

# Weighing the Evidence: Restoration Policymaking and the 1675 Order to Evict Newfoundland's English Residents

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*En 1675, le roi Charles II approuva une ordonnance d'expulsion de tous les résidents anglais de Terre-Neuve. Cette décision faisait suite à une vaste collecte de renseignements menée par des représentants du gouvernement, en particulier le Committee for Trade and Plantations, en vue d'évaluer les conditions qui régnaient à Terre-Neuve et de régler les plaintes concernant la criminalité et le déclin économique. Le capitaine chargé de procéder à l'expulsion constata cependant que les conclusions du comité étaient erronées et contesta les preuves sur lesquelles elles s'appuyaient. Cet article examine comment les diverses décisions prises par le comité à l'égard de Terre-Neuve en 1675 s'inscrivaient dans un changement plus large du rôle de la collecte et de l'analyse de données dans l'élaboration des politiques britanniques.*

*In 1675, King Charles II approved an order to evict all English residents from Newfoundland. To make this decision, government officials, particularly the Committee for Trade and Plantations, engaged in a wide-ranging information collection process to assess conditions in Newfoundland and how to resolve complaints of lawlessness and economic decline. The captain tasked with carrying out the eviction, however, found that the committee's conclusions were incorrect, and he challenged the evidence underpinning them. This article examines how the committee's various decisions regarding Newfoundland in 1675 followed a larger change in the role of data collection and analysis in English policymaking.*

SEVENTEENTH-CENTURY NEWFOUNDLAND CHALLENGED the abilities of English policymakers to manage colonial spaces. As historian Keith Matthews noted, most of the decisions made by authorities in London had little effect on the English residents and migratory fishers in Newfoundland and this contributed to chronic complaints about lawlessness and abusive business practices.<sup>1</sup> The introduction of new methods of collecting and analyzing information about Newfoundland in 1675 marked a turning point for the English government's management of the island. In February of that year the Committee for Trade and Plantations, appointed by King Charles II and the Privy Council to oversee trade and

1 Keith Matthews, "Historical Fence Building: A Critique of the Historiography of Newfoundland," *Newfoundland and Labrador Studies* 17, no. 2 (2001): 143-5. Researching and writing this article

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colonial issues, investigated complaints about Newfoundland's fishery arising from economic disruptions and the abuse of existing regulations. This investigation was the most comprehensive consideration of Newfoundland by the English government to that point and used new techniques to collect information about the island's natural resources, fishery, and English inhabitants. The committee concluded from this evidence that evicting Newfoundland's English inhabitants was the solution to the environmental, economic, and legal issues facing the island, such as deforestation and the destruction of the migratory fishery's onshore facilities by residents. John Berry, the naval commander charged with executing the eviction, however, refused to remove the island's inhabitants, citing discrepancies between his orders and the situation he found on the scene; this prompted the committee to re-evaluate its findings. This article argues that the eviction order and its reconsideration resulted from an emerging approach to knowledge production employed by natural philosophers and politicians in Restoration England to form both scientific hypotheses and political decisions. This approach, which based decisions on cumulative evidence and continually scrutinized conclusions in the face of new information and insights, was applied to both the committee's initial investigation and its response to Berry's resistance.<sup>2</sup>

The methods the committee used to examine Newfoundland in 1675 reflected the adoption of Francis Bacon's inductive method of reasoning in Restoration England by natural philosophers and politicians. Bacon, an English statesman and natural philosopher who died in 1626, proposed that knowledge should be produced inductively through the interpretation of evidence accrued from observation and experimentation. Through the cataloguing of evidence, hypotheses could be formed. In turn, these hypotheses were scrutinized against new ideas and insights in a continuous cycle of reinforcing, refining, or rejecting conclusions. Bacon argued that by methodically working towards more general principles, this inductive approach would create a body of knowledge free from prejudices and preconceptions. This technique contrasted with classical deductive methods of reasoning, which often relied on syllogistic argumentation – a method, Bacon argued, that used general principles to establish specific conclusions.<sup>3</sup>

was a significant challenge, and feedback from Suzanne Zeller, David Smith, Cynthia Comacchio, and Alan Gordon on early drafts was essential to its development. Dashy Koprnicka provided valuable input during the editing process, and always asked pointed questions about my work that improved the finished product. Funding to research this article came from Wilfrid Laurier University and the Lorimer Award.

2 Charles II to Joseph Williamson, 5 May 1675, CO 1/34, p. 151, The National Archives (TNA), Kew, UK; John Berry to Secretary Joseph Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA; Steven Shapin and Simon Schaffer, *Leviathan and the Air-Pump: Hobbes, Boyle, and the Experimental Life* (Princeton, NJ: Princeton University Press, 1985), 298-310; Peter Burke, *A Social History of Knowledge: From Gutenberg to Diderot* (Cambridge, MA: Blackwell Publishers, 2000), 45-8, 210-16; Ian Steele, *Politics of Colonial Policy: The Board of Trade in Colonial Administration 1696-1720* (Oxford: Oxford University Press, 1968), 7-9.

3 Francis Bacon, *The Advancement of Learning of the Partitions of Science*, 1605, ed. William Armstrong (London: Athlone Press, 1975), 51-54; Francis Bacon, *Novum Organum*, 1620, trans. James Spedding, Robert Ellis, and Douglas Heath (London: Library of English Renaissance Literature, 1970); Anthony Quinton, *Francis Bacon*, Past Masters series (New York: Hill and

Following Bacon's death, his ideas found a series of influential proponents, such as the natural philosopher Robert Boyle, and spread beyond natural philosophy during the Interregnum when the economist and philosopher William Petty adapted Bacon's ideas to inform political decisions. This trend accelerated in 1660 with the Restoration of Charles II and the establishment of the president, council, and fellows of the Royal Society of London for Improving Natural Knowledge. Founded as a meeting place as well as an organizer, publisher, and promoter of methods of knowledge production based on Baconian principles, the Royal Society based its program on the methods and goals laid out by Bacon in *The Advancement of Learning* (1605) and *Novum Organum* (1620). The Royal Society's membership included not only natural philosophers but also politicians interested in employing its ideas to inform their decisions. Historian of science John Pickstone describes this joining of scientific and political communities as a central component of a larger shift during the 17th century in the societal function of science towards using accrued knowledge about the natural world to assess the commercial and political value of natural resources.<sup>4</sup>

Historian Michael Hunter argues that, following the Restoration, English government officials made decisions and developed policy by accumulating firsthand accounts to understand issues and judge the efficacy of proposed solutions, basing decisions on the available information and allowing for change if challenged by new insights or evidence. However, politicians and bureaucrats often disregarded or worked around specific components of Bacon's method that could obstruct their goals, such as his concept of the Idols of the Mind – a collection of fallacies that obstructed scientific reasoning by making findings conform to prejudices and expectations.<sup>5</sup> This approach attracted Restoration politicians seeking to avoid repeating the violence of the Civil War and Interregnum by minimizing the influence of partisan politics, allowing them to work towards what Simon Schaffer and Steven Shapin call an “ideal society, where disputes could occur safely and where subversive errors were quickly corrected.”<sup>6</sup> The committee's investigation shared these goals of developing accurate decisions and avoiding partisan interference. In both its investigation and its reaction to Berry's reports, the committee sought accounts based on first-hand information about Newfoundland and based its decision on conclusions drawn from those sources.<sup>7</sup>

Wang, 1980), 55-69; Michael Hunter, *Science and Society in Restoration England* (Cambridge: Cambridge University Press, 1981), 32-42.

4 Bacon, *Advancement of Learning*; Bacon, *Novum Organum*; Shapin and Schaffer, *Leviathan and the Air-Pump*, 12-15; Quinton, *Francis Bacon*, 54-57; Paul Slack, “Government and Information in Seventeenth-Century England,” *Past & Present* 184 (August 2004): 42-6; Hunter, *Science and Society in Restoration England*, 130-5; John Pickstone, *Ways of Knowing: A New History of Science, Technology, and Medicine* (Chicago: University of Chicago Press, 2001), 60-8; Ted McCormick, *William Petty: And the Ambitions of Political Arithmetic* (Oxford: Oxford University Press, 2010), 85-90.

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

6 Shapin and Schaffer, *Leviathan and the Air-Pump*, 298; Slack, “Government and Information in Seventeenth-Century England,” 42-6.

7 Minutes of the Committee for Trade and Plantations, Whitehall, 8 April 1675, CO 391/1, p. 11, TNA; John Berry Report for the Officers and Commissioners of his Majesty's Navy, 25 July 1675, ADM 106/308, pp. 75-6, TNA.

The events of 1675 have received little scholarly attention despite their importance for understanding both the management of Newfoundland in particular and governance in Restoration England in general. In 1895, the judge and influential Newfoundland historian Daniel Prowse attributed the eviction order to the bribery of the committee by Josiah Child, a prominent politician and economic writer. Although there is no evidence indicating that the committee was bribed, there are few other interpretations of the event available. In their doctoral dissertations both Keith Matthews and Glanville Davies attribute the eviction order to attempts by government officials to support West Country towns during a period of economic hardship, but neither of their accounts considers the process through which the committee arrived at its decision.<sup>8</sup>

Both the methods used by the committee and its efforts to develop and enforce a long-term solution to Newfoundland's problems were unprecedented in the history of England's management of the island. Before 1675, the English government did not have a unified Newfoundland plan. The management of English efforts in Newfoundland was divided between proprietary governors authorized by the government to manage chartered plantations, all of whom had left Newfoundland before 1675, and the 1634 Western Charter, which delegated the regulation of the Newfoundland fishery to West Country fishing ships. Instead of addressing broad governance issues using evidence collected in Newfoundland, the English government had made piecemeal decisions, such as revising the Western Charter to ban by-boats in 1661 based on historical and legal documents as well as leaving enforcement to fishing ships.<sup>9</sup>

An examination of the ways in which the committee investigated Newfoundland opens new insights into an overlooked turning point in both Newfoundland history and English governance practices. The methods used to consider Newfoundland, particularly the town surveys, census, and articles of inquiry, developed from a wider movement that emphasized the importance of evidence-based inquiries instead of partisan argumentation to inform policies. This approach refutes Prowse's portrayal and expands upon Matthews' and Davies' work by interpreting the eviction order as the result of an effort to find an evidence-based solution to the troubles facing the English fishery and trade in Newfoundland.<sup>10</sup>

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

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

10 Minutes of the Committee for Trade and Plantations, 4 December 1675, CO 391/1, pp. 25-6, TNA; Hunter, *Science and Society in Restoration England*, 32-42; Shapin and Schaffer, *Leviathan and the Air-Pump*, 320-31; Steven Shapin, *A Social History of Truth: Civility and Science in*

### Initiating the investigation: William Hinton and the Committee for Trade and Plantations

The petition to which the committee was responding made no request for eviction. The petitioner, William Hinton, an English courtier and merchant from a propertied West Country family with experience in the Newfoundland cod trade, instead requested on 12 February 1675, that he be appointed the governor of Newfoundland.<sup>11</sup> Hinton based his petition on two claims: that Charles II had promised his family the governorship in 1654 as a reward for supporting Charles I during the Civil War as well as following Charles II into exile during the Interregnum, and that a governor was needed to provide security for the fishery. Although little is known about Hinton's involvement in Newfoundland prior to the Restoration, in 1661 he went to the island as a planter to solidify his claim to the governorship. Where exactly Hinton lived in Newfoundland or how long he stayed is unclear. From 1667 to 1681, however, Hinton acted as a spokesperson for Newfoundland's English residents in political and legal disputes, indicating that he gained some recognition there.<sup>12</sup> Hinton was not the first to pursue the title of governor after the Restoration. However, while previous requests, such as the naval commander Robert Robinson's 1668 petition to be named governor, were rejected following debates about their merits, Hinton triggered an investigation that expanded far beyond his request by seeking long-term solutions to the island's chronic problems.<sup>13</sup>

Hinton's defense of his petition spurred the committee in this direction. Anticipating a debate similar to the one Robinson had instigated, Hinton presented two letters attacking his potential opponents before the committee made any requests for outside opinions or information.<sup>14</sup> He accused West Country merchants of profiteering by lending money at interest rates as high as 25 to 30 per cent, charging planters and fishers exorbitant prices for provisions, and stranding fishers in Newfoundland and New England to avoid paying for return passages to England. Hinton also argued that merchants abused the Western Charter, which set down laws for English fishers and residents in Newfoundland, by selectively enforcing its provisions and creating a predatory relationship in which merchants could do as they pleased while Newfoundland's inhabitants had no legal recourse.<sup>15</sup>

*Seventeenth-Century England* (Chicago: University of Chicago Press, 1994), 1-12, 93-4; Hunter, *Science and Society in Restoration England*, 3-7.

11 William Hinton, "Order of the King in Council, Referring to the Petition of William Hinton," 12 February 1675, in *Calendar of State Papers Colonial, America and West Indies*, vol. 17, ed. Cecil Headlam (London: His Majesty's Stationery Office, 1908), 596.

12 William Hinton, "The Pretended Reasons against Government . . . with the Answer," 12 February 1675, CO 1/65, p. 89v, TNA; C.M. Rowe, "Hinton, William," *Dictionary of Canadian Biography, Volume 1 (1000-1700)*, [http://www.biographi.ca/en/bio/hinton\\_william\\_1E.html](http://www.biographi.ca/en/bio/hinton_william_1E.html).

13 "The Reply of Merchants, Owners and Masters of Ships to the Allegations of Capt. Robert Robinson concerning the Newfoundland Fishery," 1668, CO 1/22, p. 119, TNA; Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, CO 1/22, pp. 115-16, TNA; Jack Sosin, *English America and the Restoration Monarchy of Charles II: Transatlantic Politics, Commerce, and Kinship* (Lincoln: University of Nebraska Press, 1980), 40.

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

15 William Hinton, "Pretended Reasons against Erecting the King's Government in Newfoundland, with Answers," 23 February 1675, Keith Matthews Collection, MHA 16-C-2-153, Maritime History Archive, St. John's; William Hinton, "Statement of the Reasons the West Country

There were other motivations for an expanded consideration of Newfoundland in 1675, particularly declining catches and participation in the fishery in the 1660s and 1670s. Beginning in the late 1660s and continuing until the early 1700s, Newfoundland experienced a period of lower temperatures that resulted in declining cod populations. Catches bottomed out between 1669 and 1674 to 100-140 quintals (5-7 tons) of dry-salted cod per boat, down significantly from the 180 to 200 quintals (9-10 tons) per boat in years reported to be average during the 17th century.<sup>16</sup> In addition to poor fishing, conflicts with Spain and the Dutch Republic caused losses of English fishing and trade ships. The resulting damage to the Newfoundland fishery hurt West Country towns such as Plymouth and Dartmouth, which relied on the fishery to employ their residents, support the local provisioning industry, and supply trade goods.<sup>17</sup>

At the time of Hinton's petition, French activities in Newfoundland concerned English politicians. While the English fishery struggled in the 1660s and 1670s, the French expanded their presence in Newfoundland. In 1662, French military forces and planter families established a town and fortifications at Plaisance (Placentia). France had maintained a seasonal fishery in Newfoundland since the 16th century, but Plaisance was the first French attempt to develop a permanent presence on the island. Unlike the English in Newfoundland, Plaisance fit into a larger French strategy promoted by Louis XIV's Controller General of Finances Jean-Baptiste Colbert and received considerable government support. Plaisance, in Colbert's view, was an opportunity to expand the French fishery in Newfoundland, secure the Gulf of St. Lawrence for French shipping, and boost France's trade, and, as such, he dedicated government resources to fortifying and governing Plaisance. This divergence between the English and French approaches reflects France's greater focus on centralized management of the state and its colonies, as opposed to England's distribution of powers to regional and colonial authorities.<sup>18</sup>

Reports of a French colony in Newfoundland arrived in England in 1662, but it was not until 1675 that Plaisance was considered a threat to the English fishery by

Fishermen are Against the Taking of Newfoundland under the King's Government," 23 February 1675, in *Calendar of State Papers*, 17:596-7.

- 16 George Rose, *Cod: The Ecological History of the North Atlantic Fisheries* (St. John's: Breakwater Books, 2007), 240-2; Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 33-7; Irene Mantzouni and Brian MacKenzie, "Productivity Responses of a Widespread Marine Piscivore, *Gadus Morhua*, to Oceanic Thermal Extremes and Trends," *Proceedings: Biological Sciences* 277, no. 1689 (June 2010): 1871-3.
- 17 James Houblon, "Reasons for the Decay of the Trade at Newfoundland," 20 March 1675, CO 1/34, pp. 58-6, TNA; George Pley to the Naval Commissioners, 1 July 1665, in *Calendar of State Papers, America and West Indies*, vol. 5, 1661-1668, ed. W Noel Sainsbury (London: Her Majesty's Stationery Office, 1880), 307-16; William Gilbert, "'Ye Strength of Ye Place': Defence Works in the St. John's Narrows, 1638-1780," *Newfoundland and Labrador Studies* 25, no. 2 (2010): 198-9; Matthews, "History of the West of England-Newfoundland Fishery," 181-2.
- 18 Laurier Turgeon, *The Era of Far-Distant Fisheries-Permanence and Transformation (circa 1500-1850)*, trans. Aspi Balsara (St John's: Centre for Newfoundland Studies, Memorial University of Newfoundland, 2005), 12-13; Marc Egnal, *New World Economies: The Growth of the Thirteen Colonies and Early Canada* (New York: Oxford University Press, 1998), 128-32; Nicolas Landry, *Terre-Neuve, 1650-1713: Une colonie française en Amérique* (Quebec: Septentrion, 2008), 15-40.

the English government. Until the end of the Third Anglo-Dutch War in 1674, wars with the Dutch Republic distracted English officials from the potential threat posed by the French in Plaisance. This focus was warranted; in 1665 and 1673 Dutch fleets sacked harbours and raided English fishing vessels in Newfoundland. Following the end of the war with the Dutch, officials began to pay more attention to the French in Newfoundland; however, in 1675 the committee was unsure how serious of a threat Plaisance posed.<sup>19</sup>

The troubled English fishery and the growing French presence complicated Hinton's petition, and the lack of reliable information about Newfoundland magnified these issues. The committee did review prior documents, debates, and legislation regarding Newfoundland, but these efforts revealed more problems than solutions.<sup>20</sup> Much of this information was outdated or came from questionable sources. Recognizing these difficulties, the committee collected and analyzed new evidence about Newfoundland's economic, environmental, and political issues.<sup>21</sup>

The structure and attendance record of the committee provide insight into how it conducted the Newfoundland investigation. In 1675 the committee was composed of the Clerk of the Privy Council and 24 members of the Privy Council appointed by Charles II; but attendance only averaged six appointees per meeting during its hearings about Newfoundland.<sup>22</sup> The most regular attendees were Arthur Annesley, John Berkeley, George Carteret, William Craven, and Joseph Williamson. These members either held high offices or were involved in other colonies, giving them a vested interest in the proceedings. In 1675 Williamson was Secretary of State and Annesley the Lord Privy Seal. Berkeley, Carteret, and Craven, all members of the Privy Council, financed and governed colonies in Carolina and New Jersey, giving them an interest in how the English government managed its North American possessions.<sup>23</sup> Robert Southwell, a diplomat and the Clerk of the Privy Council assigned to the committee, attended regularly but appears in the minutes only when he spoke or presented evidence owing to his position as a paid bureaucrat rather than an appointed politician.<sup>24</sup>

19 John Rayner, "Petition," 12 November 1662, CO 1/16, p. 248, TNA; "Report on the Petition of John Rayner and William Rayner," 14 November 1662, CO 1/16, pp. 246-7, TNA; John Parrett, "On the French at Newfoundland," 27 February 1675, CO 391/1, pp. 5-6, TNA; James Houblon, "Reasons for the Decay of the Trade at Newfoundland," 20 March 1675, CO 1/34, pp. 58-61, TNA; Alan Williams, *Father Baudoin's War: d'Iberville's Campaigns in Acadia and Newfoundland, 1696, 1697* (St. John's: Memorial University of Newfoundland, 1987), 10-12; Gilbert, "'Ye Strength of Ye Place'," 198-9.

20 Minutes of the Committee for Trade and Plantations, 25 February 1675, CO 391/1, pp. 4-5, TNA; "Newfoundland," 27 February 1675, CO 1/35, pp. 25-6, TNA.

21 George Pley to the Naval Commissioners, 1 July 1665, in *Calendar of State Papers*, 5:307-16; Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, CO 1/22, pp. 115-16, TNA; Pope, *Fish into Wine*, 187-91.

22 "A List of the Lords of the Privy Council Appointed [to] a Committee for Trade and Plantations," CO 391/1, p. 2, TNA.

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

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

Non-appointed bureaucrats, merchants, and others regularly attended the committee's meetings and offered opinions and evidence on the issues at hand, although exactly who was present beyond the appointed members is seldom recorded. A non-appointed individual's presence was often recorded only when they presented evidence or were given a task. Child, for example, was not a member of the committee, but he offered opinions about Newfoundland on two occasions and appeared in the minutes only on those occasions. There are no references as to whether or not Child attended any other meetings about Newfoundland, although his recorded opinions indicate he was well-informed regarding the island's economy and the issues under consideration.<sup>25</sup> Additionally, Samuel Pepys, the famed bureaucrat and diarist, was not an appointed member of the committee but attended in his position as secretary of the Admiralty Commission. Like Child, Pepys appears in the committee's minutes only when he spoke or was assigned a task.<sup>26</sup>

Scientific and political developments in the 1660s and 1670s influenced the committee's proceedings; particularly the spread of Bacon's inductive reasoning as a political tool. Three fellows of the Royal Society participated in the Newfoundland investigation: Williamson, Southwell, and Pepys, who would each be appointed president of the society in 1677, 1684, and 1690 respectively. Their involvement in the Royal Society indicates a shared interest in Baconian methods of reasoning, an interest that continued into their political work. Williamson, Southwell, and Pepys developed new sources of information about Newfoundland based on the Baconian idea that decisions should be developed from cumulative evidence and allow for further scrutiny.<sup>27</sup>

Williamson, in particular, influenced the committee's proceedings in these ways: he attended all but one of the meetings about Newfoundland and promoted the collection and analysis of first-hand accounts. Craven, in contrast, attended all of the meetings on Newfoundland but there is no recorded instance of him offering any information or opinions during the proceedings.<sup>28</sup> Williamson promoted town surveys and the critical assessment of information as a key to understanding Newfoundland, emphasizing a Baconian approach of producing knowledge by scrutinizing hypotheses. Williamson initially supported eviction based on the evidence submitted but changed his position to oppose the removal of inhabitants after receiving Berry's reports.<sup>29</sup>

25 Minutes of the Committee for Trade and Plantations, Whitehall, 25 March 1675, CO 391/1, p. 9, TNA; Josiah Child, "Indulging a Colony at Newfoundland," 30 March 1675, CO 391/1, p. 10, TNA; Ferris, "CHILD, Josiah"; Prowse, *History of Newfoundland*, 189-90.

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

27 "List of Fellows of the Royal Society 1660-2007," 278, 333, 383; G.E. Aylmer, *The Crown's Servants: Government and Civil Service under Charles II, 1660-1685* (New York: Oxford University Press, 2002), 195-6; John Gascoigne, "The Royal Society and the Emergence of Science as an Instrument of State Policy," *British Journal for the History of Science* 32, no. 2 (June 1999): 171-84.

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

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



Although not appointed members, both Pepys and Southwell significantly influenced the investigation. Pepys, who coordinated communications and resources between the committee and the Admiralty, developed articles of inquiry for John Berry to complete in Newfoundland in the summer of 1675. These organized sets of questions, designed to record observations in a standardized format, collected comparable qualitative information from multiple observers. Historian Barbara Shapiro argues that articles of inquiry were developed by Restoration politicians using a Baconian approach to decision-making since they focused on gathering multiple sets of answers to the same questions over time, allowing for decisions that represented the most probable solution to a particular problem. This format allowed politicians to retest their conclusions by creating comparable sets of information before and after implementing a decision. Articles of inquiry would be issued for Newfoundland annually after 1675, and represent one of the most detailed series of surviving documents about the English presence in early modern Newfoundland.<sup>30</sup>

Southwell used his connections and skills as both a diplomat and a fellow of the Royal Society to contribute to the proceedings. In particular, he obtained statistical information about French participation in the Newfoundland fishery and supported the introduction of an outside observer to provide an independent analysis of the information collected. In both cases, Southwell worked to ensure that the committee received reliable information about the state of Newfoundland and that its analysis represented an accurate interpretation of that evidence.<sup>31</sup>

Pepys, Williamson, and Southwell's approach diverged from Hinton's expectations, although there is no known response by Hinton in regards to the direction taken by the committee. Rather than holding a debate similar to the one Robinson's petition received, the committee focused on collecting and assessing information to address a range of issues regarding Newfoundland. The investigation initiated in response to Hinton's petition thus constituted a reaction to both issues faced in Newfoundland as well as problems with information about Newfoundland. Using methods rooted in Bacon's inductive method, the committee, and Williamson, Pepys, and Southwell in particular, sought new sources of information about Newfoundland to guide their decision.<sup>32</sup>

TNA; Minutes of the Committee for Trade and Plantations, 4 December 1675, CO 391/1, pp. 25-6, TNA.

30 "Samuel Pepys to send their lords a draft of the instructions given to the convoys," 8 April 1675, CO 391/1, p. 11a, TNA; Pope, *Fish into Wine*, 197-8; John Berry, "List of Planter Names . . ." 12 September 1675, CO 1/35, pp. 149-56, TNA; John Berry to Secretary Joseph Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA; Barbara Shapiro, *Probability and Certainty in Seventeenth-Century England: A Study of the Relationships between Natural Science, Religion, History, Law, and Literature* (Princeton: Princeton University Press, 1983), 37-44, 237-46; Barbara Shapiro, *Political Communication and Political Culture in England, 1558-1688* (Stanford: Stanford University Press, 2012), 67-8.

31 Robert Southwell, "Request for a report on information from St. Malo on the Number of ships sent to Newfoundland," 1 March 1675, CO 1/34, p. 27, TNA; James Houblon to Robert Southwell, 30 March 1675, CO 1/34, pp. 58-61, TNA; Minutes of the Committee for Trade and Plantations, Whitehall, 30 March 1675, CO 391/1, pp. 9a-10, TNA; Shapin, *Social History of Truth*, 6-9.

32 Minutes of the Committee for Trade and Plantations, Whitehall, 25 February 1675, in *Calendar of State Papers*, 9:172.

### **Investigating Newfoundland: collecting and evaluating evidence, 25 February to 5 May**

The committee used three methods to collect and assess information about Newfoundland: town surveys, opinions, and an outside observer. Government requests for opinions regarding Newfoundland appear as early as 1527, but the use of a town survey and an outside observer in 1675 were both firsts. Each of these three methods provided information about the condition of Newfoundland and the concerns of English fishers and merchants while allowing the committee to make an informed judgement on Hinton's petition.<sup>33</sup>

The 1675 use of the town survey represented the English government's first application of political arithmetic for the purpose of managing Newfoundland. Political arithmetic, defined by the historian Ted McCormick as the use of quantitative information collected from observational records to guide policy decisions, was especially useful for gathering information from multiple sources about one subject, as was the case with the town surveys.<sup>34</sup> The committee issued the survey in response to both Hinton's concerns and the problems found in the review of materials from prior hearings.<sup>35</sup> West Country towns kept quantitative records of catch rates and ships in Newfoundland in port books before 1675, but that information had been used primarily for taxation purposes and were not considered by the committee. Unlike the port books, the town survey gathered information about Newfoundland's economic value and English population.<sup>36</sup>

The survey was sent to 14 West Country towns and contained a series of questions for their mayors to answer in consultation with local merchants, shipowners, and others with experience in Newfoundland. The survey questions asked what harbours in Newfoundland were inhabited by English planters, how many planters and servants there were in those harbours, the distances between harbours, and what harbours were suitable for fortifying. Other than asking what harbours were suitable for fortifying, each question was meant to collect information to understand current geographic, economic, and demographic conditions of Newfoundland. Reflecting the committee's interest in political arithmetic, the surveys did not ask for commentary or opinions about what should be done in Newfoundland, but rather focused on supplying quantitative answers that could be used by the committee to understand the geography, population and economy of the island.<sup>37</sup> Of the 14 towns contacted, only six replied: Weymouth, Falmouth, Plymouth, Southampton, Barnstaple, and Bideford. The other eight towns – Poole,

33 Edmund Howard to Thomas Wolsey, 26 December 1527, in *Letters and Papers, Foreign and Domestic, Henry VIII*, vol. 4, 1524-1530, ed. J.S. Brewer (London: Her Majesty's Stationary Office, 1875), 1653-72.

34 McCormick, *William Petty*, 8-11.

35 Minutes of the Committee for Trade and Plantations, Whitehall, 25 February 1675, in *Calendar of State Papers*, 9:172.

36 John Berry, "List of Planter Names . . .," 12 September 1675, CO 1/35, pp. 149-16, TNA; Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), i-iii.

37 Minutes of the Committee for Trade and Plantations, 25 February 1675, CO 391/1, pp. 1-10, 598, TNA.

Lyme Regis, Melcombe, Exeter, Dartmouth, East Low, Foy, and Bristol – did not respond to the survey despite their involvement in the Newfoundland fishery.<sup>38</sup>

Tobias Burr, the mayor of Weymouth, provided the best example of the survey completed as the committee desired by following the instructions issued with the survey closely. Burr summoned “the owners and masters of ships usually trading at the Newfoundland” to account for “all the ports and places of that plantation together with the number of planters at present residing there.”<sup>39</sup> He completed the survey by listing the requested information without adding additional information or opinions, thus providing a straightforward response that represented the collective experience of Weymouth’s merchants and shipowners regarding Newfoundland.

Unlike Burr, Thomas Farr, the mayor of Southampton, was reluctant to complete the survey as requested by the committee. Farr argued that he was unsure why he should respond since all he was reporting was common knowledge about Newfoundland. While Farr did complete the survey, he provided unsolicited opinions about Newfoundland’s English inhabitants. According to Farr, during the winter residents destroyed buildings belonging to West Country fishing ships; this caused delays each spring as fishing crews rebuilt structures. Farr’s claims regarding the destruction of buildings are incomplete, and contested by other sources. Berry, for instance, reported later that year that migratory ships destroyed their own buildings for firewood before leaving Newfoundland. Additionally, buildings, especially shore facilities like stages, were frequently damaged or destroyed during the winter by storms and ice. Residents may have destroyed some buildings, and likely salvaged wood from damaged buildings, but they were not responsible for the wide-spread destruction Farr attributed to them. Farr’s addenda indicated not only antipathy in Southampton towards Newfoundland’s English inhabitants, but also reluctance simply to list the requested information.<sup>40</sup>

Farr’s response represented a trend among West Country merchants to portray Newfoundland’s English inhabitants as detrimental to the fishery, a point that Prowse interpreted as an organized English effort to suppress Newfoundland’s development. Keith Matthews, W. Gordon Handcock, and Peter Pope have contested Prowse’s interpretation by arguing that while anti-inhabitant opinions were present in the West Country, there was no active effort to suppress

38 Burr, “Report on Newfoundland,” 3 March 1675, CO 1/34, pp. 35-7, TNA; William Arundel, “Report on Newfoundland,” 16 March 1675, CO 1/34, pp. 44-6, TNA; William Weekes, Mayor of Plymouth, “Answers and Opinions on Newfoundland,” 12 March 1675, CO 1/34, pp. 41-2, TNA; Thomas Farr, Mayor of Southampton, “Answer to orders on Newfoundland,” 24 March 1675, CO 1/34, pp. 62-3, TNA; Richard Hook, Mayor of Barnstaple, and Thomas Gearing, Mayor of Bideford, “Answer from the Mayors Concerning Newfoundland,” 30 March 1675, CO 1/34, pp. 87-8, TNA.

39 Burr, “Report on Newfoundland,” 3 March 1675, CO 1/34, p. 35, TNA.

40 Farr, “Answer to orders on Newfoundland,” 24 March 1675, CO 1/34, TNA; Berry to Secretary Joseph Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA; John Downing, “How inhabitants employ themselves after the Fishing Ships leave,” 3 May 1677, CO 391/2, p. 17, TNA; Pope, *Fish into Wine*, 91-7; Peter Pope, “Outport Economics: Culture and Agriculture in Later Seventeenth-Century Newfoundland,” *Newfoundland and Labrador Studies* 19, no. 1 (May 2005): 158-61; Barry Gaulton and Stephen Mills, “A Seventeenth Century ‘Winter House’ in Sunnyside, Newfoundland?” *Provincial Archaeology Office, Archaeological Review* 9 (2010): 51-2.

Newfoundland's English inhabitants by merchants of that region. Instead, West Country merchants and mayors often resisted government interference in the fishery, such as the appointment of a governor, whom they worried would increase taxes and reduce the rights granted to them in the 1634 Western Charter.<sup>41</sup>

The 1675 town survey supports Matthews, Handcock, and Pope's interpretation. Except for Farr's response, the town surveys did not express anti-inhabitant views. The four other completed surveys – from Falmouth, Plymouth, Barnstaple, and Bideford – followed a format similar to Burr's, offering basic information about what harbours were used, whether they were inhabited, and how well protected they were. Their responses were largely identical with a few minor differences, such as the distances between harbours and the number of inhabitants in specific places. The surveys offer no breakdown of the population numbers in Newfoundland beyond planters and servants, of which the mayors estimated between 900 and 1,000 in total. The town surveys defined the English population of Newfoundland solely by the fishery and the economic relationship between planters and servants, with no larger society or government. When analyzed together, the town surveys present a Newfoundland characterized by a large number of sheltered harbours inhabited by small clusters of planters and their servants.<sup>42</sup>

The town surveys were different from any other method used to gather information about Newfoundland during the initial investigation. Until Berry's census later that year, no other sources of demographic information about Newfoundland existed in England, making town surveys a vital source of information that was otherwise unavailable. This data allowed the committee to produce and implement an evidence-based solution immediately, rather than wait months for censuses and reports to arrive from Newfoundland. Later, when Berry completed his census of Newfoundland, the committee revisited its initial findings, particularly the demographics reported by the town surveys.<sup>43</sup>

While the committee emphasized the importance of first-hand accounts presented with little interpretation, respondents preferred the more familiar format of opinions. This familiarity is seen in the fact that the opinions submitted exceeded the town surveys in both the quantity of responses and diversity of information provided. Although opinions represented a form of partisan argumentation, there was valuable information in the letters and oral arguments elicited by Hinton's petition – information that the committee used in its deliberations.<sup>44</sup>

41 Prowse, *History of Newfoundland*, xiii; Harold Innis, *The Cod Fisheries: The History of an International Economy* (Toronto: University of Toronto Press, 1954), 95-101; Matthews, "Historical Fence Building," 143-5; W. Gordon Handcock, *So Longe as There Comes Noe Women: Origins of English Settlement in Newfoundland* (St. John's: Breakwater, 1989), 38-40; Pope, *Fish into Wine*, 65-8.

42 Burr, "Report on Newfoundland," 3 March 1675, CO 1/34, pp. 35-7, TNA; Farr, "Answer to orders on Newfoundland," 24 March 1675, CO 1/34, pp. 62-3, TNA; Arundel, "Report on Newfoundland," 16 March 1675, CO 1/34, pp. 44-6, TNA; Weekes, "Answers and Opinions on Newfoundland," 12 March 1675, CO 1/34, pp. 41-2, TNA; Hook and Gearing, "Answer from the Mayors Concerning Newfoundland," 30 March 1675, CO 1/34, pp. 87-8, TNA; Pope, *Fish into Wine*, 56.

43 Farr, "Answer to orders on Newfoundland," 24 March 1675, CO 1/34, pp. 62-3, TNA; Shapiro, *Probability and Certainty in Seventeenth-Century England*, 37-44.

44 Minutes of the Committee for Trade and Plantations, 25 February to 8 April 1675, CO 391/1, pp. 4-12, TNA.

Two influential opinions came from John Parrett, a West Country merchant and lobbyist, who opposed Hinton's petition, and from John Gould, a London merchant who supported the appointment of a governor of Newfoundland.<sup>45</sup> In an oral argument, Parrett insisted that Hinton's petition presented an inaccurate depiction of Newfoundland, rejecting Hinton's accusations that merchants abused the island's inhabitants. Parrett argued that the West Country merchants were both the best source of information about Newfoundland and the best choice to carry out the fishery and that establishing a governor would be difficult due to the island's climate and poor soil, which required expensive buildings and imports to overcome. Repeating what he claimed was a common saying in the West Country, Parrett stated "If it were not for wood or fish New-Found-Land were not worth a rush."<sup>46</sup> Gould, opposing Parrett, argued that if Newfoundland had a governor it could produce fish cheaper than France, boosting England's trade. Gould, echoing Hinton's letters, accused merchants such as Parrett of destructive self-interest that would permanently damage the island. Unlike Parrett, Gould did not offer any source for his claims.<sup>47</sup>

In addition to opinions from individuals, some West Country towns coordinated their efforts. Richard Hook, the mayor of Barnstaple, wrote to William Weekes, the mayor of Plymouth, stating that the two towns shared similar outlooks about Newfoundland and that they needed to work together during the ongoing "examination of all things relating to the settlement, government, and trade of Newfoundland." Hook argued that by working together Plymouth and Barnstaple could prevent the appointment of a governor and support the West Country as the best choice to enforce regulations and conduct the fishery.<sup>48</sup> Weekes, in agreement with Hook, gathered abstracts on the regulation, business, and environment of Newfoundland and appointed two representatives to argue against Hinton's petition.<sup>49</sup> Hook, along with Thomas Gearing, the mayor of Bideford, wrote to the committee rejecting any calls for the appointment of a governor of Newfoundland.<sup>50</sup>

Despite such opposition to a governor, there were advocates for the cause in the West Country as well. George Pley, a merchant from Weymouth, wrote to the committee arguing for the appointment of a governor of Newfoundland to prevent the theft and vandalism on shore facilities, protect the fishery from the French, and stop deforestation. Pley reported that 250,000 young trees and 50,000 older trees were cut yearly in Newfoundland to construct and repair buildings. Additionally,

45 Minutes of the Committee for Trade and Plantations, Whitehall, 27 February 1675, CO 391/1, pp. 5-6, TNA; Pope, *Fish into Wine*, 44.

46 Parrett, "Thoughts on Newfoundland," 27 February 1675, CO 391/1, pp. 5-6, TNA.

47 John Gould, "Encouraging a colony," 27 February 1675, CO 391/1, pp. 5-6, TNA; John Gould to Sir Robert Southwell, 18 March 1675, in *Calendar of State Papers*, 17:598.

48 Richard Hook to William Weekes, 1 March 1675, w360/85, Plymouth and West Devon Record Office, Plymouth, UK.

49 "Abstracts of several papers delivered to William Weekes, Mayor of Plymouth, concerning Newfoundland," 6 March 1675, 1/360/86, Plymouth and West Devon Record Office; Weekes, "Answers and Opinions on Newfoundland," 12 March 1675, CO 1/34, pp. 41-2, TNA; "Remembrance of the Owners and Masters of Plymouth and Dartmouth," 1675, 1/19/2, Plymouth and West Devon Record Office.

50 Richard Hook and Thomas Gearing to the Committee for Trade and Plantations, 7 April 1675, CO 1/34, pp. 87-8, TNA.

unknown quantities of Newfoundland's trees were destroyed annually by forest fires started by inhabitants and fishing crews. Deforestation, according to Pley, presented a long-term threat to the migratory fishery, which depended on Newfoundland's forests for fuel and building materials.<sup>51</sup>

Despite their more subjective nature, opinions did provide information unavailable in the town surveys. Parrett and Pley, for example, provided quantitative information and references to their sources. Pley relied on quantitative information about deforestation in Newfoundland to make his case. Parrett cited accounts from sailors and merchants who had experience in Newfoundland. In both instances, Pley and Parrett's opinions presented first-hand accounts about Newfoundland otherwise unavailable during the hearings. Although the committee prioritized observational information presented without interpretation, such as the town surveys, it did not ignore informed opinions. However, the partisan nature of opinions did create problems. On 4 December 1675, following Berry's refusal to carry out the eviction, Williamson criticized Parrett for misrepresenting evidence for political gain.<sup>52</sup>

Faced with a large quantity of information and contradictory opinions, the committee brought in an outside observer to provide an analysis of the challenges facing the Newfoundland fishery and propose a solution. James Houblon, a London merchant involved in the Iberian wine trade and later a director of the Bank of England, was selected as the observer.<sup>53</sup> Houblon did not participate in the investigation before his report, but he did know Southwell, Pepys, and Williamson through social and business connections. Houblon made a point of ensuring the committee recognized his outsider status, stating "I am altogether a stranger to the point in issue, though Mr. Secretary Williamson was pleased the other day to tell me that there was an intention to lead a governor to Newfoundland, and a colony, and to plant there, as a thing fit to be done to retrieve that trade."<sup>54</sup> Southwell, Pepys, and Williamson's connections to Houblon, as well as his background as a merchant, made him at once an outsider to the issue and a trusted analyst.

Houblon's report considered Newfoundland in the context of the English shipping decline in the 1670s and whether changes in the governance of Newfoundland could help resolve this problem. In this regard, Houblon advised that a new legislative framework and a governor were needed to solve Newfoundland's

51 George Pley, "Arguments for a Settled Government at Newfoundland," 17 March 1675, CO 1/34, pp. 49-50, TNA; "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," 24 January 1633, CO 1/8, pp. 1-6, TNA; Cell, *English Enterprise in Newfoundland*, 112-13.

52 Minutes of the Committee for Trade and Plantations, 4 December 1675, CO 391/1, pp. 25-6, TNA; Parrett, "Thoughts on Newfoundland," 27 February 1675, CO 391/1, pp. 5-6, TNA; Pley, "Arguments for a Settled Government at Newfoundland," 17 March 1675, CO 1/34, pp. 49-50, TNA; Sosin, *English America and the Restoration*, 50-2.

53 James Houblon, "Reasons for the Decay of the Trade at Newfoundland," 20 March 1675, CO 1/34, pp. 58-61, TNA; Perry Gauci, "HOUBLON, Sir James (1629-1700), of Winchester Street, London, and Leyton, Essex," *History of Parliament British Political, Social & Local History*, <http://www.historyofparliamentonline.org/volume/1690-1715/member/houblon-sir-james-1629-1700>; Pope, *Fish into Wine*, 116-21.

54 Houblon, "Reasons for the Decay of the Trade at Newfoundland," 20 March 1675, CO 1/34, pp. 58-61, TNA.

problems and boost England's fishery. Houblon qualified his stance with doubts about the ability of either Newfoundland's inhabitants or a governor to defend against foreign incursions without investments in fortifications and garrisons. The advantage of a governor, in Houblon's view, would be in regulating the fishery to reduce costs and increase the volume of cod produced – not security. Although the committee did not agree with Houblon's final assessment, it accepted his report.<sup>55</sup>

There were gaps in the committee's consideration, most notably the lack of accounts from Newfoundland's English inhabitants and the absence of discussion of the Beothuk and Mi'kmaq. The committee, instead, relied on sources in England, many of whom had little or no experience in Newfoundland, such as merchants, and were mainly concerned with financial issues. The fact that the investigation took place in the winter, when sea ice surrounds much of Newfoundland, precluded any requests for information being sent to the island. However, Newfoundland planters who had wintered in England could have contributed.<sup>56</sup> In 1677, Williamson identified the absence of testimony from any of Newfoundland's English inhabitants in 1675 as one of the reasons for both the eviction decision as well as its failure.<sup>57</sup>

The lack of any consideration of the Beothuk and Mi'kmaq is notable since it represents a gap in the committee's knowledge that was neither corrected nor recognized. The only reference to either people is contained in a report from the French port city of Saint-Malo presented by Southwell. The report, which focuses on the size of the French fishery, states that the fortifications at Plaisance were built to defend against the Beothuk and Mi'kmaq, a questionable assertion.<sup>58</sup> While there was a Mi'kmaq presence near Plaisance, French-Mi'kmaq relations were peaceful and both groups also allied with each other to fight the English; this indicates that the fortifications were not built to defend against the Mi'kmaq. Additionally, the fortifications at Plaisance were positioned to defend against large seaborne threats such as English warships, not attacks from land or small canoes like those used by the Mi'kmaq and Beothuk.<sup>59</sup> The Beothuk also frequented the area around Plaisance,

55 Houblon, "Reasons for the Decay of the Trade at Newfoundland," 20 March 1675, CO 1/34, pp. 58-61, TNA; Matthews, "History of the West of England-Newfoundland Fishery," 179-83.

56 Minutes of the Committee of Trade and Plantations, Whitehall, 6 May 1677, CO 391/2, p. 23, TNA.

57 *An Account of the Colony and Fishery of Newfoundland*, 1677, CO 199/16, pp. 14-15, TNA.

58 There is some debate over the presence of the Mi'kmaq in Newfoundland during the 17th century stemming from the lack of traditional documentary sources by Europeans about their presence. However, as Charles Martijn points out, this argument is reliant on a rather restricted analysis of the documentary sources that overlooks 16th century evidence regarding the Mi'kmaq in Newfoundland and evidence regarding their historical range and land use patterns; see Charles Martijn, "Early Mikmaq Presence in Southern Newfoundland: An Ethnohistorical Perspective, c.1500-1763," *Newfoundland and Labrador Studies* 19, no. 1 (May 2005): 46-70. See also Dennis Bartels, "Time Immemorial? A Research Note on Micmacs in Newfoundland," *Newfoundland Quarterly* 75, no. 3 (Fall 1979): 6-9, and Southwell, "Report on information from St. Malo," 1 March 1675, CO 1/34, p. 27, TNA.

59 Martijn, "Early Mikmaq Presence in Southern Newfoundland," 68-70; Amanda Crompton, "The Historical Archaeology of a French Fortification in the Colony of Plaisance the Vieux Fort Site (ChA1-04) Placentia Newfoundland" (PhD diss., Memorial University of Newfoundland, 2012), 117-24; Amanda Crompton, "Confronting Marginality in the North Atlantic: Archaeological and Historical Perspectives from the French Colony of Plaisance, Newfoundland," *Historical Archaeology* 49, no. 3 (September 2015): 54-65.

but their presence in that region was smaller than that of the Mi'kmaq.<sup>60</sup> There is evidence of English-Mi'kmaq trade during this period, but no references to English-Mi'kmaq relations in the 1675 investigation.<sup>61</sup>

The questionable explanation for French fortifications in Southwell's report highlights the absence of the Beothuk during the hearings. Unlike Plaisance, Trinity Bay, an important region for the English fishery, was frequented by the Beothuk. There is documentary evidence as well as archaeological evidence of Beothuk-English contact and even trade in this period, but the committee did not receive any such reports.<sup>62</sup> It did review Samuel Purchas's *Hakluytus Posthumus*, which includes an account of John Guy's 1612 encounter with Beothuk traders in Trinity Bay, but there is no mention of this meeting in the minute books or letters. The failure to consider the Beothuk or Mi'kmaq limited the committee's understanding of the possibility of trade, cooperation, or conflict with either people as a possible benefit of an English population and governor on the island.<sup>63</sup>

On 1 April the committee announced its intention to reject Hinton's petition and evict all English inhabitants from Newfoundland, reserving the island for the sole use of the migratory fishery. Additionally, in recognition of the Western Charter as flawed, the committee called for suggestions on how to revise the charter to reflect the needs of the fishery.<sup>64</sup> Following the announcement, Hinton's opponents pushed their advantage to gain more favourable terms. Hook and Gearing requested that provisions in the Western Charter regulating the cutting of trees be removed, arguing that these restrictions were unnecessary once Newfoundland's English inhabitants were evicted.<sup>65</sup> Parrett, along with representatives from Barnstaple and Dartmouth, requested that English warships seize any New England fishing ships at Newfoundland and that the government distribute an updated version of the Western Charter.<sup>66</sup> Except for the seizing of ships from New England, all of the suggestions received were adopted. On 5 May, Charles II approved the committee's decision and ordered letters be sent to the governors of other plantations to prepare to receive Newfoundland's inhabitants.<sup>67</sup>

60 Ingeborg Marshall, *A History and Ethnography of the Beothuk* (Montreal and Kingston: McGill-Queen's University Press, 1996), 273.

61 Peter Pope, "A True and Faithful Account: Newfoundland in 1680," *Newfoundland and Labrador Studies* 12, no. 1 (January 1996): 34.

62 Peter Pope, "Scavengers and Caretakers: Beothuk/European Settlement Dynamics in Seventeenth-Century Newfoundland," *Newfoundland and Labrador Studies* 9, no. 2 (October 1993): 273-4.

63 Minutes of the Committee for Trade and Plantations, 25 February 1675, CO 391/1, pp. 4-5, TNA; Samuel Purchas, *Hakluytus Posthumus, or Purchas His Pilgrimes: Contayning a History of the World in Sea Voyages and Lande Travells by Englishmen and Others* (Glasgow: J. Maclehose, 1625), 748.

64 "A New Charter to be taken out by the Western Mayors," 1 April 1675, CO 391/1, pp. 10-11, TNA.

65 Richard Hook and Thomas Gearing to the Committee for Trade and Plantations, 7 April 1675, CO 1/34, pp. 87-8, TNA.

66 John Parrett, Harris of Barnstaple, and the Recorder of Dartmouth on Newfoundland, 8 April 1675, CO 391/1, p. 11, TNA.

67 Charles II to Joseph Williamson, 5 May 1675, CO 1/34, p. 151, TNA; Charles II in Council Order, 27 January 1676, CO 1/65, p. 36, in *Collection and Commentary on the Constitutional Laws of the Seventeenth Century Newfoundland*, ed. Keith Matthews (St. John's: Memorial University of Newfoundland: Maritime History Group, 1975), 167-80.



No source explicitly states why the committee chose eviction. The committee never discussed or proposed eviction before its announcement on 1 April and it was not among any of the suggestions made by Hinton's opponents, who argued only for the rejection of Hinton's petition and stricter enforcement of the Western Charter. Davies and Matthews have argued that the decision stemmed from economic decline in the West Country, but their conclusions do not reflect many of the concerns presented or the methods the committee used to collect and evaluate evidence.<sup>68</sup>

The clearest indication of why the committee chose eviction is contained in a 1677 reference book compiled by Williamson. Williamson's *An Account of the Colony and Fishery of Newfoundland and the Present State Thereof* contains historical, geographical, and political information about Newfoundland. In regards to 1675, the *Account of the Colony and Fishery* states that the committee, after gathering and analyzing reports about Newfoundland, agreed that the island's inhabitants posed a detriment to the fishery, including the destruction of the island's forests. Additionally, the committee found that Newfoundland's poor soil and winter ice would make defending and governing the island expensive and ineffective.<sup>69</sup>

The minute books and letters from the hearings reveal the committee's use of Baconian reasoning to determine the best course of action regarding Newfoundland. It valued evidence that could easily be compared across multiple accounts, as seen in the town surveys, and prioritized first-hand accounts in its decision-making process.<sup>70</sup> This prioritization extended to opinions as well. Parrett's and Pley's opinions, though highly partisan, presented valuable information about Newfoundland in the form of statements made by fishers and merchants.<sup>71</sup> The emphasis on first-hand accounts worked against Hinton, whose supporters could not provide sufficient evidence to counter his opponents.<sup>72</sup>

In both the *Account of the Colony and Fishery* and the committee's minute books and letters, eviction is presented as the choice backed by the most evidence. The accounts presented a Newfoundland that was sparsely populated, had few defensible harbours, and that suffered from environmental destruction. While migratory fishers received some criticism for damaging Newfoundland's forests, the most blame was assigned to inhabitants for destroying buildings and forests and committing crimes. By evicting Newfoundland's English inhabitants, the committee believed it would remove the primary cause of complaints, boost the migratory fishery's value, and facilitate the enforcement of regulations. However, the sources it used to make that decision would be proven inaccurate.<sup>73</sup>

68 Davies, "England and Newfoundland," 22-4; Matthews, "History of the West of England-Newfoundland Fishery," 209-19; C. Grant Head, *Eighteenth Century Newfoundland: A Geographer's Perspective* (Toronto: McClelland and Stewart, 1976), 38-40.

69 *Account of the Colony and Fishery of Newfoundland*, 1677, CO 199/16, pp. 13-14, TNA.

70 Quinton, *Francis Bacon*, 54-7

71 Parrett, "Thoughts on Newfoundland," 27 February 1675, CO 391/1, pp. 5-6, TNA.

72 Gould, "Encouraging a colony," 27 February 1675, CO 391/1, pp. 5-6, TNA; Houblon, "Reasons for the Decay of the Trade at Newfoundland," 20 March 1675, CO 1/34, pp. 58-61, TNA; Southwell, "Letter presented to the Committee," 25 March 1675, CO 391/1, p. 9, TNA.

73 Burr, "Report on Newfoundland," 3 March 1675, CO 1/34, pp. 35-7, TNA; Arundel, "Report on Newfoundland," 16 March 1675, CO 1/34, p. 4, TNA; Weekes, "Answers and Opinions on

### Encountering Newfoundland: Berry's refusal and its reception, 24 July to 4 December

John Berry, upon his arrival in Newfoundland, refused to carry out the eviction, reporting on 24 July 1675 that the situation he found there did not match his orders.<sup>74</sup> In the articles of inquiry and letters Berry sent to England, he stated that buildings were destroyed for firewood by fishing ships and not by inhabitants. He also found that fishing ships stranded fishers in Newfoundland to avoid paying for return passages to England, giving credence to Hinton's letters.<sup>75</sup> The French presence in Newfoundland had also been underestimated, with Plaisance representing an immediate threat to the English fishery. Berry argued that if he removed Newfoundland's English inhabitants, French inhabitants would quickly move into the English harbours and threaten the migratory fishery; he instead supported the establishment of a governor and garrison at St. John's.<sup>76</sup> In a letter to Williamson, Berry goes further in his support for Newfoundland's English inhabitants: he states he "cannot but pity the poor inhabitants, considering so many false informations have been laid at their charge, as formerly reported."<sup>77</sup> These reports contradicted the committee's findings and caused it to re-evaluate the methods used to collect information about Newfoundland.

Berry provided the committee with new information about Newfoundland by completing the census and articles of inquiry. Both documents compiled information about Newfoundland's population and fishery, as well as economic, environmental, and political conditions, by recording observations about every harbour used by English fishing ships and inhabitants between Salvage and Trepassey. The 1675 census reported a larger population than previously portrayed, including families raising children and keeping livestock – two points missing from the town surveys. The census reported 1,523 inhabitants in total, including 132 male planters, 66 women (62 of whom are listed as wives and 4 as widows), 214 children, and 1,111 fishing servants employed by planters. This was a much higher number than the estimated total population of 900 to 1,000 inhabitants reported in the town surveys. In addition to population figures, Berry reported the planters kept 522 cattle and an unspecified number of sheep, contradicting the argument that inhabitants were entirely dependent on trade for provisions.<sup>78</sup> According to Berry, many inhabitants

Newfoundland," 12 March 1675, CO 1/34, pp. 41-2, TNA; Farr, "Answer to orders on Newfoundland," 24 March 1675, CO 1/34, pp. 62-3, TNA; Charles II to Williamson, 5 May 1675, CO 1/34, p. 151, TNA.

74 Charles II, Order for the Removal of Inhabitants from Newfoundland, 5 May 1675, CO 1/34, p. 151, TNA; John Berry Report for the Officers and Commissioners of his Majesty's Navy, 25 July 1675, ADM 106/308, pp. 75-6, TNA; John Berry to Secretary Joseph Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA.

75 Berry to Secretary Joseph Williamson, 24 July 1675, CO 1/34, 240-41, TNA; Hinton, "Statement of the reasons," in *Calendar of State Papers*, 17:596-7.

76 Berry to Secretary Joseph Williamson, 12 September 1675, in *Calendar of State Papers*, 9:273; Berry to Robert Southwell, 12 September 1675, in *Calendar of State Papers*, 9:273.

77 Berry to Secretary Joseph Williamson, 17 December 1675, in *Calendar of State Papers*, 9:316.

78 "Samuel Pepsys to send their lords a draft of the instructions given to the convoys," 8 April 1675, CO 391/1, p. 11a, TNA; John Berry, "List of Planter Names . . .," 12 September 1675, CO 1/35, pp. 149-56, TNA; John Berry to Secretary Joseph Williamson, 24 July 1675, CO 1/34, pp. 240-

would be unable to find employment in England as lucrative as the Newfoundland fishery, with some making “in a summer season near £20 . . . while such a person would not get £3 in England.”<sup>79</sup>

The English population in Newfoundland that Berry presented in his articles of inquiry and census was more complex than the one the committee originally had evidence about. Rather than being a lawless land whose residents competed with the migratory fishery, Newfoundland had a growing population of prosperous English workers and families who benefitted the migratory fishery by preventing unchecked French expansion. In addition to protecting the migratory fishery from French incursions, the English residents employed individuals who would otherwise be impoverished in England to fish for them. The Newfoundland fishery's ability to employ England's poor offered an argument for inhabiting the island that first appeared in William Vaughan's *The Golden Fleece* (1626). Little evidence supported Vaughan's argument until Berry's reports. Given concerns in England regarding the costs of poor relief programs, the employment of the poor in the Newfoundland fishery made eviction a less appealing option to the committee.<sup>80</sup>

Outside of the employing of England's poor and the information on the actual demographics of Newfoundland's English inhabitants, Berry's reports did not present many new ideas about Newfoundland. Rather, he offered more detailed observations about Newfoundland than any other source the committee collected in 1675. The problems Berry reported, such as abuses by West Country fishing ships and the extent of the French threat, were previously reported by Hinton, Gould, and Pley.<sup>81</sup> However, before this census and articles of inquiry, these pro-governor advocates did not have the evidence needed to counter the town surveys, opinions, and reports coming from Hinton's opponents. Berry presented the evidence that these pro-governor advocates lacked, and challenged the hypothesis that Newfoundland was a poor and lawless land best served by evicting its inhabitants.<sup>82</sup>

Berry's actions and reports received a mixed reception in England. Parrett protested Berry's actions and argued that the committee needed to enforce the eviction order immediately, or else Newfoundland's inhabitants would grow in number and cause more problems. However, Williamson supported Berry and criticized Parrett for misrepresenting information about Newfoundland and trying to

41, TNA; Farr, “Answer to orders on Newfoundland,” 24 March 1675, CO 1/34, pp. 62-3, TNA; Burr, “Report on Newfoundland,” 3 March 1675, CO 1/34, pp. 35-7, TNA; Pope, *Fish into Wine*, 59-60, 300-3.

79 Berry to Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA.

80 Berry, “List of Planter Names . . .,” 12 September 1675, CO 1/35, pp. 149-56, TNA; Berry to Secretary Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA; Vaughan, *Golden Fleece*, 303-4; Craig Muldrew, “Economics and Urban Development,” in *A Companion to Stuart Britain*, ed. Barry Coward (Oxford: Blackwell, 2003), 152-3.

81 Berry to Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA; Hinton, “Pretended Reasons against Government . . . with the Answer,” 12 February 1675, CO 1/65, p. 89v, TNA; Gould, “Encouraging a colony,” 27 February 1675, CO 391/1, pp. 5-6, TNA; Pley, “Arguments for a Settled Government at Newfoundland,” 17 March 1675, CO 1/34, pp. 49-50, TNA; Houblon, “Reasons for the Decay of the Trade at Newfoundland,” 20 March 1675, CO 1/34, pp. 58-61, TNA.

82 Berry to Williamson, 24 July 1675, CO 1/34, pp. 240-1, TNA.

exclude the poor from benefiting from the fishery. Following a debate, the committee accepted Berry's reports on 4 December and did not issue any reprimand.<sup>83</sup>

The acceptance of Berry's findings reflects the changing use of observation and negative results in knowledge production and policy-making in Restoration England. Berry's evidence opposed the committee's conclusions and questioned the reliability of town surveys and opinions from the West Country, and it came from a figure considered politically independent. This differentiated Berry from Houblon, who, while also politically independent, could not provide new evidence to support his views. Though the committee expected West Country mayors, merchants, and ship owners to provide accurate reports, Berry accused these same groups of misrepresenting Newfoundland for political purposes. These accusations had a significant impact: following 1675, articles of inquiry were issued annually to naval commanders going to Newfoundland but no second town survey was conducted.<sup>84</sup>

Despite the acceptance of Berry's reports, the committee did not immediately rescind the eviction order. Instead, his focus on providing information about Newfoundland had an immediate impact on the government's approach to managing Newfoundland. In 1676, captains Russell and Wybourne, both of whom were assigned as naval commanders for Newfoundland that year, were given the same orders Berry received the previous year as well as census and articles of inquiry to complete. Russell and Wybourne also refused to remove Newfoundland's inhabitants; they were reprimanded, but only for failing to provide timely responses to the articles of inquiry and census. In 1677 the eviction order was officially rescinded, but the practice of issuing yearly articles of inquiry and censuses for Newfoundland continued.<sup>85</sup>

The committee's 1675 Newfoundland investigation grew from a larger change regarding the ways in which Restoration politicians and natural philosophers considered evidence and made decisions. Rather than holding a debate solely on the merits of the petition, the committee sought to address broader issues regarding Newfoundland by collecting new information about the island. This approach adhered to Bacon's inductive method of reasoning by emphasizing the importance of building hypotheses using first-hand accounts and retesting those ideas as new evidence became available. The committee used observations collected from town surveys and opinions to form hypotheses about Newfoundland's population, natural resources, and the challenges that faced the English fishery, using their findings on these individual issues to inform a more general solution. By issuing Berry a census form and articles of inquiry to complete in Newfoundland, the committee created a

83 Minutes of the Committee for Trade and Plantations, 4 December 1675, CO 391/1, pp. 25-6, TNA; C.M. Rowe, "Berry, John," *Dictionary of Canadian Biography, Volume 1 (1000-1700)*, [http://www.biographi.ca/en/bio/berry\\_john\\_1E.html?revision\\_id=6220](http://www.biographi.ca/en/bio/berry_john_1E.html?revision_id=6220).

84 Farr, "Answer to orders on Newfoundland," 24 March 1675, CO 1/34, pp. 62-3, TNA; Minutes of the Committee for Trade and Plantations, 4 December 1675, CO 391/1, pp. 25-6, TNA; Berry to Williamson, 17 December 1675, in *Calendar of State Papers*, 9:316; Shapin, *Social History of Truth*, 65-75; Mordechai Feingold, "When Facts Matter," *Isis* 87, no. 1 (March 1996): 132-3.

85 "Newfoundland Convoy," 6 April 1676, CO 391/1, p. 53, TNA; "Instructions given on Newfoundland," 13 April 1676, CO 391/1, p. 57a, TNA; "Letter concerning the Newfoundland trade," 4 December 1676, CO 391/1, p. 133, TNA; "Order in Council," 30 March 1677, Keith Matthews Collection, MHA 16-C-2-101, Maritime History Archive.

means to retest its conclusions. This arrangement proved fortunate for the committee; when Berry refused to carry out the eviction, the committee was able to use the new first-hand information about Newfoundland to test its initial conclusions and identify errors in its judgment.<sup>86</sup>

The committee's use of new methods of information collection and interpretation in 1675 challenges the idea that the English government's actions originated from an inherent hostility towards Newfoundland's inhabitants. Although Farr, Parrett, and Child opposed Hinton's petition, none of them proposed eviction. Instead, the committee's focus on identifying the issues facing Newfoundland and finding a solution to its problems made eviction an appealing choice. Newfoundland, according to the accounts collected, had a small population of English inhabitants that caused significant damage to the migratory fishery and the island's forests. Removing those English inhabitants represented the clearest solution backed by the most evidence. This focus on finding an evidence-based solution is further demonstrated by the committee's willingness to reopen the issue following Berry's refusal and his presentation of evidence that opposed its conclusions.<sup>87</sup>

After 1675, Newfoundland planters, members of the navy, and other direct sources from Newfoundland played a central role in the English government's management of the island. Practices such as issuing annual articles of inquiry and seeking first-hand accounts about Newfoundland became important parts of the government's decision-making process.<sup>88</sup> Later issues, such the reconsideration of the Western Charter's provisions in 1680 as well as the 1699 *An Act to Encourage the Trade to Newfoundland*, placed a greater emphasis on qualitative and quantitative evidence collected from first-hand sources, such as the articles of inquiry and economic reports. Although the committee's efforts in 1675 are mostly remembered for the failed eviction order, the methods they developed had a significant impact on future decisions regarding Newfoundland.<sup>89</sup>

86 Robinson, "Reasons for the Settlement of Newfoundland and the Trade under Government," 1668, CO 1/22, pp. 115-6, TNA; Quinton, *Francis Bacon*, 54-7; Hunter, *Science and Society*, 120-5; Gascoigne, "The Royal Society and the Emergence of Science," 171-4; Shapiro, *Probability and Certainty*, 37-44.

87 Prowse, *History of Newfoundland*, 189-90; Matthews, "History of the West of England-Newfoundland Fishery," 209-21; Davies, "England and Newfoundland," 22-4; Charles II, Order for the Removal of Inhabitants from Newfoundland, 5 May 1675, CO 1/34, p. 151, TNA; Minutes of the Committee for Trade and Plantations, 4 December 1675, CO 391/1, pp. 25-6, TNA.

88 John Downing, "Petition," 7 November 1675, CO 1/38, pp. 33-40, TNA; "Letter concerning the Newfoundland trade," 4 December 1676, CO 391/1, p. 133, TNA; Pope, *Fish into Wine*, 66-70.

89 "An Order of the Star Chamber Concerning the Settlement of the Fishery in Newfoundland," 24 January 1634, CO 1/8, pp. 1-6, TNA; Minutes of the Committee for Trade and Plantations, Whitehall, 26 February 1680, CO 391/3, p. 69, TNA; Handaside, "Narrative on Newfoundland Affairs," 12 December 1698, CO 195/2, pp. 259-61, TNA; "Representation relating to Newfoundland," 30 March 1699, CO 195/2, pp. 277-8, TNA; Minutes of the Board of Trade, 30 March 1699, CO 391/11, p. 214, TNA; "William III, 1698: An Act to Incourage the Trade to Newfoundland. [Chapter XIV. Rot. Parl. 10 Gul. III. p. 3. n.5.]," in *Statutes of the Realm*, vol. 7, 1695-1701, ed. John Raithby (London: Great Britain Record Commission, 1820), 515-18; "Copy of the Bill now in the House of Commons," 28 March 1699, CO 391/11, p. 213, TNA; "Representation relating to Newfoundland," 30 March 1699, CO 195/2, pp. 277-8, TNA; Alan Cass, "Mr. Nisbet's Legacy, or the Passing of King William's Act in 1699," *Newfoundland and Labrador Studies* 22, no. 2 (June 2007): 523-5.