural activities. The Western Charter contained a similar provision, but unlike the Charter, which the Privy Council enacted after colonists reported that they failed to grow crops in Newfoundland, Parliament passed the Act when there was evidence that the island could support small-scale farming. Downing's letters, Berry's census and Gibson's reports all indicated that while fishing would remain the dominant industry in Newfoundland, residents were growing crops and raising livestock to supplement their diets and incomes. The Act discouraged residents from engaging in industries besides fishing, rather than assuming that Newfoundland could not support them. This approach supports Cass's argument that Parliament expected the Act to increase the island's commercial value to England by protecting both the fishery's access to forests and position the provisioning trade as the main source of food for residents.⁵¹

Parliament kept the fishing admiral system as King William's Act's main enforcement mechanism, but refined it by making the warships escorting the Newfoundland convoys into courts of appeal for cases heard by the fishing admirals. By making naval vessels courts of appeal, the Act addressed complaints that the fishing admirals selectively enforced and abused regulations by creating a legal method of challenging their decisions. Although the naval commanders previously held no formal power over affairs in Newfoundland, captains and

⁵⁰ "William III, 1699: An Act to Encourage the Trade to Newfoundland," 516; Richard Whitbourne, *A Discourse and Discovery of Newfoundland*, 5–13.

⁵¹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156; Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33-40; Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127; "William III, 1699: An Act to Encourage the Trade to Newfoundland," 516; Bannister, *Rule of the Admirals*, 30-32; Cass, "Mr. Nisbet's Legacy," 523–25.

convoy commanders were willing to accept greater duties, as demonstrated by Robinson's efforts to punish individuals for destroying property.⁵² Additionally, the Act contains no provisions giving West Country towns any preferential right to hear cases brought back to England by fishing admirals, ending that region's privileged position to oversee Newfoundland's legal process as defined in the Western Charter. Instead, the Royal Navy, a branch of the central government, was given the role of ensuring the fair enforcement of the Act's provisions. This use of naval and merchant vessels reflects David Armitage's argument for the oceanic focus of English colonial administration. Access to Newfoundland by ship created opportunities for political and economic power to remain in England when it might otherwise be relinquished to a regional capital.⁵³

The Act's reliance on the fishing admiral system for enforcement, while continuing a practice that naval personnel, politicians and residents criticized as being ineffective, was an important statement by Parliament regarding the challenges of managing Newfoundland.⁵⁴ Parliament, rather than continuing a practice the evidence indicated was inadequate, identified fishing admirals as the best means to provide some level of law and regulatory enforcement in Newfoundland, and, with the addition of courts of appeal, attempted to address the issues that had made those admirals insufficient. This conclusion did not stand in opposition to the evidence presented to the government since 1675, or the evidence-driven approach to decision making

⁵² "William III, 1699: An Act to Encourage the Trade to Newfoundland," 517; Richard Whitbourne, *A Discourse and Discovery of Newfoundland*, 5–13; Hinton, "Statement of the reasons the West Country fishermen are against the taking of Newfoundland under the King's government," February 23, 1675, in *Calendar of State Papers Colonial, America and West Indies*, Vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 596–597; "Papers Relating to the damage done to the French at St. Mary's," in *Calendar of State Papers Colonial, America and West Indies*, Vol. 10, ed. W Noel Sainsbury and J W Fortescue (London: Her Majesty's Stationery Office, 1896), 579–585; Bannister, *Rule of the Admirals*, 26–39.

⁵³ David Armitage, *The Ideological Origins of the British Empire*, Ideas in Context 59 (Cambridge: Cambridge University Press, 2000), 100–105; Bannister, *The Rule of the Admirals*, 30–32, 104–6.

⁵⁴ "Report touching on Account of William Miles with the Planters of Newfoundland," May 17, 1681, TNA, CO 1/46, 362–363; Hinton, "The Pretended Reasons against Government...with the Answer," February 12, 1675, TNA, CO 1/65, 89v; Downing, "Petition," November 7, 1676, TNA, CO 1/38, 33–40.

used by the Board and its predecessors. Parliament based its conclusions on the challenges presented in the demographic and environmental data available about Newfoundland. Isolated harbours with few overland connections dotted the English shore, making it difficult for a governor to enforce regulations and hear cases during the summer and even harder in winter when ice made the coast dangerous to navigate. The fishing admiral system's ability to oversee every harbour used by the English fishery during the summer solved both the problem of governing isolated harbours and placated West Country merchants who feared that new regulations could reduce the fishery's profitability. Although Gibson and others considered an appointed governor to be the preferred method of managing Newfoundland, the history of failed governorships, as well as the lack of on-land development, made a governor unsuitable for the island.⁵⁵

Parliament defined the fishery as Newfoundland's only valuable industry, but cod was not the only product of that fishery valued by the government. King William's Act included rules to protect and grow the supply of newly-trained seamen available to the Royal Navy. Migratory fishing ships, planters and by-boat keepers were all required to include fresh men in their boat crews. Planters and by-boat keepers were required to include two fresh men in every six people they employed, with at least one having no prior experience at sea. For fishing ships, one in every five crewmembers was required to be a fresh man.⁵⁶ The fishery's ability to train seamen was not a new concept. Politicians and merchants advocated Newfoundland as a nursery for seamen throughout the seventeenth century. Joseph Williamson's *Account of the Colony and*

⁵⁵ "William III, 1699: An Act to Encourage the Trade to Newfoundland," 515-518; Parrett, "Thoughts on Newfoundland," February 27, 1675, TNA, CO 391/1, 5-6; Berry, "A List of Planter Names," September 12, 1675, TNA, CO 1/35, 149-156; Norris, "Answers to the Heads of Inquiry," February 6, 1699, TNA, CO 195/2, 265-268; Gillian Cell, "Rayner, John," *Dictionary of Canadian Biography*, accessed June 30, 2015, http://www.biographi.ca/en/bio/rayner_john_1E.html.

⁵⁶ "William III, 1699: An Act to Encourage the Trade to Newfoundland," 514-515.

Fishery of Newfoundland stated that Newfoundland's harsh climate and lack of alternative industries made it an ideal place to train new seamen. The lack of agriculture, logging, mining or other land-based industries meant that the fresh men sent there would spend significant portions of their time on the water fishing before returning to England, giving them the skills and experience the Navy needed to crew its warships.⁵⁷

The heavy regulation of shore access by King William's Act reflected both the importance of shore space to the fishery for curing fish and the relationships between resident and migratory fishers. Rather than giving migratory fishing ships first choice of shore space each spring, as the Western Charter prescribed, the Act recognized that residents had a right to claim land in Newfoundland. Provisions five through seven specify that any residents who possessed land in Newfoundland before 1685 had the right to inhabit and build upon that land without any interference but permanently reserved any beach or land used by fishing ships since 1685 for the migratory fishery. Provision five states that residents that arrived after 1685 illegally used facilities built by the migratory fishery and compelled them to leave:

That all and every such person and persons, as since the said year of our Lord, One Thousand Six Hundred Eighty-Five, have or hath taken, seized or detained, any such stage, cookroom, beach or other places, for taking bait, or fishing, or for the drying, curing or husbanding of fish, shall on or before the said Twenty Fifth day of March relinquish, quit and leave to the public use of the fishing ships arriving there.⁵⁸

Provision six adds to this by stating that inhabitants could not build new structures on land used by fishing ships since 1685.⁵⁹ There is no charter, ruling or policy from 1685 regarding Newfoundland that explains the use of this date. However, the Act's creators likely used 1685 since it marked the beginning of King James II's reign. James II's efforts to increase his personal

⁵⁷ *An Account of the Colony and Fishery of Newfoundland*, 1677, TNA, CO 199/16; Bannister, *The Rule of the Admirals*, 31–33.

⁵⁸ "William III, 1699: An Act to Incourage the Trade to Newfoundland," 515.

⁵⁹ *Ibid.*

control over England's colonies were controversial in England. Following the Glorious Revolution Parliament, William and Mary worked to undo his actions.⁶⁰

Although these provisions appeared to ban any new English inhabitants from Newfoundland, there was an important caveat. Matthews noted that these regulations only banned the development of land already used by the migratory fishery, leaving large portions of the English shore unused by fishing ships available for legal habitation. This caveat contributed to the growth of an English population along Newfoundland's southern coast after the Treaty of Utrecht shifted the boundaries between the English and French shores in 1713, giving colonists access to numerous harbours unused by English ships.⁶¹

King William's Act gained a reputation in the eighteenth and nineteenth century as an oppressive policy, with Prowse referring to it as an "absurdity and monstrosity" in 1895.⁶² However, the Act did not deviate significantly from prior charters and decisions, and it was often more lenient on residents and by-boat keepers than the Western Charter. Many of King William's Act's provisions restated or adjusted regulations introduced in the Western Charter, such as the fishing admiral system and restrictions on burning forests and vandalizing buildings. Where the Act diverged from its predecessors was in Parliament's realization of the difficulties of governing Newfoundland and the needs of other methods of fishing beyond the traditional migratory fishery. Parliament distilled the lessons from the previous eighty-nine years of colonizing and managing Newfoundland into a precise definition of what the island's natural resources were, what their value to England was and how to govern the island's coast. This

⁶⁰ "William III, 1699: An Act to Encourage the Trade to Newfoundland," 515-518; Sosin, *English America and the Revolution*, 12-28; Nuala Zahedieh, *The Capital and the Colonies: London and the Atlantic Economy, 1660-1700*, (New York: Cambridge University Press, 2010), 49-54.

⁶¹ Matthews, *A History of the West of England-Newfoundland Fishery*, 252-55; Handcock, *So Longe as There Comes Noe Women*, 101-4; John Mannion, "Irish Migration and Settlement in Newfoundland: The Formative Phase, 1697-1732," *Newfoundland and Labrador Studies* 17, no. 2 (October, 2001): 273-76.

⁶² Prowse, *A History of Newfoundland*, 225.

process led Parliament to the conclusion that since Newfoundland's value to England came from its fishery, all choices made regarding the island should grow and protect the trade and seamen that fishery created.⁶³

Between 1610 and 1699, merchants and policymakers launched a series of efforts to control the use of Newfoundland's natural resources and implement a regulatory and law enforcement system suited to the island and its cod fishery. These efforts began with a relatively narrow geographic scope. Both the Newfoundland Company and George Calvert were only responsible for enforcing regulations on their respective lands. However, beginning with the Western Charter and David Kirke's grant, the government broadened the scope of its decisions to encompass the entirety of the English shore.⁶⁴ Despite the government's increasingly nuanced understanding of Newfoundland's natural environment, economy and English society, its actions were either ineffective, as demonstrated by the 1675 eviction attempt; legitimized the status-quo, as seen in the quarter-mile limit in 1680; or were restricted to case-by-case issues, as exemplified by the collecting of debts.⁶⁵

D'Iberville's campaign, while devastating to the English fishery, created an opportunity for the government to change how it managed Newfoundland. The rebuilding of the English

⁶³ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Western Charter, January 27, 1661, in Keith Matthews, ed., *Collection and Commentary on the Constitutional Laws of Seventeenth Century Newfoundland* (St. John's: Memorial University of Newfoundland: Maritime History Group, 1975), 131; Charles II in Council Order, January 27, 1676, in *Collection and Commentary on the Constitutional Laws of the Seventeenth Century Newfoundland*, 167-180; "William III, 1699: An Act to Incurage the Trade to Newfoundland," 515-518.

⁶⁴ James I, "Patent for the Newfoundland Company, Patent Rolls, 8 Jac. I., Pt. VIII," 51-62; James I, "Grant of the Province of Avalon to George Calvert," 1623, TNA, CO 1/2, 150-140a; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27.

⁶⁵ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; Berry to Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-24; Minutes of the Board of Trade, Whitehall, February 26, 1680, TNA, CO 391/3, 69; "Report touching on Account of William Miles with the Planters of Newfoundland," May 17, 1681, TNA, CO 1/46, 362-363; "Agreement to send a Military Governor to St. John's, Newfoundland," May 16, 1689, TNA, CO 391/6, 121-122.

shore and the government's willingness to commit resources to defend it created favourable circumstances for reshaping English society in Newfoundland and protecting the cod fishery from undesirable practices.⁶⁶ King William's Act reflected this opportunity and the reflexive process that characterized the English experience in Newfoundland over the previous eighty-nine years. Parliament defined the fishery as the island's sole valuable industry, recognized the importance of land-based natural resources for the fishery, and implemented management practices suited to Newfoundland's geographically dispersed population.⁶⁷

Viewing King William's Act within the context of the developments leading up to its formulation complicates its place in Newfoundland history. Although O'Flaherty and Rowe argued that the Act was an imperial policy designed to prevent the development of a colony, their arguments are not supported by the issues, debates and concerns of policymakers, merchants and members of the Navy at the time.⁶⁸ Rather than increasing merchant control over Newfoundland, King William's Act reduced the authority West Country merchants previously had over legal proceedings, recognized residents' right to own land and allowed formerly banned practices, such as operating taverns. Instead of attempting to stop a colony from developing, the debates, presentations and reports from 1696 to 1699 support Cass's argument that Parliament developed a trade measure meant to maximize Newfoundland's commercial value.⁶⁹

King William's Act's focus on a single industry is consistent with the Natural Historical Ways of Knowing's emphasis on using knowledge about the natural world to identify goods with commercial value and to maximize their worth. Although English fishers visited Newfoundland

⁶⁶ Norris, "At a Consultation held on the ship Monk in St. John's Harbour," July 20, 1697, TNA, CO 195/2, 141-152; Gibson, "Representation to the Commission," August 4, 1697, TNA, CO 195/2, 123-127; Whitrow to the Commissioners of Trade, January 26, 1697 TNA, CO 194/1, 168-169; Coke to the Commissioners of Trade, January 16, 1697, TNA, CO 194/1, 156.

⁶⁷ "William III, 1699: An Act to Incourage the Trade to Newfoundland," 514-515.

⁶⁸ Rowe, *A History of Newfoundland and Labrador*, 115-17; O'Flaherty, "King William's Act (1699): Some Thoughts 300 Years Later," 25-28.

⁶⁹ Cass, "Mr. Nisbet's Legacy," 523-25.

since the sixteenth century, government officials and naval commanders discussed whether the island held sufficient natural resources to host other industries as late as 1697.⁷⁰ The government's previous decisions, such as Kirke's grant and the 1680 regulations about shore use, explicitly allowed for the development of other economic activities, such as agriculture, despite repeated failures to establish those activities from 1610 onwards.⁷¹ Parliament's focus on preserving resources for the use of the fishery, as well as the lack of any allowances for mining, forestry or agriculture, reflected the English government's decision to define Newfoundland as a place valuable for its fish and the seamen trained by the fishery. This narrowed definition of Newfoundland's economic value came from the increase in information available in England about the island's natural environment gleaned from the reflexive learning process that defined the previous eighty-nine years. King William's Act, which was the result of this reflexive process, formed the basis of England's Newfoundland policy throughout the eighteenth century and remained in effect until 1824 when it was repealed as part of a series of constitutional reforms in Newfoundland.⁷²

⁷⁰ Coke to the Commissioners of Trade, January 16, 1697, TNA, CO 194/1, 156; "Petition on the Benefits of Inhabitants in Newfoundland," January 16, 169, TNA, CO 194/1, 158.

⁷¹ Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115; Minutes of the Committee for Trade and Plantations, Whitehall, February 26, 1680, TNA, CO 391/3, 69.

⁷² "William III, 1699: An Act to Incurage the Trade to Newfoundland," 514-515; Pickstone, *Ways of Knowing*, 60-82; Bannister, *Rule of the Admirals*, 263-265.

Conclusion

Despite early promises by colonial promoters and planners, that Newfoundland held abundant natural resources and could host an economically diverse colony, by the late seventeenth century merchants and politicians in England agreed that the cod fishery was its only viable industry. Looking back, this conclusion appears obvious, as stories of an ocean teeming with cod filled reports about Newfoundland from 1497 onwards. However, from 1610 to 1699 merchants, colonists and politicians in England did not ask whether the cod in the waters off Newfoundland was worth catching, its value in Europe being well established. Instead, they asked whether Newfoundland could host more than a fishery and, if not, what was its role as a colonial possession, and what did that indicate about the English society developing there? These questions repeatedly arose throughout the seventeenth century as policies and business ventures failed to meet their objectives, challenging English assumptions about Newfoundland's natural environment, its economic value and how to extract it. Reports from these efforts pressured decision-makers in England to reconcile their expectations of what industries and colonization practices could succeed in Newfoundland with news that their ideas failed, leading to new plans better aligned with the opportunities and challenges presented by the island's natural environment.¹

This reflexive cycle of forming and implementing plans based on assumptions about Newfoundland's natural environment, and responding to new information when those projects did not achieve their intended outcomes, was a consequence of the speculative nature of early ventures. With the limited amount of information about Newfoundland available in England

¹ Anthony Parkhurst, "Commodities to Growe by Frequenting of Trafficq to New Fond Land," 1578, BL, Landsowne MS 100, 95-97; Joseph Lehuenen, "The Role of the Basque, Breton and Norman Cod Fishermen in the Discovery of North America from the XVIth to the End of the XVIIIth Century," *Arctic* 37, no. 4 (December, 1984): 520-27; Peter Pope, *The Many Landfalls of John Cabot*, (Toronto: University of Toronto Press, 1996), 40-41.

during the 1610's and 1620's, colonists, promoters and investors bet on the idea that the island held abundant natural resources and had a temperate climate. These backers expected English colonies in America to develop a wide range of industries with the goal of becoming self-sustaining and producing multiple trade goods. Sir Francis Bacon described this approach in his essay "On Plantations," and he, alongside other backers, attempted to implement it by investing in the Newfoundland Company. However, efforts to establish economically diverse colonies in Newfoundland failed because of cold winters, poor soil and a lack of natural resources that made large-scale farming, mining and other industries unviable.²

The failure of these early efforts challenged preconceptions about Newfoundland's climate, natural resources and ability to host a self-sustaining English colony, causing merchants, policymakers and colonists to reconsider their use and management of the island. Reflecting what George Soros termed reflexivity, fallibility and the human uncertainty principle, the knowledge that policymakers, merchants and planters gained about Newfoundland's natural environment from these failed efforts encouraged them to re-examine their expectations and develop new ideas based on a more accurate conception of the island. This process of testing assumptions and responding to feedback resulted in a series of increasingly targeted policies and practices that identified and corrected inaccurate ideas about Newfoundland. This recursive cycle led to English efforts focusing on the cod fishery and eschewing the development of land-based industries. Newfoundland's cod stocks meant that the island continued to be worth controlling and colonizing after failed ventures disproved assumptions about the fertility of the soil, abundance of natural resources and climate. Fishers and planters dispersed along the coasts to find harbours protected from storms and close to fishing grounds, adapting to Newfoundland's

² Francis Bacon, "Of Plantations," 1625, in *The Essays or Counsels, Civill and Morall*, ed. Michael Kiernan, (Cambridge: Harvard University Press, 1985), 106-108; "Names of the adventurers to the Newfoundland," 1610, NU, Middleton Mi X 1/1, 2.

lack of land-based natural resources by trading cod and developing niche industries, such as taverns, and repairing boats. These strategies succeeded in making Newfoundland profitable for the thousands of English migratory fishers and residents who went there, and the ocean became both the main source of trade goods and the most effective means of governing the island.³

The changing perceptions of Newfoundland's natural environment over time are important for understanding early European encounters with remote lands and the learning process in which Europeans engaged to discern the economic value of those lands.

Newfoundland demonstrates the difficulties that Europeans encountered while adjusting to regions where the climate and natural resources diverged significantly from their expectations, and the cyclical process of testing and refining perceptions of these kinds of regions. Although merchants, planters and policymakers regularly updated their plans in response to disruptions and failures, their corrections were often incomplete, leading to new problems and the persistence of incorrect ideas. The flow of information to and from Newfoundland complicated this process of adjusting policies and practices still further. Policymakers and merchants relied on intermediaries, such as naval commanders, fishers, ship-masters and planters, to implement plans and report on their effectiveness, creating opportunities for misinformation and misunderstanding to affect their decisions.⁴ When those third parties pursued their own agendas, these problems became acute. Richard Whitbourne and Robert Hayman promoted Newfoundland by citing their experiences there and used knowledge from their encounters to describe the

³ George Soros, "Fallibility, Reflexivity, and the Human Uncertainty Principle," *Journal of Economic Methodology* 20, no. 4 (2013): 309–10; Jerry Bannister, *The Rule of the Admirals Law, Custom and Naval Government in Newfoundland, 1699-1832* (Toronto: Osgoode Society for Canadian Legal History by University of Toronto Press, 2003), 29–47; Peter Pope, "Outport Economics: Culture and Agriculture in Later Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 19, no. 1 (May, 2005): 158–161; Graeme Wynn, *Canada and Arctic North America: An Environmental History* (Santa Barbara: ABC-CLIO, 2007), 125.

⁴ Richard Whitbourne, *A Discourse and Discovery of Newfoundland: With Many Reasons to Prove How Worthy and Beneficial a Plantation May There Be Made* (London: by Felix Kyngston, for William Barret, 1620), 1–6; Richard Grove, *Green Imperialism: Colonial Expansion, Tropical Island Edens, and the Origins of Environmentalism, 1600-1860* (New York: Cambridge University Press, 1995), 24–26; Bannister, *The Rule of the Admirals*, 280–85.

island's natural resources and the industries it could support, although faulty assumptions undermined their plans.⁵ David Kirke used inventories and firsthand accounts to outmaneuver his rivals, listing industries, natural resources and other opportunities in Newfoundland that he claimed justified his grant, even though he focused his efforts on the fishery.⁶

Learning from the challenges created by these problematic accounts, government officials employed new methods, such as censuses and articles of inquiry, to develop a body of cumulative firsthand observations about the island that allowed a greater comparative analysis to inform their decisions.⁷ These approaches reflected the prevalence of the Natural Historical Ways of Knowing as a means to understand unfamiliar natural environments and determine their potential economic value. However, unlike other regions where naturalists deployed these methods, such as the Caribbean with its new and unfamiliar plants and animals, understanding Newfoundland became a reductive process. The narrowing English understanding of Newfoundland highlights the fact that the Natural Historical Ways of Knowing were as important for identifying incorrect concepts as they were for finding and categorizing new ones. Merchants, planters and politicians disproved ideas about Newfoundland's natural environment and climate, such as the idea that its soil and temperature were good for growing European crops, through experience and observation. Rather than revealing new biota that increased Newfoundland's potential economic value, this learning process resulted in targeted policies and

⁵ Whitbourne, *A Discourse and Discovery of Newfoundland*, ff. A1-A2, B3-C; Robert Hayman, "A Proposition for Profit and Honour," 1628, BL, Egerton MS 2541, 162-169v.

⁶ "A Grant of Newfoundland to Marquise Hamilton, Earle of Pembroke, Earle of Holland and David Kirke and their heirs," November 13, 1637, TNA, CO 195/1, 11-27; "Complaints of Mr. Fowell of Plymouth [...] against David Kirke," March 8, 1640, in *Acts of the Privy Council of England*, Vol. 1, ed. W.L. Grant and James Munro (Hereford: His Majesty's Stationary Office, 1908), 278-279; David Kirke, "Reply to the Answer to the Description of Newfoundland," September 29, 1639, TNA, CO 1/10, 97-115.

⁷ John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; Michael Hunter, *Science and Society in Restoration England* (Cambridge: Cambridge University Press, 1981), 32-42; Steven Shapin and Simon Schaffer, *Leviathan and the Air-Pump: Hobbes, Boyle, and the Experimental Life* (Princeton: Princeton University Press, 1985), 298-310; Barbara Shapiro, *Political Communication and Political Culture in England, 1558-1688* (Stanford: Stanford University Press, 2012), 67-68.

practices that compensated for the island's lack of natural resources by maximizing the value of the cod found there.⁸

This focus on the ways in which English perceptions of Newfoundland developed through a reflexive cycle diverges from the predominant historiographical trend of studying how English society grew in Newfoundland. English fishers and residents in Newfoundland influenced and were influenced by judgements made in England about the island's economic value, how to extract that value and how to manage the people and industries involved. The ways in which politicians, merchants and planters in England learned about Newfoundland's natural environment highlights the difficulties that these individuals and groups experienced in creating effective policies and practices, and the extent to which their choices reflected the available information about Newfoundland, not necessarily what was actually occurring there. The use of incomplete or outdated information in England led to decisions unsuited to conditions in Newfoundland, caused fishers and residents to break regulations, and contributed to complaints by merchants that the island was a lawless place. Historians have explored issues related to charges of lawlessness and their effects on the growth of English society in Newfoundland. However, these topics cannot be fully assessed without understanding the information that was available to individuals deliberating on these problems in England, and how contemporary information collection and analytical methods influenced their decisions.⁹

⁸ John Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001), 64–68.

⁹ “An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland,” January 24 1634, TNA, CO 1/8, 1-6; John Parrett, “Thoughts on Newfoundland,” February 27, 1675, TNA, CO 391/1, 5-6; Sean Cadigan, *Hope and Deception in Conception Bay: Merchant-Settler Relations in Newfoundland, 1785-1855* (Toronto: University of Toronto Press, 1995), 162–66; Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 1-10; Bannister, *The Rule of the Admirals Law*, 17–25; Jeff Webb, “Revisiting Fence Building: Keith Matthews and Newfoundland Historiography,” *Canadian Historical Review* 91, no. 2 (March, 2010): 335–38.

No overarching hostility towards Newfoundland's residents defined the government's or West Country merchants' actions. Although regulations favoured the migratory fishery, which was perceived by legislators as more valuable to England than the resident fishery, few of these efforts suppressed Newfoundland's English inhabitants.¹⁰ Instead, in learning about the difficulties of colonizing and managing Newfoundland, English merchants and politicians considered the benefits of different methods of governing and using the island against the challenges of enforcing laws and regulations. These inquiries found no easy answers. English authorities could resolve specific cases, such as collecting debts for a merchant, but broad legislative frameworks consistently failed to achieve their intended outcomes.¹¹

Although the 1634 Western Charter attempted to regulate migratory fishers and residents, and the 1675 eviction order was meant to remove what was perceived as a threat to the profitability of the cod fishery, these efforts did not meet their goals. After John Berry refused to carry out the 1675 eviction, the government initiated a wide-ranging program of information collection and analysis to inform its decisions.¹² King William's Act reflected policymakers' improved understanding of Newfoundland's society and economy, and accounted for the challenges of governing the island, by implementing enforcement mechanisms and regulations that integrated with the fishery's established patterns.¹³ This adaptation to Newfoundland came from both the knowledge accumulated over the previous eighty-nine years and the shift to what

¹⁰ Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151.

¹¹ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Daniel Prowse, *A History of Newfoundland* (London: Macmillan and Co., 1895), 225-26; Harold Innis, *The Cod Fisheries: The History of an International Economy* (Toronto: University of Toronto Press, 1954), 95-111.

¹² Hinton, "The Pretended Reasons against Government...with the Answer," February 12, 1675, TNA, CO 1/65, 89v; Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, TNA, CO 1/22, 115-116; Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; Berry to Secretary Joseph Williamson, July 24, 1675, TNA, CO 1/34, 240-241; Hunter, *Science and Society in Restoration England*, 32-42.

¹³ "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," January 24 1634, TNA, CO 1/8, 1-6; Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151; "William III, 1698: An Act to Encourage the Trade to Newfoundland," 515-518.

Jack Greene refers to as the “negotiation between those new arenas and the European centers that aspired to bring them under their jurisdiction and to which those arenas desired to be attached.”¹⁴ Policymakers and merchants learned to balance what they wanted from Newfoundland with what the island and its English population could provide, resulting in the island’s legal and political status as an English colonial possession with no central governor or legal institutions during the seventeenth century.¹⁵

As David Armitage argued, the English empire was conceived in early modern England as an oceanic one, and Newfoundland is a prime example of that orientation.¹⁶ From 1610 to 1699, English merchants, politicians and planters learned that success in Newfoundland depended on leveraging what the Atlantic Ocean provided: cod and access to the lands it bordered. Fishers, colonists and merchants focused on using cod to trade for the provisions and comforts Newfoundland lacked, turning away from the early goal of creating economically diverse colonies to a pragmatic specialization in fishing. European efforts were so concentrated on Newfoundland’s coasts to the exclusion of inland expansion that it was not until 1822 that the first European traversed inland Newfoundland and the British naturalist John Millais chided in 1903 that “a very large portion of Central Newfoundland is less known than Central Africa.”¹⁷ This seaward orientation created a colony that bore little resemblance to its contemporaries, such as New England, where economic and political development centred on towns and spread inland. Instead, English colonists, merchants and policymakers balanced the challenges posed by

¹⁴ Jack Greene, “Transatlantic Colonization and the Redefinition of Empire in the Early Modern Era,” in *Negotiated Empires: Centers and Peripheries in the Americas, 1500-1820*, ed. Christine Daniels and Michael Kennedy (New York: Routledge, 2002), 267.

¹⁵ Bannister, *The Rule of the Admirals Law*, 57-59.

¹⁶ David Armitage, *The Ideological Origins of the British Empire*, Ideas in Context 59 (Cambridge: Cambridge University Press, 2000), 100–105; Trevor Burnard, “The British Atlantic,” in *Atlantic History: A Critical Appraisal*, ed. Jack Greene and Philip Morgan, Reinterpreting History (Oxford: Oxford University Press, 2009), 122–30.

¹⁷ John Millais, “On Some New Lakes and a Little-Known Part of Central Newfoundland,” *The Geographical Journal* 22, no. 3 (September, 1903): 306; Sean Cadigan, *Newfoundland and Labrador : A History* (Toronto: University of Toronto Press, 2009), 94–95.

Newfoundland's lack of on-land natural resources with opportunities derived from the cod that swam near its shores.¹⁸

In 1699, Parliament defined the fishery as Newfoundland's only viable industry, but the possibility of developing new industries based on natural resources besides cod remains a central issue for Newfoundlanders and historians to the present day. Daniel Prowse wrote his *History of Newfoundland* during the construction of the Newfoundland Railway, and Harold Innis's and Alexander McLintock's studies coincided with the growth of the pulp and paper industry, both projects founded with the same basic goal as Cuper's Cove: to diversify Newfoundland's economy by developing land-based natural resources. However, these efforts did not transform Newfoundland's economy to the extent promised by their promoters.¹⁹ When the cod fishery closed in 1992 for the first time in its five-hundred-year history, a lack of alternatives drove many residents to seek employment in mainland Canada and elsewhere.²⁰

Areas for Future Study

This dissertation presents a small part of a much larger history of how Europeans learned about Newfoundland's natural resources and climate. Constraints regarding both the availability of sources and scope of the dissertation limited the discussion of several important subjects deserving of in-depth study. These limitations, the result of both practical restrictions regarding the research process and decisions made to clarify the dissertation, indicate both the limits of

¹⁸ John Martin, *Profits in the Wilderness: Entrepreneurship and the Founding of New England Towns in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 1991), 111–28; Bannister, *The Rule of the Admirals Law*, 39–47.

¹⁹ Prowse, *A History of Newfoundland*; Alexander McLintock, *The Establishment of Constitutional Government in Newfoundland, 1783-1832: A Study of Retarded Colonization* (London: Longmans, Green, and Co., 1941); Innis, *The Cod Fisheries*; James Hiller, "The Railway and Local Politics in Newfoundland, 1870-1901," in *Newfoundland in the Nineteenth and Twentieth Centuries: Essays in Interpretation*, ed. James Hiller and Peter Neary (Toronto; Buffalo: University of Toronto Press, 1980), 123–25; Neil White, *Company Towns: Corporate Order and Community* (Toronto: University of Toronto Press, 2012), 10–15.

²⁰ Dean Bavington, *Managed Annihilation: An Unnatural History of the Newfoundland Cod Collapse*, (Vancouver: UBC Press, 2010), 1–3.

how much one can cover in a research project of this size and the richness of Newfoundland history as an area of study. This section identifies areas where further studies could expand upon this dissertation's subject and points to some of the available primary and secondary source materials.

In regard to the English experience in the seventeenth century, subsequent studies can expand on this dissertation's work on the interactions between English political, legal and religious institutions and Newfoundland's residents. The National Archives in Kew holds wills by planters and fishers who resided in Newfoundland. An analysis of how these wills were recorded and transmitted to England could provide insight into transatlantic connections that served legal and religious purposes for individuals with no local access to the church or court. Wills by women who owned property and ran businesses in Newfoundland offer an entry point into women's history during England's colonial expansion. One approach could be to compare the experience of women planters in Newfoundland with those of women in other English colonies. Understanding the ways in which women's experiences in Newfoundland differed from those in other colonies could provide insight into the lives of early modern female entrepreneurs and the opportunities provided by having a relatively weak governance and law enforcement system. A study of the life of Sara Kirke offers a good starting point for this subject. Kirke's success as a merchant and matriarch of a family of planters is documented in both reports about Newfoundland by convoy commanders and a petition she wrote to Charles II.²¹

The influence of other English colonies on the development of Newfoundland during the seventeenth century suggests another area that has not received significant attention. Although historian Ralph Lounsbury has examined trade between New England and Newfoundland in the

²¹ Sara Kirke to Charles II, 1660, BL, Egerton MS, 2395, 258; John Berry, "A List of Planter Names...", September 12, 1675, TNA, CO 1/35, 149-156; Pope, *Fish into Wine*, 300-303.

1630's, there has been little recent scholarship on the subject, and even less on how developments in New England and elsewhere affected Newfoundland. There is evidence that English policymakers perceived the growth of New England, and Boston in particular, as a threat to their interests in Newfoundland. However, these sources, particularly the Colonial Office Files and Board of Trade minutes, do not often consider the types of interactions occurring between Newfoundland and other English colonies or what information about Newfoundland could be gleaned from those relationships. Archival research in the United States, specifically in Boston and Maryland, two areas in regular contact with Newfoundland during the seventeenth century, could shed light on the exchange of people, goods and information between England's colonies. This information could illuminate how the understandings of Newfoundland's economy and natural environment developed throughout the Atlantic World.²²

England was not the only European power involved in colonizing Newfoundland, but there has been relatively little work done on other nations' efforts in comparison to the body of literature about English colonization. Topics on French perceptions of Newfoundland, and how these perceptions contributed to the decision to establish a colony in Plaisance in 1662, remain understudied. Despite a growing number of archaeological and documentary studies about the French experience in Newfoundland, such as the collection of essays *Les Français à Terre-Neuve* edited by Ronaldompkey and Nicolas Landry's *Terre-Neuve, 1650-1713*, there is still significant work to be done in both detailed scholarship and presenting scholarly findings to a broader audience.²³ Given the largely unilingual English population of Newfoundland and

²² Ralph Lounsbury, "Yankee Trade at Newfoundland," *The New England Quarterly* 3, no. 4 (October, 1930): 607–26.

²³ Ronaldompkey ed., *Les Français À Terre-Neuve: Une Lieu Mythique, Une Culture Fantôme*, (Bordeaux: Presses Universitaires de Bordeaux, 2009); Edwin Bezzina, "Ronaldompkey, Éd. Les Français À Terre-Neuve: Un Lieu Mythique, Une Culture Fantôme," *Newfoundland and Labrador Studies* 27, no. 1 (April, 2012): 143–47; Roland Plaze, *La Colonie royale de Plaisance, 1689-1713: Impact du statut de colonie royale sur les structures*

Labrador, any effort to raise awareness about the French in Newfoundland requires the production of an English language text. The translation of Laurier Turgeon's *Le Temps des Pêches Lointaines* in English represents an important starting point, but this work is written for an academic audience, not general readers.²⁴

Ethnographer Ingeborg Marshall and historians Ralph Pastore and Charles Martijn have explored the relationship between Europeans and the Beothuk, Inuit and Mi'kmaq in Newfoundland, but there is little work about their place in the European imagination of the island. Some work has been done on European depictions of the Beothuk, Inuit and Mi'kmaq, such as Shane O'Dea's examination of an engraving of John Guy's trade with the Beothuk, but there has been little scholarship about the wider European awareness of them. Given the small number of known references to the Beothuk, Inuit and Mi'kmaq in seventeenth-century English sources, a study of why that information was either unknown or not considered worth recording would be valuable for understanding how colonization marginalized these people. One approach to this topic would be a comparative analysis of European records about the Beothuk, Inuit and Mi'kmaq and that of other people in New France and New England. Similarities and differences between the documentation from these regions could offer a starting point for studying why the Beothuk, Inuit and Mi'kmaq are often absent from English considerations of Newfoundland.²⁵

administratives (Unpublished MA Thesis: Université de Moncton, 1990); Nicolas Landry, *Terre-Neuve, 1650-1713: Une colonie française en Amérique* (Québec: Septentrion, 2008).

²⁴ Laurier Turgeon, *The Era of Far-Distant Fisheries-Permanence and Transformation (circa 1500-1850)*, trans. Aspi Balsara (St John's: Centre for Newfoundland Studies, Memorial University of Newfoundland, 2005), 1-20.

²⁵ Ingeborg Marshall, *A History and Ethnography of the Beothuk* (Montreal: McGill-Queen's University Press, 1996); Ralph Pastore, *Shanawdithit's People: The Archaeology of the Beothuks* (St. John's: Breakwater Books, 1992); Charles Martijn, "Early Mikmaq Presence in Southern Newfoundland: An Ethnohistorical Perspective, c.1500-1763," *Newfoundland and Labrador Studies* 19, no. 1 (May 2, 2005): 44-102; Shane O'Dea, "Strangers and Livyers: Perspectives on Newfoundland Seen through Prints and Engravings from the Seventeenth, Eighteenth and Nineteenth Centuries," *Newfoundland and Labrador Studies* 1, no. 1 (1985): 1-16.

Finally, there is enough material regarding the eighteenth and nineteenth centuries to warrant a dissertation about how English perceptions of Newfoundland changed from 1699 to 1832, when a representative government was established there. A study of the growth of business and political communities in Newfoundland, particularly St. John's, and how they interacted with their peers in England, could be valuable for understanding the island's political and economic history. Such a work could begin with a survey of the articles of inquiry from 1699 onwards contained in the Colonial Offices 194 file, and the maps and papers related to the explorer and cartographer James Cook's 1762-1767 Newfoundland voyages.²⁶ One possible question would be how the development of logging and sealing industries in the eighteenth century contributed to England's willingness to create a representative government in Newfoundland. There is a robust body of scholarship about Newfoundland's political, legal, economic and military history during this period. Three good starting points are Jerry Bannister's *Rule of the Admirals*, Sean Cadigan's *Hope and Deception in Conception Bay* and Olaf Janzen's *War and Trade in Eighteenth-Century Newfoundland*.²⁷

In all of these areas, understanding the space that Newfoundland occupied in the European colonial consciousness remains crucial. Newfoundland's natural environment complicated every attempt by English policymakers and merchants to impose order and replicate its own ideas about how colonies should develop. The difficulties early investors found when trying to develop colonies, and which the English government encountered in governing Newfoundland, created a space, that was loosely controlled and, in many respects, poorly

²⁶ William Whiteley, "James Cook and British Policy in the Newfoundland Fisheries, 1763-7," *Canadian Historical Review* 54, no. 3 (September, 1973): 245-72.

²⁷ Sean Cadigan, *Hope and Deception in Conception Bay: Merchant-Settler Relations in Newfoundland, 1785-1855* (Toronto: University of Toronto Press, 1995); Bannister, *The Rule of the Admirals*; Olaf Janzen, *War and Trade in Eighteenth-Century Newfoundland*, *Research in Maritime History* 52 (St. John's: International Maritime Economic History Association, 2013).

understood. Although in 1699 Parliament designated the fishery as Newfoundland's sole valuable industry, questions about whether it could host other industries, how to govern its population and its role in the larger colonial and, after 1949, national entities to which it belonged continued to be asked. The seventeenth century was a period of learning for English policymakers, merchants and planters, but the knowledge they had acquired by 1699 provided few easy answers about Newfoundland and its future as an English colony.²⁸

²⁸ "William III, 1698: An Act to Encourage the Trade to Newfoundland," 515-518; Jeff Webb, "Confederation, Conspiracy and Choice: A Discussion," *Newfoundland and Labrador Studies* 14, no. 2 (October 1998): 169-74; Hiller, "The Railway and Local Politics in Newfoundland, 1870-1901," 123-128; Bannister, *The Rule of the Admirals*, 256-265.

Appendix

Appendix A: The Western Charter, January 24, 1634 TNA, CO 1/8, 1-6.

An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland

At the Star Chamber the 24th of January 1634

| | | |
|----------------------------------|-------------------------|--------------------------|
| Lord Archbishop of Canterbury | Earle Marshall | Mr. Treasurer |
| Lord Keeper | Earl of Dorset | Mr. Comptroller |
| Lord Archbishop of York | Lord Viscount Wimbledon | Mr. Vice Chamberlain |
| Lord Privy Seal | Lord Cottington | Mr. Secretary Coke |
| Lord Great Chamberlain | Lord Newburgh | Mr. Secretary Windebanke |

Whereas a humble petition was presented to his Majesty in the name of the merchants and owners of ships of Plymouth, Dartmouth and Barnstaple and other Creeks adjoining who use the fishing trade in Newfoundland complaining of several abuses committed by said Trade which petition was received by his Majesty the 14th of this instant month (under the hand of Sir John Coke Knight one of his Majesty's principal secretaries) to the consideration of the Council Board where their Lords having heard the same were pleased to require Mr Attorney General to call before him some such persons belonging to the Western Ports as might give him true information of the said abuses and the estate of the said fishing trade, and having duly examined the circumstances thereunto belonging to certify his opinion what fit remedies might be applied to the inconveniences therein mentioned for the general good of his Majesty's service, which he hat accordingly done *in haec verba*.

May it please your Lordships

In this acquired Dominion I do conceive his Majesty may give Laws and some that may serve for the present I have presumed to present to your Honours to stand until it be otherwise ordained with power to certain Mayors of Townes to execute them and a command that they be published there which are humble submitted to your Honourable judgment and sent annexed. Signed William Noye.

Preamble

Whereas the region or country of Newfoundland hath been acquired to this Dominion of our progenitors which we hold and our people have many years resorted to those parts where and in the Coasts adjoining they employed themselves in fishing. Whereby a great number of our people have been set on work and the navigation and mariners of our realm have been increased and our subjects resorting thither one by the other and the Natives of those parts were orderly and gently entreated into of late some of our subjects of our realm of England planting themselves in that country and there residing and inhabiting upon conceit that for wrongs and injuries done there either on the shore or in the sea adjoining. They cannot be here impeached and the rather for that we or our progenitors have not hitherto given laws to the inhabitants there any by that example our subjects resorting thither injure one another and do all manner of excess to the great hindrance of the voyage and the common damage of this realm. For the preventing such inconveniences hereafter we do hereby declare in what manner our people in Newfoundland and upon the sea adjoining and the bays, creeks or fresh rivers there shall be guided and governed doe make and ordain the laws following in the things after specified commanding that the same be obeyed and put in execution.

1. If any man on the land there shall kill another or if any shall secretly or forceably steal the goods of any other to the value of forty shillings he shall be forthwith apprehended and arrested,

detained and brought prisoners into England and the Crimes committed by him shall be made known to the Earl Marshall of England for the time being to whom the delinquent shall be delivered as prisoner and the said Earl Marshall shall take cognizance of the Cause and if he shall find by the testimony of two witnesses or more that the party had there killed a man not being at that time first assaulted by the part slain or that the killing were by misadventure or stolen such goods the delinquent shall suffer pain of death and all the company shall endeavor to apprehend such malefactors.

2. That no ballast prestones or anything else hurtful to the harbours be thrown out to the prejudice of the said Harbours but that it be carried ashore and laid where it may not do annoyance.

3. That no person whatsoever either fisherman or inhabitants do destroy, deface or any way work any spoil or detriment to any stage, cookroom, flakes, spikes, nails or anything else that belongs to the said stage whatsoever either at the end of the voyage when he hath done, and is to depart the country or to any such stage as he shall fall withal at his coming into the country. But that he or they content themselves with such stages only as shall be needful for them. And that for the repairing of such stages as he or they take they shall fetch timber out of the woods and not to do it with the ruining or tearing down of other stages.

4. That according to the ancient custom every ship or fisher that first enter a harbour in behalf of the ship be Admiral of the said harbour wherein for the time being he shall reserve only so much beach and flakes or both as is needful for the number of boats that he shall use with an overplus only for one boat more than he need as a privilege for his first coming. And that every ship coming after content himself with what he shall have necessary use for without keeping or detaining more to the prejudice of other next coming and that any that are possessed of several

places in several harbours with intent to keep them all before they can resolve upon which of them to choose shall be bound to resolve and sent advice to such aftercomers in those places as expect his Resolution, and that within eight and forty hours if the weather so serve that the said aftercomers may likewise choose their places and so none receive prejudice by others delays.

5. That no person cut out, deface or any way alter or change the marks of any boats or train vats whereby to defraud the right owners and that no person convert to his own use the said boats or train vats so belonging to others without their consents nor remove nor take them from the places where they be left by the owners except for cause of necessity and then to give notice thereof to the admiral and others, whereby the right owners may know what has become of them.

6. That no person do diminish take away purloin or steal any of the fish or train of salt which is put in casks, train vats or cookrooms or other house in any of the harbours or fishing places of the country or any other provision belonging to the fishing trade or to the ships.

7. That no person set fire in any of the woods of the country or work any detriment or destruction to the same by reducing of the trees either for the sealing of ships, houses or for rooms on shore, or for any other use except for the covering of roofs for cookrooms to dress their meat in and those rooms not to extend in length above sixteen feet at the most.

8. That no man cast anchor or ought else hurtful which may breed annoyance or hinder the hauling of seines for bait in places accustomed thereunto.

9. That no person rob the nets of any drift boat or drawers for bait by night nor take away any bait out of their fishing boats by their ships sides nor rob or steal any of their nets or any part thereof.

10. That no persons do set up any taverns for selling of wine, beer, strongwater or tobacco to entertain the fishermen because it is found that by such means they are debauched neglecting

their labour and poor ill governed men not only spend most part of their share before they come home upon which the life and maintenance of their wife and children depend but are likewise hurtful in divers other ways as by neglecting and making themselves unfit for their labour by purloining and stealing from their owners and by making unlawful shifts to supply their disorders and which disorders they frequently follow, since those occasions have presented themselves.

11. That upon Sundays the Company assemble themselves in meeting places and here divine service to be said by some of the Masters of the Ships or some other which prayers shall be such as are in the Book of Common Prayers.

And because that speedy punishment may be inflicted upon the offenders against these laws and constitutions we do ordain that every of the Mayors of Southampton, Wymouth and Malcombe, Regis Lyme, Plymouth, Dartmouth, East Lowe, Fowey and Barnstaple for the time being may take cognizance of all complaints made by any offender any of these ordinances upon the land and by oath of witnesses examining the truth thereof award amends to the party grieved and punish the delinquents by fine and imprisonment or either of them and of their goods found in the parts of Newfoundland or in the sea cause satisfaction thereof to be made by warrents under their hands and seals.

And the Vice Admiral in our counties of Southampton, Dorset, Devon and Cornwall upon complaint made of any of the premises committed upon the sea shall speedily and effectually proceed against the offenders.

Also we will and ordain that these laws and ordinances shall stand in force and be put in due execution until we shall otherwise provide and ordain

And we require the Admiral in every harbour in their next season ensuing calling together such as shall be in that harbour publicly to proclaim these presents and that they also proclaim the same on the shore in witness etc.

Their lordships having perused and seriously considered the report and propositions, Mr. Attorney likewise being present, did fully approve, confirm and ratify the same in every particular. And did also order that the said propositions shall be remitted to Mr. Attorney who is hereby required to cause them to be forthwith engrossed for his Majesty's Royal Signature in regard the fishing season is now at hand and then passed under the great seal of England and afterwards a sufficient number of the copies thereof printed to be published as well in several of the Western ports of this Kingdom as of the Newfoundland to the end that all men whom it may in any sort concern may take notice thereof and yield due obedience thereunto accordingly.

**Appendix B: James Houblon, “Reasons for the Decay of the Trade at Newfoundland,”
March 20, 1675, TNA, CO 1/34, 58-61.**

I most heartily bed your pardon that I did not wait upon the Lords. I fully intended because you desired it otherwise I am mightily unwilling to expose myself to talk in public. I was prevented by a business of necessity to be done that morning and which kept me till past 11 of the clock. So I hope that you will forgive me.

I am altogether a stranger to the point in issues, though Mr. Secretary Williamson was pleased the other day to tell me that there was an intention to lead a Governor to Newfoundland and a Colony, and so to plant there, as a thing fit to be done to retrieve that trade.

I shall so give you the best account I can which hath of late years decayed that trade of fishing in England and then give you my opinion what possibility there is to retrieve it by this new way of planting in Newfoundland.

The reasons of the decay of this trade are

1. The infinite losses the English who have driven that trade have in all times sustained by taking at sea for want of protection (this trade being driven in small vessels of little defense) but especially in the Spanish War in anno 1659 to 1660 in which years the loss to the Nation 1200 sail of ships outright of which great number of fishing ships to the great impoverishment of Plymouth, Dartmouth, Poole and other fishing towns in the West of England, from this impoverishment they never recovered to this day and are forced to take up moneys upon bottomery at 20 and 22 percent to drive in their trade. So it in bad years more than all the profit goes to the usurers and in good years with such an interest they cannot get a step forward, and so in time all will dwindle to nothing.
2. The mighty increase of the French in this trade of late years since the Pyrenean Treaty and Peace with Spain, to which employment their merchants have been mightily encouraged by the

French King and his ministers, have had moneys of the King's Treasuries towards the building of ships and have had convoys allowed them by which means and for if their equipages are cheaper to them, both for wages and victuals as also for that their salt, shipping and materials of cordage and other fishing gears is to be had in French upon cheaper terms, and further for if the most mighty men of Saint Malo, Rouen, Dieppe, Nantes, Rochelle, Bordeaux and Bayonne do employ their stocks this way without taking up moneys at bottomery, which undertaking under these circumstances, and for that they perform it by good defensive ships from 12 to 24 pieces of ordinance, hath had good success and so by supplying the Spanish and Italian markets with better fish and upon cheaper terms than our people they increase and we dwindle. It being apparent that before the French had peace with Spain they were so far from being superior to us in this trade that except Bank fish (which they did even then supply themselves with) all the markets in France were supplied with dry fish caught by English and carried in English shipping whereas now they are grown so much upon use especially through the encouragement aforesaid and mighty good endeavors used amongst them for the whole curing their fish that they not only supply all their markets with take of the best quantity, but meet and mate the English in the several parts of Portugal, Spain and Italy, and generally sell at better rates.

Now so I shall give you my opinion concerning the probabilities of retrieving of this trade by turning Newfoundland into a colony of fishers, with a governor, only first I shall let you believe that there seems to be a necessity for the state one way or other to provide that for necessary a trade (to increase the stock of the nation, shipping, seamen and letting poor people to work for the necessary apparatus to these voyages) be not lost.

The question is only of the *modus*, and hearing there must be in particularity, but all particular interest and even that of the West Country towns must not be in competition with the general good.

I am afraid for if any new methods or orders and contrivances to continue it in the old way that is by sending ships and men yearly out which return after the fishing is over will not do the work, nor almost any superstructure upon this foundation, for the circumstance of their weakness in stock who are in possession will be the great hindrance, and no continuance which ever can counter such a mischief, for the business is quite otherwise then when we were the sole possessors of this trade. Now we are to contend with the French, who have those several advantages of us of greater stocks, cheaper shipping, salt and wages etc. and therefore nothing can in appearance make us hope to retain any share of this trade long, unless a proposition of a new project may give is a prospect to fish hereafter upon better terms then the French do as the goodness and cheapness now of those it proposed making a plantation of the Newfoundland for the trade of fishing do make this out, they would bring me their faction, nay of they by this way will but let is upon even ground with the French, it would be to the embraced before the old way at least we might hope that the Balance maybe on our side by reason we are also often, or ought not to be so often in war with our neighbors, as the French are.

Also there are seeming advantages of a plantation in the Newfoundland, we may counterpoise the French.

1. It may cause fish to be cheaper made than now it is, employing far less stock to do it with, for as its driven now a vessel setting to sea with all sorts of provisions for 60 or 80 men takes up near 1200 or 1500£ stock and sometimes more attending to the goodness or burthen of these vessels and these men spending in going and returning and there in building their stages and

catching of bait we are 5 months of which the voyages takes up all which while they do nothing for their provisions, their fishing being over in 3 or 4 months at most. Which charge of sending of ships yearly to catching fish would be saved if only planters made fish and the ships that go yearly to fetch their fish would carry there salt from French and Portugal and Spain, and other necessaries for fishing together with other provisions for food and clothing, as either their wants or luxury would call for from England.

2. This would cause fish to be made with much greater care, for every planter for fear of having his fish rejected would strive to outdo his neighbors to get customers, and so prevent it being left on his hands all the winter whereby he would be ruined if his fish were not cured in such perfection that is might keep and that a careless sort of making it might be go well for him in a scarce year of fish, when there is more to be bought than caught and ships will carry away almost anything rather than go empty, yet in a plentiful year he'll sure to be undone, and it so happens that fish fall in more in one month of fishing than another, so that they can hardly tell till its almost over whether it will be a plentiful year or not, besides there being several Harbours for fishing and at a great distance one from another they cannot have frequent communication to know what one another do.

3. Fish being by those ways better in value and cheaper in price, the merchants would be more suited to do all in it when formerly, when it was both bad and good, if the other would they adventure to trade in this commodity for that they would be upon more certainty or then in this old way (for the West Country men made contracts for fish before their ships go out, so that if they miscarry or have a bad fishing, all this contract is void, and the poor contractors bear all the damage of sending his ships to Newfoundland and back for nothing) it being more probable that

planters being proven at work and having also things fitted to their hand should by their industry there whole livelihood depending on catching shall catch more fish then now is done.

But if this now meddle be, there much be mighty care in choosing this governorship, for if he be now a plain industrious man and cut out for this business, all will come to nothing, for such a trade will and [illegible] openness or encroachment or change, and truly if I were to give my judgment the planters should even choose them a governor amongst themselves and make their own laws and constitutions. For they would best understand their own interests, what will hurt or advance their fortunes.

The main objection to this model may be the clamor of the West Country Corporations of Dartmouth, Plymouth, Poole and Barnstaple who by this means may plead that their wellbeing depending upon this trade, if this new way be prosecuted they cannot continue the old one and so will be put out of possession of a trade at once, while in certain in process of time would be lose, not only to them, but too the whole of the Nation. So the question is not of these men of the said corporations can made it evident that they can make first cheaper or as cheap as the French, if they can't then it fit to think of this new way, of the whole will be lost. And the interest of local success most not come in competition with the whole, besides they, or their agents and servants may and will be of necessity the first planters and probably they may conceive much more profit by this undertaking than by the old. I am sure it will more answer their small stock.

Another opinion in that this way creates seamen and employs more shipping, but if it comes to nothing then it will be a double loss for not only that shipping employed now to the fish will be lost, but all those sacks that go to fetch the fish every year will lose out employment and the nations stock will be impaired, for this fish trade get out of the sea and labour helps to pay for a great deal of foreign commodities for our luxury and truly if this new way were settle I am of the

opinion that it would be in process of time so far from causing us to have less shipping and seamen, it will should have the more, as being the only probably means left to get this trade from the French with out the doing of which effectually it will be in a few years given up to them and of which consequence that would be I am humbled to think of it, I have thus given you hastily my opinion of the matter and very foolishly I fear, having never heard anything of this matter in question, nor the arguments of both sides. Therefore I hope you will give me cause hereafter to be of another opinion when I am better informed in being indifferent at the particular, which could give forward being of neither party, only I with such council may be taken as regard the whole. I most humbly beg you excuse for this impertinent story and am your most Humble servant

James Houblon

**Appendix C: The Order to Evict English Inhabitants from Newfoundland
Charles II to Joseph Williamson, May 5, 1675, TNA, CO 1/34, 151**

At the Court at Whitehall

May 5 1675

Present

The Kings most Excellent Majesty

In Council

The Right Honorable the Lords of the Committee for Foreign Plantations having this day reported to his Majesty in Council their opinion touching the inconveniences of a colony and inhabiting of his Majesty's subjects in Newfoundland. And his Majesty having thought fit for the several considerations in the said report mentioned to order the commander of his Convoy bound this year to the said place to admonish the inhabitants either to return home into England or to betake themselves to other of his Majesty's Plantations; His majesty did at the same time think fit to order and it is hereby ordered accordingly, that the Right Honorable Mr. Secretary Williamson do prepare letters unto the several Governors of the said Foreign Plantations that in case any of the said Inhabitants of Newfoundland shall arrive within their respective governorships that they be received with favor, and all convenient help and assistance towards their settlement by afforded unto them.

Appendix D: John Berry's report From Newfoundland
TNA CO 1/34, 240-241 July 24 1675

Right Honourable Sr.

I arrived in St John's Harbour in Newfoundland the 11th instant where I found his Majesty's ship Swan with forth ships more; the greatest part bound to a market: I have sent two able person Northward as far as Cape Bonavista and the other to the southward as far as Cape de Raze and to call into all the respective harbours bays creeks etc: to take an exact account as is directed in my orders and farther to declare to his majesty's will and pleasure to all the planters I have already done it in this Harbour they which all humility have promised to be obedient to it; but the greatest part of them being so poor that it is impossible for them to remove being not in a condition to pay their passages unless his majesty will be graciously pleased to send a ship for them and at last they must be put to the parish where ever they come. A poor labouring man will get in a summer season near 20 pounds for their daily food comes out of the sea; which were such a person in England he would not get 3 pounds. I have to the best of my judgement made delay out inquiry into all those things said to the planters charge by the merchant adventurers and found most of them to be false manifested in this single port. Two days since I summoned the admiral, vice admiral and rear admiral and all the rest of the commanders of ships about forty five where I told them the great evil it did befall those that did come here to make a fishing voyage when the stages flakes storehouses and all other conveniences were destroyed before they arrive and the labours and charge they were at in the building them to prevent which I thought it would be convenient to give strict charge and command that no stages flakes storehouses or anything also should be pulled down, but entirely preserved till the next season, several of the old and experiences commanders were for the preservation of all but $\frac{3}{4}$ of them were for taking them down making great many pretenders that they have at a great charge and

expense besides much labour to build them and why should another enjoy their goods the next year as pretended In conclusion I told them that his Majesty's charter forbids that any spike or nail should be drawn but ever thing entirely preserved and that I would take particular notice of those that should offend acquainting his majesty therewith all those things are said to the planters charge that they destroy all this over the adventurers leave behind it is a common practice amongst those commodores that they brew beer wood their ships, and sell the remains of their stages and houses to the sack ships I have had former experience of it 29 years since in a voyage to this island. I having taken this in the very act of doing it since I came here. As for the charge they lay to the planters for enticing their men to stay behind whilst their families become burdensome to their parishes at home is as true as the former. When the voyage is ended to save 30 or 40 shillings for their passage the commodores do persuade the planters to reeve them and seamen to stay behind made out by several witnesses nay some of the commodores have confessed as much to me they knew no order to the contrary. As to their buying wine and brandy from the people of New England in exchange for their fish; without depending on the ships of England I shall. Find the latter and both this season give you a particular account of it I having sent positive orders to all the inhabitants if they give me an account of all the wine brandy and other goods that they have bought this year specifying the ships name, masters name and place where they belong to, by which you will have reason to believe those planters are not so bad as the merchants makes them to his majesty some self-ended persons have a mind to engross all into their own hands and especially if the planters be removed I shall give you a perfectly account of what I am committed by of my orders and all things else that is consisting which his majesty service and good of his subjects It being opinion of several experienced commanders that have used this trade that in case these people should be removed out of this country his

majesty subjects in few years would find the ill effects of it for undoubtedly the yearly part of them will settle on the other side of Cape de Raze amongst the French they are already invited by the French to come unto them in promise of great advantages or else for New England They implore his majesty's favour to continue and promise all dutiful obedience to what orders shall be given them here are several of those ships that their merchants have made are several of those ships that their merchant have made such a clamour for convoy that are scattered up and down in several ports going away without taking any value of us I having sent direction to them that his majesty's subjects has been graciously pleases to commit there care of the convoy to me and their danger going without. We design to sail out of this port in August for the Bay of Bulls there to made up a fleet and to sail from thense the 10th of September of the 20 at farthest unless the ships going with us cannot be ready. The fisheries are liken to make an indifferent good voyages they have taken about 200 quintals per boat the capelin school of bait is gone which is a great detriment to them.

This port of St. John's is an excellent harbour large enough for above 100 sail but somewhat narrow coming in the land very high a small charge may fortify it to keep out a considerable fleet it being the opinion of several that in case those inhabitants be taken away the French will soon possess themselves of it to the loss of several advantages his majesty's subjects yet enjoy being situated in the middle of the land whereas his majesty has been informed that New England vessels do furnish the planters with those goods before mentioned I have already made inquiry in this port and cannot find any that have been here but ion the contrary the people of New England have taken good quantities of those goods from here the product of which is commonly shipped in English vessels for a market and shoe the only person the supply the inhabitants. I shall

enlarge but hose by God assistance to give you a full account of what is required or heedful to be done from.

Bristol frigate in St. John's

Harbour in Newfoundland

The 24th July 1675

Your Honours most humble and obedient servant

John Berry

I have likewise given an account to Mr. Secretary Coventry and Mr. Pepys to the same effect.

Appendix E: King William's Act, 1699

Anno Decimo & Undecimo

Gulielmi III. Regis.

An Act to Encourage the Trade to Newfoundland

Whereas the Trade of and fishing at Newfoundland is a Beneficial Trade to this Kingdom, not only in the employing great numbers of seamen and ships, and exporting and consuming great quantities of provisions and manufactures of this realm, whereby many tradesmen and artificers are kept at work, but also in bringing into this nation, by returns of the effects of the said fishery from other countries, great quantities of wine, oil, plate, iron, wool and sundry other useful commodities, to the increase of his Majesties revenue and the encouragement of trade and navigation: be it enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present parliament assembled, and by the authority of the same, that from henceforth it shall and may be lawful for all his Majesty's subjects residing within this realm of England or the dominions thereunto belonging, trading or that shall trade to Newfoundland, and the seas, rivers, lakes, creeks, harbours in or about Newfoundland, or any of the islands adjoining or adjacent thereunto, to have use and enjoy the free trade and traffic, and art of merchandise and fishery, to and from Newfoundland, and peaceably to have, use and enjoy, the freedom of taking bait and fishing in any of the rivers, lakes, creeks, harbours in or about Newfoundland, and the said seas, or any of the islands adjacent thereunto, and liberty to go on shore on any part of Newfoundland, or any of the said islands, for the curing, salting, drying and husbanding of their fish, and for making oil, and to cut down wood and trees there for building and making or repairing stages, shiprooms, train vats, hurdles, ships boats, and other necessities for themselves and their servants, seamen

and fishermen, and all other things which may be useful or advantageous to the fishing trade, as fully and freely as at any time therefore hath been used or enjoyed there by and of the subjects of his Majesties Royal Predecessors, without any hindrance, interruption, denial or disturbance of or from any person or persons whatsoever; and that no alien or stranger whatsoever (not residing within the Kingdom of England, Domain of Wales or Town of Berwick upon Tweed) shall at any time hereafter take any bait, or use any sort of trade or fishing whatsoever in Newfoundland, or in any of the said island or places above mentioned.

And for the preserving the said harbours from all annoyances, be it further enacted by the authority aforesaid, that from and after the twenty fifth day of march, one thousand seven hundred now next coming, no ballast, press stones, or anything else hurtful to or annoying any of the harbours there, shall be thrown out of any ship or otherwise, by any person or persons whatsoever to the prejudice of any of the said harbours, but that all such ballast and other things shall be carried on shore, and be laid where they may do no annoyance.

And be it further enacted by the authority aforesaid, that no person or persons whatsoever shall (at his departure out of the said country, or at any other time) destroy, deface or do any detriment to any such stage or cookroom, or to the flakes, spikes, nails or any other thing whatsoever thereto belonging, as he or they shall fall into at his or their coming into the said country, but that he or they shall (during his or their stay there) content him and themselves with such stage or stages only as are needful for him or them, and shall also (at his or their departure thence) leave all such his or their stages or stages, without doing or causing to be done any willful damage to any of them; and that for the repairing of such stage or stages as he or they shall so take, during his or their abode there, the same shall be done with timber fetched out of

the woods there, and not by the ruining, breaking down, demolishing, prejudicing or any wise injuring the stage or stages of any other person or persons whatsoever.

And be it further enacted by the authority aforesaid, that (according to the Ancient Custom there used) every such fishing ship from England, Wales or Berwick, or such fishermen as shall from and after the said Twenty fifth day of March, first enter any harbour or creek in Newfoundland, in behalf of his ship, shall be Admiral of the said harbour or creek during that fishing season, and that time shall reserve to himself only so much beach or flakes, or both, as are needful for the number of such boats as he shall there use, with an overplus only for the use of one boat more than he needs, as a privilege for his first coming thither; and that the master of every such Second fishing ship as shall enter any such harbour or creek shall be Vice-Admiral of such harbour or creek during that fishing season; and that the Master of every such fishing ship next coming, as shall enter any such harbour or creek, shall be Rear-Admiral of such harbour or creek during that fishing season; And that the master of every fishing ship there, shall content himself with such beach or flakes as he shall have necessary use for, without keeping or detaining any more beach or flakes, to the prejudice of any such other ship or vessel as shall arrive there; and that such person or persons as are possessed of several places in several harbours or creeks there, shall make his or their Election of such place as he or they shall choose to abide in; and shall also within Eight and Forty hours after any after-comer or after-comers into such place or places, shall demand such his or their resolution touching such his or their election (if the weather will so soon permit, or so soon after as the weather will permit) give or send his or their resolution to such after-comer, or aftercomers, touching such his or their election of such place as he or they shall so choose to abide in for the fishing season, to the end that such after-comer or after-comers may likewise choose his or their place or places of his or their abode

there; and in the case any difference shall arise touching the said matters, the Admirals of the respective harbours where such differences shall arise, or any two of them, shall proportion the place to several ships, in the sever harbours they fish in, according to the number of boats which each of the said ships shall have.

And whereas several inhabitants in Newfoundland, and other persons, have, since the year of our Lord, One Thousand Six Hundred Eighty Five, Engrossed and detained in their own hands, and for their own private benefit, several stages, cook-rooms, beaches and other places in the said harbours and Creeks (which before that time belonged to fishing ships) for taking of bait, and fishing and curing their fish, to the great prejudice of the fishing ships that arrive there in the fishing season, and sometimes to the overthrow of some of their voyages, and to the great discouragement of the traders there: be it further enacted by the authority aforesaid, that all and every such person and persons, as since the said year of our Lord, One thousand Six Hundred Eighty Five, have or hath taken, seized or detained, any such stage, cookroom, beach or other places, for taking bait, or fishing, or for the drying, curing or husbanding of fish, shall on or before the said Twenty Fifth day of March relinquish, quit and leave to the public use of the fishing ships arriving there, all and every the said stages, cook-rooms, beaches and other places, for taking bait and fishing, and for the drying, curing and husbanding of fish.

And for the preventing the engrossing and detaining of all such stages, cook-rooms, beaches, and other places by any person or persons for the time to come, be it enacted by the authority aforesaid, that no fisherman or inhabitants in Newfoundland, or any other person or persons whatsoever, shall, at any time after the said Twenty fifth Day of March, seize, take up or possess any of the stages, cook-rooms, beaches, or other places which, at any time since the said year of our lord, One thousand six hundred eighty five, did (or at any time hereafter shall

belong to any fishing ship or ships) for taking bait or fishing, or for drying, curing or husbanding of fish, before the arrival of the fishing ships out of England, Wales and Berwick, and until all such ships be provided with stages, cook-rooms, beaches, and other places, for taking bait and fishing, and for drying, curing and husbanding of fish.

Provided always, that all such persons as since the Twenty fifth day of March, One thousand six hundred eighty five, have built, cutout or made (or at any time hereafter shall build, cut our or make) any houses, stages, cook-rooms, train-vats, or any other conveniences for fishing there, that did no belong to fishing ships since the said year, One thousand six hundred eighty five, shall and may peaceably and quietly enjoy the same to his or their own use, without any disturbances of or from any person or persons whatsoever.

And be it further enacted by the Authority aforesaid, that all and every person or persons whatsoever, that shall go over with their servants to Newfoundland, to keep boats on a fishing voyage, commonly called by-boat-keepers, shall not pretend to or meddle with any house, stage, cook-room, train-vat, or other convince, that did belong to fishing ships, since the year One thousand six hundred eighty five, or shall be cut out or made by ships, from and after said Twenty fifth day of March, One thousand seven hundred.

And be it further enacted by the Authority aforesaid, that every master of a by-boat, or by-boats, shall carry with him at least two fresh men in six (viz.) one man that hath made no more than one voyage, and one man who hath never been at sea before; and that every inhabitant shall be obliged to employ two such fresh men as the by-boat-keepers are obliged for every Boat kept by them; and further, that all masters of fishing ships shall carry with them in their ships company, at least one such fresh man that never was at sea before, in every five men they carry; and that the master of each such by-boat, and each such fishing ship, shall make Oath before the

Collector, or other Principal Officer of the Customs of the port or ports from whence such ships intends to sail, that each ship and by-boat company have such fresh men therein as this Act directs; and that the said Officer or Officers is and are hereby empowered and Required to administer the aforesaid Oath to the said masters of ships and by-boats, and give a Certificate thereof under his hand, without any fee, gratuity or reward for so doing.

And be it further enacted by the authority aforesaid, that every master or owner of any fishing ship, going to Newfoundland (after the said twenty fifth day of March) shall have in his ships Company every fifth man a green-man (that is to say) not a seaman, or having been ever at sea before.

And be it further Enacted by the authority aforesaid, that no person or persons whatsoever, shall at any time after the said twenty fifth day of March, Obliterate, expunge, cut out, deface or any wise alter or change the mark or marks of any boat or boats, train-vat or train vats, belonging to any other person or persons, whereby to defraud or prejudice the right owner or owners thereof, no convert to his or their own use any boat or boats, train-vat or train-vats, belonging to any other person or persons, without his or their consent and approbation, nor remove nor take away any such boat or train-vat, from the place or places where they shall be left by the owner or owners thereof, except in case of necessity, and also upon giving notice thereof to the Admiral of the harbour or place where such boat or train-vat shall be left by the owner or owners, to the end that the right Owners thereof may know what is become of them.

And be it enacted by the authority aforesaid, that no person or persons whatsoever, shall at any time after the said twenty fifth day of March, rind any of the trees there standing or growing upon any occasion whatsoever, nor shall by any ways or means whatsoever, set on fire any of the woods of the said country, or do or cause to be done, any damage, detriment or

destruction to the same, for any use or uses whatsoever, except only for necessary fuel for the ships and inhabitants, and for the building and necessary repairs of houses, ships, boats and train-vats, and of the stages, cook-rooms, beaches and other places, for taking bait and fishing, and for drying, curing and husbanding fish there; and also that no person or persons whatsoever, shall at any time after the said twenty fifth day of March, cast anchor, or do any other matter or thing, to the annoyance or hindering of the hauling of seine in the customary baiting places, or shoot his or their seine or seines within or upon the seine or seines if any other person or persons whatsoever; and also that no person or persons whatsoever, shall at any time after the said twenty fifth day of March, steal, purloin, or take out of the net or nets of any other person or persons whatsoever, lying a drift, or drover for bait by night, nor steal, purloin or take away any bait out of any fishing-boat or boats, or any net or nets belonging to any other person or persons.

And whereas several persons that have been guilt of thefts, robberies, murders and other felonies, upon the Land of Newfoundland, and the islands thereunto adjacent, have many times escaped unpunished, because the trial of such offenders hath heretofore been ordered and adjudged in no other court of justice, but before the Lord High Constable, and Earl Marshal of England for reformation thereof, and for the most speedy and effectual punishment of such offences for the time to come, be it enacted by the authority aforesaid, that all robberies, murders, and felonies, and all other capital crimes whatsoever, which at any time or times after the said Twenty fifth day of March, shall be done and committed in or upon the Land, in Newfoundland, or in any of the islands thereunto belonging, shall and may be enquired or, tried, heard, determined and adjudged in any shire or county of this Kingdom of England, by virtue of the Kings Commission or Commissions of Oyer and Terminer, and goal delivery, or any of them,

according to the Laws of this land used for the punishment of such robberies, murders, felonies, and other capital crimes done and committed within this realm.

And be it further enacted by the authority aforesaid, that the Admirals of and in every port and harbour in Newfoundland, for the time being, be and hereby Authorized and Required, (in order to preserve peace and good government amongst the Seamen and fishermen, as well in their respective harbours as on the shore) to see the rules and orders in this present Act contained, concerning the Regulation of the fishery there duly put in execution; and that each of the said Admirals do yearly keep a Journal of the number of all ships, boats, stages and train-vats, and of all the seamen belonging to and employed in each of their respective harbours, and shall also (at their return to England) deliver a true copy thereof under their hands, to his majesty's most honorable Privy Council.

And be it further enacted by the authority aforesaid, that in case any difference or controversy shall arise in Newfoundland, or the Island thereunto adjoining, between the Masters of fishing-ships and the inhabitants there, or any by-boat-keepers, for or concerning the right and property of fishing-rooms, stages, flakes or any other building or convenience for fishing and curing of fish, in the several harbours or coves, the said differences, disputes and controversies shall be judged and determined by the fishing admirals, in the several harbours and coves; and in case any of the said masters of fishing ships, by-boat-keepers or inhabitants, shall think themselves aggrieved by such judgment or determination, and shall appeal to the Commanders of any of his Majesty's ships of war, appointed as convoys for Newfoundland, the said Commander is hereby Authorized and empowered to determine the same, pursuant to the regulation in this Act.

And to the end, that the inhabitants, fishermen, seamen, and all and every other person and persons residing or being at Newfoundland, or any the said island, or other places, may with

all devotion join in their solemn prayers and Addresses to Almighty God, for the obtaining of his Blessing upon their persons and endeavors, be it hereby enacted that all and every inhabitant of Newfoundland, or the said islands or places adjacent near thereto, shall strictly and decently observe every Lords day, commonly called Sunday; and that none of the said inhabitants (who keep any tavern, alehouse or other public house for Entertainment) shall entertain or sell, vend, utter or dispose of to any fishermen, seamen or other person whatsoever, upon any Lords day of Sunday, any Wine, Beer, Ale, Cider, Strong Waters, or Tobacco, or any other Liquor or Liquors whatsoever.

And whereas by an Act of Parliament made in the Eighth and Ninth years of his Majesties Reign, entitled, An Act for Granting to his Majesty, a further subsidy of Tonnage and Poundage upon Merchandize Imported, for the Term of Two Years and Three Quarters, and an Additional Land Tax for One Year, for Carrying on the War against France; and by another Act made in the Ninth and Tenth Years of his Majesty's reign entitled, An Act for Granting to his Majesty, a further subsidy of Tonnage and Poundage, towards the Raising a Yearly Sum of Seven Hundred Thousand Pounds, for the Service of His Majesty's Household, and other uses therein mentioned, during his Majesty's life, an additional duty of twelve pound on every twenty shillings value of all goods an merchandizes imported (all manner of fish English taken excepted) is granted to his Majesty, his heirs and Successors: and whereas some doubt hat arisen, whether oil, blubber and fins taken and imported by the Company of Merchants of London Trading to Greenland, were not, nor are intended to be Charged, or made liable to the Duty of Twelve Pence for every Twenty Shillings value of good imported, charged in the aforesaid acts, but that the Whale fins, Oil and blubber, Taken and imported, as aforesaid, and also all whale-fins, oil and blubber of English fishing, taken in the seas of Newfoundland, or any of the seas

belonging to any of his Majesty's plantations or colonies, and imported into this Kingdom by any of his Majesty's subjects in English shipping, were, and are hereby declared to be free of the said Duties, as all fish of English taking; the aforesaid Acts, or anything therein contained to the contrary in any wise notwithstanding.

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