

Some Considerations Touching ... By-boats: **James Yonge on the Fisheries Controversy of the 1660s**

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Some Considerations Touching ... By-boats: James Yonge on the Fisheries Controversy of the 1660s

KEITH D. MERCER

INTRODUCTION

IN THE SPRING OF 1663, the West Country ship *Reformation* called at Renew's, a busy fishing harbour on the east coast of Newfoundland's Avalon Peninsula. The master, William Cock, hired a sloop from a local planter and sent his mate and crew to secure beach space for the summer's fishing. His company included James Yonge, a young surgeon from Plymouth, Devon. Yonge returned to the fishery in 1664 but on his third voyage to sea in 1666 was unlucky enough to find himself en route to Boston when the second Anglo-Dutch war broke out. He was captured and spent some time in a Rotterdam prison. Once freed, Yonge arranged with another fishing master, Christopher Martin, to sail again for Newfoundland. In 1669 and again in 1670 Yonge joined the *Marigold*, commanded by Martin, to care for fishing crews in and around St. John's. In 1670, they departed England in a snowstorm, and the passage only got worse as they approached the island, when they spent more than a week crashing through miles of packed ice. "We are in a dangerous case", declared Yonge, "and the worse because our master and his mate were now both drunk". Understandably, the young surgeon was not amused: "I am resolved it shall be the last time I will hazard being frozen to death on the sea". Indeed, this was Yonge's last voyage to Newfoundland. Before establishing himself as a physician and as an important figure in Plymouth, he engaged a tumultuous issue for the fishing industry of his time. As he recalled, "I ... observed what was true of the complaints against boat-keepers, and collected the arguments pro and con, intending to publish them in [their] behalf". His pamphlet, *Considerations Touching By-boats*, appeared in 1671.¹

James Yonge was born on 27 February 1647, the second son of John Yonge (d. 1679), a surgeon and medical practitioner in Plymouth, and his wife Joanna (1618-1700), daughter of Nicholas Blackaller of Sharpham, Devon.² As a child, Yonge received little help or encouragement from his father. Surprisingly, given his later erudition, his formal education consisted only of two years at a local grammar school. At the age of ten he was apprenticed for eight years to Silvester Richmond, surgeon to the naval frigate *Constant Warwick*. When Richmond retired in 1662, Yonge was bound apprentice for another seven years to his own father. The elder Yonge probably sent his son to Newfoundland because he himself had had experience there as a surgeon in the fishery.³ James did very well for himself at Newfoundland. By the end of the 1670 season he had saved enough money to return to Plymouth and open his own medical practice.⁴ In 1671 he married Jane, daughter of Thomas Crampporn of Buckland Monachorum, Devon. His career took off when he became the first surgeon appointed to the naval hospital in Plymouth. In 1674 Yonge became the deputy surgeon-general to the Royal Navy. He achieved considerable distinction within the medical profession, and wrote pamphlets and books on a variety of issues, including several essays in *Transactions of the Royal Society*.⁵ These included the first report on the use of vacuum extraction in obstetrics, a valuable technique, which had only recently been rediscovered. Yonge's career was capped off in 1702 by his election to the Royal Society and to the Royal College of Physicians. Yonge was also prominent in municipal affairs in his home town and was elected mayor in 1694. He died in Plymouth, 25 July 1721, survived by his five children. A memorial still stands in the parish

church of St. Andrew, where he was buried.⁶

The authorship of Yonge's *Considerations Touching By-boats* is not actually admitted in the pamphlet itself. Instead we find: "The impartial pen of an eye-witness both of the designes at home, and the trade abroad." There is, however, no question that Yonge is the author, for he tells us this twice in his journal.⁷ Many readers will already be familiar with this fascinating document, in the edition published by F.N.L. Poynter as *The Journal of James Yonge [1647-1721]: Plymouth Surgeon*. Yonge described conditions in Newfoundland in the 1660s, the fishing process, aspects of its organization, and recorded indispensable data on individual fishermen, planters, bye-boatmen, as well as ships and ports, in a period otherwise poorly documented.⁸ The material in Yonge's pamphlet corresponds well with his journal account of his voyages to Newfoundland. The pamphlet survives in the Harvard University Library and can be accessed in the microfilm series *Early English Books, 1641-1700*.⁹

How *Considerations Touching By-boats* has been so often overlooked is puzzling. It is the first entry in a list of Yonge's own publications that prefaces his journal and Poynter's *Dictionary of Canadian Biography* entry confirms Yonge's authorship.¹⁰ In his *History of Newfoundland*, D.W. Prowse noted Yonge's publication but does not seem to have used the pamphlet itself.¹¹ Only Patrick O'Flaherty has actually used *Considerations Touching By-boats*. In *Old Newfoundland* he cites the pamphlet in his discussion of Yonge and in a brief description of the bye-boat fishery.¹²

At the beginning of the seventeenth century the English-Newfoundland fishery was the exclusive preserve of the migratory crews of what were called "fishing ships". Each spring, they carried equipment and provisions to the island, where they laid their ships up for the summer, while they fished in small boats, each usually manned with three men fishing and two onshore. This was an inshore fishery, meaning that boats fished in harbours or near to the coast. The fish were landed each day, processed by a shore crew, and exposed to the sun and wind for several weeks to produce a lightly salted dry cure.¹³ From late July to September crews would stow their cargoes, prepare their vessels, and carry fish either directly to markets in southern Europe or back to England for re-export or local distribution. By the early decades of the seventeenth century, there were already Dutch and French cargo, or sack ships, at the island, although the so-called "fishing ships" often carried their own cargoes to market.¹⁴ Over the next 70 or 80 years this system was challenged. Never again would ships constitute the sole organizational basis of the Newfoundland industry.

At the beginning of the seventeenth century only the Beothuk and perhaps other mobile indigenous peoples over-wintered on the island, but by the 1660s both England and France had year-round settlements.¹⁵ In the first half of the seventeenth century at least five proprietary colonies were established on the "English Shore".¹⁶ When these official colonies folded, some of the settlers from these ventures stayed to become Newfoundland planters. Their private fishing stations were scattered in the harbours also worked by the traditional fishing ships. This represents the first structural change in the English fishery at Newfoundland. Informal settlement in the 1630s and its expansion in the 1660s significantly altered the trade.¹⁷ Ship fishermen now interacted with year-round residents. Unlike the settlers of the proprietary colonies, these planters were mainly from England's West Country, and probably had experience in the ship fishery.¹⁸ They depended on labour, equipment, and provisions from the same source areas as the ship fishery, and in many cases, they obtained these things from the same merchants. Although planters and migratory crews competed for shore space, it was practical for migratory crews to

cooperate with a local planter. Planters, in turn, depended on ships for supplies, servants, news, and perhaps the marketing of their catch. The growth of settlement was an offshoot of the ship fishery, an internal adaptation made by its merchants and labour force.¹⁹

The seventeenth century also saw the rise of England's sack trade. With the expansion of the ship-based fishery in the first third of the century, the growth of settlement, and the preference of a growing number of merchants to sell their cargoes at the island rather than risk a run to market, there was a need for shipping to carry Newfoundland fish to southern Europe. London merchants may or may not have seized on the opportunity quicker than their West Country counterparts, but until mid-century the Dutch controlled the show. England's protectionist Navigation Acts were aimed squarely at damaging the Dutch carrying trade, which quickly led to war between the two countries. Both London and West Country sacks entered the Newfoundland fishery in significant numbers during the 1660s and 1670s.²⁰ The explosion of the English sack trade at this time was a response to the needs of the fishery. Civil war in the 1640s, three wars with the Dutch in the ensuing decades, and a serious and costly conflict with Spain in the late 1650s created impediments for the ship fishery, which suffered in both scale and total production. Settlement likely grew in response to these constraints on the traditional industry and this innovation was at least partially responsible for the demand for sack ships. Because sack ships handled marketing, they reduced the capital required to enter the fishery to an inshore fishing boat and gear, a development which made resident fisheries possible and facilitated coastal settlement.²¹ The fishery also suffered from what now appears to have been a natural or climatic variations in the cod stocks, hence the poor catch rates and voyages reported for this period.²² In response to this depression, the bye-boat fishery emerged as the last significant innovation and structural change in the English-Newfoundland fishery before the commencement of a mixed fishery on the Grand Banks in the second decade of the eighteenth century.²³ Bye-boat keepers were experienced fishermen who migrated annually to Newfoundland to partake in the summer cod fishery. They usually freighted their crew, gear, and provisions aboard fishing ships, worked one or more boats in the inshore fishery, yet their operations were private, independent of ship captains and the island's planters.

Bye-boats first appear in the historical record in a regulation aimed at ending their existence.²⁴ The Western Charter was a set of rules drawn up to regulate the Newfoundland fishery. It was born out of the customs of the country and had precedence in the rules that John Guy, governor of the first proprietary colony on the island, at Cupids, drew up for his settlers and the fishery in 1611.²⁵ The Western Charter passed in 1634 was re-issued in 1661, with one additional clause:

We do strictly charge, prohibit and forbid all and every the owners of ships, trading in the said Newfoundland fishery that they nor any of them, do carry, transport or permit or suffer any person or persons to be carried or transported in ... their ships to the said Newfoundland other than such as are of his or their own or other ships company ... and are upon the ships hire and employment or such as are to plant and do intend to settle there ...²⁶

Certain West Country mayors were charged with enforcing this regulation, which was aimed at choking off the bye-boat keeper's means of transport to the fishery. Over the next years merchants complained that the new clause did not have the desired effect. They wanted the

charter reinforced, with a stipulation that customs officials should inspect each outgoing ship. In December 1663, the government agreed to reinforce the charter.²⁷ These revisions of the Western Charter indicate that certain West Country interests saw bye-boats as a threat, but these documents tell us very little about the early history of that sector of the fishery. We are not told when and where it arose or even why it was seen as a threat. The risks of undertaking a transatlantic fishery in wartime may have created an incentive for fishermen to prefer small-scale, private operations. The individuals involved were not new to the trade, but their activities represent a shift of capital in a new direction.²⁸

The fishing masters who ran these new operations were known as bye-boat keepers. They migrated from England to Newfoundland each year with their men, provisions, and equipment, but were not employed by the fishing ships or by the planters. At the end of the season most bye-boat crews returned home to the West Country. Their small boat fishing operations mirrored those of the ship fishermen and planters who worked alongside them, along the coast of Newfoundland. Bye-boat keepers usually paid several pounds to ships' masters to carry themselves and their goods, but as Yonge tells us, on occasion several crews came together to freight their own ships. The *Nonesuch* of Dartmouth, for example, appears to have been freighted by 15 boat crews fishing on private account in St. John's in both 1669 and 1670.²⁹ This important point has been overlooked by scholars unfamiliar with *Considerations Touching By-boats*.

Generally, however, bye-boat keepers did not own or operate ships and were essentially small-scale entrepreneurs. They had a certain degree of independence, particularly at Newfoundland, but they could not be completely independent operators. They depended on merchants, moneylenders, fishing ship masters, and sack ship operators to recruit men, finance the voyage, buy provisions and equipment, market their fish, as well as to actually travel to and from Newfoundland. Bye-boat keepers thus depended on the infrastructure of the larger industry. Despite its different modes of production, this was one fishery.

The fishermen who worked as servants for bye-boat keepers were part of a large and transient labour force. Yonge remarked that "those who one season served by-boats, another serve on ships; and most do by a kind of vicissitude or circulation, serve in either successively".³⁰ The reason men could serve ships, bye-boats, or planters equally well was that these modes of fishing shared the same means of production. In fact, mobility between these sectors was not restricted to servants: it was not uncommon for bye-boat keepers to become planters or fishing ship masters to try their hand as bye-boat keepers.³¹ West Country fishermen were part of a "network of fisheries": they had considerable experience both locally and regionally, not only in Newfoundland but in New England and Ireland as well.³² In the words of the Elizabethan historian John Hooker, Devon was "inhabited and replenished with great households and families of seafaring men, which do travel far and near as well in merchandise as in fishing in all places both far and near in deeps and places of the best fishing".³³ The West Country possessed a network of fishermen just as much as it did a "network of fisheries".³⁴

Considerations Touching By-boats does not tell us where bye-boat crews originated from in England or where they fished in Newfoundland. Based on censuses from the 1670s and early 1680s, we can say that ports and parishes in south Devon, the same region that controlled the ship fishery, also dominated the bye-boat fishery. Teignmouth, Dartmouth, and Torbay/Torquay were the home ports of over 90 percent of bye-boat keepers, in 1675 and 1680. Not all crew members hailed from the same place. Some lived in seaside ports while others migrated from

hinterlands up to 50 kilometers inland, congregating in early spring in ports like Dartmouth to prepare for the voyage. From the start bye-boat were most likely to set up St. John's harbour.³⁵ The bulk of these crews fished there, with only a trickle going to adjacent areas, like Bay Bulls or Petty Harbour. Overwhelmingly, bye-boat keepers kept one to three boats and employed five to 15 men; most had two boats and approximately ten men. The bye-boat sector of the fishery started at a small scale: even in the early 1680s there were only about 40 bye-boat keepers employing some 400 men each year. (The attention and criticism this sector received at the time are surprising.) Despite their small numbers, bye-boat keepers were building a foundation of experience. While some bye-boat fishermen might switch to other sectors to take advantage of opportunities, sectoral mobility was much rarer among bye-boat masters than it was among servants. Twenty-one keepers have been identified at least twice in the scattered censuses between 1669 and 1682. Although the bye-boat sector grew slowly, by 1684 it had built up the infrastructure and experience for a subsequent expansion, in the eighteenth century, into the major sector of the British migratory fishery at Newfoundland.³⁶ On the eve of the American Revolutionary War of 1776, the Newfoundland bye-boat fishery comprised over 500 keepers and 6000 men.³⁷

James Yonge tells us a great deal about the organization of the bye-boat fishery. Census data for the 1670s and 1680s suggest that bye-boat keepers were entrepreneurs, who managed separate operations. Yonge, however, refers to shared ownership of bye-boats, among two or three men, who might even join stocks together to work more than one boat. He also makes it clear that these experienced fishermen physically participated in their operations, rather than simply acting as supervisors. He offers the example of one John Beard, part owner of two bye-boats belonging to Robert Martin in St. John's in 1669, and master of one, himself.³⁸ Man/boat ratios for the 1670s and early 1680s, confirm that bye-boat keepers, like the smaller planters, were physically involved in their own operations.³⁹

One of the most intriguing sub-themes of *Considerations Touching By-boats* is Yonge's discussion of wages and shares. Through the seventeenth century, fishing masters in all sectors gradually shifted away from strictly share payment to a combination of both shares and wages.⁴⁰ A number of writers have mistakenly thought that wage payment arose with the bye-boat fishery.⁴¹ Others have confused the issue by claiming that bye-boat crews were only paid wages, or that they were only paid shares.⁴² Recent analysis suggests that it was not feasible in terms of labour discipline or economics for bye-boat keepers to rely on strictly wage remuneration.⁴³ For his part, Yonge emphasized the "interest" fishermen had when they with on bye-boats, which can only refer to share payment. He offers the example of a bye-boat master who earned one share and a supplementary stipend of six pounds.⁴⁴ Some petitioners complained that bye-boat keepers were at an advantage because they could afford to pay servants more than fishing ship merchants, drawing the best men away from ships and into the bye-boats. Yonge suggests that it was not so much wage rates that attracted fishermen to bye-boats, but rather the "interest", that is share, that they had in these operations.⁴⁵ Because they were motivated by "interest", they worked hard and, as Yonge observed, "frequently gain to themselves some what more then by the wages usually given by the merchants, did they act in their imploy".⁴⁶ Yonge thought bye-boats were more efficient than fishing ships, in part due to the attraction the bye-boat sector had for the most experienced and skilled fishermen.⁴⁷

Yonge's contempt for merchants trying to obstruct the bye-boat fishery will strike the reader of his *Considerations* forcibly. His four voyages to Newfoundland afforded him an

excellent opportunity to observe the fishery, its actors, arguments, and abuses. Nor is there reason to suspect bias in his judgments. His home town of Plymouth was one of the leading ports involved in the Newfoundland fishery but Plymouth did not then have a strong commitment to bye-boats.⁴⁸ Yonge was in an ideal position to observe both the bye-boats and the effort to obstruct them. In the years leading up to 1664, several hostile restrictions were attempted on bye-boats, and the years 1669 and 1670 witnessed the most overt and organized efforts at blocking passage of these crews.⁴⁹ Yonge made his Newfoundland voyages in these very periods. His desire for anonymity may have stemmed from the fact that some Plymouth merchants were among the most vocal opponents of bye-boats. He had to live in the same town, and do business with these same people.

Yonge argues that the campaign against bye-boats was misguided and unjust. During the 1660s the ship fishery suffered poor catches and the interruption of war. Discounting these pressures, some merchants targeted the new-style bye-boats as unnecessary and harmful competitors. These merchants argued that bye-boats hurt the fishery, because they employed fewer ships and trained fewer fishermen, than did the ship-based fishery. Moreover, they supposed bye-boat operators to have a stranglehold on the best fishermen, by offering wages and privileges that ship merchants could not afford. Interlopers had also entered the New England fishery, they warned, and it no longer supported a British transatlantic fishery. If history repeated itself in Newfoundland, there would be serious repercussions in the West Country.

Yonge challenged the merit of these arguments. He maintained that the campaign was spurred by envy. In some years ships made poor voyages while the more astute bye-boats did significantly better. Because they could do nothing about the effects of war some merchants wanted to eliminate their competitors. They seem to have believed that bye-boat catches were the reason why ships were not landing more cod. Ships took less fish than they had before the introduction of bye-boats in the late 1650s. Merchants supposed that there was a finite amount of fish and that if new competitors took a significant amount, then it stood to reason that there would be less for ships' crews to take.

Yonge countered other allegations. He did not agree with merchant claims that the bye-boat fishery employed less shipping and men than the ship-based fishery, nor that it failed to train men on the same scale as fishing ships.⁵⁰ Bye-boat keepers freighted ships, he argued, and caught fish and consumed provisions in all ways proportional to fishing ships. It was envy that fuelled the entire campaign, Yonge argued: the ship merchants making criticisms had no interest in solving problems in the industry but simply wanted to eliminate their bye-boat competitors. For him, their arguments were self-serving and dishonest.

Yonge maintained that regardless of their petitions, many merchants were themselves interested in the passenger trade and sometimes even in the bye-boat fishery itself. Perhaps the main reason the ship merchants' campaign of obstruction failed was because bye-boat keepers also generated income for ship owners. The "interlopers" either hired ships for themselves, or more commonly, paid handsomely to freight their equipment, provisions and men onboard the fishing ships. Few merchants were willing to part with such much-needed income. Yonge exhibits a deep skepticism and hostility toward the merchant class. In several places he condemns "merchants" who participated only in the fishery. For him, a true merchant was someone who traded and ran risks abroad -- shipping goods to foreign markets and not merely catching fish and selling it to others.

Although the main value of *Considerations Touching By-boats* rests with its sharp focus,

the pamphlet is full of interesting ancillary details. For instance, Yonge makes clear that the 1660s represented a time of poor catches and failure in the industry – confirming recent conclusions about catch rates in this period, based on other sources.⁵¹ He provides considerable detail about the manipulation of petitions, discusses untimely interference by Royal Navy press gangs, and laments the extent of forest fires. A passage describing the competition among ships for an early arrival in Newfoundland offers a fresh perspective on the customary advantage enjoyed by the first ship's master to enter a harbour and thereby become admiral of that harbour for the season, having first choice of beach space and the right to judge disputes arising over the fishery there.⁵² Yonge tells us that some ships left England so early that they put their crews in danger of freezing to death. This was no real advantage because they were there long before the cod arrived on the coast and the voyage, meanwhile, cost more in victuals. In his journal Yonge had recorded his skepticism about this race: "Those mad Newfoundland men are so greedy of a good place they ventured in strangely".⁵³ Such tactics did not, Yonge thought, make for better voyages.

One of the more important observations made by Yonge concerns restrictions on passengers and how these might affect settlement. Planters had to obtain labour in much the same way as ships or bye-boats. If the restrictions on bye-boats were extended to planters, as Yonge correctly anticipated they would be, then the plantations would fail because without servants they could not participate in the fishery.⁵⁴ Yonge had the foresight to argue that settlement was essential to English sovereignty in Newfoundland. Perhaps he had encountered proposals penned by men like Sir Robert Robinson or William Hinton, early advocates of settlement and government in Newfoundland.⁵⁵ These lobbyists had ulterior motives, namely the governorship itself. Yonge, on the other hand, had no such aspirations.

Frank first-hand observations on seventeenth-century Newfoundland by an informed observer like Yonge are rare.⁵⁶ The early decades of the century saw a modest flurry of promotional literature about settlement prospects. Pamphlets like Richard Whitbourne's *Discourse and Discovery*, published in the 1620s, remain essential sources of primary information on Newfoundland in the period (even if accuracy sometimes takes a back seat to adventure).⁵⁷ There follows a dearth of detailed accounts of Newfoundland until the naval commodores begin making their painstaking reports in the 1670s and 1680s. This material is undoubtedly the most important resource for specialists of the seventeenth century.⁵⁸ Much comment was sparked by the debate over settlement and bye-boats in the 1660s and 1670s, but the factional nature of these debates often coloured petitions to the point that information is distorted.⁵⁹ Other documents shed light on Newfoundland throughout the century, but rarely match the detail and candour about the Newfoundland fishery of Yonge's journal and pamphlet.⁶⁰ Yonge's familiarity with the trade adds to the value of his observations, as does his neutral perspective, especially given the rhetorical distortions generated in the settlement debate. His sharpest impression was of the intensity of labour demanded during the bustle of the fishing season.⁶¹

The document appears below in much the same way it was published. Original spelling has been retained, using modern orthography. Early-modern long *s* is printed here as a standard *s*; the early modern thorn, which resembles a modern *y*, is given here as "th", which was how it was pronounced. Some minor liberties are taken with punctuation to clarify grammar or to break up run-on sentences, but the original wording remains. Spelling is also original, with a few possessives emended with apostrophes. Like many of his contemporaries Yonge used italics and

capitalization frequently. To avoid the confusion these practices create to the modern eye, the use of both have been silently restricted to conform with modern usage. Common contractions have been expanded: &c. to *etc.*, *Ans.* to *Answer*, *Object.* to *Objection*, etc. Explanatory words or phrases have occasionally been added in square brackets, to clarify the meaning of antiquated terms.⁶²

Acknowledgements

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Notes

¹F.N.L. Poynter, ed., *The Journal of James Yonge [1647-1721]: Plymouth Surgeon* (London, 1963), 53-60, 66-68, 89-100, 110-121, 123-136. Quotations: 131-132, and 136. The pamphlet is [James Yonge], *Some Considerations Touching the Present Debate between Owners, etc. and Fishermen, relating to The New-found-land Trade ...* (Oxford, 1671).

²F.N.L. Poynter, "Yonge, James", in David M. Hayne, ed., *Dictionary of Canadian Biography* (DCB) vol. 2 (Toronto, 1969). The original manuscript of Yonge's journal is in the Plymouth Athenaeum; another copy is held by the Yonge family.

³On his voyage in 1664 Yonge tells the story of passing by Spout Cove, a "hollow rock" lying between Petty Harbour and Bay Bulls. "Here my father was cast away, about 20 years since". The ship had crashed into the ragged cliffs at night but the crew was saved by one "nimble fellow" who climbed the rocks and fastened a rope to a tree. Poynter, ed., *Journal of James Yonge*, 67.

⁴Poynter, ed., *Journal of James Yonge*, 148.

⁵Poynter, ed., *Journal of James Yonge*, 25-26. For discussions of Yonge in the context of Newfoundland's early medical history, see Paul O'Neill, "So Sorrowfully Provided For: Early Medicine in Newfoundland", *Newfoundland Quarterly* 94 (2) (2001), 35-41; Patricia O'Brien, "Medicine", in Joseph R. Smallwood and Cyril F. Poole, eds., *Encyclopedia of Newfoundland and Labrador* (ENCNL) (St. John's, 1981-1994), vol. 3, 491-500; J.K. Crellin, "'The aire in Newfoundland is wholesome good': The Medical Landscape of Newfoundland in the Seventeenth Century", *Avalon Chronicles* 4(1999), 1-24, and Crellin "Early Settlements in Newfoundland and the Scourge of Scurvy", *Canadian Bulletin of Medical History* 12 (1-2) (2000), 127-136.

⁶Poynter, "Yonge, James", DCB, II. The Yonge family still lives at Puslinch, Devon, where there is preserved "a fine portrait of James Yonge", reproduced as the frontispiece of *Plymouth Memories* (Plymouth, 1951).

⁷Poynter, ed., *Journal of James Yonge*, 25, 136.

⁸For example, Stephen F. Mills, "The House that Yonge Drew? An Example of Seventeenth-Century Vernacular Housing in Renews", *Avalon Chronicles* 1 (1996), 43-66.

⁹*Early English Books, 1641-1700* (Ann Arbor, 1990). Because Yonge's pamphlet was anonymous, *Early English Books* does not index it under author. It is not indexed by subject under "Newfoundland" but is under "Fish Trade".

¹⁰Poynter, "Yonge, James", in DCB, II. This sketch served as the basis for two other biographies, mentioning the pamphlet: B. Wade Colbourne, "Yonge, James", in Robert H. Cuff, ed., *The Dictionary of Newfoundland and Labrador Biography* (St. John's, 1990), 371; and Allison C. Bates, "Yonge, James", in ENCNL, 5, 642. "Yonge, James", in *The Dictionary of National*

Biography (rep. Oxford, 1993), vol. 21, 1241, also points out that the pamphlet exists. These entries all give the date of publication inaccurately, 1670, likely following Poynter, ed., *Journal of James Yonge*, 25.

¹¹D.W. Prowse, *A History of Newfoundland: From the English, Colonial and Foreign Records* (London, 1895), 171, 667. Prowse's bibliography cites what must be a summary of the pamphlet, "Remarks on Debate on Newfoundland Fishery", which he attributes to *The Western Antiquary: or, Note-book for Devon, Cornwall, and Somerset* 5 (Plymouth, March 1886). There is, however, no mention of Yonge in that issue.

¹²Patrick O'Flaherty, *Old Newfoundland: A History to 1843* (St. John's, 1999), 35-36, 215-216, 266.

¹³The wet fishery was salt-intensive and mostly carried on far offshore. The dry fishery required shore stations, more labour, and less salt. See Peter E. Pope, "Comparisons: Atlantic Canada", in Daniel Vickers, ed., *A Companion to Colonial America* (Malden, MA, 2003), 494.

¹⁴Peter Pope, "Adventures in the Sack Trade: London Merchants in the Canada and Newfoundland Trades, 1627-1648", *Northern Mariner* 6 (1) (1996), 1-19.

¹⁵Charles A. Martijn, "Review Article: *A History and Ethnography of the Beothuk*, by Ingeborg Marshall", *Newfoundland Studies* 12 (2) (1996), 105-131.

¹⁶The English Shore was that stretch of coastline from Trepassey in the south to Bonavista on the northeast coast. Over time and with the erosion of the Spanish and Portuguese fisheries in the late sixteenth century, this stretch of coast became the dominant destination of English fishermen.

¹⁷Peter E. Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill, NC, 2004), 11-44; Gillian T. Cell, *English Enterprise in Newfoundland, 1577-1660* (Toronto, 1969), particularly chapters 4-5; and Cell, ed., *Newfoundland Discovered: English Attempts at Colonization, 1610-1630* (London, 1982), Introduction, 1-59.

¹⁸The West Country counties of Devon and Dorset dominated the English-Newfoundland fishery. On long-term links between the West Country and Newfoundland, see W. Gordon Handcock, *So long as there comes no women: Origins of English Settlement in Newfoundland* (St. John's, 1989).

¹⁹Pope, "Comparisons: Atlantic Canada", 498; cf. Pope, *Fish into Wine*, 55-78.

²⁰Peter E. Pope, "Sack Ships in the Seventeenth-Century Newfoundland Trade", in Olaf Janzen, ed., *Northern Seas Yearbook 1999* (St. John's, 2001), 33-46.

²¹Pope, "Comparisons: Atlantic Canada", 494.

²²Peter E. Pope, "Early Estimates: Assessments of Catches in the Newfoundland Cod Fishery, 1660-1690", in Daniel Vickers, ed., *Marine Resources and Human Societies in the North Atlantic Since 1500* (St. John's, 1997), 7-40. French sources indicate that in addition to climate fluctuation, price levels and wars, "secular shifts in market demand also affected the location and extent of fishing effort". See Pope, "Comparisons: Atlantic Canada", 494.

²³Jean-François Brière, "The French Fishery in North America in the 18th Century", in James E. Candow and Carol Corbin, eds., *How Deep is the Ocean? Historical Essays on Canada's Atlantic Fishery* (Sydney, NS, 1997), 57-58; cf. Peter E. Pope, "Modernization on Hold: the Traditional Character of the Newfoundland Cod Fishery in the Seventeenth Century", *International Journal of Maritime History* 16 (1) (2004), 1-32.

²⁴Unless otherwise specified, the following discussion draws on Keith D. Mercer, "The Rise of the Newfoundland Bye-Boat Fishery, 1660-1684" (forthcoming), a revision of my M.A. thesis

paper (Memorial University of Newfoundland, 2002).

²⁵For Guy's rules, see Prowse, *History of Newfoundland*, 99, no. 2.

²⁶Western Charter, 26 January 1661, in Keith Matthews, ed., *Collection and Commentary on the Constitutional Laws of Seventeenth Century Newfoundland* (St. John's, 1975), 131.

²⁷See "An Order-in-Council Enjoining the Enforcement of the Western Charter", 4 December 1663, in Matthews, *Constitutional Laws*, 143-144.

²⁸Peter Pope describes the planter and bye-boat fisheries of the late seventeenth century as "vernacular developments" which grew as small local initiatives. Pope, *Fish into Wine*, 29-32, and Pope, "Modernization on Hold", 5-6. For historiography, see Keith Matthews, "Historical Fence Building: A Critique of the Historiography of Newfoundland", *Newfoundland Quarterly* 74 (1) (1978), 21-30, rep. *Newfoundland Studies* 17 (2) (2001), 143-165; Olaf Uwe Janzen, "Newfoundland and the International Fishery", in M. Brook Taylor, ed., *Canadian History: A Reader's Guide* (Toronto, 1994), I, 280-324. On nineteenth-century writers, see Patrick O'Flaherty, *The Rock Observed: Studies in the Literature of Newfoundland* (Toronto, 1979), chapter 4.

²⁹Poynter, ed., *Journal of James Yonge*, 119, 134; and Yonge, *Considerations Touching By-boats*, 11.

³⁰Yonge, *Considerations Touching By-boats*, 9.

³¹John Mannion, "Irish Migration and Settlement in Newfoundland: The Formative Phase, 1697-1732", *Newfoundland Studies* 12 (2) (2001), 257-293, recently described bye-boat keepers as "essentially migratory planters", see 260. Cf. Jerry Bannister, *The Rule of the Admirals: Law, Custom, and Naval Government in Newfoundland, 1699-1832* (Toronto, 2003), 9. While this over-simplifies the differences between the two modes, it accurately reflects the size and nature of fishing operations.

³²Todd Gray, "Fishing and the English Need for Exploration", in Iona Bulgin, ed., *Cabot and His World Symposium: Papers and Presentations* (St. John's, 1999), 69-70.

³³William J. Blake, "Hooker's Synopsis Chorographical of Devonshire", *Transactions of the Devonshire Association* 47 (1915), 348, cited in Gray, "Need for Exploration", 70.

³⁴John J. Mannion has described three types of migration to Newfoundland: seasonal, temporary and permanent. See his Introduction, in Mannion, ed., *The Peopling of Newfoundland: Essays in Historical Geography* (St. John's, 1977), 5-12. For another view of permanence and transience in seventeenth-century Newfoundland, see Pope, *Fish into Wine*, 194-254.

³⁵Mercer, "Rise of the Bye-Boat Fishery"; cf. Pope, *Fish into Wine*, 41-43.

³⁶The bye-boat fishery is omitted from John Mannion and Gordon Handcock, "The 17th Century Fishery", in R. Cole Harris and Geoffrey J. Matthews, eds., *The Historical Atlas of Canada*, vol. 1, *From the Beginning to 1800* (Toronto, 1987), Plate 23.

³⁷Mercer, "Rise of the Bye-Boat Fishery".

³⁸Yonge, *Considerations Touching By-boats*, 9-10.

³⁹Mercer, "Rise of the Bye-Boat Fishery". Cf. Pope, *Fish into Wine*, 263-264.

⁴⁰In the ship fishery the traditional right of portage survived as yet another form of remuneration; see Peter E. Pope, "The Practice of Portage in the Early-modern North Atlantic: Introduction to an Issue in Maritime Historical Anthropology", *Journal of the Canadian Historical Association*, new series 6 (1995), 19-41. On payment generally, see Pope, *Fish into Wine*, 161-193, and Pope, "Modernization on Hold", 21-31; for the bye-boat sector, see Mercer, "Rise of the Bye-Boat Fishery".

⁴¹Pope, “Modernization on Hold”, 21, 30.

⁴²For example, Linda A. Parsons, “Bye-Boat Keepers”, in *ENCNL* 1, 305.

⁴³Yonge uses the terms “wages” and “payment” interchangeably. This is confusing, in the sense that his use of wages does not always refer to wages in the modern sense, but to remuneration in general. On this issue, see Pope, *Fish into Wine*, 162-163.

⁴⁴Yonge, *Considerations Touching By-boats*, 11.

⁴⁵Yonge, *Considerations Touching By-boats*, 9.

⁴⁶Yonge, *Considerations Touching By-boats*, 3.

⁴⁷Yonge, *Considerations Touching By-boats*, 11.

⁴⁸Mercer, “Rise of the Bye-Boat Fishery”.

⁴⁹Western Charter, 26 January 1661, in Matthews, *Constitutional Laws*, 131; and “An Order-in-Council Enjoining the Enforcement of the Western Charter”, 4 December 1663, in Matthews, *Constitutional Laws*, 143-144.

⁵⁰At least one convoy captain disagreed with Yonge on the last point, see Francis Wheler, “Observations ... upon the ... Articles of His Majesty’s Charter ...”, 27 October 1684, CO 1/55, 247-248v.

⁵¹Pope, “Early Estimates”.

⁵²Jerry Bannister, “The Fishing Admirals in Eighteenth-Century Newfoundland”, *Newfoundland Studies* 17 (2)(2001), 166-219; Bannister, *Rule of the Admirals*, ch. 2.

⁵³Poynter, ed., *Journal of James Yonge*, 54.

⁵⁴“An Order Concerning the Amendment and Addition of Certain Clauses to the Western Charter”, 10 March 1671, in Matthews, *Constitutional Laws*, 151-157. This is a highly anti-settlement document but perhaps due to the outbreak of the Third Anglo-Dutch War, 1672-1674, was apparently not enforced. See clauses 3-5, 10-12, 15, esp. clause 5, which restricts passage to the ship’s immediate company, potentially blocking not only bye-boat crews (as in 1663) but planters and their servants as well.

⁵⁵Merchants [of London?], “Advantages to the Newfoundland Trade ... of a Governor ...”, December 1667, PRO London, State Papers SP 25/224, 95-97; Anon., “Reasons for the Settlement of Newfoundland...under Government”, 1668[?], CO 1/22, 115-116; [Robert Robinson?], “Reasons for the Speedy settling ... of Newfoundland”, 1668, West Devon Record Office (WDRO), Plymouth, W360/88; and Robert Robinson, “Certaine Arguments or reasons for a settled Government in Newfoundland ...”, 1670, CO 1/25; “Original Deed of Copartnery between William Hinton, First Governor of Newfoundland, his brother James and John Price”, 6 January 1680, Provincial Archives of Newfoundland and Labrador, MG 210. On Hinton see C.M. Rowe, “Hinton, William”, in *DCB* I.

⁵⁶Yonge was well read, despite his lack of formal schooling. In *Considerations Touching By-boats*, he quotes liberally from Latin literature, the Bible, and Francis Bacon’s *Essays*.

⁵⁷See Cell, ed., *Newfoundland Discovered*; David B. Quinn, ed., *New American World: A Documentary History of North America to 1612* (New York, 1979), esp. vol. 4, 1-178.

⁵⁸For example, John Berry, “A list of ships making Fishing voyages; with Boatkeepers ...”, 12 September 1675, CO 1/35, 112-124; and Berry, Letter to Robert Southwell, 12 September 1675, CO 1/35, 133-134.

⁵⁹For more on this debate, see Keith Matthews, “A History of the West of England -- Newfoundland Fishery”, unpub. D.Phil. thesis, Oxford University (1968), chapter 5; C. Grant Head, *Eighteenth Century Newfoundland: A Geographer’s Perspective* (Toronto, 1976), ch. 2,

esp. 35-41.

⁶⁰The St. John's planter John Downing made some acute observations, e.g. "A Breif Narrative concerning Newfoundland", 24 November 1676, British Library, Egerton ms 2395, f.560-563; as did the Welsh naval chaplain John Thomas, see Peter E. Pope, "*A True and Faithful Account: Newfoundland in 1680*", *Newfoundland Studies* 12 (1) (1996), 32-49.

⁶¹Yonge, *Considerations Touching By-boats*, 9.

⁶²Readings are based on J.A. Simpson and E.W. Weiner, eds., *The Oxford English Dictionary (OED)* (2nd Edition, Oxford, 1989).