Newfoundland Studies

"Such a Banditti": Irish Convicts in Newfoundland, 1789. Part I

Bob Reece

Volume 13, Number 1, Spring 1997

URI: https://id.erudit.org/iderudit/nflds13_1art01

See table of contents

Publisher(s)

Faculty of Arts, Memorial University

ISSN

1198-8614 (print)
1715-1430 (digital)

Explore this journal

Cite this article

Reece, B. (1997). "Such a Banditti": Irish Convicts in Newfoundland, 1789. Part I. *Newfoundland Studies*, *13*(1), 1–29.

"Such a Banditti": Irish Convicts in Newfoundland, 1789. Part I

BOB REECE

IN LATE AUGUST 1789, 127 Irish convicts were put ashore at Bay Bulls and Petty Harbour, Newfoundland, by Captain Richard Harrison of the Dublin-owned brig, *Duke of Leinster*. This was the penultimate, and most significant of all in its impact, of nine shipments of Irish convicts to North America and the Caribbean between 1784 and 1789.[1] During this period, the Irish authorities were following earlier British government attempts to re-establish the cheap and convenient system of trans-Atlantic transportation which had been interrupted by the American Revolutionary War in 1775.[2]

In December 1788, an Irish shipment had been landed at pistol and cutlass point on the snow-covered shores of Main a Dieu Harbour, Cape Breton Island, where seven convicts died of cold and many others were frost-bitten before they were rescued by local fishermen and taken to Sydney. Complaints from the authorities there resulted in explicit instructions from Under-Secretary Evan Nepean of Britain's Home Office to the Lord Lieutenant in Dublin not to send any more shipments to North America.[3] Six weeks before these instructions were received by the Marquis of Buckingham at Dublin Castle, however, the *Duke of Leinster* had sailed from Dublin with 113 men and boys and 14 women convicts for a destination which was "said to be Nova Scotia" but was in fact Newfoundland.[4]

It was this voyage, followed by another to the Leeward Islands by the *Duke of Leinster* later that year, that was to bring to an end Ireland's briefly-revived trans-Atlantic convict trade and ensure that from early 1791 Irish convicts were sent instead to Sydney, New South Wales. Together with Captain James Cook's early surveying of Newfoundland and Sir Joseph Banks' sojourn there in the 1760s, the subsequent re-transportation of more than a dozen returned convicts from the

NEWFOUNDLAND STUDIES, 13, 1 (1997)
0823-1737

Duke of Leinster to New South Wales in the *Queen* in April 1791 highlights the early historical links between two far-flung British settlements and the part they played in the late eighteenth century Irish *diaspora*.[5]

In Newfoundland itself, the reaction to the convicts was strongly influenced by earlier experience of the Irish, who were valued for their labour by the fishing masters but whose religious and political loyalties were always a cause of concern for the British authorities. Their arrival was seen to exacerbate the problem of increasing numbers of "masterless men" converging on the main settlements during the winter season and posing a serious threat to law and order at a time of sharp economic down-turn.

The Newfoundland convicts affair was to have wider and more significant reverberations. The problem of their repatriation highlighted not only the anomalous international legal status of the Newfoundland fishery but the sensitive relationship between Dublin and London at a time of heightened Irish nationalism and demands for greater political autonomy. These demands were to be echoed in time by the Irish in Newfoundland and New South Wales.

EMBARKATION

On the morning of 13 June 1789, fourteen prison carts mustered at Dublin's Little Green to convey the convicts from Newgate to the New Wall on the river Liffey for transfer to the awaiting vessel. As "Father" Patrick Fay mounted one of the carts, there was a mild sensation amongst the onlookers when his children "screeched" at the prospect of losing their father. According to the *Freeman's Journal* writer, "Many dropt a tear of pity at this circumstance, and for a moment forgot the crimes of the father at the wretched situation of his offspring."[6]

A defrocked cleric who had subsequently practised as a "couplebeggar" or marriage celebrant in Dublin, Fay had been found guilty on what may well have been a trumped-up forgery charge in order to get him out of the country. Although there is no surviving ship's indent listing the names, ages, crimes and sentences of all those embarked, it seems from a subsequent listing made in Newfoundland that Fay's companions comprised a cross-section of petty criminals from different parts of Ireland but predominantly from Dublin.[7]

For the Dublin newspapers, the most notable feature of the shipment was that it contained "several very young boys."[8]

Accompanied by the sympathetic mob which always gathered on these occasions, the convicts "behaved in a riotous and abandoned manner" as the motley procession of carts rattled through the cobbled streets of north Dublin with a squadron of mounted soldiers and four companies of foot as escort.[9] A number of prisoners were thrown out when one of the carts overturned at the junction of Little Britain-street and Capel-street. Amongst those injured by the spikes on the cart as they were tumbled into the street was Fay himself, who was hurt in the mouth. For

a moment there was some danger of a mass escape, but the vigilant guard quickly restored control.

While they were being taken in lighters down the Liffey to join the *Duke of Leinster* anchored in Dublin Bay, Anthony Molloy escaped by jumping into another boat which had evidently rendezvoused for the purpose. Two brothers named Dwyer also escaped by jumping overboard and getting into a waiting boat.[10] Molloy was sensible enough to lie low for a time after getting away, but the Dwyers "were so daring and fool hardy, that they soon appeared publicly, and were ... apprehended playing skittles in Thomas-street, and safely conveyed to their old quarters."[11] Fortunately for them, the *Duke of Leinster* had already sailed.

From contemporary newspaper accounts, it is clear that Lord Mayor John Rose of Dublin, whose office had traditionally been responsible for the shipping of convicts, was maintaining the old system of deception by which convicts were given certificates of indenture signed by him before their departure. This would enable them to be sold by the captain or local agents as indentured servants in one of the American ports, concealing their criminal backgrounds. It was reported in the Dublin newspapers that Rose had gone on board the *Duke of Leinster* on 8 June for this purpose.[12] As the convicts had not yet been embarked, Rose's subsequent denial was honest enough: the indentures had been signed at Newgate.

Rose's reason for going on board was to check the provisions; he had condemned some barrels of herring which were thrown overboard.[13] According to the *Dublin Chronicle*, the Dublin Castle authorities had recently issued an order "that in future the provisions in every transport vessel shall be narrowly inspected, not only respecting their quantity, but also their quality, and the regulations that compel these, like other vessels bound upon long voyages to make a sufficient provision of victuals, be duly enforced ...."[14] No doubt this was in response to reports of insufficient or inferior rations on some of the earlier transports. Rose was also to arrange the shipping of another 89 convicts on the *Duke of Leinster* to the Leeward Islands in November of that year.

THE VOYAGE

Thanks to a sworn statement made by Richard Robinson, an English seaman who deserted the ship shortly after its arrival at Newfoundland, to official correspondence and newspaper reports, there is a more complete record for this voyage than for any of the other eight shipments.

In May 1789, when the twenty-four year old Robinson signed on at the St. John's Quay counting house of Arthur and George Bryan, the Dublin merchants who owned the *Duke of Leinster* and had contracted with Rose for the voyage, there was still no clear indication of the vessel's destination, "some saying she was bound to Botany Bay, and others that she was bound to Nova Scotia."[15] Captain Richard Harrison told Robinson that they were going to America and would pick up a cargo of flaxseed and lumber there for Dublin in a round voyage that would last five or

six months. Indeed, the amount of water and provisions taken on board suggested to Robinson that the voyage might last from six to nine months rather than the normal two or three months for the trans-Atlantic return run.[16]

The convicts themselves had little idea of their destination, although they no doubt hoped to be landed at an American port. One of them had been alarmed to read in a newspaper in Newgate before embarkation that they were destined for Botany Bay, but had not heard subsequently that the captain was ordered there. The Inspector-General of Prisons, Sir Jeremiah Fitzpatrick, had told another prisoner that "such a voyage would cost the Irish Government One Hundred Pounds p. Man, and that no more convicts would be sent to Botany Bay."[17] For reasons which are not entirely clear, Harrison asked his passengers to call the ship the *Charming Nancy*, after the vessel which had landed Irish convicts at New London, Connecticut, in July 1788. This would indicate that he did not intend landing at any New England ports where the ship's name was already well known to the authorities and where its captain had been threatened with a tarring-and-feathering by the more patriotic American newspapers.[18]

Unlike the other prisoners, well-to-do "Father" Fay was accommodated in a comfortable cabin on the upper deck of the vessel and treated with "uncommon courtesy." Before the ship's departure, it was reported in the Dublin newspapers that he was to be landed at St. Vincent's in the Leeward Islands and that he would subsequently arrange for his children to join him there.

When the *Duke of Leinster* was two days out from Dublin and Wicklow Head was still in sight, a sail was spied. It turned out to be a fishing vessel which came alongside and took off Fay, with the full co-operation of Captain Harrison, who must have been paid to facilitate the rendezvous.[19] Within a day or two, Fay was landed at Whitehaven in England and, according to a subsequent newspaper report, "from thence after a curious and interesting journey, through Great Britain, Germany and the Netherlands, visited Paris during the commotions which preceded the Gallic revolution, and is now established as an eminent cheesemonger in the city of Bordeaux ...."[20] Although he did not subsequently establish a wealthy Hiberno-Gallic dynasty in the style of the celebrated Hennessey family, Patrick Fay must surely be regarded as one of the more colourful Irish entrepreneurs of his time. No doubt he would have prospered as a member of Newfoundland's small Irish merchant community.

TALAMH AN EISC

On 15 July, after a relatively swift voyage of thirty days, the *Duke of Leinster* made land at Cape Spear, the easternmost point of Newfoundland, and entered Bay Bulls on the Avalon peninsula, nineteen miles south of the principal settlement of St. John's.[21] At about eleven o'clock that night, between eighty and ninety of the convicts were put ashore there. Some provisions were given to them by Harrison but these were commandeered by the stronger men. It was during this operation

that Robinson, because of his "dislike to the trade" and his belief that the vessel was returning to Galway in the west of Ireland to await orders for a "Northern Voyage," managed to slip away.[22] Walking fourteen miles north along the rocky coast, he reached St. John's four days later and told his story to the town's magistrates. Early on the morning of 16 July, Harrison had landed the remainder of the convicts at Petty Harbour, ten miles to the north of Bay Bulls, and sailed away. This group was not given any provisions but it would have been easier for them to reach St. John's.

Why Harrison chose south-eastern Newfoundland to rid himself of his convict cargo is not entirely clear. One explanation offered subsequently was that the ship was short of provisions, but this is most unlikely in view of Robinson's account of what had been taken on board in Dublin.[23] Another explanation is that Harrison would have been aware of Bay Bulls as one of the most common destinations of English and Irish "bankers" (schooners) taking Irish workers and provisions to Newfoundland each spring for the fishing season.[24] Furthermore, it was a convenient and unobtrusive place for a ship to anchor safely after making land at what was North America's closest point to Europe.

There were also plenty of precedents for taking convicts to Newfoundland. The landing of small numbers of Irish convicts at Conception Bay and other isolated harbours in Newfoundland by West Country banker captains had evidently become such common practice by 1731 that the then governor, Captain Henry Osborn, made a sharp complaint to the Board of Trade in London in July that year about the evil consequences of bringing over "transported felons instead of Irish servants."[25] A convict had been strongly suspected of the recent murder of a woman and four children at Muskitta [Mosquito], Conception Bay. Although there is no evidence that the practice of landing convicts at Newfoundland was kept up after Osborn's time, Harrison may have heard of it from other captains. He is less likely to have been aware of the suggestion made in 1787 by an ill-informed British critic of the Botany Bay scheme that convicts be used in Newfoundland to cut timber for the Royal Navy.[26] However, a meeting between Dublin's Recorder (Chief Magistrate), Denis George, and Home Secretary Lord Sydney in London in early December 1788 had led to a newspaper report that convicts would be sent to Newfoundland in the fishing fleet the following spring.[27]

If Harrison had any previous experience of Newfoundland, he would have known that Bay Bulls, Ferryland Harbour and the other harbour settlements or "outports" along what was called the "Southern Shore" were inhabited predominantly by Irishmen of the servant class who could be expected to assist the new arrivals. The Newfoundland cod fishery had been employing seasonal Irish labour, mostly from Waterford town and its immediate hinterland, since the early seventeenth century. By the late 1760s, about 5,000 Irish workers were making the crossing from Waterford to Newfoundland each spring, most of them returning in

the autumn of the following year at the end of the fishing season.[28] Waterford and Cork also provided most of the salted provisions for the Newfoundland market.[29]

The island known in Irish as *Talamh an Eisc* (Land of the Fish) had been familiar to many Munstermen since the late seventeenth century when Irish traders carried female servants there as well as goods.[30] The crop failures of the late 1720s and early 1740s badly affected Munster and further stimulated labour emigration to Newfoundland. The fishery was even the subject of a poem written by the celebrated bard, Donnchadh Ruadh MacConmara (Denis "the Red" MacNamara), who made the voyage there from Waterford as a seasonal labourer in about 1750.[31]

As one of its own historians has pointed out, "[Newfoundland] had experienced a longer period of regular contact with Ireland than any other part of North America"[32] and was one of the principal points of entry for Irish migration to America. This may help to explain why, when they were subsequently interviewed by the magistrates at St. John's, two of the convicts from the *Duke of Leinster* insisted that they had not been put ashore against their will. If Harrison deceived them as to their whereabouts, as Captain Stafford of the *Chance* had done in the Bahamas with another group of Irish convicts two years earlier, they made no complaint.

"GREAT DISORDERS"

Left on the beach to fend as best they could, the convicts at Bay Bulls fought amongst themselves during the next few days over the limited provisions that Harrison had left with them. According to a contemporary account, "the strongest beat the weak, and over a cask of rank butter or beef, there was for a time as severe fighting as if a kingdom had been at stake."[33] When the provisions were exhausted, they descended on the little fishing settlement of about five hundred people at Bay Bulls, burning a house and "store" or shop owned by a prosperous English "planter" or fishing master, Richard Hutchings.[34] "I fear much we shall, before the fall is over, share the same fate in St. John's," one of the town's leading residents wrote to a Dublin friend on 6 August when the convicts' presence there was known.[35]

Indeed, within a few days of the main body of convicts reaching St. John's an attempt had been made to set fire to a house in the middle of the town and it was only by prompt action that a disaster was averted. The settlement at that time consisted of two straggling "streets" of about four hundred wooden row-houses and shops huddled together on the wind-swept hillside above the narrow harbour. Nearby were the fishing "flakes" — large elevated wooden racks or platforms for the drying of codfish which constituted the island's only industry. All would certainly have been destroyed if the fire had taken hold.[36] Two men, probably convicts, were held on suspicion of setting the fire and a large reward was offered for information, but nothing could be proved.[37] The same correspondent told his Dublin friend that he hoped the master of the ship would be punished on account

of "the colony [of criminals] he has planted in the most industrious part of his Majesty's dominions."[38]

After Robinson had revealed the origins of the voyage to the St. John's magistrates on 20 July and made a deposition before the Vice-Admiralty Court the following day, the news that the arrivals were convicts went quickly around the town. No doubt their presence was also linked with a rash of petty thefts which had commenced a few days earlier and resulted in the arrest of a convict in the first week of August. "Fearing if they are permitted to range at large it may endanger our Property and be the means of disturbing the peace of the District," thirteen merchants and other leading citizens of St. John's (including the prominent Irish merchant, John Gleeson) petitioned the town's magistrates on 22 July to "cause their immediate Confinement under a proper Guard" until the arrival from England of the new governor. Vice-Admiral Sir Mark Milbanke was due to take up his first two months tour of duty in early September.[39] Although Robinson had performed a useful service to the community, the unlucky seaman was arrested as a deserter and thrown into gaol until Milbanke could decide what to do with him.

Sixty-three male convicts were duly rounded up by the magistrates and further details of their origins and the voyage were obtained from an interrogation of two of them. James McGuire was a twenty-five year old labourer from Enniskillen, co. Fermanagh, who had been transported for seven years for "keeping forcible Possession of a House and Land." Matthew Dempsey was a twenty-one year old ribbon-weaver, born in either Queen's or King's co. ("does not know which," the magistrates recorded) but long settled in Dublin's Liberties district. He had been sentenced to death at co. Dublin's Kilmainham assizes after being convicted of "forging a note to obtain a pair of Silver Buckles from a Pawn Broker" but this had been commuted to transportation.[40]

THE WINTER HOUSE

Faced with the novel problem of dealing with the convicts, many of whom were seriously ill, the magistrates of St. John's decided to confine them in the merchant James Winter's large summer house on his "plantation" or estate. This building, which had been previously used as a hospital, was located on "the Barrens," the wind-swept hills a mile inland from St. John's. Anxious about the security of their property, which was so vulnerable to arson, the merchants and planters of the town subscribed money to help meet the cost of feeding the convicts until Milbanke decided what to do with them. At the same time, they managed to have a military guard posted at the house to prevent any attempt at escape.

Although no account of this time was recorded by any of the convicts themselves, there is a contemporary description of their incarceration at the Winter House which suggests the way they were seen by respectable townspeople:

> here the Irish howl was nightly sung in full chorus and the sentinels were frequently affrighted with the noise while on their posts. A bottle or two every half hour kept them festive all day, and when the provisions supplied to them were lessening, they broke away and laid hold of everything that was eatable, without inquiry whether it had an owner ....[41]

When the funds were used up after ten days, the merchants petitioned the garrison commander and Lieut.-Governor, Major James Elford, to supply the prisoners with rations from the garrison stores, promising to reimburse government for the cost.[42] This action was also brought on by a threatened "mutiny" by the convicts who had already caused considerable damage to the house. Thanks to the condemning of some of the garrison's stores six weeks earlier, Elford was able to authorise their transfer to the gaoler for the convicts' use.[43]

As by no means all of the convicts had been rounded up, there was need for vigilance against those who were still "walking about" in the town. The solution resorted to by the property-owners of St. John's was to appoint six-man patrols led by a constable and a householder who stayed out from ten o'clock at night checking the two "paths" or streets until the cannon at Fort Townshend on the hill overlooking the town signalled the dawn.[44] According to a letter from a resident in late August to Benjamin Lester, a prominent Poole merchant and Westminster M.P. with extensive fishing interests in Newfoundland, even this precaution was insufficient to deal with the twelve women convicts, "more abandoned than you can conceive of ...," who had been "suffer'd to remain at Large."[45] Newfoundland had always been a predominantly male society and unattached women were in keen demand.

"THE GAOL DISORDER"

One of the further problems posed by the Irish convicts was "the Gaol Disorder," most probably typhus, which they had brought with them from Newgate. Indeed, their "much diseased" appearance had been one of the reasons for their speedy confinement by the magistrates, Lester's correspondent describing the illness as "a kind of Spotted putrid Fever."[46] Despite the precautions, it was soon contracted by the military guards and many of the townspeople of St. John's, causing at least two hundred deaths within its population of about 2,500 and probably many others at Bay Bulls and other outports.[47] One of the first victims at St. John's was the gaoler himself.

According to Fr James Louis O Donel, the Catholic priest at St. John's, the epidemic was the last straw in what had been a very difficult period for the settlement. Writing to his friend John Troy, Archbishop of Dublin, on Christmas Eve 1789, he lamented:

> This is the worse [sic] year ever remembered in this country; the low price of fish, together with the great reductions of the servants [sic] wages brought the inhabitants to extreme poverty & to increase this misery we've had a most malignant jail fever

> imported to us by some unhappy convicts landed here from your city, of which no less than 200 people already died in this Harbour which is as yet an intire [sic] Hospital. I've the Lord be blessed escaped it tho' [it is] of a most infectious & dangerous nature.[48]

Another indication of the high mortality was that the Anglican chaplain at St. John's, the Rev. Walter Price, had officiated at the burials of no less than 102 people by mid-November, including that of his own son.[49] As the carriers of the disease, the convicts themselves seem to have been relatively immune to it and only one death was recorded from their number, John Keeley of Cavan on 13 August.[50]

"THE MOST OUTRAGEOUS SET OF PEOPLE THAT EVER LIVED"

In addition to the immediate threat they posed to property and life, another reason for the hostile response to the convicts from the *Duke of Leinster* was the danger they were seen to offer to peace and good order. Irish immigrant workers in Newfoundland had been regarded as a problem by the local authorities long before the arrival of the *Duke of Leinster*. As early as 1705 when England was at war with France, the resident English naval officer at St. John's warned "of the Irish resideing in this Country for they by our daily Experience have proved detrimental to the Governmt. here ffor when the Enemy makes any Incursion upon us they doe take up armes and informe our Enemy. And prove very treacherous and our greatest Enemy."[51] When St. John's was taken by the French in 1714, the loss was attributed to Irish Catholic deserters.[52]

During the 1740s there were frequent complaints from English officials about the loyalty of the Irish Catholics, particularly in the "outports" (harbour settlements) along the Southern Shore where Irish workers were in a clear majority. In 1749, for example, Governor Rodney reported to London that the Irish Catholics were "most notoriously disaffected to the Government."[53] And in a comprehensive account published in 1765, Capt. Griffith Williams, a Welsh military officer who had been posted at St. John's, wrote that after the British garrison had been withdrawn in 1762, "they became the most outrageous Set of People that ever lived; ...."[54] Furthermore, during the brief time that the French held the island, "the Merchants and Inhabitants suffered more cruelties from the Irish Roman Catholics, than they did from the declared Enemy ...."[55]

About 700 Irishmen were reported by Sir Joseph Banks to have served with the French during their brief seizure of Newfoundland in 1762 and Williams held them largely responsible for the success of the French.[56] The murder of the Chief Justice to which Williams referred in his account was probably the robbery and killing of William Keen, one of St. John's leading merchants, by Catholic Irish in 1753. Williams advised accordingly that "none but the Inhabitants of Great Britain, Newfoundland, with Jersey and Guernsey, (being Protestants) should have the Privilege of being possessed of any Fish Rooms, or Plantations in the Island of

Newfoundland." "The Irish Roman Catholics," he warned, "are useful as Servants, but very dangerous in that Part of the World, when in Power."[57]

Political loyalty was a vital issue during these decades when the British and the French were battling for control of North America and the West Indies. This explains the new set of regulations issued on 31 October 1764, after the British re-occupation of Newfoundland under Governor Palliser, for "the better ... preserving the peace, preventing robberies, tumulteous [sic] assemblies and other disorders of wicked and idle people roaming in the country during the winter ...."[58] The restrictions were clearly aimed at stemming the flow of Irish immigrant workers and preventing them from spending the winter on the island.

A repressive policy towards Catholic Irish had already been practised under governors Bonfoy and Dorrill, largely in the guise of restricting permanent settlement. In 1755, Dorrill even authorised an unsuccessful search for an Irish Augustinian priest at Conception Bay, resulting in the burning of a building where Mass had been said and the fining of Catholics who had attended.[59] However, the Poole and Dartmouth merchants who financed and controlled most of the Newfoundland cod industry told the Board of Trade in London in 1764 that the behaviour of Catholics "has given no cause to apprehend any Danger to the well affected to His Majesty's Person & Government residing there."[60] They knew very well that the industry was entirely dependent on seasonal Irish workers whom they preferred to English because of their steadiness and capacity for hard work.[61]

Although they had previously supported the French, the Newfoundland Irish did not side openly with the American colonies during the Revolutionary War and this may have been in response to the more liberal attitude adopted towards Roman Catholicism by the British governors of the island from the late 1770s.[62] Religious toleration became official policy in Newfoundland in 1783 during the governorship of Vice-Admiral John Campbell and the first Roman Catholic priest, Fr James Louis O Donel, arrived at St. John's in July 1784. A well-educated and cosmopolitan man who was appointed by the Vatican as Prefect Apostolic of what was to become the separate ecclesiastical territory of Newfoundland, O Donel also had a good knowledge of the Irish language. This was essential as the majority of his parishioners were Waterford men who could speak little else. Court hearings in Newfoundland in the 1780s frequently necessitated the employment of an interpreter.[63]

In the outport communities where the Irish were in the majority, the maintenance of official authority was sometimes a problem. Writing from Bonavista to the Governor, Rear-Admiral John Elliot, in September 1786, magistrate Langdon begged for assistance in maintaining good order in his community of more than 3,000, "mostly a low Class of People and so difficult to be governed that I am often in danger of violence from them."[64] He had recently put a man in the stocks for petty theft, only for him to be released by forty or fifty others who sent word to Langdon that it was fortunate he had not fallen in their way. The uncertain basis of

the judicial system in Newfoundland also meant that some crimes could be committed with impunity.[65]

PRINCE WILLIAM HENRY

In August 1786 there was an incident at St. John's itself which illustrated the occasionally turbulent behaviour not only of the Irish workers but of the youngest scion of the Royal House of Hanover. During his visit to Newfoundland as commander of H.M.S. *Pegasus* from late July until September 1786, Prince William Henry, Duke of Clarence and England's future King William IV, took his turn as "surrogate" or deputy judge of the Court of Vice-Admiralty as was customary for naval officers posted to the Newfoundland Station.[66] When a disturbance broke out in the town on 6 August, the firm-handed Clarence took prompt action. In a letter to his father, King George III, he gave what was probably a tactfully edited account of his forceful response:

> The next day, as it was a Sunday, the Irish servants came in from fishing, & after having got drunk they assembled to the number of 300 before where the magistrate lives and abused him grossly, upon his going out to disperse them. They attempted to break the constables' staves and threw large pieces of rock and stones at the civil officers. The magistrates immediately came on board to acquaint me of the riot. I then went on shore with the boat manned & armed & the marines: upon our landing they dispersed & I pursued them over the beach till the ringleader was apprehended: I then called a Court, and sentenced him to receive a hundred lashes, which punishment was immediately inflicted with the utmost severity.[67]

This, together with his examination of another man from an outlying harbour settlement the next day for "a multiplicity of crimes [too] shocking to mention," moved Clarence to assemble all the inhabitants of St. John's to swear an oath of allegiance to the British Crown.[68]

THE FERRYLAND "RIOTS"

During the winters of 1788 and 1789, unemployed young Irish workers, many of them "masterless men" who had been laid off by their employers before the end of the normal eighteen months engagement period, converged on St. John's and Ferryland Harbour further south to find employment as "dieters," an arrangement by which they worked for the fishing masters without wages for their board and lodging. Those unable to find even this basic form of support had to beg for their sustenance. It was probably for this reason that in June 1788 the St. John's magistrates had ordered the repatriation to Waterford of William Condron and Elinor Connery in the brig *Ann and Francis*. According to Thomas D'Ewes Coke, the controller of customs and principal magistrate of the town, Condron was "an incorrigible Rogue and Vagrant." For her part, Elinor Connery had been convicted

of being "a lewd disorderly Woman and a Common Prostitute having had a Child and left it exposed to the open Air upon a Common Wharf ...."[69]

The problem with repatriation, however, was that Ireland's executive government was not disposed to accept the legality of actions taken by Newfoundland magistrates and — more importantly — to meet the costs involved. Complaining to Lord Sydney that the magistrates had signed warrants of banishment for Condron and Connery to Ireland, Lord Lieutenant Buckingham requested him in July 1788 to "take such Measures as may appear ... best calculated to Put a Stop to a Practice of this Nature, the illegality and inexpedience [sic] of which are sufficiently obvious."[70]

During the autumn of 1788, fighting between rival groups of Leinstermen and Munstermen had broken out in the predominantly Irish Catholic outport of Ferryland Harbour. Violent factional disputes of sometimes ancient lineage were an all too common feature of late eighteenth century Irish life.[71] Brought to Newfoundland together with the vigorous game of hurling, they made an explosive combination at what seems to have been an annual gathering of the fishery workers. The Surrogate Court at Ferryland had fined more than one hundred of those involved in the September "riots," repatriating six and banishing another twelve who escaped prosecution.[72] Governor Elliot subsequently agreed to build a gaol and a court house there to help the local magistrates maintain order.

The conflict at Ferryland Harbour between the Leinster and Munster "boys" had gained further momentum from a bitter dispute between O Donel and a maverick Irish priest at Ferryland, Fr Patrick Power, over the ecclesiastical jurisdiction of the Southern Shore[73]. While O Donel was a Tipperary man, Power was from Kilkenny. Believing their personal dispute to be the fundamental cause of the riots, Governor Elliot admonished O Donel while the Ferryland magistrates admonished Power. Writing to them in late October 1788 about the two priests, Elliot reassured the magistrates that "their diabolical proceedings will be not suffered to pass unnoticed or with impunity ...."[74] This was a milder response than had come from the surrogate judge, Captain Edward Pellew, who "denounced Pope, Popery & Priestcraft" from the bench and called on the governor to banish both men.[75]

Strenuously rejecting the accusation that he had been responsible for the disturbances, O Donel told Elliot:

> As for the riots in Ferryland they coud [sic] by no means proceed from the disagreement between this clergyman & me, as there have been riots there & in every quarter of the Island those [sic] 40 years past & often brought to an higher pitch than they have been this winter, for there is a deep-rooted malice in the hearts of the lower class of Irishmen from the great abuse & horrid mangling they have received from time to time in those Provincial Quarrels. These quarrels partly originated from drinking & idleness but chiefly for the want of [religious] instruction, of which they were then debarr'd by the laws, which were so rigorously executed in this Island as to burn the very House in which a few clergymen lurked or even said their prayers.[76]

Indeed, O Donel claimed that he had done everything possible to discourage members of his flock from pursuing old factional disputes and from attending the hurling matches at Ferryland that year "which were generally productive of the riots."[77] Insisting that the presence of priests had actually dampened down the conflict, he claimed that the "Seneschals of sedition, if there be any, could be rather found among the envious merchants of Ferryland than among the Popish priests as the voice of prejudice now runs."[78] It was certainly true that until the establishment of the Catholic mission, the West Country captains and the merchants and fishing masters who controlled the magistracy exercised an unbridled authority over their Irish servants and that this was often abused.[79]

"SUCH A BANDITTI"

When Vice-Admiral Milbanke arrived at St. John's on board H.M.S. *Salisbury* on 4 September 1789 he was informed about the arrival of the Irish convicts from the *Duke of Leinster* and promptly wrote to the town's magistrates expressing his warm support for their action:

> I am to acquaint you that altho' there does not appear to be any charge made against them, so as to authorize their being committed to Prison, yet, as the safety of the Place was at stake I think you acted very prudently in complying with the desire of the Inhabitants and thereby prevented many irregularities in the Fishery, which would have been the consequence of suffering such a Banditti to go at large about the Island. It now remains to be considered where they are to be sent to and what more is necessary to be adopted for defraying the Expence [sic] of conveying them from hence.[80]

Milbanke proposed to the magistrates that they should call a public meeting to decide the best means of raising a levy to pay for the repatriation of the convicts, the basic principle being that St. John's should meet half the cost and that the remainder be shared "by the rest of the Island."[81] Following the meeting's recommendations, he issued an order that the owners of every merchant ship and banker should pay 10/-, every four-man fishing shallop 4/-, every skiff 2/- and every inhabitant 3/-.[82] Unaware of the problems that might arise from enforcing the collection of tax in a community which as yet possessed no form of constitutional representation, Milbanke blithely told the hapless magistrates that they could "distress" or confiscate goods or property to the appropriate value from any person who refused to pay. This, he assured them, could be done under the authority of a British Act (17 George II, c. 5, sec. 2) which obliged local communities to bear the cost of removing vagrants.[83] Not surprisingly, this unprecedented and almost certainly illegal form of voluntary taxation was highly unpopular and Milbanke was to experience great trouble enforcing it. Although it did not result in a "no taxation without representation" agitation, the issue no doubt contributed to the subsequent clarification of the island's anomalous constitutional and judicial status.[84]

"THE BEST SHOPLIFTER IN IRELAND"

On Milbanke's direction, a list was made by the magistrates on 7 September of the 63 male convicts then being held at the Winter house, including their age and place of origin and in some instances the nature of their crime and sentence.[85] Ten or eleven more who were brought in later from Bay Bulls were not included. Of those listed, 22 were from Dublin, one was from Belfast and one from Cork while the others represented almost all the other counties of Ireland. Most were in their early twenties.

Although their offenses and sentences were not recorded in every instance, it is clear that the majority were petty thieves or robbers who had been sentenced to seven years' transportation. John O Neal, 20, of Dublin, who headed the list was described (no doubt from his own proud boast) as "the best Shoplifter in Ireland," and had been transported for seven years for "Stealing Waistcoats." More seriously, James Myler, 20, of Donaghadee, co. Down and Dennis Newenham, 19, of Dublin had been sentenced to death at Dublin's Quarter Sessions in October 1788 for "having assaulted Henry Jolly, at Stephen's Green, and taking from him a silver watch, value 3£."[86] John Keough, 22, also of Dublin, was described as "A famous Porter Stealer but does not know for what he was Tried." Patrick Leonard, 40, of co. Westmeath had been involved in a daring conspiracy hatched in Newgate with one of the guards to rob the State Treasury in Dublin's lower Castle-yard.[87] Three men had been convicted of coining, two of swindling, three of burglary and one of highway robbery. Only two had committed the distinctively rural offence of animal-stealing. Francis Lacey, 41, of Castle Dermot, co. Kildare, had been convicted of stealing a sheep and John Byrne, 22, of co. Dublin had stolen a cow. Thomas McDermot, 20 of Edgerstown, co. Longford, had stolen a pound of tobacco.

One of the twelve or more who, after many vicissitudes, were to find themselves transported to New South Wales eighteen months later was Michael Delaney, 22, "a most notorious offender" from Ballymore Eustace, co. Wicklow. He had been originally convicted and sentenced to seven years' transportation at the Commission of Oyer and Terminer in Dublin in October 1788 for obtaining a silver watch under false pretences from Frederick May, watchmaker, of Capel-street.[88]

The most serious offender was Cornelius Brosnahan, 23, of Tralee, co. Kerry, who had been found guilty of murder and sentenced to death "but from some Error in the Trial changed to Transportation." At the other end of the scale were John Coyle, 21, of Dublin, Samuel Ellis, 18 of co. Carlow and Daniel McAleese, 20, of Belfast who appear to have been transported under the Vagabonds Act as vagrants. William Gibbeons, 22, of Dublin had been accused of attempting to break into a house but was ordered to be flogged and transported "for want of Bail." Amongst the others were two thirteen year old boys and two fourteen year olds. Of these, the only one whose offence was recorded was John Farrell of Dublin who had been convicted "For Theft." As the twelve women had been allowed to remain at large

in the town, their names and offenses were not recorded in this document. However, six of them were listed amongst the eighty finally returned to England in late November that year.[89]

In the meantime, security at the improvised prison on the Barrens proved difficult to maintain. The first to escape on 22 August before Milbanke's arrival were John O Neal and young John Farrell. O Neal was recaptured but Farrell, who may have found a place for himself with a sympathetic fishing master, disappeared henceforth from the official record.

"CRUISING"

Before Milbanke's arrival, the magistrates of St. John's had instituted a system whereby sick convicts could obtain a written pass permitting them to stay in the town. However, the experiment went badly wrong when one of the first beneficiaries returned to his old habits. James Reily, 28, linen bleacher of Cootehill, co. Cavan, had been sentenced to death for highway robbery, subsequently commuted to transportation. On 18 July he stole a leather case of medical instruments from the shop of surgeon John MacCurdy of St. John's in the belief that it contained money and valuables. Then on 4 August he stole a shirt left drying on a garden fence by an Irish washerwoman and used it to pay for his night's lodging at a boarding-house kept by a certain Margaret Welsh. Unfortunately for him, the shirt's owner was the Clerk of the Peace at St. John's, William Easton. The same night Reily smashed a window of the house of the Rev. Walter Price and stole a table cloth and an unfinished linen shirt. The Prices had helped him when he was ill and had even given him dinner some nights earlier. He also broke into the house of William Humphrey, the government store-keeper, and stole his hat and great-coat.

Suspecting that Reily was responsible for the burglaries, news of which must have spread quickly in the small community, his landlady searched his room the next morning and found the table cloth in his bed. According to the evidence she later gave in court,

> He fell down upon his knees, and told her that a woman had given it to him, but that he would not tell her name ... That in that posture he lifted up his Hands and said "my dear Mrs Welsh, my dear Christianable woman, my Life is in your Hands, my dear Mrs for God's! sake spare my life."

A further search of the room by Welsh and her husband revealed the other items which had been stolen, including MacCurdy's razor.

Brought before the magistrates at specially-summoned assizes on 30 September, Reily was tried on two charges of Grand Larceny. His defence was that two other convicts, Daniel McAleese and Patrick Leonard, had come to his room at the lodging house and threatened to "blow his brains out" if he did not conceal the stolen articles for them. Another convict, the former escapee John O Neal who was sharing a room with McAleese and Leonard at the Winter house, testified that the two men had indeed gone on a "cruise" of the town that night but had returned

saying they "had done no Good, meaning that their Cruise had been unsuccessfull [sic]."[90] Found guilty on both charges, Reily was sentenced to be "Burnt in the Hand with a hot iron having upon it the Figure of the letter T ..." and to be "dismissed." The normal penalty for larceny of this kind was death but as most of the offenses had taken place over a twenty-four hour period, the magistrates decided to be merciful.[91]

"EVERY MEANS IN MY POWER"

When Milbanke learnt on 13 September that one of the convicts held at the Winter house had been allowed to "go into the Town upon leave," he immediately issued an order that "none of the convicts for the future, be upon any pretence whatsoever permitted to go out of the Charge of the Centinels [sic] appointed to take care of them."[92] In spite of this precaution, six more convicts escaped a month later and not all of them were recovered.[93] The Governor subsequently directed that the officer responsible for the guard at the time should be court-martialled for negligence.[94]

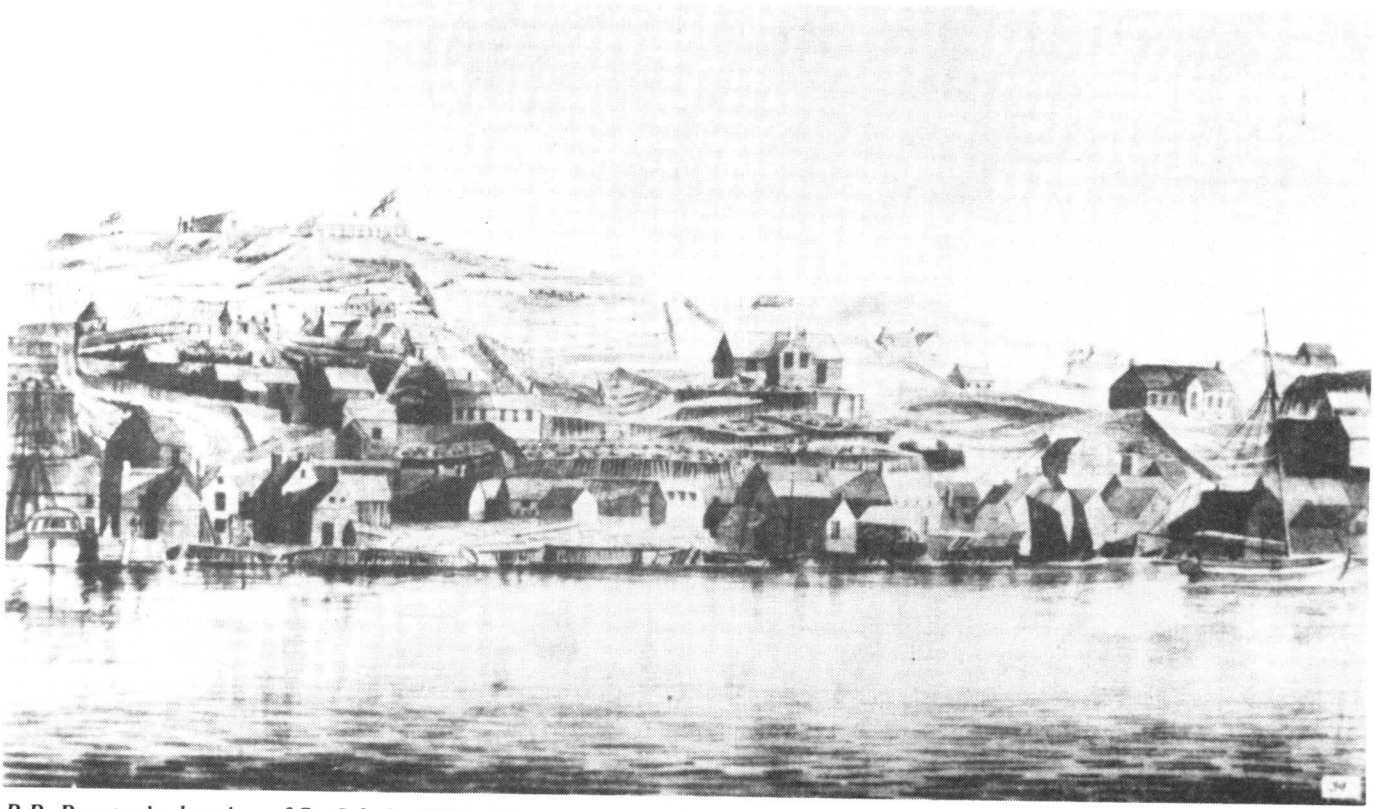
Writing to the newly-appointed Home Secretary, William Grenville, on 20 September to report on the convicts, Milbanke described their impact on what he said had been a flourishing and peaceful settlement:

> Till those wretches came into the Country, open and professed Villainy, it seems, was little known amongst the lower order of people engaged in the Fishery, but since their arrival, very frequent punishments have taken place for petty crimes (not very common heretofore) and I am afraid, unless the greatest precautions are taken to prevent it, the Spirit of thieving will soon find too good root in the Island to be eradicated (if at all possible) without much difficulty. This [,] joined to the consequences to be dreaded from a fever, which was rife amongst them when they first came to St. John's (but is now subsided) has determined me to use every means in my power to get them sent away.[95]

Anticipating that it might well meet with disapproval in London, he nevertheless announced his intention of carrying out the principal merchants' plan of sending the convicts back to Spithead "to wait the Commands of His Majesty's Ministers."[96]

In his despatch to Grenville, Milbanke painted a somewhat rosy picture of Newfoundland's rough-and-ready frontier society, about which he would learn a good deal more in the next two months. After some years of rapid growth in the fishing industry after the end of the American war, which had boosted the total resident population of the island to almost 20,000[97], 1788 had seen a dramatic increase in the catch of cod but a decline in the price that it could bring.[98] By early 1789 the island's highly vulnerable economy was sliding into the doldrums and there was an excess of workers, the great majority of them originating from Waterford.[99]

As the winter of 1789 approached, the numbers of would-be dieters in St. John's increased to such an extent that they were becoming a serious nuisance. On



R.P. Brenton's drawing of St. John's, 1798. (Photo courtesy of the Centre for Newfoundland Studies, Memorial University of Newfoundland, St. John's.)

17 September, Milbanke wrote to Capt. Walter Rose of the military garrison at Fort Townshend:

> In addition to the Irish Convicts, there are so many Idle persons now about this Town, that it is becoming absolutely necessary for the safety of the Fishery, to take some steps for their removal ... and that those that have been brought hither, by Persons engaged in the Fishery, and left without Masters during the Summer, should be carried back again to the country from which they came (or at any rate taken off from the Island) by the same persons ... .[100]

Four days earlier, the governor had issued a proclamation warning seamen or fishermen intending to come to St. John's for the winter, that they would be "punished as Vagrants and sent back to the places whence they came by the earliest opportunity that offers."[101] After his departure for England on 31 October, the town's magistrates duly ordered the repatriation of a number of Irish, once again expecting the cost of their passages to be met by the Irish government.

While Captain Edward Pellew who prosecuted the Ferryland rioters had been influenced against O Donel, Governor Elliot seems to have accepted the priest's defence. However, Governor Milbanke shared the minority Protestant Establishment's anxiety about the loyalty of the Irish at Ferryland and the other harbour settlements and his attitude to O Donel was even more hostile than that of his predecessor. He not only refused O Donel permission to build a Catholic chapel at Ferryland but indicated that he would place the two existing chapels at St. John's and Placentia "under particular restrictions."[102] He also asked the Rev. Richard Harris, who had just been posted to Placentia by the Society for the Propagation of the Gospel, to make a confidential report to him "on the exact situation of the Romish Church at that Place, withholding nothing ...."[103]

THE *ELIZABETH AND CLARE*

Determined to "get the Convicts away in the best manner I can, for at all events such a Banditti cannot be suffer'd to remain here during the Winter,"[104] Milbanke advertised on 17 September for a ship to take "between sixty and eighty" convicts back to England. He stipulated that each was to be supplied with 3 1/2 pounds of bread, 2 pounds of flour, 3 pounds of pork, 3 pints of pease, half a pound of butter and 7 gallons of water per week.[105] It is unlikely that many captains would have been enthusiastic about the prospect of taking on board such a potentially troublesome cargo and it must have been a relief for Milbanke when for a cost of £400 he managed to charter the 114 ton Teignmouth-registered brigantine, *Elizabeth and Clare*, commanded by an experienced West Country captain, Robert Coyshe. At £5 per head with rations provided, this was the normal rate for a trans-Atlantic passage.

Anxious about the security of the convicts on board the vessel, Milbanke commissioned a local blacksmith to make sets of shackles. However, he was also concerned about their well-being on the voyage, ordering the barracks master at

Fort Townshend to supply them with forty beds, bolsters, blankets and coverlets previously used by the garrison.[106] In addition, "as the Convicts were in a wretched state and daily falling sick for want of Cloathing which some of them were almost destitute of at the time of their landing," he directed Captain Domett of H.M.S. *Salisbury* to issue each of them with "navy slops," consisting of a shirt, frock (jacket), trousers, shoes and stockings.[107] These were promptly bartered for rum and by the end of the voyage most of the convicts were reported as being half-naked with only biscuit-bags for clothing.[108]

In his letter of instructions to Coyshe, Milbanke told him to make the best of his way to Spithead where he was to inform Grenville of the ship's arrival and await further instructions. He was to be "particularly careful of the ... Convicts during the time they shall remain on board the Brig and to let nothing be wanting on your part to carry them safe to the Port of Destination ...."[109] By stipulating Spithead, Milbanke obviously had in mind that Grenville would arrange their transportation from there to New South Wales. Portsmouth had been the gathering place in May 1787 for the First Fleet of convict transports bound for Botany Bay and Milbanke was possibly aware of plans for the Second Fleet to assemble there in early 1790.[110]

In the meantime, the governor was experiencing great difficulty in collecting subscriptions from the harbour-based fishing communities towards the cost of removing the convicts. By 7 October no payments had been made to the Treasurer, Aaron Graham, and the magistrates at Ferryland and Harbour Grace had written seeking permission to raise the money in a way more agreeable to themselves. In his response to the Harbour Grace magistrates, Milbanke expressed some of the frustration he felt about an affair which had occupied most of his time and energy since his arrival:

> I beg you will assure the Gentlemen of [your] District that as I have nothing more at heart than the public good, I cannot but be pleased with this instance of their readiness to assist, in a Matter, which altho' not so much mine, as it is the business of almost every other person in the Island, yet has given me infinite trouble, and uneasiness.[111]

When the merchants of the only predominantly Protestant outport of Harbour Grace subsequently sent him the £90 which they had raised, Milbanke was quick to thank them, adding appreciatively that "while I have the Honor to Govern this Island, I cannot possibly forget there is such a place in it as Harbour Grace."[112]

To Milbanke's disappointment and embarrassment, however, the money finally raised from the levy on the other harbour communities amounted to no more £184, only a fraction of the £775.1.7 which had been incurred in expenditure on the convicts. The total annual vote by the House of Commons for the governance of Newfoundland was only £1,182.10.0, all of which was committed to normal expenditure. Milbanke had also been obliged to pay for the new courthouse and gaol at Ferryland authorised by his predecessor. Accordingly, after his return to London in late November that year he told Grenville that he had "been obliged myself to advance most of the money for chartering the said vessel [*Elizabeth and*

Clare], making the Irons and paying for the House ... and a Doctor for his medicines and attendance."[113] John Easton, the Clerk of the Peace at St. John's whose shirt had been stolen by James Reily, subsequently claimed that he, too, had spent a good deal of his own money on the convicts.[114]

When the convicts were finally embarked on the *Elizabeth and Clare* at St. John's on 24 October 1789, Captain Coyshe was provided with a list with the names of 74 men and boys, including Matthew Dempsey and James McGuire who had first provided information to the magistrates, together with six women who had been allowed to remain free in the town.[115] During the period since 7 September when the original list of 64 convicts had been compiled by the magistrates, at least seven had escaped from the Winter house and a dozen or so others may have been released to find employment in the fishing industry.

There were at least eighteen names on the 7 September list which did not appear on Coyshe's list. At the same time, there were at least 24 names (excluding the women) on Coyshe's list which were not on the 7 September list. It is also clear that Coyshe's list did not include all those who were embarked. For example, James Myler (Millar) was included but not his former partner in crime, Denis Newenham, although both were later to be recorded as being transported to New South Wales on the *Queen* in April 1791.[116] Apart from the women, a significant number of the convicts who had not been rounded up by the magistrates in August must have been subsequently apprehended or had given themselves up to the authorities, including Newenham and ten late arrivals from Bay Bulls. James Reily, who had been branded on the hand for thieving at St. John's, was not on board although he was one of the most likely people to have been sent back.

Richard Robinson, who had first alerted the authorities to the convicts' arrival, was included in Coyshe's list and was taken on board the *Elizabeth and Clare* in irons with the convicts. Happily for him, however, the mistake was discovered and he was put on board H.M.S. *Salisbury* instead.[117] Another passenger when the ship sailed for Portsmouth on 31 October was the chief magistrate of St. John's, Thomas D'Ewes Coke, whom Milbanke had wisely decided to take along for support in case his actions were questioned by the Home Office or the Admiralty on his return.

Three days after Milbanke's departure, the magistrates of St. John's ordered the whipping of four men and the deportation of one of the women convicts who had been allowed to stay behind. No names or other details were recorded, but it seems that she had been involved in prostitution and that the men punished were her clients. As the cost of her passage was only £2, she was probably taken to one of the New England ports rather than across the Atlantic.[118]

What happened to the nineteen or more male convicts and the five other women who remained behind in Newfoundland is impossible to determine. It seems likely, however, that the women quickly found themselves partners and that a few of the men originating from Waterford and Cork found employment in the fishing industry. Some of their surnames appear in the island's 1794 census, but

these were already common because of earlier Irish immigration and it would be difficult to establish any definite correspondence.[119] On the other hand, the total absence from the census of the more identifiably English family names of Protestant convicts suggests that they made their way south to New England.

APPENDIX

(i) "Return of the convicts &C St. John's Newfoundland the 7th day of September 1789", CO 194/38, ff. 94-6.

Names	Age	Born	County	Crime	Sentence	Remarks
John O Neal	20	Dublin	Dublin	Stealing waistcoats	7 years	The best Shoplifter in Ireland Escaped 22d Aug.
Matthew Dempsey	21	Clonslee	Kings Co	Picking a lock and taking out a Pawnbroker's Duplicate	Death & afterwards trans.	
James Myler	20	Donaghadee	Down	Robbing a man in Stephen's Green of a Watch	Death	
Denis Newenham	19	Dublin	Dublin	Do.	Do.	Accomplice
John Coyle	21	Dublin	Dublin	Vagrant		
Martin Kelly	20	Old Court	Wicklow	Stealing wool	Trans.	
Samuel Ellis	12	Tullow	Carlow	Vagrant		
Daniel McEleese	20	Belfast	Antrim	Do.		
James Halfpenny	23	Drogheda	Drogheda	Stealing lead	Trans.	
William Gibbeons	22	Dublin	Dublin	Attempting to break into a house	Floged & transported for want of bail	
John Keogh	22	Dublin	Dublin	A famous Porter Stealer but does not know for what he was Tried		

William Franklin	23	Dublin				
John Farrell	14	Dublin	Dublin	For theft		Escaped 22d August
John Walsh	25	Carrick on Suir	Waterford	Supposed for combination to rob a House		
Robert Fisher	25	Dublin	Dublin			
William Butler	27	Limrick	Limrick	For a Robbery		
Cornelius Brosnahan	23	Tralee	Kerry	Murder	Death & from some error in the trial changed to trans.	
Charles O Brien	26	Rathfriland	Down			
Michael Pendergast	13	Dublin	Dublin			
Patrick hart	14	Dublin	Dublin			
John Foley	19	Dublin	Dublin	Stealing a Table Cloth		
Patrick Nugent	40	Omagh	Tyrone			
James Finn	19	Odennahaugh	Armagh			
James Grant	19	Dublin	Dublin			
Patrick Neal	27	Kilkenny	Kilkenny	Swindling	Death	
Patrick Leonard	40	Kinnagad	Westmeath	Do	Do	
James Sheridan	40	Cornegall	Cavan	Stolen Goods found in his House	Trans.	
John Burleigh	19	Garahstown	Meath	Theft	Do.	
John Gainford	18	Dublin	Dublin			
Michael Flynn	21	Cork	Cork	Theft	Trans.	
Francis Lacey	41	Castle Dormoth	Kildare	Sheep stealing	Do	
Martin Ryan	25	Humewood	Wicklow	Burglary	Death	
Daniel Stewart	19	Baltinglass	Wicklow			
James McGuire	25	Tanhouse-water	Fermanagh			

Patrick Lee	24	Drogheda	Drogheda	Forcible Entry		
William Walpole	23	Cashell	Tipperary			
Nicholas Carpenter	25	Cramlin	Dublin			
James Cashell	23	Limrick	Limrick			
John Mahony	44	Mitchels-town	Cork	Theft		
Patrick Mealy	19	Dublin	Dublin			
John Hurley	22	Parteen	Clare			
David Hogg	16	Edenacligh	Fermanagh			
Lausht Vance	40	Skeagh	Fermanagh			
Abraham Palleh	20	Cramlin	Monaghan			
Peter Parker	20	Carlow	Carlow	Coining		
James Rieley	20	Coot Hill	Cavan	Highway Robbery	Death	Died 13th August
Timothy Byrne	30	Mountrath	Queens			
John Byrne	22	Sagart	Dublin	Stealing a cow	Trans.	
Charles McCarthy	55	Ballymurphy	Cork			
Darby Carey	54	Calban	Kilkenny	Swindling	Trans.	
John Murphy	13	Dublin	Dublin			
Thomas Walsh	30	Mayvoir	Westmeath			
James Murray	23	Drumclan	Monaghan			
Patrick Malone	19	Dublin	Dublin	Theft	Trans.	
Thomas Kelly	20	Rathcoole	Dublin	Stealing two saddles	Trans.	
Michael Delaney	22	Ballymore Eustace	Wicklow	Theft		
John Kelly	30	Athlone	Roscommon			
John Reiley	28	Cavan	Cavan	Coining		
Bartholomew Mooney	29	Dublin	Dublin			
Timothy Connors	16	Dublin	Dublin			
Michael Sullivan	18	Bruff	Limrick	Picking pockets	Trans.	
John Lawler	16	Dublin	Dublin			
Thomas Duncan	13	Kilcock	Meath			

Thomas McDermot	20	Edgerstown	Longford	Stealing a pound of tobaccco		
Peter Parker*	20	Carlow	Carlow	Coining	Trans.	In Town at sick quarters

*Listed twice

(ii) "List of 74 Men and 6 Women Convicts embarked on Board the Brigantine Elizabeth & Clare Robert Coyshe Master", CO 194/38, f. 112.

Men

John Welsh
William Ibbson
Patrick Neal
John Taylor
James Millar
Thomas Nugent
James Moor
James Mory
John Neal
Matthew Dimsey
John Coyle
Samuel Ellis
James Brady
Patrick Malloney
William Butler
Patrick Nugent
John Croak
Thomas Kelly
Michael Delany
John Mansfield
John Burk
Patrick Fling
Martin Ryan
Nicholas Sullivan
Thomas Ragan
Cornelius Brirenham
John McDormet
Martin Kelly

William Franklin
William Warpole
John Soler
James Murphy
Michael Pendergrass
Francis Linsay
John Tally
John Gainford
Francis Laky
John Smith
Charles Bryant
James Quin
John Folly
John Folly
Robert Fisher
John Burn
Bartholomew Money
Patrick Danun
Peter Sullivan
Timothy Burn
Darby Carew
John Harley
Timothy Connor
Arthur Young
James Kahell
Patrick Mealy
Patrick Leanord
James Grant
Patrick Leigh
James Maguire

Richard Robinson
Michael Murphy
Michael Fling
Thomas Duncan
Daniel Sturit
Nicholas Carpenter
Abram Pallate
John Macketty
Walter Linehan
John Mahany
Charles Carty
David Hague

Women

Mary Maloney
Judith Kelly
Eleanor Watson
Mary Connell
Mary Nan
Nancy Farrol

Daniel McClees
Thomas Shannon
recd. 24th Oct 1789 at St. John's [sd.] Robert Coysh Milbanke

Notes

[1]Much of the story has already been narrated and its significance discussed by Jed Martin, "Convict Transportation to Newfoundland in 1789," *Acadiensis*, 5 (1975), 84-99. I wish to acknowledge my particular indebtedness to this article in the present work which adds further detail to the narrative of events, placing them in the broader contexts of Irish transportation between 1784 and 1789 and Anglo-Irish relations. I also wish to acknowledge the kind assistance of John and Maire Mannion, Geoff Farmer, Heather Reeves, Sean Cadigan, Hans Rollman, Danny Vickers, the staff of the Centre for Newfoundland Studies at Memorial University and the Public Archives of Newfoundland and Labrador, and finally the Canadian government's academic enrichment scheme which enabled me to visit Newfoundland in January 1994.

[2]The most detailed accounts of earlier British attempt to re-establish the trans-Atlantic trade can be found in A.R. Ekirch, "Great Britain's Secret Convict Trade to America, 1783-1784," *American Historical Review*, LXXXIX (1984), 1285-91, and Mollie Gillen, "His Majesty's Mercy: The Circumstances of the First Fleet," *Push from the Bush*, 29 (1991), 47-109.

[3]Nepean to Buckingham, 27 July 1789, Public Record Office, London [PRO], HO 100/27, ff. 216-9.

[4]*Hibernian Journal*, 17 June 1789.

[5]An interesting parallel between the two settlements is that they were both to experience Irish uprisings in the wake of the Irish Rebellion of 1798. For the most detailed published account of the abortive rebellion of 1799 at St. John's, see M.J. McCarthy, *The Irish in Newfoundland 1623-1800* (St. John's: Harry Cuff Publications Ltd., 1982), 47-51. See also, C.J. Byrne, "Ireland and Newfoundland: The United Irish Rising of 1798 and the Fencible's [sic] Mutiny in St John's, 1799," unpublished paper read to the Newfoundland Historical Society, St. John's, 5 November 1977, 8 pp. typescript, Queen Elizabeth II Library, Memorial University of Newfoundland. The best account of the Castle Hill Rebellion near Parramatta, New South Wales, in March 1804 can be found in A. Whitaker, *Unfinished Revolution: United Irishmen in New South Wales 1800-1810* (Sydney: Crossing Press, 1994), 89-119.

[6]*Freeman's Journal*, 16-18 June 1789.

[7]See Appendix for the list. Contrary to the claim made by Brian Henry (*Dublin Hanged: Crime, Law Enforcement and Punishment in Late Eighteenth Century Dublin* [Dublin: Irish Academic Press, 1995], 163) that the Newfoundland list was an official indent which had been sent with the convicts on the ship, it was in fact prepared at St. John's and included only those 64 convicts who had been rounded up by the magistrates and imprisoned in the Winter house.

[8]*Freeman's Journal*, 11-13 June 1789.

[9]*Freeman's Journal*, 13-16 June 1789, 16-18 June 1789.

[10]*Freeman's Journal*, 16-18 June 1789.

[11]*Hibernian Journal*, 22 June 1789.

[12]*Dublin Chronicle*, 13 June 1789.

[13]*Hibernian Journal*, 13 June 1789.

[14]*Dublin Chronicle*, 11 June 1789.

[15]"Deposition of Richard Robinson in the Court of Vice-Admiralty, St. John's, 21 July 1789," PRO HO 28/6, f. 281.

[16]*Ibid.*

[17]"Examination of James Maguire and Mathew Demsey [sic]," PRO CO 194/38, ff. 91-4.

[18]*Providence Gazette and Country Journal* [Rhode Island], 12 July 1788.

[19]"Deposition of Richard Robinson," *Hibernian Journal*, 10 August 1789.

[20]*Morning Post*, 30 January 1790.

[21]This is the modern name. In 1789 it was called Bay of Bulls.

[22]"Deposition of Richard Robinson."

[23]"Extract of a letter from Portsmouth, November 14 [1789]," *Nova Scotia Gazette*, 30 March 1790. I am indebted to Dr. Jerry Bannister for this reference.

[24]In its issue for 6 June 1789, the *Dublin Chronicle* reported that fifteen English and eleven Irish vessels had recently sailed from Waterford for Placentia and Bay Bulls.

[25]"Osborn to Popple, 28 July 1731," *Calendar of State Papers Colonial Series: America and West Indies*, 38 (1731), 205. I am indebted to Dr Jerry Bannister for this reference.

[26]Anon., *A Short Review of the Political State of Great Britain at the Commencement of the Year One Thousand Seven Hundred and Eighty-seven* (London, 6th edn., 1787), cited by Martin, "Convict Transportation to Newfoundland," 85.

[27]*The Times*, 5 December 1788, cited by Martin, "Convict Transportation to Newfoundland," 86.

[28]T.M. Truxes, *Irish-American trade, 1660-1783* (Cambridge: Cambridge University Press, 1988), 137.

[29]See John Mannion, "The Waterford Merchants and the Irish-Newfoundland Provision Trade, 1770-1820," in L.M. Cullen and P. Butel, eds., *Negoce et Industrie en France et en Irlande aux XVIIIe et XIXe Siecles* (Paris: Editions du Centre National du Recherche Scientifique, 1980), 27-43.

[30]PRO CO 1/47, f. 115, cited by C. Grant Head, *Eighteenth Century Newfoundland: A Geographer's Perspective* (Toronto: McLelland and Stewart, 1976), 97.

[31]See George Casey, "Irish Culture in Newfoundland," in Cyril J. Byrne and Margaret Harry, eds., *Talamh An Eisc: Canadian and Irish Essays* (Halifax: Nimbus Publishing Ltd., 1986), 203.

[32]*Ibid.*, 209.

[33]"Extract of a letter from Portsmouth."

[34]*Freeman's Journal*, 24-26 September 1789.

[35]*Ibid.*

[36]For a contemporary reference to the likely results of a fire in St. John's, see Paul O'Neill, *The Oldest City: The Story of St. John's, Newfoundland* (Erin [Ontario]: Press Porcepic, 1975), 50.

[37]"Extract of a Letter from Newfoundland [St. John's] and dated 21st August [1789]," PRO CO 194/38, f. 282.

[38]*Freeman's Journal*, 24-26 September 1789.

[39]Petition to St. John's magistrates, PRO CO 194/38, f. 91.

[40]"Examination of James Maguire and Mathew Demsey."

[41]"Extract from a Letter from Portsmouth."

[42]PRO CO 194/38, f. 97.

[43]Elford to Milbanke, 9 September 1789, PRO ADM 1/472, f. 334.

[44]"Extract of a Letter from Newfoundland."

[45]*Ibid.*

[46]*Ibid.*

[47]There had, however, been an outbreak of the disease at Trinity Harbour before the arrival of the *Duke of Leinster*. See *Society for the Propagation of the Gospel [SPG] Journal*, 25 (1781-92), mfm. 567, 228.

[48]O Donel to Troy, 24 December 1789, in C.J. Byrne, ed., *Gentlemen-Bishops and Faction Fighters: The Letters of Bishops O Donel, Lambert, Scallan and Other Irish Missionaries* (St. John's: Jesperson Press, 1984), 100.

[49]Price to Dr W. Morice, 14 November 1789, *SPG Journal*, 25 (1787-92), mfm. 567, 231.

[50]*Anglican Church Burials, St. John's, 1752-90.* Keeley seems to have been mistaken for James Reily of Cootehill in the list made at St. John's on 9 September 1789 (see Appendix).

[51]PRO CO 194/3, f. 424, cited by Head, *Eighteenth Century Newfoundland*, 98.

[52]*Calendar of State Papers (Colonial), 1714*, 54-5, cited *ibid.*

[53]Raymond J. Lahey, *James Louis O Donel in Newfoundland 1784-1807: The Establishment of the Roman Catholic Church*, Newfoundland Historical Society Pamphlet No. 8, 1984, 5.

[54]Capt. Griffith Williams, *An Account of the Island of Newfoundland, With the Nature of its Trade, and Methods of carrying on the Fishery* (London: printed for Capt. Thomas Cole, 1765), 8-9.

[55]*Ibid.*

[56]O' Neill, *The Oldest City*, 49.

[57]*Ibid.*, 16.

[58]Cited by McCarthy, *The Irish in Newfoundland*, 28.

[59]Lahey, *James Louis O Donel*, 5.

[60]Cited, *ibid.*

[61]John Mannion, "Irish Merchants Abroad: The Newfoundland Experience, 1750-1850," *Newfoundland Studies*, 2, 2 (1986), 151.

[62]Cited by Lahey, *James Louis O Donel*, 6.

[63]To take one example, at the trial of Michael Bushell for the murder of John Bryan in 1789, the witness Daniel Moroney, "Shoreman Servant," had to be examined in Irish. PRO CO 194/38, f. 154.

[64]Langdon to Elliot, 6 September 1786, PRO ADM 1/472, f. 296.

[65]A.H. McLintock, *The Establishment of Constitutional Government in Newfoundland, 1783-1832: A Study of Retarded Colonialism* (London: Longmans, Green & Co., 1941), 59.

[66]*Ibid.*, 60-1.

[67]"Prince William Henry to King George III, 21 September 1786," in A. Aspinall, ed., *The Later Correspondence of George III*, 5 vols., (Cambridge: Cambridge University Press, 1962), I, 249.

[68]*Ibid.*

[69]Enclosures, Buckingham to Sydney, 17 July 1788, PRO HO 100/23, f. 298.

[70]Buckingham to Sydney, 17 July 1788, *ibid.*

[71]See P. O'Donnell, *The Irish Faction Fighters of the 19th Century* (Dublin: Anvil Books), 1975.

[72]Ronald J. Fitzpatrick, "'An Emissary from Hell': Father Patrick Power and the 1788 Riot at Ferryland," *The Newfoundland Ancestor*, 9, 1 (May 1993), 28-33.

[73]See Lahey, *James Louis O Donel*, 14-6; Byrne, *Gentlemen-Bishops*, 69-76; and Fitzpatrick, "'An Emissary from Hell'," 28-33.

[74]Elliot to Ferryland magistates, 24 October 1788, Provincial Archives of Newfoundland and Labrador [PANL], St. John's, Governors' Letter Books, G.N. 2/1/1, vol. 12, 437.

[75]O Donel to Troy, 16 November 1788, in Byrne, *Gentlemen-Bishops*, 75.

[76]O Donel to Elliot, n.d., 1788, in Byrne, *Gentlemen-Bishops*, 70.

[77]This must be one of the earliest references to the traditional Gaelic game in North America.

[78]Byrne, *Gentlemen-Bishops*, 71.

[79]McLintock, *The Establishment of Constitutional Government*, 58-60. A dramatic example outside the period of this narrative was the axe-murder of Captain Henry Brooks of Teignmouth by three Irish servants on board his banker at Newfoundland in 1790, which was said to have been the result of "some gross maltreatment." According to a Waterford source cited by the *Hibernian Journal* on 2 December 1790:

> Last year he took a number of fishermen passengers from Newfoundland for Waterford. On the passage he used them very severely, and put them, unnecessarily, on short allowance; on making the land he obliged them to go ashore in the county Cork, from whence the poor men had to walk to this city. This not being thought sufficient to fill up the measure of their disappointments and misfortunes, he sailed to England with their chests, etc although at landing his passengers he had solemnly promised he would come round and deliver their chests here, according to his original agreement.

[80]Milbanke to magistrates of St. John's, 10 September 1789, PANL G.N. 2/1/a, vol. 11.

[81]*Ibid.*

[82]Milbanke's order of 14 September 1789, *ibid.*, f. 100.

[83]Milbanke to magistrates of St. John's, 16 September 1789, *ibid.*

[84]Oddly enough, the incident is not mentioned by McLintock, in *The Establishment of Constitutional Government*.

[85]See Appendix.

[86]*Walker's Hibernian Magazine*, October 1788, 559.

[87]*Hibernian Journal*, 26 May 1786.

[88]*Hibernian Journal*, 3 November 1788.

[89]See Appendix.

[90]Report of assizes at St. John's, 30 September 1789, PRO CO 194/38, ff. 168-75.

[91]*Ibid.*, ff. 177-8.

[92]Milbanke's order of 13 September 1789, PANL G.N. 2/1/a, vol. 12, f. 8.

[93]Milbanke's order of 13 October 1789, *ibid.*, f. 37. The escapees were Santy Hame [sic], Thomas Walsh, James Ryan, John Kiernan, Patrick Lawler and Abraham Pallett.

[94]*Ibid.*

[95]Milbanke to Grenville, 20 September 1789, *ibid.*, ff. 86-7.

[96]*Ibid.*

[97]Mannion, "Irish Merchants Abroad," 160. For population and other statistics, see "General return of the Newfoundland Fishery for the Year 1789," PRO CO 194/38, f. 264.

[98]Head, *Eighteenth Century Newfoundland*, 203-4.

[99]For a general account of Irish migration to Newfoundland, see John J. Mannion, *The Peopling of Newfoundland:Essays in Historical Geography* (St. John's, 1977).

[100]Milbanke to Rose, 17 September 1789, PANL G.N. 2/1/a, vol. 12, f. 14.

[101]Milbanke's order of 13 October 1789, *ibid.*, f. 41.

[102]Milbanke to O Donel, 2 November 1790, cited by Lahey, *James Louis O Donel*, 19.

[103]Milbanke to Harris, 12 September 1789, PANL G.N. 2/1/a, vol. 12, f. 4.

[104]Milbanke to Admiralty, 4 September 1789, PRO HO 28/6, f. 369.

[105]PRO CO 194/38.

[106]Milbanke to John Lees, Barrack Master, 24 October 1789, PANL G.N. 2/1/a, vol. 12, f. 54.

[107]Milbanke to Philip Stevens, 24 October 1789, PRO ADM 1/472, 340. See also, "An Account of the Expense of maintaining, and sending to England in the Brig *Elizabeth and Clare*, a number of Irish Convicts, who were landed upon the island of Newfoundland in the Year 1789," enclosure, Milbanke to Grenville, 8 December 1789, PRO CO 194/38, f. 182.

[108]*Hampshire Chronicle*, 4 January 1790.

[109]Milbanke to Coyshe, 24 October 1789, *ibid.*, f. 118.

[110]I am grateful to Jed Martin, "Transportation to Newfoundland," 93, for this point.

[111]Milbanke to magistrates of Harbour Grace, 7 October 1789, PANL G.N. 2/1/a, vol. 12, f. 30.

[112]Milbanke to magistrates of Harbour Grace, 20 October 1789, *ibid.*, f. 48.

[113]Milbanke to Grenville, 5 December 1789, PRO CO 194/38, f. 180.

[114]PRO ADM 1/472.

[115]Enclosure in Milbanke to Grenville, 24 October 1789, *ibid.*, f. 112.

[116]The original indent for the Queen (together with subsequent copies), is held by the Archives Office of New South Wales, Sydney, SZ115 (COD 9).

[117]*Hampshire Chronicle*, 7 December 1789.

[118]Report of sheriffs to Milbanke, 29 October 1791, PRO CO 195/14.

[119]See E.R. Seary, *Family Names of the Island of Newfoundland*, Memorial University: St. John's, 1976; John Mannion, "Tracing the Irish: A Geographical Guide," *The Newfoundland Ancestor*, 9, 1 (May 1993), 12-7.