

“A Spirit of Encroachment”: Trees, Cod, and the Political Ecology of Empire in the Newfoundland Fisheries, 1763–1783

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This article considers the political ecology of dried salt cod production in eighteenth-century Newfoundland fisheries to explore the relationship between resource extraction, law, and imperial rivalry. When France recognized Newfoundland as a British possession in 1713, by treaty French subjects retained the right to operate seasonal cod fisheries along a segment of the island's shores. The fisheries were valuable not only economically, but strategically as a source of naval recruits. In the aftermath of French defeat in the Seven Years' War (1756–63), a contingent of British officials was dismayed that the peace treaty reaffirmed French fishing rights. Realizing that cod production required a nearby source for wood, they began insisting that French fishermen had rights to extract cod from Newfoundland's shores but not wood from its forests. Manipulating the extraction nexus of wood and cod became a strategy of empire. French fishermen responded by deepening their ties with the Mi'kmaq, who challenged British dominance in Newfoundland, and by developing smuggling networks with New England merchants. Thus, the British attempt to make French fishing rights meaningless had unintended consequences. The Franco–New England ties proved especially important in the American Revolutionary War. Bringing together environmental and legal history, this article exposes how a resource—in this case wood—could have a value beyond a straightforward economic one in the context of imperial rivalry. In doing so, it argues that the relationship between nature and legal

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strategies of imperial claims-making was not merely discursive but was rooted in the material conditions of resource extraction and production.

France and Britain fought against each other on five continents during the Seven Years' War (1756–63). They spilled blood and spent coin, but it was of all things fish—and, more specifically, the right to operate cod fisheries on a rocky stretch of Newfoundland—that proved again and again the sticking point in negotiations to end the conflict. The sticking point was rooted in the 1713 Treaty of Utrecht, negotiated some five decades earlier to bring an end to the War of Spanish Succession (1701–13). Although Newfoundland became an uncontested British possession, the treaty allowed the French to retain fishing rights along portions of the island's northern coastline known as the French Shore.¹ The arrangement provoked little controversy between France and Britain until the negotiations to end the Seven Years' War began in earnest in 1761. But at that point, the survival of the arrangement became a contested issue. French ministers refused to accept any peace treaty that did not reaffirm their fishing rights. Meanwhile, the British prime minister declared he would rather see France take possession of the Tower of London than recognize French fishing rights in Newfoundland.²

The Newfoundland fisheries roused such fervor in European ministers because their value was not just commercial, but strategic. To be sure, as Peter Pope has argued, cod fishing was the most important aspect of European commercial activity in northern North America in terms of volume and value.³ But ministers also coveted the fisheries as a source of potential naval recruits and aptly referred to them as a “nursery for seamen” (*une pépinière de marins*) in the age of maritime empire. Young sailors, it was widely accepted, developed skills necessary to be ready naval recruits through their labor as fishermen in the cold, rough waters of the North Atlantic. Newfoundland's place as a training ground for sailors was so indispensable that both France and Britain passed laws requiring at least one-quarter of every Newfoundland-bound fishing crew to be novices.⁴ Ministers in France and Britain alike believed that without access to the Newfoundland fisheries, France would be unable to rebuild its navy after the war. The notion of the fishery serving as a nursery for seamen rested on the view that naval—and thus commercial and imperial—power depended on cod fishermen. Yet British ministers were divided over the question of the French navy's

future. The hawkish William Pitt led those who wished to see France decimated while the Duke of Bedford led those who believed an utterly weakened France would harm Britain's global position and prevent a lasting peace.⁵

When in February 1763 the Treaty of Paris brought both peace and the affirmation of French fishing rights, there remained a contingent in the British government who were dissatisfied with the treaty terms and determined to destroy the French fishery by other means. This collection of anti-Gallican secretaries, diplomats, and naval officers seized on the vagaries of the treaty language and the ecology of salt cod production to render French fishing rights—and, they hoped, empire—illusory. Their strategy owed to the realization that there could be no dried and salted Newfoundland cod without access to Newfoundland trees. After all, Europeans did not simply catch fish off the coast of Newfoundland. They also processed and salted the fish on shore, utilizing structures built from Newfoundland's forests. No treaty guaranteed these rights, but the French had customarily used Newfoundland wood for these purposes as well as for fuel and repairs to ships and boats. This changed in the wake of the Seven Years' War. When the French returned to the fisheries in 1763, British naval officers immediately began interfering with French fishermen's access to Newfoundland wood on the grounds that they had no such rights according to the positive law of treaty. When French protestations reached ministers in London, they did nothing to stop the officers. Nowhere was their subterfuge more troublesome than in St. Pierre and Miquelon: the two small islands ten miles off the coast of southern Newfoundland granted to France in the Treaty of Paris to use as small naval base and a shelter (*abri*) for fishermen on the Grand Banks (fig. 1). The islands at the edge of Fortune Bay were so lacking in forests that one French governor called St. Pierre a "sterile rock."⁶ As a result, it was quite clear that without access to Newfoundland wood, French rights there were meaningless.⁷

Predictably, the French resisted. Fishermen poached and smuggled while naval officers and ministers turned a blind eye and sometimes even defended them. There was plenty of wood just ten miles across Fortune Bay in southern Newfoundland (fig. 1). Following custom, French fishermen picked up their saws and crossed the bay even as the French governor wrote letters attesting they did no such thing (because it would be contrary to treaty law), all the while warmed by firewood that likely originated from that very place. Conflicts over access

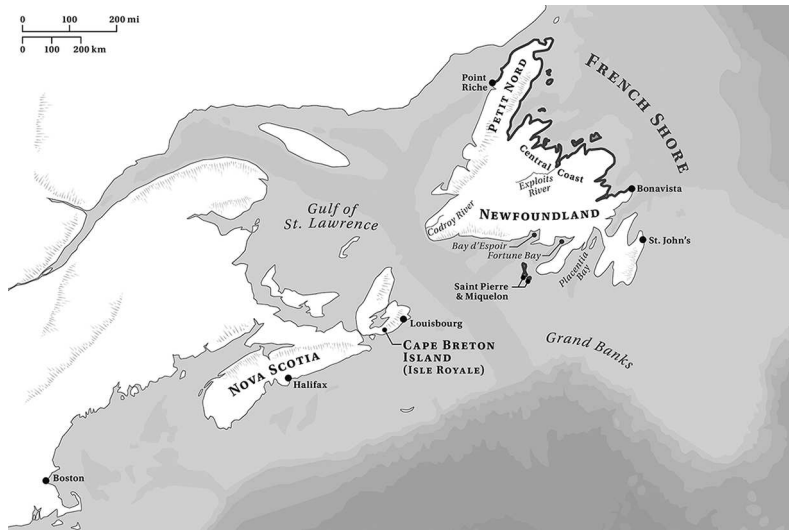


Figure 1. Sites of French fishery operations after the Seven Years' War. Credit: Map by Meredith Sadler.

to Newfoundland wood, moreover, prompted French fishermen to further develop ties with the most significant Indigenous power in the region—the Mi'kmaq—and turn St. Pierre and Miquelon into a hub for smuggling with New England.⁸ The Mi'kmaq had been allied with France since the early seventeenth century, but in 1760–61 they signed a series of treaties with the British government by which the king claimed them as British subjects.⁹ Nevertheless, French fishermen often collaborated with the eastern (Unama'ki) branch of the Mi'kmaw nation to deter British fishermen from operating fisheries along the southern coast of Newfoundland altogether.

The extraction nexus of Newfoundland wood and cod coupled with vague treaty language enabled an array of European subjects to manipulate the law and make imperial claims. Fishermen, merchants, and naval officers in Newfoundland were agents of empire who played with delegated legal authority.¹⁰ Their fights over the extraction of Newfoundland wood became a proxy battle over the survival of the French fishery after the Seven Years' War. In other words, the political ecology of cod production shaped the geopolitical and legal strategies the two empires pursued in the northwest Atlantic in the following decades.

In paying attention to the relationships between empire, environment, and law, this article builds on Lauren Benton's work on the intersection

between geographic and legal imaginaries in early modern European empires. As Benton has argued, agents of empire selectively emphasized particular geographic tropes and the peculiarities of their legal significance in ways that shifted with the vicissitudes of interimperial rivalry. In Newfoundland—a quintessential site of the layered sovereignties and corridors of jurisdiction that Benton argues characterizes early modern European empire—it was especially true that the way the maritime environment shaped how people talked about law shifted with geopolitical changes.¹¹ Yet the relationship between law and environment in early modern European empires was not just a discursive one, but a material one too. Attention to materiality and political ecology can more adequately capture the dynamic at work in eighteenth-century Newfoundland. It was the geopolitical circumstances of the decades between the Seven Years' War and the American Revolutionary War paired with the ecology of salt cod production that gave rise to the legal strategies European agents relied on in the fisheries. In a way reminiscent of Jason Moore's suggestion that capitalism works through nature, and nature works through capitalism, law worked through the political ecology of production, and that ecology took its shape from law.¹²

This article departs from Benton to provide a political-ecology-based analysis of the cod fishery dispute, foregrounding the interplay of the environment with law and imperial politics. Political ecology has been used mostly among geographers and anthropologists working on periods closer to the present, but there have been efforts to bring political ecology to bear on early modern environmental history, such as Molly Warsh's work on pearl-fishing settlements in the early Spanish Caribbean.¹³ When applied to the early modern period, political ecologists have often drawn attention to the relationships between empire, capital, labor, and natural resources. The story told here adds law, geopolitics, and treaty enforcement to these considerations, illustrating how rival empires used law to manipulate the entire ecology of production to serve their geopolitical aims. This account of cod production in eighteenth-century Newfoundland considers the entire ecology of salt cod production—not just the cod itself, but also ancillary and uncommodified resources like Newfoundland wood—and the geopolitical conditions that structured it.¹⁴ Only through considering this political ecology do the legal strategies the two empires pursued come into focus. Likewise, only through considering the particular constraints of treaty law, geopolitical competition, and diplomacy does the British

strategy to challenge French fishing rights by restricting French access to Newfoundland wood—a resource acknowledged to have scant economic value—make sense.¹⁵

The Wood-Cod Extraction Nexus

Each spring, fishing crews arrived at Newfoundland from Britain and France, where they claimed a cove to occupy for the season, building only the rudimentary structures required for the processing of fish (fig. 2). Upon reaching Newfoundland, they found an island that sits at the eastern edge of the boreal forest region of North America, where exposed barrens in the north give way to scrub and eventually thick forests of softwoods like balsam fir (*Abies balsamea*) and black spruce (*Picea mariana*) toward the south.¹⁶ The fishing crews set up operations along the pebbly beaches that were the main site of salt cod production, extensions of the sea essential for resource exploitation (fig. 3).¹⁷ When the fishing crews decided which cove to operate their fishery in each year, they considered not just the navigability of the shoreline and protection from winds, but also the distance to the more forested inland regions. The slow-growing firs and spruces of the coastal hinterlands



Figure 2. A fishery at work. Henri-Louis Duhamel du Monceau, *Traité générale des pesches* (Paris, 1768). Credit: Image courtesy of the University of British Columbia Library Digitization Centre and its generous donors (<https://doi.org/10.14288/1.0129044> and/or <https://doi.org/10.14288/1.0129046>).

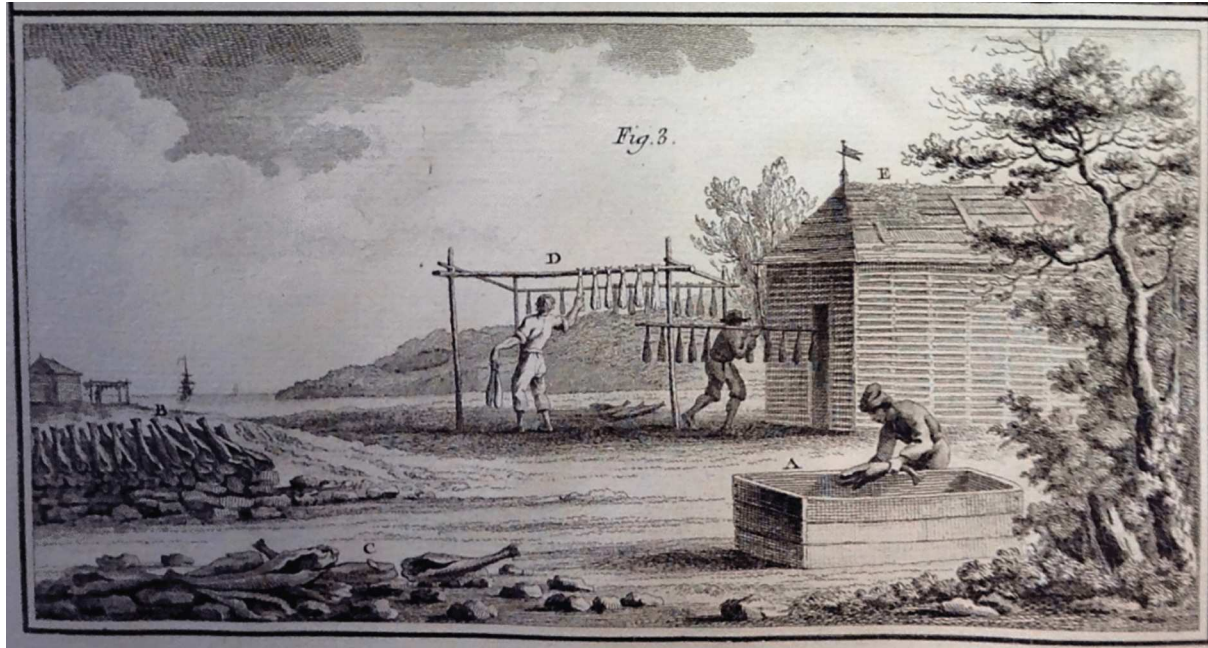


Figure 3. Processing dry salt cod. Du Monceau, *Traité générale des pesches*. Credit: Image courtesy of the University of British Columbia Library Digitization Centre and its generous donors (<https://doi.org/10.14288/1.0129044> and/or <https://doi.org/10.14288/1.0129046>).

were too small for the economic production of lumber for export, and lacked the fine, close-grained quality of the oaks European navies needed to build ships of the line.¹⁸ Nevertheless, these trees provided the wood that fishermen needed to process cod for market, repair their boats, and build their fires. By June, the codfish the European fishermen so desired began making their way toward Newfoundland's shores, in pursuit of their sustenance of choice, the small fish called capelin. Once there, cod then spawned, providing the stocks for the inshore fishery.¹⁹ After several months of catching and processing cod for market, French and British fishermen departed in October, their ships laden with salt cod bound for the Caribbean, southern Europe, or the Mediterranean.

The ecologies of land and sea buttressed each other to form a nexus of extraction for European fishermen. Access to wood was imperative for European fishermen because they relied on wooden structures to process their catch for market in the manner that would garner the most profit: dried and salted on the shore. A European shore-based fishery had emerged in Newfoundland in the second half of the sixteenth century. The shore fishery, practiced primarily on the French Shore and Avalon Peninsula, constituted roughly 60 percent of French operations and 95 percent of British operations in the fisheries. The remainder comprised the less lucrative "green" fishery, where fishermen salted and pickled fish on board their ships in the Grand Banks, never touching land in Newfoundland. The shore fishery mattered more to both the French and British, however, not only because it was more lucrative but because it was considerably more valuable as a nursery for seamen. Ships bound for the shore fishery typically had crews of between seventy and one hundred thirty men, while ships bound for the green fishery had crews of between ten and thirty men. Because the green fishery did not rely on Newfoundland wood to process fish, which was pickled in barrels constructed in Europe, Franco-British political wrangling centered on the shore fishery.²⁰

Beginning with the Basques, who had begun harvesting cod along the Newfoundland coast in the sixteenth century, Europeans engaged in the shore fishery temporarily occupied stretches of the shore to prepare cod for market with the Scandinavian dry-processing method they had learned while fishing near Iceland. Dry processing—which involved cleaning, deboning, and salting fish that was then winged open and dried on special frames called flakes—was practical for a long-distance fish trade. This style of preparation required that a fishing ship arriving

from Europe lay anchor in a harbor to set up stages and flakes and then deploy small fishing boats crewed by three men to haul in cod from in-shore fishing grounds.²¹ Small firs and spruces suited the needs of the fishery for constructing rudimentary structures, repairing boats, serving as kindling, and making black spruce beer. A shore fishery like the one on the French Shore was impractical at St. Pierre and Miquelon because Britain forbade French subjects from fishing within three leagues of British shores, and the distance between the archipelago and southern Newfoundland was often less.²² Instead, French cod merchants envisioned making St. Pierre and Miquelon the site of a so-called "mixed" fishery, as they had operated at Isle Royale before the war. They wanted to send small ships to fish on the Grand Banks and produce dried salt cod for market with the catch on the shores of St. Pierre and Miquelon.²³ The problem was that by 1763 there were no forests in St. Pierre and Miquelon because various French and British fishermen who operated on the islands had been cutting them down since the seventeenth century.²⁴

During the treaty negotiations in 1761–63, French ministers were aware that the absence of wood on St. Pierre and Miquelon would doom the fishery. Yet as the end of treaty negotiations drew near, they decided to avoid conveying so much urgency on the matter that it could risk further delay in the peace process.²⁵ By that point, France had ceded all its claims in mainland North America to Britain, including the fortress at Louisbourg on Isle Royale (Cape Breton Island). The prospect of St. Pierre and Miquelon offered France's only hope of a continued naval presence in the region to protect French fishermen on the French Shore and Grand Banks.²⁶ Still, the great cod merchants in the ports of western France worried that the lack of wood on the islands would prevent them from being of any use.²⁷ The only solution, as the naval commissioner in Brittany's St. Malo saw it, was for the definitive treaty to include permission for French fishermen to cut wood in Newfoundland and bring it to St. Pierre and Miquelon every year.²⁸ The British, too, were aware of wood's necessity. At the end of the first fishing season after the war, the British governor of Newfoundland remarked, "Unless they get lumbers from our colonies, they will not even have firewood in three years to come, nor can the fishery be carried on to any great advantage without coming upon the coast of this country [to cut wood]."²⁹ It would not be exaggeration to say that nothing could be done at St. Pierre and Miquelon without access to Newfoundland's forests.

With no provision granting French fishermen rights to cut the wood they needed in Newfoundland, the French and the British fought over this unfinished business with legal approaches that were fundamentally at odds. The French court understandably favored a wide interpretation of the Treaty of Paris based on custom and the law of nations, arguing that the right to fish entailed the right to cut wood. The King William's Act of 1699 had granted British fishermen the twin rights of fishing and woodcutting, with the right to cut wood, "a necessary pursuant of the right to fish." Both the British and the French had "continually engaged with these practices before and after the Treaty of Utrecht," the French court insisted. It therefore demanded that such practices be allowed to continue as part of "ordinary usage." They presented the right to access wood and water as entailed in the right to land on the coast.³⁰ The British court, meanwhile, favored a narrow, literal reading of the treaty. British ministers argued that since there was no explicit mention of woodcutting in the treaty, woodcutting was not permitted.³¹ Thus, a key point of dispute in the negotiations to end the Seven Years' War remained one in the wake of the peace, with the parties using divergent legal interpretations to press their respective cases. The silences in the Treaty of Paris concerning everyday problems of resource extraction left abundant scope for creative legal claims made by fishermen, naval officers, and statesmen.

"A Few Frenchmen, Disavowed by Their Government"

When French fishermen at St. Pierre and Miquelon began crossing Fortune Bay to cut wood in southern Newfoundland, British naval officers were troubled not just because this activity thwarted aims to choke the wood supply and render French fishing rights meaningless, but also because it meant French subjects were interacting with their longtime allies in the region, whom the British also considered troublesome: the Mi'kmaq. The Mi'kmaq had a long history of moving within the Gulf of St. Lawrence region, the site of their homeland, Mi'kma'ki (fig. 4). To them, Newfoundland was Ktaqamakuk, or Land across the Water. The Unama'ki Mi'kmaq had frequented the southern and western coasts of the island since the sixteenth century, if not earlier.³²

Following the Seven Years' War, the long-standing migratory patterns of the Mi'kmaq came under British suspicion of French plotting. The British-Mi'kmaq treaties of 1760–61 were understood by the

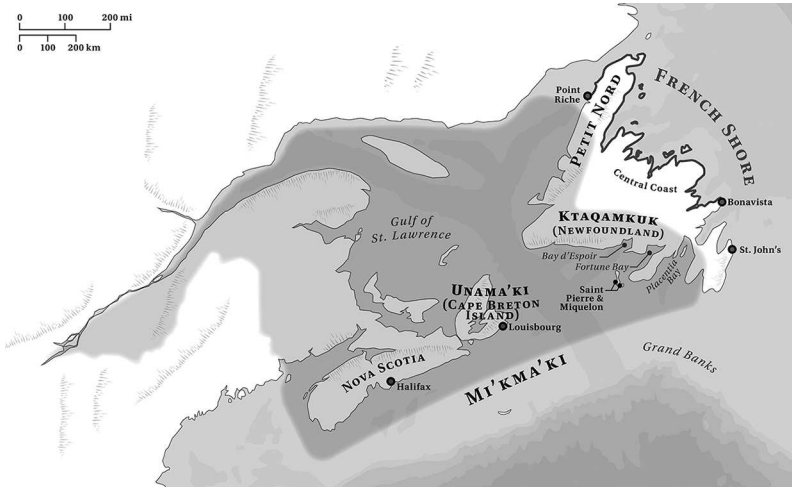


Figure 4. Mi'kma'ki. Credit: Map by Meredith Sadler.

British to make the Mi'kmaq subjects of King George II in part to undermine the relationship between the French and the Mi'kmaq after the 1758 French defeat in Louisbourg.³³ It became evident, however, that the 1760–61 treaties were not successful in this aim. When the leader of the Unama'ki Mi'kmaq and treaty signatory Jeannot Peguidalouet brought some two hundred people to southern Newfoundland between 1763 and 1768, the Poole merchant George Sito observed that as long as there was a sizable Mi'kmaw population on the southern coast, "very few English would remain."³⁴ The British governor of Newfoundland, Hugh Palliser, looked at the changing demographics and warned the Board of Trade that French subjects encouraged the Mi'kmaq to "cross the island to kill our people."³⁵ He based this statement in part on rumors that a French naval officer traveled from St. Pierre and Miquelon to deliver arms to the Mi'kmaq who remained on Cape Breton Island.³⁶ The fact that Mi'kmaw migrants settled primarily in the Bay d'Espoir and Fortune Bay—the same places French fishermen went to cut wood—only bolstered Palliser's suspicions. His suspicions, however, conveniently shrouded the extent to which British policies elsewhere in Mi'kma'ki likely played a role. The movement of the Unama'ki Mi'kmaq to southern Newfoundland on a more permanent basis, in fact, coincided with intensified British efforts to establish settlements in Nova Scotia and Cape Breton and the subsequent decline in the moose population on which Mi'kmaw communities depended.³⁷

In response to Palliser's charges of Franco-Mi'kmaw coordination, the French government predictably disavowed the allegations. The French governor of St. Pierre and Miquelon, François-Gabriel d'Angeac, insisted that he "had never seen a single Indian" during his time on the islands.³⁸ Indeed, French naval officers and ministers were too shrewd to leave any written trace of orders to collaborate with the Mi'kmaq to subvert British authority in the Gulf of St. Lawrence, but d'Angeac's denial that he knew anything about Mi'kmaw migrations strains credulity. For one, the Mi'kmaq were Catholic and had been since the early seventeenth century when French missionaries first came to Mi'kma'ki.³⁹ From 1762 onward, the only priest remaining in the region was located on St. Pierre and Miquelon. As a result, the Mi'kmaq frequently visited the islands for baptisms, marriages, and other religious rites.⁴⁰ Thus, the French government's declarations obscured networks that existed in the Gulf of St. Lawrence where French and Unama'ki Mi'kmaw interests aligned.

It was not without reason, then, that the British linked their concerns about French connections to the Mi'kmaq in southern Newfoundland and woodcutting in the same region. In many cases it seems that French fishermen lived with and hunted alongside the Mi'kmaq.⁴¹ This is unsurprising, given that many French fishermen, especially the inhabitants of Isle Miquelon, were resettled Acadians who had lived in western Mi'kma'ki for generations.⁴² While the precise extent to which the French government coordinated with the Mi'kmaq remains unclear, the Mi'kmaw presence certainly abetted French fishermen's poaching of Newfoundland wood. In occupying the space that had long been part of their homeland, the Mi'kmaq helped to prevent any regular British fishing on the southern banks of Newfoundland, making it easier for the French fishermen to take the wood they so desperately needed.

French ministers pursued several diplomatic arguments in response to British charges of wood poaching in southern Newfoundland. The first was disavowal. When in 1764 Palliser condemned wood poaching in a letter to d'Angeac, the French governor insisted that he had no knowledge of these activities whatsoever, in much the same way he had when he claimed to have never seen an Indian around the islands. He added that he had warned all French fishermen that they would be arrested if they were caught trespassing in southern Newfoundland, and that he would be unable to come to their rescue. Indeed, d'Angeac assured Palliser, "If I had an indispensable need for some pieces of wood,

I would address myself to you and ask you for them."⁴³ The French governor's assurances notwithstanding, French fishermen who cut wood in southern Newfoundland appeared not to know their actions were prohibited by treaty, much to Palliser's horror. He informed the Earl of Halifax, Southern Secretary, that these fishermen "give out, among other falsities, that at making the peace, it was promised that the Bay of Fortune should be free to their people to cut wood."⁴⁴ If British naval officers had rejected a customary understanding of rights to Newfoundland wood, the French fishermen evidently had not taken note.

When the British levied particular charges of wood theft, however, the French would refute them with a recourse to customary rights, which offered a second common diplomatic response to accusation of wood poaching. For example, when British ministers charged that French fishermen filled their ships with Newfoundland wood to bring to Europe in 1765, their French counterparts insisted this was impossible. Since "fish is worth about twenty times the value of a cargo of planks of wood," the French court declared, it would make no economic sense for them to do that. Any planks of Newfoundland wood aboard ships bound for Europe, the French court continued, was not intended for commercial use, but for the repair of masts and yards that might be damaged during the voyage. A French memo framed the right to use Newfoundland wood in this way as a "necessary pursuant of the right to fish." Moreover, it was a practice that British fishing crews engaged in as well following a 1699 Act of Parliament.⁴⁵

Other times, the French invoked customary law in obfuscating ways. In response to other 1765 charges that French fishermen were hauling wood across Fortune Bay from southern Newfoundland to St. Pierre and Miquelon, foreign minister le duc de Praslin wrote, "The right to access wood and water comes along with the right to land on a coast, to stay there, and to fish there."⁴⁶ But the French resort to customary law was particularly disingenuous in this respect. Regardless of whether one understood the treaties governing the fisheries in the spirit or the letter of the law, French fishermen were only allowed a presence on the northern coast of Newfoundland between Bonavista and Pointe Riche according to the Treaties of both Utrecht and Paris. In actuality, French fishermen from St. Pierre and Miquelon had been found all along the southern coast of Newfoundland—in the Bays of Placentia, Fortune, and d'Espoir—where they felled immense numbers of trees.⁴⁷ These were, of course, the same places the Mi'kmaq were frequenting

in greater numbers. It was these infractions that prompted Palliser to bemoan “the arts used by the French to encourage a spirit of encroachment amongst their people.”⁴⁸

Even David Hume, the celebrated Enlightenment philosopher, encountered these tactics. During what one biographer has called a mid-life crisis, Hume served as private secretary to the Earl of Hertford, the British ambassador to Paris, from 1763 to 1765.⁴⁹ When Hume introduced Palliser’s complaints about French wood poaching to Praslin, the French foreign minister maintained that France was not responsible for French fishermen’s alleged treaty violations when they cut wood in Newfoundland. He referred to their actions as “an irregularity that the French government disavowed.” Praslin went on to task the British government with the responsibility to stop French fishermen from illegally chopping wood in southern Newfoundland. “It was not France’s concern to watch over the British police,” Praslin charged. In saying so, he was admitting that French fishermen had violated the Treaty of Paris, but he also rejected any responsibility for their actions. According to Hume, Praslin even implored the British government turn a blind eye to these encroachments, as well: “What harm is there . . . if a few Frenchmen, disavowed by their government,” he asked, “should cut some wood in a country which consisted of [such] boundless and innumerable forest? Would [you] refuse a thirsty foreigner the liberty of drinking in the Thames?”⁵⁰

Such pleas meant little to the British naval squadron concerned with the impact of French woodcutting and Mi’kmaq presence in southern Newfoundland on British fishing. When Captain James Cook, of later fame for his voyages to South Pacific, surveyed Newfoundland’s southern coast in 1765, he found few British fishermen there. The dearth of British fisheries was especially pronounced in the regions where the French typically went to cut wood, such as the Bay d’Espoir. The absence of fisheries in this region of good harbors, rich fishing grounds, ample wood, and fresh water was puzzling to Cook. Though British fishermen could legally operate fisheries there, Cook observed that they stayed clear of the coast in the summer months. Instead, “some few” would venture there in the winter to operate seal fisheries.⁵¹ What Cook left out was that this was precisely the region where so many Mi’kmaq had settled after the war. Mi’kmaq migration patterns could explain why, to Cook’s confoundment, British fishermen avoided Newfoundland’s southern coast in the summer and only hesitatingly went there

in the winter. In dominating the coasts of southern Newfoundland in the summer months but typically migrating inland to hunt during the winter, the Mi'kmaq made use of what Thomas Wickman has called "seasonal spaces of power."⁵² Fearing the Mi'kmaq, British fishermen avoided southern Newfoundland in the summer months, but the French, who had long-standing ties with the Mi'kmaq, did not. In this way, Mi'kmaw presence in Unama'ki shaped political possibilities for European imperial powers in Newfoundland.

A turning point occurred in 1765, when Palliser succeeded in expanding the British naval presence along the southern coast of Newfoundland. The increase in British naval patrols impacted French wood poaching. In 1765, a group of French fishermen from St. Pierre and Miquelon sought refuge from a storm in Placentia Bay, just east of Fortune Bay. By treaty, the area was forbidden to French fishermen, so the ship was searched by a British naval patrol. After finding a mere three pieces (*morceaux*) of Newfoundland wood on board, naval officers arrested the six fishermen. In response, d'Angeac pointed out that the rights of hospitality in stormy weather were never refused to rival subjects, even in times of war. "We are not barbarians," he wrote. As for the wood, d'Angeac insisted that Pierre Gautier and his crew be treated with pity because wood was lacking in St. Pierre and Miquelon. They had no bad intentions, he wrote, encouraging Palliser to look upon the men with charity.⁵³ When faced with undeniable charges, d'Angeac, like Praslin, chose to call on customary practices to wood access. Whether the three pieces of wood were seized or successfully transported, though, would make little difference in the French need for wood, or in the lack of it on St. Pierre and Miquelon.

Increasingly, the great cod merchants of France's Atlantic coast complained of this situation. In 1765 the *chambre de commerce* of La Rochelle threatened to abandon the fisheries altogether because the lack of wood made commercial operations too difficult and too expensive to continue. These merchants had historically operated "mixed" fisheries at Isle Royale. They complained that St. Pierre and Miquelon had no wood and that the French Shore was too crowded for them operate shore fisheries. This left them no choice but to participate in the less profitable green cod fishery, which they were not keen to do.⁵⁴ Praslin told merchants to bring provisions of timber from France, which was—of course—most impractical advice.⁵⁵ Indeed, the esteemed fisheries scholar and Granville native Charles de la Morandière observed that the owners

of ships bound for St. Pierre and Miquelon were scarcely in a position to fill their hulls with construction materials. Typically, smaller goelettes and brigantines of 50–120 tons, these small ships needed to transport six months' worth of provisions for 130 men, including two barrels of wine per sailor.⁵⁶ It seems likely that Praslin did not expect them to follow this prescription, but simply issued the instructions to have proof to support his disavowal of the wood poachers.

Things began to shift after 1765, as smuggled commercial timber began to supplant poached Newfoundland wood in St. Pierre and Miquelon. Not coincidentally, this came at the same time that Palliser succeeded in restricting Mi'kmaw migration to southern Newfoundland.⁵⁷ That reports of wood poaching dissipated in the correspondence between Palliser and d'Angeac and between the two courts suggests that Mi'kmaw power had enabled French fishermen to subvert British hegemony in Fortune Bay.⁵⁸ In the absence of their Mi'kmaw allies, French fishermen had to look elsewhere. They increasingly relied on commercial timber procured from New England vessels in clandestine trade, substituting the infringement of one law with another.⁵⁹

Smuggling between St. Pierre and Miquelon and the New England colonies had been a concern of British officials since the transfer of the islands.⁶⁰ Palliser discovered in his first season as governor that ships from New England provided St. Pierre and Miquelon with "all sorts of materials for buildings"—mainly, timber—for which the French paid either in kind or in British currency.⁶¹ Naval officers seized one New England sloop caught trading at St. Pierre in 1764, but it was one of many that frequented those shores laden with smuggled goods unharmed, as the coasts were sparsely populated and lined with tiny inlets and rocky beaches.⁶² By 1765, Halifax complained to le comte de Guerchy, the French ambassador to London, that the illicit commerce established by French fishermen at St. Pierre and Miquelon was "very pernicious and extensive."⁶³ Whether French subjects were thwarting British efforts to control the wood-cod extraction nexus by poaching wood in southern Newfoundland or engaging in clandestine trade for commercial timber with New England merchants, they were unwilling to let the absence of wood on St. Pierre and Miquelon nullify their fishing rights.

Over the following years, smuggling between St. Pierre and Miquelon and New England thrived. In 1766 Governor Palliser observed that the French had managed to build some four hundred houses at St. Pierre and Miquelon, in addition to fishing boats, stages, and sheds,

"every stick of which they have had from the English." He wagered that the islands "[could not] even subsist" without such supplies. The specter of four hundred houses—presumably built to accommodate the resettled Acadian inhabitants of Isle Miquelon, the fifty French troops stationed at Isle St. Pierre, and the governor's household—was likely an exaggeration. Indeed, according to a census ten years later, in 1776, there were 237 houses and 52 flakes on the islands. It nevertheless lent credence to Palliser's allegation that France wanted to turn St. Pierre and Miquelon into "a kind of free port on our own coast" and provided urgency for his insistence that the Royal Navy keep "a constant and very strict watch about those islands."⁶⁴

Smuggling had so thoroughly supplanted wood by 1767 that Palliser decided it was no longer necessary for the Royal Navy to patrol the southern coast in the winter months, which had previously been a prime season for French fishermen from St. Pierre and Miquelon to resort to those shores to hunt with the Mi'kmaq and chop wood.⁶⁵ Instead, Palliser elected to employ more naval vessels during the fishing season to pursue New England ships engaged in illicit trade. As a result, British naval ships began entering St. Pierre harbor as they pleased, to inspect ship cargoes.⁶⁶ The crackdown prompted a timber shortage in 1767 on the islands, but smuggling soon rebounded, and New England ships regularly brought boards and planks to St. Pierre and Miquelon.⁶⁷ With the introduction of smuggled New England timber products, commercial wood purchased on the illicit market offered the French at St. Pierre and Miquelon a way to subvert the political economy of British hegemony as expressed in the restricted French access to Newfoundland wood and the wood-cod extraction nexus.

Palliser stepped down as governor after the 1768 fishing season, and the meticulous official's departure enabled France's subterfuge to operate more smoothly, with fishermen relying on poached wood of southern Newfoundland and smuggled New England commercial timber together. Much less exacting than Palliser, his replacement John Byron did not even correspond with d'Angeac. In addition, the Admiralty significantly reduced the size of the naval squadron in Newfoundland after 1769, making it harder to police the encroachments of French fishermen and New England merchants. In 1773 le baron de l'Espérance replaced d'Angeac as governor of St. Pierre and Miquelon. He worried about the absence of wood on the islands and proposed asking the British government for permission to cut wood in Newfoundland, but the

foreign minister informed the new governor that such a request would be pointless, as the British would never take it under consideration.⁶⁸ Thus, the new French governor quickly became acquainted with the unspoken rules of the wood-cod extraction nexus that had kept the French fishery at St. Pierre and Miquelon alive since the Seven Years' War.

Fortunately for l'Espérance, however, enough commercial timber was arriving at St. Pierre and Miquelon from New England to obviate the need for any such pleas, and there was little the British navy could do to stop them, given the archipelago's geography. When Lieutenant William Parker set out to stop clandestine trade on the islands at the behest of Newfoundland governor Molyneux Shuldham in 1772, he could not even manage to reach the coast of St. Pierre to perform inspections. While French fishermen could easily navigate the distance between southern Newfoundland and the island with their more maneuverable small ships, the British frigate under Parker's command had no such luck. What was more, the geography of St. Pierre and Miquelon on their southwest-facing coasts differed considerably. "The chance of getting in safe is so great on the [New England] side," Parker bemoaned, "that trade will never be prevented." Meanwhile, Parker observed, "the French [fishermen] very cordially will speak of every New England vessel that comes."⁶⁹ Ships regularly came from New England laden with timber products to exchange for French goods like wine and *eau de vie*.⁷⁰

Changing Tides

The American Revolutionary War heralded a strategic shift in British proxy attacks on French fishing rights through restricting access to Newfoundland wood and going after smuggling ships laden with New England commercial timber. When war broke out between Britain and the Thirteen Colonies, John Montagu, then governor of Newfoundland, had instructions to "prohibit all trade and intercourse with any of [the king's] rebellious colonies in America." As years of correspondence demonstrated, it was an open secret that French fishermen relied on trade with New England for commercial timber to supply the wood that many British officers so scrupulously forbade them from cutting in Newfoundland. Montagu knew, then, that French fishermen would "be distressed for want of a supply of lumber" from New England ships. He therefore issued a proclamation that French subjects would be

permitted to "supply themselves from the Island of Newfoundland with such articles of lumber of every species as shall be requisite and necessary" for carrying out their fisheries. There would thus "be not made a pretext for carrying on any illicit trade" with the rebellious New Englanders.⁷¹ When France joined the war on the side of the nascent United States in 1778, the British navy promptly seized control of St. Pierre and Miquelon.

When the islands were returned to France at the war's end in 1783, the British government took a new approach to the wood-cod extraction nexus. Over the following years, the questions about Newfoundland wood extraction that had once prompted such bitter disputes were resolved rather easily in such a way that made New England commercial timber unnecessary. Indeed, the British government was far more amenable to compromise on the Newfoundland question than it had been after the Seven Years' War. Driven by the preference of the prime minister and leading members of the newly reformed Board of Trade for good relations with France that would permit financial stabilization, the Board supported an agreement on woodcutting rights in Newfoundland that would avert future Franco-British conflict. Though the Treaty of Versailles (1783) did not include explicit mention of French woodcutting rights, in 1785 the governor of Newfoundland received explicit instructions to allow it.⁷²

Changing economic and geopolitical conditions explain why the British stopped attempting to manipulate the wood-cod extraction nexus in the fisheries. Of first importance was the fact that Newfoundland was less important to Britain as a source of sailors for the Royal Navy in the 1780s than it had been twenty years earlier. Britain's merchant marine had burgeoned in size between the Seven Years' War and the 1780s, creating a vastly expanded pool of sailors for recruitment to the wartime navy.⁷³ Moreover, the commercial power of the English West Country waned as the money behind the British fisheries came to be based in Newfoundland itself and the island started to look more like a colony of settlement.⁷⁴ Meanwhile, the 1790s also saw the expansion of fisheries elsewhere, notably in Iceland and Norway, whose fish sold at lower prices. Around this time, too, the papal changes to the rigor of Catholic dietary restrictions meant that in key markets for cod like Spain and Portugal, people had begun consuming less fish. Tariff duties on dried salt cod there also increased significantly during those years.⁷⁵

Conclusion

For a brief window, from 1763 to 1783, the political ecology of the Newfoundland fisheries prompted agents of the British empire to exploit a wood-cod extraction nexus to pursue geopolitical ambitions against France. But French fishermen, merchants, naval officers, and ministers did not submit. Instead, they responded by reviving long-standing ties with the Mi'kmaq, who limited the expansion of British fisheries in southern Newfoundland, and developed smuggling networks with New England merchants, with whom they found themselves allied in another war against the British less than two decades later. French and British subjects alike strategically invoked various legal registers to support their actions. This delicate manipulation of resource extraction, law, and geopolitics took shape because of the dynamic interplay between imperial rivalry and the political ecology of salt cod production.

There was nothing intrinsic to the cod fishery that generated conflict over wood, nor was it a necessary consequence of two empires sharing fishing rights in the same space. Indeed, no such conflicts had transpired in the first fifty years following the Treaty of Utrecht. But after 1763, certain British naval officers and ministers responded to changed geopolitical circumstances to try to restrict French fishermen's access to the wood they needed to accomplish what the Treaty of Paris did not: an end to French fishing rights in Newfoundland. As the British sought to manipulate the extraction nexus, the French responded by pursuing different strategies to preserve not just their fisheries but, according to the nursery for seamen logic, their very navy and global empire. Through mundane disputes about wood fought in multiple legal vernaculars, an interimperial legal order was painstakingly contested, chopped down, and rebuilt.

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Notes

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1. See Jean-François Brière, "Pêche et politique à Terre-Neuve au XVIIIe siècle: la France véritable gagnante du traité d'Utrecht?," *Canadian Historical Review* 64 (June 1983): 168–87.
2. Basil Williams, *The Life of William Pitt, Earl of Chatham* (London: Longmans, Green, 1913), 2:95.
3. Peter Pope, *Fish into Wine: The Newfoundland Plantation in the Seventeenth Century* (Chapel Hill: University of North Carolina Press, 2004), 13–14.
4. Charles de la Morandière, *Histoire de la pêche française de la morue dans l'Amérique septentrionale* (Paris: G. P. Maisonneuve et Larose, 1962), 1:109–11.
5. J. K. Hiller, "The Newfoundland Fisheries Issue in Anglo-French Treaties, 1713–1904," *Journal of Imperial and Commonwealth History* 24 (January 1996): 1–23, at 4–5.
6. L'Espérance to John Campbell, Aug. 2, 1783, British National Archives (TNA), Colonial Office (CO) 194/35, fol. 230.
7. See, e.g., Frédéric-Joseph Guillot, "Mémoire sur les isles Saint-Pierre et Miquelon, et l'isle de Terre-Neuve," Sept. 25, 1762, Archives Nationales d'Outre-Mer (ANOM), Dépôt des papiers publics des colonies (DPPC) G1/463, fols. 72, 75.
8. The Mi'kmaq were one of three Indigenous nations with a presence in Newfoundland, alongside the Beothuk and the Inuit. In the eighteenth century, the Beothuk primarily occupied the region around the Exploits River, and Inuit territory included the Petit Nord. This article focuses on the Mi'kmaq because their homelands include the Fortune Bay region where St. Pierre and Miquelon sit.
9. William Wicken, *Mi'kmaq Treaties on Trial: History, Land, and Donald Marshall Junior* (Toronto: University of Toronto Press, 2004), chap. 9.
10. See Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (New York: Cambridge University Press, 2010), 23–30.
11. Benton, *Search for Sovereignty*, 7, 30–38.
12. Jason Moore, *Capitalism in the Web of Life: Ecology and the Accumulation of Capital* (New York: Verso, 2015), 14.
13. Molly A. Warsh, "A Political Ecology in the Early Spanish Caribbean," *William and Mary Quarterly* 71 (October 2014): 517–48. See also Elisabetta Novello and James C. McCann, "The Building of the Terra Firma: The Political Ecology of Land Reclamation in the Veneto from the Sixteenth through the Twenty-First Century," *Environmental History* 22 (July 2017): 460–85; Christopher Parsons, *A Not-So-New World: Empire and Environment in French Colonial North America* (Philadelphia: University of Pennsylvania Press, 2018); Keith Pluymers, "Atlantic Iron: Wood Scarcity and the Political Ecology of Early English Expansion," *William and Mary Quarterly* 73 (July 2016): 389–426.
14. Newfoundland wood was not commodified itself, but it was essential to the commodification of cod. In other words, it had a use value instead of a market value. Other types of wood, including smuggled New England commercial timber, did have a market value. On the distinction, see Paul Warde, *Ecology, Environment, and State Formation in Early Modern Germany* (New York: Cambridge University Press, 2006), 21–24. That particular resources can be capitalist commodities

in some circumstance but not others is a premise in Sven Beckert, *Empire of Cotton: A Global History* (New York: Knopf, 2014). Jason Moore calls these sorts of resources “Cheap Nature” in *Capitalism in the Web of Life*, 26–29.

15. The story of Newfoundland wood and its extraction veers away from the typical contours of forest management in the early modern period that centers on energy needs, forest management, and the construction of naval vessels. See John Richards, *The Unending Frontier: An Environmental History of the Early Modern World* (Berkeley: University of California Press, 2003), 221–24; Karl Appuhn, *A Forest on the Sea: Environmental Expertise in Renaissance Venice* (Baltimore: Johns Hopkins University Press, 2015); N. A. M. Rodger, *The Wooden World: Anatomy of the Georgian Navy* (Annapolis, MD: Naval Institute, 1986); Paul Bamford, *Forests and French Seas Power, 1660–1789* (Toronto: University of Toronto Press, 1956). The archival record reveals little British interest in the Newfoundland forests at all, save for denying wood to the French between 1763 and 1783. Scholarship on the fisheries, too, has shown limited interest in wood in Newfoundland. A notable exception is Harold Innis’s discussion of lumber among other imports to Newfoundland. See Harold Innis, *The Cod Fisheries: The History of an International Economy* (Toronto: Ryerson, 1940), chap. 7. See also C. Grant Head, *Eighteenth-Century Newfoundland: A Geographer’s Perspective* (Toronto: McClelland & Stewart, 1976), 45–48.
16. Head, *Eighteenth-Century Newfoundland*, 41.
17. Jean-François Brière, “Géographie historique de la pêche Terre-Neuvère française dans la première moitié du XVIIIe siècle,” *Proceedings of the Meeting of the French Colonial Historical Society* 10 (1985): 95–118, at 96–97.
18. On the unimpressive qualities of Newfoundland wood, see Head, *Eighteenth-Century Newfoundland*, 46–47; Pope, *Fish into Wine*, 160. On naval wood needs, see Bamford, *Forests and French Sea Power*, 10–13.
19. On eighteenth-century cod stocks, see Jeffrey Bolster, *The Mortal Sea: Fishing the Atlantic in the Age of Sail* (Cambridge, MA: Harvard University Press, 2012), chap. 2.
20. See Jacqueline Hersart de la Villemarqué, *La pêche morutière française de 1500 à 1950: statistiques, climat et société* (Brest: Éditions IFREMER, 1995), 21; Morandière, *Histoire de la pêche française*, 1:148–50; Jean-François Brière, *La pêche française en Amérique du Nord au XVIIIe siècle* (Quebec: Éditions Fides, 1990), 190.
21. Head, *Eighteenth-Century Newfoundland*, chap. 1.
22. Morandière, *Histoire de la pêche française*, 2:773–74, 782–83.
23. Villemarqué, *La pêche morutière française*, 21.
24. Jean-Yves Ribault, *Les Iles St. Pierre et Miquelon, dès origines à 1814* (St. Pierre: Imprimerie du Gouvernement Saint-Pierre, 1962), chap. 1.
25. “Mémoire sur les isles de St. Pierre et Miquelon,” 1763, Archives des Affaires Étrangères, Mémoires et Documents (hereafter AAE MD), Amérique 23, fol. 172.
26. Hiller, “The Newfoundland Fisheries Issue,” 4–9.
27. Merchants of Granville, “Mémoire à M. Le duc de Choiseul par les négociants de Granville sur la pêche de Terre-Neuve,” Nov. 15, 1763, AAE MD Amérique 23, fol. 187v–188.

28. Frédéric-Joseph Guillot, "Mémoire sur les isles Saint-Pierre et Miquelon, et l'isle de Terre-Neuve," Sept. 25, 1762, ANOM DPPC G1/463, fols. 72, 75.
29. Thomas Graves to Board of Trade (BoT), Oct. 20, 1763, TNA CO 194/15/Part 1, fol. 108–108v.
30. "Réponse au mémoire remis par M. Hume le 22 août 1765," Nov. 12, 1765, Archives Nationales, Fonds de la marine (hereafter AN Marine), C⁵38, n° 3.
31. Halifax to Guerchy, Apr. 30, 1764, TNA SP 78/261/39, fols. 101–113.
32. Charles A. Martijn, "Early Mi'kmaq Presence in Southern Newfoundland: An Ethnohistorical Perspective, c. 1500–1763," *Newfoundland Studies* 9 (September 2003): 44–102, at 60; Frank Speck, *Beothuk and Micmac* (New York: Museum of the American Indian, 1922), 119–20.
33. Wicken, *Mi'kmaq Treaties on Trial*, 12, 191, 208–9; Olaf Uwe Janzen, *War and Trade in Eighteenth-Century Newfoundland* (Liverpool: Liverpool University Press, 2013), 178.
34. George Sito to John Pownall, 1763, TNA CO 194/15/Part 1, fol. 55; Martijn, "Early Mi'kmaq Presence in Southern Newfoundland," 81.
35. Palliser to BoT, Sept. 1, 1764, TNA CO 194/16/Part 1, fol. 2v.
36. Palliser to BoT, Oct. 21, 1764, TNA CO 194/16/Part 1, fol. 64v.
37. Martijn, "Early Mi'kmaq Presence," 80; Dennis A. Bartels and Olaf Uwe Janzen, "Micmac Migration to Western Newfoundland," *Canadian Journal of Native Studies* 10 (1991): 71–94, at 76.
38. François-Gabriel d'Angeac to Palliser, June 30, 1765, TNA CO 194/27, fol. 67.
39. James Sákéj Youngblood Henderson, *The Mikmaq Concordat* (Halifax: Fernwood, 1997), 75–100; Pierre Déleage, "L'écriture attachée des Mi'kmaq, 1677–1912," *Acadiensis* 42 (Winter/Spring 2013): 3–36, at 4–15.
40. Martijn, "Early Mi'kmaq Presence," 80–82; Bartels and Janzen, "Micmac Migration," 77–78.
41. See, e.g., Palliser to BoT, Oct. 21, 1766, TNA CO 194/16/Part 2, fols. 302–305v.
42. Jean-Yves Ribault, "La population des îles Saint-Pierre et Miquelon de 1763 à 1793," *Revue française d'histoire d'outre-mer* 53, nos. 190–91 (1966): 5–66, at 7–21.
43. D'Angeac to Palliser, July 7, 1764, TNA CO 194/16/Part 1, fol. 14v.
44. Palliser to Halifax, July 16, 1765, TNA CO 194/27, fol. 55.
45. "Mémoire de la cour de France," Nov. 21, 1765, TNA State Papers (SP) 78/268/47, fol. 131–131v.
46. "Réponse au mémoire remis par M. Hume le 22 août 1765," Nov. 12, 1765, AN Marine C⁵38, no. 3.
47. Halifax to Guerchy, May 11, 1765, TNA SP 78/266/49, fols. 126–127.
48. Palliser to Halifax, July 16, 1765, TNA CO 194/27, fol. 55.
49. John Robertson, "Hume, David (1711–1776), Philosopher and Historian," *Oxford Dictionary of National Biography*, Sept. 23, 2004.
50. Hume to Hertford, Aug. 28, 1765, TNA SP 78/267/69, fol. 177–177v.
51. Head, *Eighteenth-Century Newfoundland*, 159–163.
52. Thomas Wickman, *Snowshoe Country: An Environmental and Cultural History of Winter in the Early American Northeast* (New York: Cambridge University Press, 2018), 16.

53. D'Angeac to Palliser, Sept. 29, 1765, TNA CO 194/27, fol. 140–140v.
54. “Arrêt de la chambre de commerce de La Rochelle, sur les permissions accordées aux étrangères de faire le commerce dans nos colonies, & sur la pêche de la morue,” 1765, Archives Départementales (AD) Loire-Atlantique, C 744, n° 108.
55. Praslin to the St. Malo Chamber of Commerce, Aug. 8, 1766, Service Historique de la Défense—Marine, Brest, 1P1/10, n° 22.
56. Morandière, *Histoire de la pêche française*, 1:59–91, 162–63, 2:769, 782.
57. Francklin to Palliser, Sept. 11, 1766, TNA CO 194/16/Part 2, fol. 307–307v; Palliser to Francklin, Oct. 16, 1766, TNA CO 194/16/Part 2, fols. 308–309.
58. Morandière, *Histoire de la pêche française* 2:770; Frederick J. Thorpe, “The Debating Talents of the First Governor of St. Pierre and Miquelon, François-Gabriel d’Angeac, 1764–1769,” *Newfoundland Studies* 18, no. 1 (2002): 61–83, at 71.
59. Janzen, *War and Trade*, 191.
60. Graves to BoT, Oct. 20, 1763, TNA CO 194/15/Part 1, fol. 108.
61. Palliser to BoT, Sept. 1, 1764, TNA CO 194/16/Part 1, fol. 4.
62. Palliser to BoT, Oct. 21, 1764, TNA CO 194/16/Part 1, fol. 65.
63. Halifax to Guerchy, “Réponse aux différents sujets de plainte de la part des pêcheurs français sur les côtes septentrionales de Terre-Neuve, et dans le Golfe St. Laurent, contenues dans la lettre de Mons. l’Ambassadeur de France du 7 avril 1765,” May 11, 1765, TNA SP 78/266/49, fols. 171–72v.
64. Palliser to BoT, Oct. 21, 1766, TNA CO 194/16/Part 2, fol. 303–303v; “Recensement des isles St. Pierre et Miquelon,” Nov. 1, 1776, ANOM COL G1/467.
65. Palliser to d’Angeac, Oct. 23, 1765, CO 194/27, fol. 140–140v; William Whiteley, “Governor Hugh Palliser and the Newfoundland and Labrador Fishery, 1764–1768,” *Canadian Historical Review* 50 (June 1969): 141–63, at 145.
66. Thorpe, “The Debating Talents,” 66; Palliser to Tronjoly, July 10, 1767, TNA CO 194/27, fols. 322–323.
67. Thorpe, “The Debating Talents,” 72; “Mémoire,” Sept. 4, 1767, AN Colonies C¹² 2, fol. 123.
68. Ribault, *Les Iles St. Pierre et Miquelon*, 26–27; Janzen, *War and Trade*, 195–96.
69. William Parker to Molyneux Shuldham, June 6, 1772, TNA CO 194/30, fol. 97–97v.
70. Ribault, *Les Iles St. Pierre et Miquelon*, 26.
71. John Montagu, “Proclamation,” July 7, 1776, AAE MD Angleterre 13, fol. 242.
72. Lord Sydney to Campbell, Apr. 13, 1785, TNA CO 194/36, fols. 9–10.
73. Ralph Davis, *The Rise of the English Shipping Industry in the Seventeenth and Eighteenth Centuries* (London: Macmillan, 1962), 39.
74. Hiller, “The Newfoundland Fisheries Issue,” 15; Innis, *The Cod Fisheries*, 288–96.
75. Innis, *The Cod Fisheries*, 299.