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Fishing the North Atlantic Border Seas: American Capital in a New Environment, 1818-1854

THROUGHOUT THE FISHING SEASON OF 1836, Liverpool fish merchant Philip Carten traveled through the small fishing villages of western Nova Scotia. Like other Nova Scotian fish merchants, Carten sought out inshore fishermen from whom he could purchase fish-bait, principally herring, in order to outfit his deep-sea fishing vessels for a voyage to the Grand Banks off Newfoundland. The deep-sea fisheries depended upon inshore fishermen to supply the bait needed for their voyages, thereby allowing them to concentrate strictly on the catching of ground fish such as cod and halibut. By 1836 this system had been the standard practice for several generations. Like the vast majority of Nova Scotian fish merchants, Carten purchased fish via company credit; instead of paying cash for his supplies he sought to extend store credit to the inshore fishermen. During this season, however, Cartin was unable to secure any fish from the numerous fishermen scattered across the coast of western Nova Scotia because they instead preferred to wait for the arrival of New England fishing schooners rather than to sell their fish to domestic merchants.

In a letter to the Assembly of Nova Scotia, Carten complained bitterly that this trade practice threatened the complete collapse of Nova Scotia's fishing industry. American trade challenged the historical relationship between merchants and fishermen in Nova Scotia, he argued, and the system of credit and debt in Nova Scotia was the basis upon which the entire fishing industry operated. Carten charged that the American vessels arrived in the harbors of Nova Scotia, "having onboard Gin, Boots, and Shoes, Apples, Soap, and other articles and open a regular Trade with the Fishermen and sold the above Goods, taking in return Mackerel".¹

While merchants such as Philip Carten deemed this illicit trade as disloyal, the extent to which it operated clearly shows that the fishermen themselves found it quite lucrative. Carten confronted the disloyalty of Nova Scotian fishermen and the legality of the presence of the Americans, and "feeling indignant at the preference given to Foreigners told them they had no business there . . . stated to the people that they were injuring themselves and robbing the Country of its living".² Yet the introduction of American goods and capital offered an alternative to the monopoly held by Nova Scotian merchants and provided another source of income for the small-scale fishermen of the province.

The incursion of American capital into the local waters and markets of the British North American fisheries forced many operators of that industry to re-evaluate their

1 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letter from Philip Carten, Bryer's Island (13 March).

2 *Journal of the Nova Scotia House of Assembly*, 1837: letter from Carten.

views regarding the traditional economic system as well as their attitudes toward the local marine environment. As the local fishermen of Nova Scotia began to work within the American capital system, Nova Scotia's merchants began to recognize the enhanced productivity, and therefore profit, secured by American operations. This increased productivity, however, came at the expense of the marine environment. Just as American ideologies of business overcame those practiced in the ports of British North America, American ideologies of resource extraction came also to dominate the fishing practices off the coasts of Nova Scotia and New Brunswick. By the middle decades of the 19th century many economic reformers in Nova Scotia and New Brunswick sought to mimic the American industry and increase their productivity and thus their exploitation of their marine environment. In this way, the arrival of American capital in the local waters of British North America forced a re-evaluation of both the economy and environment of the North Atlantic fisheries.

The close cooperation between American fishing schooners and local Nova Scotian fishermen that developed during the first half of the 19th century challenged the economic control of Nova Scotian fish merchants. It began with the arrival of large-scale fishing schooners from Gloucester into the inshore fishing areas of Nova Scotia, developed into extensive networks of trade and smuggling, and eventually expanded to the direct employment of Nova Scotian fishermen by New England's fishing fleet. The "White-Washed Yankees", as they were often labeled, used the closer cooperation with American fishing interests as a means of economic independence, which illustrates their understanding and use of larger networks within the North Atlantic fisheries.

The increased productivity that American schooners brought to the North Atlantic resulted from a rapid industrialization of New England's fishing fleet. This new industrial fishery, applying the ethics of American capitalism, brought added competition for Nova Scotian fish merchants in the form of labour recruitment, fish production and global marketing; it also forced a re-evaluation of local resource use and environmental management techniques, and all of these factors played a role in the dramatic shift in economic power over the North Atlantic fisheries and opened a debate concerning the management of international resources that persists until the present day.

Two strikingly different methods of payment existed for fishing labourers during the 19th century. The first utilized a debt-credit relationship that tied merchants and fishermen together, most often referred to by historians and economists as the truck system. The second was currency-based – the payment of wages based on time or production. The latter relied on access to liquid capital as well as a substantial local labour force, and therefore could only be utilized by industries that existed near a city or a large town, such as Boston or Gloucester, Massachusetts. Conversely, the truck system was most successful in peripheral areas with limited capital and a small labour force.³

3 George W. Hilton, *The Truck System including a History of the British Truck Acts, 1465-1960* (Westport, CT, 1960), pp. 6-8, 119-42; Rosemary Ommer, *Merchant Credit and Labour Strategies in Historical Perspective* (Fredericton, 1990); Rosemary E. Ommer, *From Outpost to Outpost: A Structural Analysis of the Jersey-Gaspé Cod Fishery, 1767-1886* (Montreal, 1991); Daniel Vickers, *Farmers and Fishermen: Two Centuries of Work in Essex County, Massachusetts, 1630-1850* (Chapel Hill, NC, 1994); Sean Cadigan, *Hope and Deception in Conception Bay: Merchant-Settler Relations in Newfoundland, 1785-1855* (Toronto, 1995).

The arrival of an American fleet that offered cash wages presented significant problems for the merchants of Nova Scotia because it threatened the economic bond between the employers and the workers, and therefore challenged their socio-economic control over the labour force. For this reason, the merchants of Nova Scotia attempted to strengthen the truck system in opposition to the introduction of American wages.

Many operations utilized the truck system throughout the North Atlantic fisheries. When European firms first established a resident fishery in North America they had neither the capital nor the labour force to compete with migratory European-based firms. In addition, the immediate presence of a large amount of cheap land made it difficult for early fish merchants to retain their labour force. In order to prevent a large migration to the agrarian sector these merchants developed a system whereby their labourers would be dependent upon them. Likewise, due to the shortage of currency available in the colonies, they needed to reduce the risks of fishing voyages and limit their capital investment in that industry.⁴ Thus, merchants extended credit to fishermen. The fishermen could use this credit to purchase the food and tools necessary for the voyage. This not only limited the amount of raw capital that each merchant needed for the industry, but also answered the needs of the fishermen who had no capital to invest. The fishermen were also guaranteed a continual supply of necessities throughout the winter. In return the fishermen would supply the merchant with their catch, which would be posted to their credit at a deflated rate. As a result, the merchant could be guaranteed that he would receive something for his investment, and not fear that a competitor would take the product, thereby reducing the financial risk of the voyage. Finally, the fishermen would be tied to the merchant by debt. Annual catches would seldom be enough to repay a fisherman's total credit advances and this prevented most fishermen from migrating to another industry.

Although they disagree on the impact of the truck system on regional economic development, Rosemary Ommer and Sean Cadigan have shown that the fishing firms in the Gaspé and Newfoundland still relied heavily on the debt-credit bond between the merchants and labourers well into the 19th century.⁵ Nova Scotian merchants also used the truck system as their chief form of economic exchange with fishermen, but many businessmen and politicians in Nova Scotia saw this system as limiting the potential for business growth when compared to the more flexible methods used by American merchants. Nova Scotian politician Gilbert Tucker argued in 1837 that this method restricted the region's development: "[O]ur fishing Vessels are owned by

4 Vickers, *Farmers and Fishermen*. pp. 86-100.

5 Ommer argues that the Charles Robbins Company used the truck system as an instrument to maintain control over fishing communities, a control that was reinforced by debtor laws; the result was a non-diversified regional economy that, in the end, "undoubtedly contributed significantly to the economic retardation of the region". See Ommer, "The Truck System in the Gaspé", in Rosemary Ommer, ed., *Merchant Credit and Labour Strategies in Historical Perspective* (Fredericton, 1990), p. 115. Cadigan argues that this theory of intentional underdevelopment and manipulation of law in favour of merchants is a "chimera fable" adopted by 20th-century historians, in an uncritical manner, from 19th-century liberal reformers. Such an interpretation, he argues, ignores the severely restricted opportunities for economic diversification on the island and the fact that the merchant credit system was not the sole means of production in Newfoundland. See Cadigan, *Hope and Deception in Conception Bay*, pp. viii, 162-70.

poor men, they get their out-fits on credit, at the highest possible rate – their hands are generally hired, his own spirits are dulled from the knowledge of the disadvantageous circumstances under which he has to labour, his hands have the same feelings, in some measure, with the additional one, of the uncertainty of being paid, thence their want of energy and the unprofitableness of our fishing”.⁶

In addition to internal political reform, changes in the colonial economic policies also challenged the merchant credit system. While fish merchants in the British North American colonies held tightly to their traditional ways of running the fishing industry, British authorities began to deconstruct the protective system of mercantilism that Nova Scotia’s fish merchants depended upon. Following the Napoleonic wars, the British Empire began to experiment with free trade and gradually opened several of its ports in the West Indies, by far the largest market for colonial fish merchants, to American-based fishing firms.⁷ Nova Scotia’s merchants attacked the opening of the free ports from every possible angle. Their continued faith in traditional mercantilism became the basis of their objections and, in letters to King George IV, the Assembly of Nova Scotia attacked plantation farmers in the West Indies for threatening the destruction of the mercantile system. In 1822 one letter stated that “some of your Majesty’s Subjects are united with Foreigners, in endeavouring to change a system which Your Majesty’s Government has pursued for some years, with so much advantage to all Your People who are interested in the permanent welfare and prosperity of Your Dominions in North America, and the West Indies”.⁸ According to these politicians the trans-Atlantic trade of North Atlantic fish, British North American agriculture, West Indies sugar and British manufactured goods resulted in benefits for all British subjects throughout the world. One petition succinctly noted: “Your Majesty’s Loyal Subjects in North America have no desire to advance their local interests at the expense of those of the Empire in general, but humbly conceiving that in the present case, the general interest is identified with theirs”.⁹

The Nova Scotians suggested that the mercantile trade also benefited England’s own industrial power by making the British subjects in the Western Hemisphere, “better customers every year to the British Manufacturers”. If the United States grew to dominate the staple trade in the West Indies, these politicians argued, they would surely also dominate the trade of goods throughout the Atlantic world, thus threatening the whole empire. If London officials allowed the Americans into this market, “Great Britain would provide a Country, which appears destined to become her Rival, with the means of procuring Freight upon their several Voyages, and thus

6 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letter from Gilbert Tucker, Montegan Clare (11 March).

7 In the years just after the American Revolution, the West Indies consumed 60 per cent of the American-caught fish, but by the 1840s the United States used 75 per cent of its own catch from the North Atlantic. See Roger F. Duncan, *Coastal Maine: A Maritime History* (New York, 1992), pp. 410-13.

8 *Journal of the Nova Scotia House of Assembly*, 1822, p. 206: “A Message To Our Sovereign Lord George the Fourth” (4 April).

9 *Journal of the Nova Scotia House of Assembly*, 1830, p. 597: “A Message to the King’s Most Excellent Majesty” (23 February).

add to their commercial wealth and their maritime power at the expense of her own".¹⁰ Nova Scotia's political leaders thus endeavoured to preserve their "Commercial Privileges", which they believed to be equivalent to the privileges of their status as British subjects. The letters to London accompanied charts and data that tried to prove that the North American colonies had always been, and would always be, able to supply the British West Indies with necessary staple resources such as grain, fish and lumber. While the West Indies claimed they were being deprived of these basic necessities, the Nova Scotians attacked both the West Indies and the United States for falsely manufacturing these shortages. In a letter to King George the Assembly of Nova Scotia accused those in the West Indies of attempting to "comply Your Majesty's Government to abandon the wise regulations which excluded the People of that Country [the United States] from participating in a Trade, which it has been always the policy of the Mother Country to reserve for British Subjects".¹¹

By the 1820s there were, indeed, good reasons for Nova Scotian merchants to fear American competition. By then the extraordinary economic expansion of the American economy was well underway, and this would have profound effects upon the North Atlantic fishing industry. First, the general population increase, and the specific growth in the urban population of the Northeast, created within the borders of the United States one of the world's largest markets for cheap food supplies, primarily fish. Second, the commercialization of American society and industry resulted in the concentration of capital and power in the Northeast, thereby giving the business leaders of the fishing industry the capital to expand their fishing operations.¹²

This investment often came in the form of new ship designs that could meet the needs of the growing industry, and many contemporary observers commented on the vast superiority of vessel design and outfitting from Massachusetts. Royal Navy officers who patrolled the fishing waters off the British Atlantic colonies were well versed in naval architecture and held no illusions about the shortfalls of local design and construction. Captain James Daley opined, for example, that

the American fishermen deserve a great deal of praise. Their vessels are of the very best description, beautifully rigged, and sail remarkably fast; well found in every particular, and carry large crews, a great many of whom are men from the provinces. The difference between the American and English vessels is very great, for all the English vessels in the Gulf of St. Lawrence the past fall, there were only four or five could in any way compete with the American. . . . I can scarcely convey to you a description of most of the English vessels; they are of the worst models, badly masted,

10 *Journal of the Nova Scotia House of Assembly*, 1830, p. 598: "A Message to the King's Most Excellent Majesty".

11 *Journal of the Nova Scotia House of Assembly*, 1822, p. 206: "A Message To Our Sovereign Lord George the Fourth".

12 Stuart Bruchey, *Growth of the Modern American Economy* (New York, 1975), pp. xi, 3, 9, 12, 35, 46, 63; Richard DuBuff, *Accumulation & Power: A Economic History of the United States* (Armonk, NY, 1989), pp. 14-16.

poorly rigged, wretchedly found in sail and rigging, and about half manned.¹³

Improved ship design was made possible by increased profits, but it also facilitated the further development of New England's industry; it was thus both a cause and result of intensive capital investment and improved market orientation.

The concentration of wealth in the Northeast also gave southern New England merchants increased power in governmental affairs, and this power ensured that the federal government would continue to support the fisheries.¹⁴ As in agriculture and railroad construction in the United States, New England fishing firms received handsome bounties based upon their total catch and the size of their vessel.¹⁵ This resulted in a concentration of capital and power in a few large firms in southern New England, and these operations extended their domination over the fishing grounds at the expense of the more modest firms of northern New England and the Atlantic colonies.¹⁶ Thus, American schooners expanded their areas of operations, often entering previously inaccessible British North American waters.

Nova Scotia-based fish merchants believed that their government should be responsible for supporting their own industry by protecting domestic waters from the illegal encroachment of these foreign fishing vessels. Throughout the 1830s Nova Scotian merchants sent petitions to the House of Assembly in an attempt to make political leaders aware that "great losses are annually sustained, in consequence of lawless persons resorting to the fishing stations".¹⁷ These "lawless persons" were quickly identified as "American Fishermen".¹⁸ The petitioners called for an immediate response to the "unjustifiable interference of foreigners on Harbours belonging to His Majesty".¹⁹ This practice, they argued, was in direct violation of the Convention of 1818, which outlawed American fishing vessels from engaging in commercial practices and from fishing "within three marine miles of any of the Coasts, Bays, Creeks, or Harbours, of His Britannic Majesty's Dominions in America".²⁰ Advocates

13 *Journal of the Nova Scotia House of Assembly*, 1853, Appendix 4, p. 118: Report of Captain James Daly (14 January).

14 Howard I. Chapelle, *The American Fishing Schooners, 1825-1935* (New York, 1973).

15 US Senate, Select Committee on the Origin and Character of Fishing Bounties and Allowances, *Majority Report*, 26th Cong., 1st sess., 1840, S. Doc. 368, vol. 6, serial 359; US Senate, Select Committee on the Origin and Character of Fishing Bounties and Allowances, *Minority Report*, 26th Cong., 1st sess., 1840, S. Doc. 368, vol. 6, serial 359; 26th Cong., 2nd sess., 1841, S. Doc. 148, vol. 3, serial 377; 35th Cong., 1st sess., 1858, S. Rep. 10; 36th Cong., 1st sess., 1860, S. Rep. 41; 32nd Cong., 1st sess., 1852, S. Exec. Doc. 112; 32nd Cong., 1st sess., 1853, H. Exec. Doc. 3, vol. 2, serial 714; US Department of the Treasury, *Report on the Principal Fisheries of the American Seas*, prepared by Lorenzo Sabine, 32nd Cong., 2nd sess., 1853, S. Exec. Doc. 22, vol. 6, serial 662.

16 Wayne O'Leary, *Maine Sea Fisheries: The Rise and Fall of a Native Industry* (Boston, 1996), pp. 41-71.

17 *Journal of the Nova Scotia House of Assembly*, 1832, pp. 306-7: letter to Sir Peregrine Maitland (12 March).

18 *Journal of the Nova Scotia House of Assembly*, 1835, Appendix 34: petition of John Taylor and others (12 January).

19 *Journal of the Nova Scotia House of Assembly*, 1837, p. 59: petition of George Bell and others (18 February).

20 See US Department of State, *Convention of October 20, 1818, Washington, DC, Signed Between Great Britain and the United States of America* (Washington, 1818), Article I.

for the Nova Scotian fishery argued that American encroachment depressed the annual catch and thus “deprive[d] the Inhabitants of a legitimate source of wealth, and transfer to Foreign productions which exclusively belongs to this Country”.²¹ They sought to address the “serious loss and injuries suffered by British Subjects engaged in our Coast Fisheries by the constant encroachment of American Fishermen”, even if it meant “sending an armed Vessel, for the protection of the Fisheries”.²²

More was at stake for these merchants than the mere loss of a local staple product; they also feared losing control over the local marketplace, for the initial side effect of American encroachment was the development of an illegal trade between the local inhabitants of the colonies and the American fleet. Nova Scotian fishermen were able to trade their bait catch to American vessels in exchange for American finished goods, thereby breaking away from the control of the Nova Scotian merchants. In an attempt to develop a full understanding of the situation, the fisheries committee of the House of Assembly sent out several surveys to prominent merchants in 1837 with 22 questions, most of which dealt with the recent arrival of American vessels to their shores. The committee did not consider, however, the opinions of those fishermen and farmers who violated the laws of trade and commerce. All those questioned were those whose businesses were threatened by the growing trade with the Americans.

A central focus of the responses was the smuggling of American goods in exchange for Nova Scotian bait. Local merchant Gilbert Tucker, for example, stated: “The Americans catch bait, and purchase from the inhabitants on the Shores of the Province; the consequence is, they pursue their Fisheries more successfully in our waters, by getting plenty of fresh bait, without loss of time; the effects are injurious to our Fisheries, the Americans purchasing bait from the Inhabitants many times”.²³ Not only did the American fleet prosper from such an arrangement, by receiving fresh bait from locals without losing precious time having to catch it themselves, but this smuggling also hindered Nova Scotia’s fleet because local inshore fishermen purposely saved the best bait for trade with the American fleet.²⁴ As Thomas Small pointed out, “[t]he American Fishermen occasionally bring quantities of Dry Goods and Groceries to the injury of our Commerce and Revenue”.²⁵ Many Royal Navy officers recognized this practice of smuggling; one Captain Milne stated, for example, “this illegal trade consists of provisions brought from the United States, in a greater quantity than is sufficient for their own consumption during the season, and therewith secretly carrying on an illicit trade in every port and river”.²⁶ While the friendly relationship

21 *Journal of the Nova Scotia House of Assembly*, 1837, p. 29: 7 March.

22 *Journal of the Nova Scotia House of Assembly*, 1837, p. 32: petition of fishermen of St. Margaret’s Bay, Dover and Prospect (21 February); *Journal of the Nova Scotia House of Assembly*, 1832, p. 109: petition of Clement Hubert and others (27 February).

23 *Journal of the Nova Scotia House of Assembly*, 1837: letter from Tucker.

24 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letters from Thomas Small, James H. F. Randolph, John Bass (Liverpool, 11 March); D & E Starr & Co. (Halifax, 23 February); Joseph Allison & Co. (New Glasgow, 11 March); William McLean (Pictou, 14 March); Thomas Tobin (Prospect, 15 March) and Locke & Churchill (Rugged Island, 13 March).

25 *Journal of the Nova Scotia House of Assembly*, 1837: letter from Small.

26 *Journal of the Nova Scotia House of Assembly*, 1854, Appendix 62, p. 173: Report of Captain Alexander Milne, of the HMS Crocodile, to Vice Admiral Sir Thomas Harvey, KCB, Commander in Chief, & c.

that developed between the American fishermen and the local inhabitants served their mutual needs, it also threatened the standing of the merchants in Nova Scotia because they depended upon supplying the fishermen.

The protection of both the honest trader and provincial revenues was of key concern to the merchants. The development of an illicit trade threatened, they argued, the “mutual confidence which always has to exist between the Merchant and Fishermen of a Country, inducing the former to supply and the latter to make payments”.²⁷ The truck system, the merchants recognized, would only remain in operation as long as the labour force remained tied to the managerial class through debt. The arrival of new American competitors, who offered the labourers better products and better prices, compromised the merchant-fisherman relationship. Not surprisingly, many merchants, like those at the D&E Starr Company, wanted to stop this practice: “Such a traffic deprived the Revenue of a large amount of Duty, the Province of a valuable export, and the Merchant, who has supplied those people with their out-fits, of his payment – the earnings of the Fishermen are squandered in useless traffic, his credit destroyed, and his time completely lost to the Country; whereas if a stop was put to their trade in our Harbours, a much greater source of valuable export would be brought to the Capital, and the credit and means of our Fishermen would annually increase”.²⁸ The arrival of the American fleet thus threatened to destroy the debt-credit relationship that ensured merchant control over the local labouring population.

The American option was very popular by the 1830s, and was not wholly exclusive to fish bait caught in the harbours of Nova Scotia; by this time a trade with American vessels for the agricultural products of Prince Edward Island also thrived, which brought American finished goods into Prince Edward Island as in other coastal British North American colonies, thereby reducing the sales of English manufacturers. As Commander F. Egerton of HMS *Basilisk* reported, American suppliers were the preferred choice: “Their popularity with the people may perhaps in part arise from the introduction by them of contraband goods, or more legitimately of hard cash, of which there is a great scarcity on these shores”.²⁹

It was not long before the inhabitants of Nova Scotia turned this illicit trade into an even more direct relationship. In a final blow to Nova Scotia’s truck system, fishermen not only abandoned their credit, but also their employment by seeking out better-paying jobs aboard American vessels. Elisha Payson, a merchant and exporter from Bryer’s Island, reported that the fishermen of his region repeatedly “go to the United States during the Fishing Season for employ because they can get more wages”.³⁰ From the fishermen’s perspective, the annual migration to the United States via a fishing schooner answered the needs for trade commodities, capital and economic independence from local merchants. “When arriving in the United States they generally procure good wages or should they ship on shares, their fish is taken to

27 *Journal of the Nova Scotia House of Assembly*, 1837: letter from Joseph Allison & Co.

28 *Journal of the Nova Scotia House of Assembly*, 1837: letter from D & E Starr & Co.

29 *Journal of the Nova Scotia House of Assembly*, 1854, Appendix 2, p. 20: Report of Commander F. Egerton of the HMS *Basilisk*. See also Kennedy Wells, *The Fishery of Prince Edward Island* (Charlottetown, PEI, 1986).

30 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letter from Elisha Payson (Bryer’s Island, 13 March).

a market in the United States, free of duty or expense”, suggested merchantman Paul Crowell, in a communication to the Nova Scotian government. “As these vessels are generally bound to some port in Nova Scotia, those who are Nova Scotia men can take their little supplies for their families, and have them landed at their door, nearly as low as they can be purchased in the United States”.³¹ By offering fishermen higher wages, payment based on cash and not credit, and a chance to enter the profitable American market duty-free, American schooner captains easily recruited Nova Scotians. These fishermen served an essential role in the American industry, as they brought with them the skills needed to perform the task and an extensive knowledge of the coast.

Many merchants of Nova Scotia saw this emigration as a severe threat to their own prosperity and the development of the colony. James Uniacke, a local merchant and the chair of the Committee of the Fisheries, in 1837 despaired that “the Youth of the Province are daily quitting the Fishing Stations and seeking employment on boards United States Vessels, conducting them to the best Fishing Grounds, carrying on trade and traffic for their new employers with the Inhabitants, and injuring their Native Country by defrauding its Revenue diminishing the operative class, and leaving the aged and infirm to burthen the Community they have forsaken and deserted”.³² Even recent immigrants to Nova Scotia, on whom fish merchants grew increasingly dependent, tended “to proceed on to the United States” after “serving for a year or two”.³³ Reports from Royal Navy officers offered a more balanced view, but confirmed the general pattern. One officer reported that the “English and American Fishermen appear to be on very good terms and no disagreements of any kind came to my knowledge”.³⁴ Another officer noted:

The inhabitants of Pubnico chiefly consist of fishermen, many of whom embark in American fishing vessels, and, no doubt, as pilots, in many instances, for the fishing rounds around their neighbor coasts; and were it not for the better acquaintance with the pilotage, the Americans would be unable effectually, to carry on their employment, being a very intricate coast for navigation. The advantages offered to the Nova Scotians to embark in American Vessels, in the way of bounty, and of getting their shares of the fish into the American Market, clear of heavy duty, are very great; and numbers are constantly mixed up with their interests, and receiving their principal support from them. . . . At Barrington, a large number of American Vessels call on their round to eastward for the greater part of their crew.³⁵

31 *Journal of the Nova Scotia House of Assembly*, 1852, Appendix 25, pp. 171-2: Paul Crowell to James B. Uniacke (10 February).

32 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75, p. 4: “Report of the Committee of the Fisheries”, James Uniacke, chair (10 April).

33 *Journal of the Nova Scotia House of Assembly*, 1837: letter from Tobin.

34 *Journal of the Nova Scotia House of Assembly*, 1853, Appendix 2, p. 27: Report of M.R. Perchell, HMS *Alice Rogers* (23 October).

35 *Journal of the Nova Scotia House of Assembly*, 1853, Appendix 2, p. 29: Report of Lt. W.W. Bridges, Armed tender *Bonito* (20 October).

The services of the highly skilled Nova Scotian fishermen were, thus, as important to the success of the American fleet as they had been to the merchants of Halifax.

While merchants saw the flight of the fishermen as an act of treason and an abandonment of their native homes and domestic interests, others identified the problem as the system used by the merchants and government of Nova Scotia. These individuals attacked the government for not supporting the fishing industry.³⁶ Reformer William Crichton suggested “so little encouragement is there given to our Fishermen, that they are even anxious to hire on board of American Vessels bound into the Gulf, and those being very often our best Fishermen. . . . Our hired Fishermen, particularly if he is a young man . . . concludes to proceed with the (American) Vessel, and a winter’s residence in the States generally terminates in his becoming an American Citizen, and paves the way for others of his family and former companions to follow”.³⁷ Merchant control over fishing labour through the use of the truck system began to collapse. The “fish hawks” of the United States had swept in and taken control of Nova Scotia’s most productive industry. Nova Scotian merchants grew ever more fearful of their neighbour – a “Nation of *Capitalists*” – that took every commercial advantage in exploiting the waters and labourers of Nova Scotia for their own advantages, and the merchants continually pressed the British government for political and military protection.³⁸ They argued that the authorities should not stand by “for it cannot be desired that so many young men should be employed on United States Vessels, and if they are, it cannot be supposed that their loyalty will not be shaken when they constantly hear republicanism loudly applied”.³⁹

The implications of American capitalism were not easy to ignore. By the 1830s the North Atlantic fisheries had entered a phase of rapid expansion, which would accelerate in the following decades. By incorporating new technologies such as the dory and the trawl line, the North Atlantic fleets began to bring in larger catches every year. Between 1804 and 1819 the custom officials in Massachusetts inspected on average 20,923 barrels of mackerel per year. During the 1820s the average rose to 191,090 and, by the 1830s, the number had jumped to an average of 224,173 barrels of mackerel per season.⁴⁰ The North Atlantic fishing grounds were fast becoming crowded with both large schooners and open boats. This extensive exploitation brought both hostility among competing fishing groups as well as increased trade opportunities among local and non-resident fishermen.

36 These reforms were certainly part of the larger political reform movements in Nova Scotia during the middle decades of the 19th century. See David Alexander, “New Notions of Happiness: Nationalism, Regionalism and Atlantic Canada,” *Journal of Canadian Studies*, 15 (Summer 1980), pp. 29-42; J. Murray Beck, *Politics of Nova Scotia, Volume I: Nicholson-Fielding, 1710-1896* (Tantallon, NS, 1985); Phillip A., Buckner, “The 1870s: Political Integration”, in E.R. Forbes and D.A. Muise, eds., *The Atlantic Provinces in Confederation* (Fredericton, 1993), p. 80; Phillip A. Buckner, *The Transition to Responsible Government: British Policy in British North America, 1815-1850* (Westport, CT, 1985) and Judith Fingard, “The 1880s: Paradoxes of Progress”, in Forbes and Muise, *The Atlantic Provinces in Confederation*, pp. 90-101.

37 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letter from William Crichton (20 March).

38 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letter from A.D. Gordon (Pictou, 14 March) (italics in original).

39 *Journal of the Nova Scotia House of Assembly*, 1852, Appendix 4, p. 115: Report of Colin York Campbell, HMSS *Devastation* (10 November).

40 US Department of the Treasury, *Report on the Principal Fisheries of the American Seas*, p. 365.

One of the primary responses of Nova Scotian merchants, who feared the “utter destruction” of their fisheries due to the encroachment of the American fleet, was a campaign for the creation of a protective fleet to patrol the waters around the colonies.⁴¹ After repeated requests from Nova Scotia, the British government agreed in 1838 to supply the colony with the vessels “to enforce a more strict observance of the provisions of the Treaty by American Citizens”. At the same time, “Her Majesty’s Minister in Washington” was “instructed to invite the friendly co-operation of the American Government for that purpose”.⁴² The number of patrol vessels operating out of Halifax fluctuated from one to three yearly as funding and expenses were adjusted. They were seldom effective, however, in catching the swift Gloucester schooners. The 1841 “Report of the Committee of the Fisheries”, drafted two years after the initial development of the protective fleet, stated that the limited number of vessels and provision of insufficient funds made the whole endeavor a failure. The extensive Atlantic coast of the British North American colonies, which included hundreds of bays, inlets and harbours, made it impossible for only one or two vessels to cover the area. The committee pushed for added funds and cooperation with the authorities in New Brunswick, Newfoundland and Prince Edward Island, but had little success. The other colonies did not seem as interested in the issue, a condition that Nova Scotia officials attributed to the thriving trade, especially in Prince Edward Island and New Brunswick, between local merchants and American fishing vessels.⁴³

Eventually, by the mid-1840s, the committee members reported that they had been “impressed with the beneficial results that have arisen from the protection afforded to the Fisheries by the presence of the Revenue Cutters” and argued that added support and continued funding would allow the colony to realize the full potential of its domestic fisheries.⁴⁴ The new protective fleet saw some success in checking the encroachment of the American fleet; between 1839 and 1851, however, the authorities only apprehended and confined to the Vice-Admiralty Court at Halifax 27 American schooners.⁴⁵ Although the impact of the patrols cannot be determined with accuracy, the Nova Scotian fishing industry experienced some mild growth throughout the years of protection. In 1839, for example, Nova Scotia exported 19,127 barrels of pickled mackerel whereas in 1846 the colony shipped 82,645 barrels out of its ports.⁴⁶ Further changes concerning the protection of the fishery were on the horizon.

41 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: letters from Small, Joseph Allison & Co., Tucker, Locke & Churchill, Crichton and C. McAlpine (20 March).

42 *Journal of the Nova Scotia House of Assembly*, 1838, Appendix 9: letter from Lieutenant-General Sir Colin Campbell (5 November).

43 *Journal of the Nova Scotia House of Assembly*, 1841, Appendix 62, p. 161: “Report of the Committee on the Fisheries”. See also *Journal of the Nova Scotia House of Assembly*, 1842, Appendix 74, p. 184: “Report of the Committee on the Fisheries”.

44 *Journal of the Nova Scotia House of Assembly*, 1847, Appendix 75, p. 283: “Report of the Committee on the Fisheries”. See also *Journal of the Nova Scotia House of Assembly*, 1848, Appendix 89, p. 70: “Report of the Committee on the Fisheries”.

45 *Journal of the Nova Scotia House of Assembly*, 1853, Appendix 4, pp. 109-10.

46 Innis, *The Cod Fisheries: The History of An International Economy* (New Haven, CT, 1940), pp. 334-42.

By the early 1850s, the British authorities in London began to push the American government to sign a free-trade agreement that would include the colonies in British North America. In an attempt to persuade American officials to set up discussions on the matter, the council in London began to strongly enforce the rules of the Convention of 1818, which prevented American fishermen from operating within three marine miles of the coast. This enforcement included a number of Royal Navy warships to patrol the waters. The sudden appearance of this small fleet in 1852 flushed virtually all of the American fishing schooners from the inlets, bays and harbours of Nova Scotia. British sailors boarded hundreds of vessels in search of violations, thereby leaving Nova Scotian merchants free to prosper in protected waters and home markets. As one Royal Navy officer reported to the Admiralty, "the protection this year afforded by the imperial and provincial governments has been, to a great extent, ruinous to the interest of those Americans who have visited our coast".⁴⁷ It also helped to produce the desired result.

The 1854 Reciprocity Treaty introduced free trade in North America. Included in this treaty was a clause allowing American fishing schooners the freedom to enter the waters that the Convention of 1818 had previously restricted. Thus, by 1854 the brief period of intensive protection of domestic waters had come to an end in British North America, and American merchants were able to complete their domination of the North Atlantic fishing industry. During the Reciprocity period (1854-1866) the Nova Scotian exports of fish products grew, but American ships dominated the trade.⁴⁸ Nova Scotia's marine industry became a mere staple provider and little investment was made in their fishing fleet. Nova Scotians provided labour, bait fish and other forms of support, while the real economic growth was restricted to the New England fishing firms that provided capital and supplies. The New England fleet redoubled its effort to catch fish under the freer regulations of the 1854 Reciprocity Treaty, leaving little room for colonial merchants to expand operations.⁴⁹

The coming of Reciprocity to the British North American fisheries coincided with

47 *Journal of the Nova Scotia House of Assembly*, 1853, Appendix 4, p. 122: letter from James Laybold (Halifax, 30 November 1852) as well as the following from *Journal of the Nova Scotia House of Assembly*, 1853, Appendix 2, pp. 20-9: Report of F. Egerton, Commander of HMS *Basiluk* (11 November); Report of A.F. DeHorsey, HMSS *Devastation*, (28 October); Report of Lt. J. Jenkins, HMS *Cumberland* (8 November); Report of Lt. M.R. Perchell, HM Armed Tender *Alice Rogers* (23 October); Report of Lt. C.G. Linday, HM Armed Tender *Bonito* (8 August) and Report of Lt. W.W. Bridges; HM Armed Tender *Bonito* (23 October).

48 B.A. Balcom, *History of the Lunenburg Fishing Industry* (Lunenburg, NS, 1977).

49 For histories of the 1854 Reciprocity Treaty see R.E. Ankli, "Canadian-American Reciprocity: A Comment", *Journal of Economic History*, 28 (June 1970), pp. 274-81; R.E. Ankli, "The Reciprocity Treaty of 1854", *Canadian Journal of Economic History*, 4 (1971), pp. 1-20; Charles Campbell, *From Revolution to Rapprochement: the United States and Great Britain, 1783-1900* (New York, 1974); Marilyn and Julian Gwyn, "Tariffs, Trade, and Reciprocity: Nova Scotia 1830-1866", *Acadiensis*, XXV, 2 (Spring 1996), pp. 62-81; Julian Gwyn, "Golden Age or Bronze Age? Wealth and Poverty in Nova Scotia: The 1850s and 1860s", in Donald H. Akenson, ed., *Canadian Papers in Rural History*, vol. III (Gananoque, ON, 1992); Irene Hecht, "Israel D. Andrews and the Reciprocity Treaty of 1854: A Reappraisal", *Canadian Historical Review*, 44 (December 1963), pp. 313-26; R.H. McDonald, "Nova Scotia and the Reciprocity Negotiations, 1845-1854: A Re-Interpretation", *Nova Scotia Historical Quarterly* (1977), pp. 205-34; Donald C. Masters, *Reciprocity, 1846-1911* (Ottawa, 1961); L. Officer and L. Smith, "The Canadian American Reciprocity Treaty of 1855 to 1868", *Journal of Economic History*, 28 (1968), pp. 598-623; Gregory A. Raymond, "Canada Between the

the growing perception that the increase in productivity over the course of the previous decades had produced both a general depletion of stock and increased pollution of the fishing grounds. Although water pollution appeared to be an issue for the Nova Scotia House of the Assembly as early as the late 1830s, it did not come to the forefront of the public discourse on the fisheries until Moses Henry Perley published his *Report Upon the Fisheries of the Bay of Fundy* in 1851.⁵⁰ Serving as an immigration officer for New Brunswick, Perley's responsibilities increased when the colony's government hired him to investigate the status of the fisheries. His reports in 1851 and 1852, compiled from interviews and correspondence with a broad range of people interested in the fisheries, shed light upon the industry and some of the side effects of the increased resource exploitation.

One of the primary issues identified by Perley was the discharge of by-products – or offal – directly into coastal waters. Typically, local fishermen employed onshore cleaning stations to prepare their fish for shipment and sale. Some residents of the colonies, especially in the border region of Passamaquoddy Bay, allowed American fishermen to land on their property to clean their catch and retrieve wood and water, mainly because it allowed them to establish trade links and to use the offal left by the Americans as fertilizer for their fields.⁵¹ Both the Convention of 1818 and the 1854 Reciprocity Treaty, however, prevented foreigners from landing their catch to be cleaned. Even if they were allowed to do so, it would cost the crew additional time and delay their return to market. Therefore, visitors to the fishing grounds, New Englanders in particular, chose to clean and preserve their catch while at sea. The offal was disposed of by simply casting the waste overboard. Many in Nova Scotia and New Brunswick believed that this practice polluted the bottoms and destroyed fish habitats. Offal could also damage the weirs and nets of those pursuing the small-scale inshore fishery. Although local residents tried to delegate specific areas for the cleaning of the fish, few Americans participated in this arrangement and it never had the intended effect.⁵² Those concerned with the issue called for the regulation of the disposal of the by-products by an act of legislation.⁵³

Superpowers: Reciprocity and Conformity in Foreign Policy", *American Review of Canadian Studies*, 17 (Summer 1987), pp. 221-36; S.A. Saunders, "The Maritime Provinces and the Reciprocity Treaty", *Dalhousie Review*, 14 (October 1934), pp. 22-43 and S.A. Saunders, "The Reciprocity Treaty of 1854: A Regional Study", *Canadian Journal of Economic and Political Science*, 2 (February 1936), pp. 41-53.

50 *Journal of the Nova Scotia House of Assembly*, 1837, Appendix 75: "Report of the Committee on the Subject of the Fisheries of the Province". References to the pollution of the waters as a result of the throwing of offal overboard can be found in virtually every letter submitted to the report. See Moses H. Perley, *Report Upon the Fisheries of the Bay of Fundy. Laid Before the House of the Assembly by command of His Excellency the Lieutenant Governor, March 15, 1851* (Fredericton, 1851).

51 Some of the people interviewed by Perley, such as Andrew Wilson, a farmer, merchant and fisherman from Miscou Island, agreed with this practice. As Moses Perley reported, "Mr. Wilson is clearly of opinion that it would be far better for the resident Fishermen if the American fishers were allowed to land on these shores, for the purpose of cleaning and curing their Fish, than to compel them, as at present, to clean their Fish on the Fishing Grounds, where the bones and offal seriously injure the Fisheries – he says, they should either be excluded altogether from the Gulf, or else allowed to land upon its shores". See Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 10, 19-21.

52 Perley, *Report Upon the Fisheries of the Bay of Fundy*, p. 20.

53 Craig Cochran, J.P., Grand Harbour, Grand Manan, to M.H. Perley, 10 December 1850, in Perley, *Report Upon the Fisheries of the Bay of Fundy*, Appendix 3, p. 164.

While there was a general agreement and concern that the fishery resources of the colonies were being depleted, the identification of causes by those who contributed to Perley's reports reveal more about the competing interests in the fishery than about the realities of the industry. For example, the same inshore and shore-based weir and net fishermen who complained bitterly about offal pollution did not escape criticism themselves. Nets and weirs, some argued, increased the catch of small fish, such as herring, which in turn decreased the food available for larger fish such as cod and pollack. Those who fished for the larger fish were hostile to the use of the nets and weirs because these technologies interrupted the feeding cycle of their commodity.⁵⁴ Residents of the colonies, in turn, were hostile to the policies of the large American schooners that encouraged the discarding of less-profitable fish in order to make room for the more lucrative codfish.⁵⁵ The overproduction of the fisheries was not limited to American schooners, and many local areas complained of all "foreigners", including citizens of their own province. Residents of Grand Manan complained to Perley about fishermen from Saint John, who brought in more vessels, men and capital than the locals could muster. Perley brought forth their complaints to the House of Assembly: "The fishery, they said, was continually falling off, and would eventually be destroyed; from the reckless manner in which it was prosecuted, and the place being over-fished".⁵⁶ In other words, the fisheries of the colonies were a patchwork of competing interests that varied between localities, a situation that made an articulation of the extent and causes of resource depletion and other problems difficult and comprehensive reforms unlikely.

In addition to the practice of over-exploitation, both the American and the British inspectors sharply criticized the techniques used to prepare the fish for market. In both his 1851 and 1852 reports, Moses Perley discussed the methods used by New Brunswickers to prepare fish for exportation.⁵⁷ Although many of the local fishermen argued that the American markets, especially those in the slave states, willingly accepted the fish as they were, Perley believed that they would never be able to gain a foothold in the more lucrative markets of Europe and the northern and western United States because of poor preparation, especially in barreled herring, which could not compete with the growing Scottish and Norwegian trade in the United States. In terms of a meeting held with the fishermen of Grand Manan, he stated the following:

They were told that they could not expect to obtain remunerating prices, or find steady markets for fish so badly cured as scarcely to be fit for exportation, and which certainly would not be allowed to be exported if a proper system of inspection were established. . . . The fishermen were told, that besides Foreign markets which might

54 Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 8, 41-2.

55 Moses H. Perley, *Report on the Seas and River Fisheries of New Brunswick, Laid Before the House of the Assembly by command of His Excellency the Lieutenant Governor* (Fredericton, 1852), p. 22.

56 Perley, *Report Upon the Fisheries of the Bay of Fundy*, p. 11.

57 Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 3-5, 18-19, 100, 171 and Perley, *Report on the Seas and River Fisheries of New Brunswick*, pp. 31, 111, 113.

be opened under a better system of cure and inspection, there was in Canada an extensive demand for well cured fish, as also in the Western States bordering on the Great Lakes.⁵⁸

In addition to achieving new markets, Perley saw this practice as a waste of natural resources. As he observed: "At present, from the entire absence of both skill and care, one of the most prolific and most valuable fisheries of the Gulf is rendered of the least value, and there is a complete waste of the bounties of Providence".⁵⁹

Improving the curing technique was one facet of a general desire to increase the productivity of the local fishery in order to compete with the industrial New England fisheries. Perley believed that the local fishery could be extremely profitable to the province and its residents. "The fish of the Bay of Fundy when drawn from the water, are most excellent", he remarked, "they can scarcely be equaled and certainly not surpassed elsewhere. Yet these admirable fish, either from ignorance, neglect, or laziness or all combined, are so wretchedly cured, as only to be fit for the poorest markets".⁶⁰ The question that these critics and reformers struggled with was why the fisheries were so profitable for the Americans and not for the local residents. "It is no less strange than true", Perley lamented, "that they are prosecuted to the greatest extent, and with the most profit by citizens of France, and of the United States".⁶¹

For many, the solution to this problem was not just the improvement of preparation practices, but also an increase in capital investment. John Doran of Shippegan, New Brunswick, observed in a letter to the Assembly that "a small business will not answer. . . . The sea around us is a mine of wealth, but from want of enterprise and capital we are just wasting our lifetime in useless drudgery".⁶² Another merchant, John E. Fairbanks of Woodside, Nova Scotia, agreed that the increase in local capital investment would in turn encourage improved technology, which would aid in the growth of the colony's industries. "I have often thought, that when men of capital and enterprise turn their attention to this branch of industry", he stated, "as they no doubt will do hereafter, many improved modes of conducting it will be introduced". Unlike the fishermen, many merchants did not view the shortcomings of the industry as the results of natural limitations. As Woodside continued, "the supply can never be exhausted". Instead, the problem was in idle and unskilled workers who did not bring in enough profit to make the fisheries worthy of additional capital investment.⁶³

Lorenzo Sabine, an American inspector of the fisheries who wrote a report for the United States government in 1853, concurred with Woodside and others that claimed colonial merchants and fishermen lacked initiative. He expressed this opinion within the context of a sharp attack against the idea that the Americans had any advantages

58 Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 18-19.

59 Perley, *Report on the Seas and River Fisheries of New Brunswick*, p. 111.

60 Perley, *Report Upon the Fisheries of the Bay of Fundy*, p. 100.

61 Perley, *Report on the Seas and River Fisheries of New Brunswick*, p. 107.

62 "Appendix 4: Copy of letter from John Doran, esquire, J.P., Shippegan, respecting the Sea Fisheries", in Perley, *Report on the Seas and River Fisheries of New Brunswick*, p. 94.

63 "Appendix 6: Letter on the Deep Sea Fisheries from the Honorable John E. Fairbanks, of Halifax, Nova Scotia", in Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 171-2.

over the British colonists in the fisheries. Instead he argued that any advantages were with the colonists who lived in close proximity to the richest waters: "Our colonial neighbors should take these matters into the account, and while lamenting their calamities, remember that the American fishermen, whose conditions they consider so much preferable to their own, are subject to the same reverses, and would gladly surrender many of the privileges they are supposed to enjoy, for the liberty of living near to, and of freely using, the inner or shore fishing-grounds, of which they are now deprived, and which are reserved exclusively for British subjects". Sabine believed that the British colonists were letting the fisheries go to waste for want of energy and discipline. "The fisheries of New Brunswick are prosecuted with neither skill nor vigor", he argued, and the poverty of New Brunswick fishers was neither the result of market trends nor of American encroachment but from "their own want of industry, thrift, cleanliness, and honesty". His attack was not limited to the small-scale fisheries of New Brunswick. Even the large fishing firms of Nova Scotia received harsh words of condemnation: "No American visits Nova Scotia without being amazed at the apathy which prevails among the people, and without 'calculating' the advantages which they enjoy, but will not improve. . . . Yet the colonists look on and complain of us. They will neither fish themselves nor allow us to do so".⁶⁴

According to Sabine, this want of active engagement was the result of the truck system. Although he conceded that this system had the flexibility to preserve a mutual dependence between the classes in a peripheral society, its reliance upon traditional values and economic systems prevented it from expanding and competing with the industrial capitalists who operated in the more profitable arena of southern New England. While sharply attacked by many historians, the 19th-century version of industrial capitalism provided both the labour discipline and the desire for mass exploitation of natural resources that became necessary to successfully compete in the fishing industry.⁶⁵ Overproduction led to a glutted market and falling prices, which in turn encouraged increased productivity to achieve a higher profit margin. Labour discipline became essential for economic success and severe punishments were handed out for "broken voyages".⁶⁶ The result was added competition on the waters and extensive overproduction that led to extreme short-term profit making and long-term economic and ecological ruin. By the 1850s, the methods of ecological management were starting to be debated in the North Atlantic fishing industry.

In keeping with the community-based nature of the inshore fishery, mid-19th-century responses to the mounting problem of resource depletion tended to be

64 US Department of the Treasury, *Report on the Principal Fisheries of the American Seas*, pp. 231, 255, 258, 239.

65 Rosemary Ommer, "The Trunk System in Gaspé, 1822-77", *Acadiensis*, IXX, 1 (Fall 1988), pp. 91-115 and George W. Hilton, *The Truck System Including a History of the British Truck Acts, 1465-1960* (Westport, CT, 1960), pp. 6-8, 119-42. See also John J. McCusker and Russell R. Menard, *The Economy of British America, 1607-1789* (Chapel Hill, NC, 1985). For Sabine's comments on the truck system, see US Department of the Treasury, *Report on the Principal Fisheries of the American Seas*, p. 231.

66 "Broken voyage" was a common phrase in the 19th century to describe those fishing trips that did not cover the cost of outfitting the vessel and crew. See US Department of the Treasury, *Report on the Principal Fisheries of the American Seas*, pp. 346-8.

localized and to reflect traditional relationships and patterns of customary usage rather than the desires of elite policymakers, merchants or politicians. As in other places where local populations protected their rights to common property resources, residents of the British North American colonies looked to the waters in their bays and the outskirts of their ports as areas to be managed by the fishermen themselves.⁶⁷ In regions where depletion became an issue, local fishermen took it upon themselves to police the area and resisted official attempts to dictate the terms of use. While politicians and merchants sought to exclude Americans and other foreigners from the local fisheries, local fishermen sought the protection of the resource from people they considered to be outsiders; their definition of an “outsider” was not always structured by political borders, but more often by social ties and local productive arrangements. Such was the case with the residents of Grand Manan. As Moses Perley stated, these residents “complained of the number of vessels which came upon the fishing ground, considering them as encroaching upon, and usurping a privilege which ought to belong to the settlers in that vicinity exclusively”. These vessels did not come from Gloucester, Massachusetts, or even Portland, Maine, but from nearby Saint John, New Brunswick. Similarly, British North American fishermen of Passamaquoddy Bay complained of the actions of their own countrymen while they eagerly sought cooperation with the American fishermen of the same bay. As Perley pointed out: “The fishing boats from Eastport, and other places within the limits of the United States, fish equally, and mingle freely, with the British boats on their fishing grounds, near West Isles, where the fish are most numerous”.⁶⁸ Lorenzo Sabine concurred with this assessment and further added that close cooperation was so pervasive that few Royal Navy officers were able to tell one from another.⁶⁹ It is apparent that, to many fishermen in the North Atlantic, territorialism had little to do with national identity or citizenship but had much more to do with the class of fishermen.

Trade was an essential part of this relationship and was a key factor in the on-going deterioration of the merchant-credit system in the region. Although politicians in Saint John, Halifax and Washington deemed such trade unlawful, these fishermen, distant from political centers, determined their own trading relationships at any given time. “[T]he people of Grand Manan enjoy perfect free trade” with the Americans in the Maine borderlands Perley reported in 1851. For their part, American fishermen of Lubec and Eastport, Maine, received additional fish to feed the growing American market. Perley reported that Eastport had become one of the chief markets for New Brunswick fishermen in the borderlands region. “It must be borne in mind”, he suggested, “that the fish are chiefly caught by British fishermen, and carried over to Eastport, either quite fresh, or pickle-salted”.⁷⁰ The American market offered British North American fishermen a favourable alternative to the domestic firms. Perley believed that the lack of competition in some areas, such as the north shore of New Brunswick, produced a situation that was both a barrier to the full development of the fisheries and socially regressive. The lack of competition created for the local fish

67 Bonnie J. McCay and James Acheson, eds., *The Question of the Commons: The Culture and Ecology of Communal Resources* (Tucson, 1987), pp. xiii, xiv, 3-34.

68 Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 11, 28.

69 US Department of the Treasury, *Report on the Principal Fisheries of the American Seas*, pp. 356-7.

70 Perley, *Report Upon the Fisheries of the Bay of Fundy*, pp. 21, 40.

buyers a virtually monopoly. "The Cod, and other deep sea Fisheries, of the Gulf coast, are almost wholly in the hands of the Jersey merchants", Perley stated, "who conduct their business very admirably, but solely with a view to their own profit, without regard to the interests of New Brunswick. They expend their earnings in Jersey, or elsewhere; they make no investments in the Province – and they do not aid in its advancement". The social relations in these areas were characterized by the "absolute state of serfdom of the fishermen . . . who are even in worse positions than southern slaves, and [for] whose moral, physical, and spiritual wants, less care has been taken". American fishing firms were probably not any more interested in local development or an equalitarian distribution of wealth than the Jersey merchants; however, Moses Perley and others believed that the added competition would stimulate development and assist the local population, who "complained bitterly of their poverty, and state of bondage".⁷¹

While Nova Scotian and New Brunswick merchants, politicians and even some fishermen were complaining of the arrival of American capitalism and the use of more industrial methods of fishing as well as the perceived environmental side effects of this increased production, they themselves wished to increase their own production through the incorporation of new technology and new business models.⁷² Education and training became additional motives for closer interaction between American and British North American fishermen. Many inspectors from the colonies believed that the fishing industry would never succeed unless the local labourers received proper training in fish production, and those who reported to Moses Perley stated that this training could be found in the American fleet. Perley observed, for example, that "Mr. Harvey was very anxious that the Americans should be allowed to land on the coast, and prosecute the Fisheries, as they would teach the young men the latest and most approved modes of fishing, from ignorance of which they could not at present follow fishing profitably – and he desired that his wishes should be made known".⁷³

In the period from 1818-1854, the fisheries of Nova Scotia and New Brunswick increasingly came under the control of the emerging industrial fishing establishment of southern New England, despite treaties between the United States and Great Britain and efforts by the colonial governments. The failure to protect the fisheries for the benefit of British subjects was, in part, a result of the lack of sufficient resources, particularly with regard to employing patrol ships to ensure that foreign vessels stayed beyond three marine miles of the coast of the two colonies. A second factor was the unwillingness of fishermen in the colonies to view the incursion of American vessels into the region in the same manner as politicians and merchants. As in other places, fishermen in mid-19th-century Nova Scotia and New Brunswick pursued their own interests based on local customs and the forging of economic relationships that were most beneficial. Distinctions of nationality mattered little in comparison to the prospect of higher returns for fish and/or other economic benefits. Throughout the period, a relationship with the American fishing industry offered a variety of benefits.

71 Perley, *Report on the Seas and River Fisheries of New Brunswick*, pp. 83, 26, 25.

72 B.A. Balcom has shown this to be the case in the rapid rise of the industrial fisheries of Nova Scotia concentrated in Lunenburg. See B.A. Balcom, *History of the Lunenburg Fishing Industry* (Lunenburg, NS, 1977)

73 Perley, *Report on the Seas and River Fisheries of New Brunswick*, p. 34.

These ranged from the more favourable prices American schooners paid for bait fish, to the opportunity to trade for cheap American goods, to the training and wage income that was available on Yankee fishing boats. An important result of the ever-growing relationship between British North American fishermen and the American fishing industry was the overall weakening of the truck system. The growing presence of American fishing fleet gave local fishermen an opportunity to break away from the merchant-credit relations that predominated in the colonies. That so many availed themselves of this opportunity strongly suggests that they agreed with middle-class reformers like Moses Perley that the truck system produced debt peonage and little opportunity for social development.

While colonial merchants expended considerable energy in trying to keep out foreigners, they also recognized the profits that American operations made in British waters. Since New Brunswick and Nova Scotian fishermen seemed eager to cooperate with their American neighbours, there was little that local merchants could do to restrict industrialization of the fisheries or to preserve more traditional economic relationships between fishermen and merchants or traders. In response, the fish merchants in Nova Scotia and New Brunswick began to re-evaluate their interpretation of the waters and its resources.⁷⁴ By increasing their productivity they sought to counter the growing economic power of the United States in the North Atlantic. By the end of the Reciprocity period fish merchants and fishermen had developed new interpretations of their local environment. Local property was opened to international use and British territorial rights became a topic of international debate for the next half century, which often resulted in the exchange of exclusive territorial rights in inshore waters for free access to the American market.⁷⁵

74 A similar trend in modernization along the American style occurred later in Newfoundland. See William G. Reeves, "'Our Yankee Cousins': Modernization and the Newfoundland-American Relationship, 1898-1910", Ph.D. thesis, University of Maine, 1987.

75 Such an exchange was the cornerstone of the Treaty of Washington in 1871 as well as the negotiations for the failed treaties of 1888, the *modus vivendi* of 1888-1923, the Blaine-Bond Treaty of 1890 and the Hay-Bond Treaty of 1900.