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# ERIC COBHAM: The Pirate Who Never Was?

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THE HISTORY OF NEWFOUNDLAND AND LABRADOR IS FULL OF LEGENDS AND MYTHS THAT ARE BASED MORE ON BELIEF THAN ON EVIDENCE. THUS MANY PEOPLE “KNOW” THAT IN 1497, CABOT MADE LANDFALL AT BONA VISTA, AND THAT THE BEOTHUK PEOPLE WERE HUNTED FOR SPORT. SOME PEOPLE BELIEVE THAT SHEILA NAGEIRA WAS A YOUNG IRISH NOBLEWOMAN RESCUED BY PETER EASTON FROM DUTCH PRIVATEERS IN THE EARLY 1600s, WHEREUPON SHE FELL IN LOVE WITH GILBERT PIKE, ONE OF EASTON’S LIEUTENANTS, SUBSEQUENTLY MARRIED, AND EVENTUALLY SETTLED IN CARBONEAR. THAT THERE IS NO EVIDENCE FOR ANY OF THESE CERTAINTIES MATTERS NOT ONE WHIT TO TRUE BELIEVERS. WHY BELIEF SO OFTEN TRUMPS HISTORICAL ANALYSIS IS ITSELF A SUBJECT THAT FASCINATES SCHOLARS; HISTORIANS HAVE PICKED THESE ALLEGED TRUTHS APART FOR YEARS, AND STILL THEY PERSIST.

**T**his article focuses on another “certainty” among some, namely the life and career of the pirate Eric Cobham who, with his wife Maria Lindsay, allegedly established a base at Sandy Point in Bay St George. The two, for 20 years or so, allegedly attacked and plundered ships and vessels as they made their way across the Gulf of St Lawrence, and murdered their crews. I will not attempt to explain why people are so determined to believe that Cobham existed—I’ll leave that to others. Instead I’ll focus on the reasons why the Cobham story is so improbable. This is not to say that pirates didn’t operate in Early Modern Newfoundland. They did. This article will begin there, with an examination of the reality of piracy in Newfoundland, before I turn my attention to the lack of reality of Eric Cobham.

### **Piracy in the 16<sup>th</sup> and 17<sup>th</sup> centuries**

In 1604, the owners of the *Hopewell* of London prepared their vessel for a voyage to the Newfoundland fishery by taking out insurance against the following hazards of the business: “... men of warre, Fire, enemies, Pirates, Robbers, Theeves, Jettisons, Letters of Mark and counter Mark, Arrestes, Restraintes, and detaynements ... barratrye of the Master and Marriners of all other perilles, losses and misfortunes whatsoever they be.”<sup>1</sup> Clearly the Newfoundland fish trade was risky business, and piracy was a risk which had to be anticipated.

Pirates appeared at Newfoundland as early as the late 16<sup>th</sup> and early 17<sup>th</sup> centuries. The end of the Anglo-Spanish War in 1604 released “large numbers of men

onto a job market which was ill-equipped to deal with the problem,” and the result was a substantial increase over the next two decades in piratical behaviour.<sup>2</sup> This was the age of Peter Easton and Henry Mainwaring, both of whom plundered English, French, Basque, and Portuguese ships at Newfoundland during the second decade of the 17<sup>th</sup> century.<sup>3</sup> The wars of the period, together with competition between fishermen of many European regions, generated behaviour which was often characterized as “piracy” by its victims, but which frequently blurred the distinction between sanctioned attacks on enemy shipping and true outlawry.<sup>4</sup>

Piracy must not be confused with “privateering,” which was a state-sanctioned and therefore perfectly legal activity during a time of war. With the permission of government, shipowners could outfit their vessels as private warships in order to attack and capture enemy trade, and thereby continue to profit from their shipping. “Piracy” was an illegal activity by maritime outlaws. The 1780 edition of Falconer’s *Universal Dictionary of the Marine* defined “pirate” as “a sea-robber, or an armed ship that roams the seas without any legal commission, and seizes or plunders every vessel she meets indiscriminately, whether friends or enemies.”

According to historian Clive Senior, the attraction of Newfoundland for pirates lay not in plunder, since “the seizure of boat-loads of fish was not in itself a particularly attractive prospect for any self-respecting pirate,” but in the provisions, equipment, and other supplies they could steal and the men they could conscript into their own crews.<sup>5</sup> Thus, upon arriving at Newfoundland, both Easton and Mainwaring extorted food, sails, rigging, and men from the fishing ships operating there, before departing for waters elsewhere in search of more profitable booty.<sup>6</sup>

Piracy in Newfoundland waters faded as the 17<sup>th</sup> century wore on, a fact reflected by a significant decrease in insurance rates.<sup>7</sup> Several developments, all relating to the state developing instruments for protecting and regulating maritime trade, contributed to this decline. One such development was the state navy; in 1649, for the first time, the British government assigned warships to escort convoys of fishing fleets out to Newfoundland, then back to England or to their market destinations; before long, convoys became a regular feature of the trade.<sup>8</sup> Once in Newfoundland, the escort vessels remained on station for the duration of the fishing season. This system of “stationed ships” eventually developed into the cornerstone of England’s strategy for the protection of the Newfoundland fishery.<sup>9</sup>

Other measures such as the Navigation Acts, which first appeared at mid-century, bureaucratic innovations such as the evolution of the Board of Trade by 1696, and efforts to extend the Vice-Admiralty court system to overseas colonies, introduced an increasingly consistent, if not always effective, set of judicial and regulatory practices to overseas trade. All played their part in the decline of piracy in the North Atlantic by the late 17<sup>th</sup> century. Piracy did not disappear, but it was forced to retreat to peripheral areas such as the African coast or the Indian Ocean, where the authority of the European state could not be exercised so vigorously.

### The 18<sup>th</sup> Century Resurgence

Despite this trend, piracy experienced a sharp and dramatic revival following the conclusion in 1713 of a cycle of wars which had been underway nearly non-stop since 1689.<sup>10</sup> According to historian Marcus Rediker, some 4,500 to 5,500 men turned to piracy between 1716 and 1726.<sup>11</sup> And much as had been the case a century before, this resurgence in piracy was generated largely by post-war maritime labour conditions. As navies demobilized and wartime privateering came to an end, unemployment among seafaring labour became widespread.<sup>12</sup> Too many seamen and too few jobs generated a surplus of seafaring labour which in turn caused wages and working conditions to deteriorate.<sup>13</sup> This, warned one observer at the time, “breeds Discontents ... and makes [men] eager for any Change.”<sup>14</sup> Piracy, concluded Rediker, was motivated not so much by a desire to get rich quick but by the “jarring social and economic effects” that followed the restoration of peace in 1713.<sup>15</sup>

The Newfoundland fisheries were a particularly fertile recruiting ground for piracy at this point, because working and living conditions in the industry were extremely difficult. The wars of 1689 to 1713 had disrupted not only the markets for Newfoundland fish in Europe but also the trans-Atlantic movement of men and ships of the migratory ship fishery. This affected even Newfoundland’s tiny population of permanent inhabitants or “planters.” War-time conditions drove up the cost of provisions and supplies planters and their servants needed to survive the long Newfoundland winter.<sup>16</sup> Credit-dependency and debt increasingly affected both the planter’s relationship with his supplier and the planter’s relationship with the migrant fishermen in his employ.<sup>17</sup>

Adding to their woes after 1711 was a mysterious collapse in catch rates of the cod. Catches dropped

from a wartime high of 400 quintals per boat to below 200 quintals.<sup>18</sup> Great numbers of merchants and planters were left “irretrievably in debt” and went bankrupt.<sup>19</sup> Many servants found themselves stranded in Newfoundland, unable to return home, and with no resources by which to support themselves. Some chose to escape by selling themselves into labour contracts and emigrating to New England.<sup>20</sup> Others turned to piracy. As a result, for a few short years, piracy again became a serious problem in Newfoundland. The most sensational expression of this resurgence was the appearance of the pirate Bartholomew Roberts at Trepassey in June 1720.<sup>21</sup>

It is impossible to determine whether Roberts’ choice of Trepassey was deliberate or fortuitous.<sup>22</sup> It was certainly a sensible one. Its location placed Roberts within easy striking distance of merchant ships sailing between the New World and the Old. More importantly, Trepassey had developed by then into a major centre of the English migratory by boat and bank fisheries.<sup>23</sup> Roberts could find everything he needed there to refit his ship. He could also do so in reasonable security, for the harbour had no defences of its own and the warships stationed in Newfoundland rarely appeared in that harbour.<sup>24</sup> There were only two warships assigned to the Newfoundland station that year; both remained in port during the fishing season, one in St John’s, the other in Placentia, leaving the essential task of supervising the inshore fishery to small boats.<sup>25</sup> Consequently during the two weeks or so that Roberts was at Trepassey, no warship ever made an appearance. Nor was the nearest garrison, also at Placentia, in any position to respond. It lacked any overland links or regular sea communication with Trepassey and was also in the process of being reduced in size at the time.<sup>26</sup>

Roberts was free to consolidate his control over the outpost with impunity. He does not appear to have caused much destruction, burning only one vessel and generally leaving the rest alone.<sup>27</sup> Like Peter Easton and Henry Mainwaring more than a century before, he used Newfoundland as a sort of “service centre,” a vast chandler’s shop, fully stocked with provisions, supplies, and nautical stores, a veritable cornucopia of goods necessary to keep a pirate ship afloat.<sup>28</sup> He did seize one vessel to replace his little sloop, refitting and arming it with 18 guns, and recruited a number of fishermen into his crew. The pirates also requisitioned goods, for it was still early in the season, and the provisions brought by the fishing ships from England had not yet been

depleted. Thus, re-stocked with a larger ship, additional men, arms, and supplies, Roberts left Trepassey and set course south, to return once again to the Caribbean. Notwithstanding the reports of various colonial administrators, Trepassey was left behind, little the worse for wear, having served its brief but crucial purpose of refitting and re-supplying the pirates.<sup>29</sup>

Piracy persisted in Newfoundland for a few years more, reaching a climax of sorts in 1724.<sup>30</sup> The fishing ship owners and merchants in England, France, and in Newfoundland protested to their respective governments that owing to the lack of adequate protection the fishery was threatened with complete destruction.<sup>31</sup> Yet steps were being taken to deal with the problem. Beginning in 1722, London assigned three warships (including a second fourth-rate) instead of the customary two to the Newfoundland station. By 1724, at least one of the ships patrolled the banks regularly and sometimes there were two.<sup>32</sup> France, which rarely assigned warships to protect its fisheries, ordered at least two, and possibly more, to patrol the banks.<sup>33</sup> The French warships promptly captured the largest of the pirate ships and sank another.<sup>34</sup>

Such measures and actions may have had the desired effect; piracy was in retreat throughout the North Atlantic by then, and by 1726 it appears to have disappeared as a serious problem at Newfoundland. If the vigour of naval campaigns against the pirates deserves some of the credit, then so do the well-publicized trials and execution of pirates which took place on both sides of the Atlantic during the preceding decade. The introduction of harsh laws to criminalize all collaboration and contact with pirates must also have played its part in suppressing piracy throughout the North Atlantic by 1730.<sup>35</sup> And as piracy faded elsewhere, Newfoundland’s usefulness to pirates as a “service centre” faded as well. Pirates had been drawn to Newfoundland primarily for two reasons that no longer applied after 1725. The harsh conditions within the fishery, which had enhanced Newfoundland’s value to pirates as a recruiting ground during the decade after 1713, gradually gave way to the recovery of the fishery after the mid-1720s. At the same time, the protective hand of government, once practically non-existent, had become both more visible and more energetic as a rudimentary system of civil administration and jurisprudence made its appearance in Newfoundland after 1729. In short, by the 1730s, the resurgence of piracy in Newfoundland during the early 18<sup>th</sup> century had come to an end.

## Eric Cobham

Yet it is precisely at this point, as piracy was fading everywhere else in Newfoundland, that the infamous pirate Eric Cobham and his equally notorious partner Maria Lindsay allegedly made their appearance in Western Newfoundland. As the story goes, Cobham had been born in Poole, England, and as a youth turned to crime. He gradually worked his criminal career up to that of a pirate, making his way to North America sometime in the 1730s. By then he had met his future partner in crime, Maria. In 1740 the two arrived at Sandy Point in Bay St George, and spent the next 20-odd years attacking and plundering commercial shipping as it crossed the Gulf of St Lawrence on its way to and from New France. Allegedly, every ship they captured was scuttled, and every crew was murdered. In keeping with the philosophy “dead cats don’t meow,” they left no witnesses. Ship owners, explains one source, “assumed their ships had been lost at sea with all hands because of natural disasters.”<sup>36</sup> Eventually, the two retired with their ill-gotten gains to France where they became respectable citizens—indeed, Cobham became a landowner, a magistrate, and then a judge in French county courts. Maria, alas, gradually went insane before committing suicide. Cobham left a lengthy deathbed confession about his earlier life of piracy, some claim. He apparently intended that the confession be published, but Cobham’s now-respectable family understandably suppressed the manuscript, to the point where documentary verification of Cobham’s history is nearly impossible to determine. One copy is said to have survived in the French national archives.

That is the account which has been passed along, and which has grown with the re-telling. One of the earliest accounts was an entry in *The Pirates’ Who’s Who* by Philip Gosse, published in 1924.<sup>37</sup> Gosse provided no sources by which the Cobham story can be confirmed.<sup>38</sup> Nor, in his account, did Gosse include many of the details which today are closely associated with Cobham, such as his use of Sandy Point as a base for his attacks on shipping in the Gulf or his death-bed confession. It seems that much of what we think we know about Cobham was invented in the 20<sup>th</sup> century.

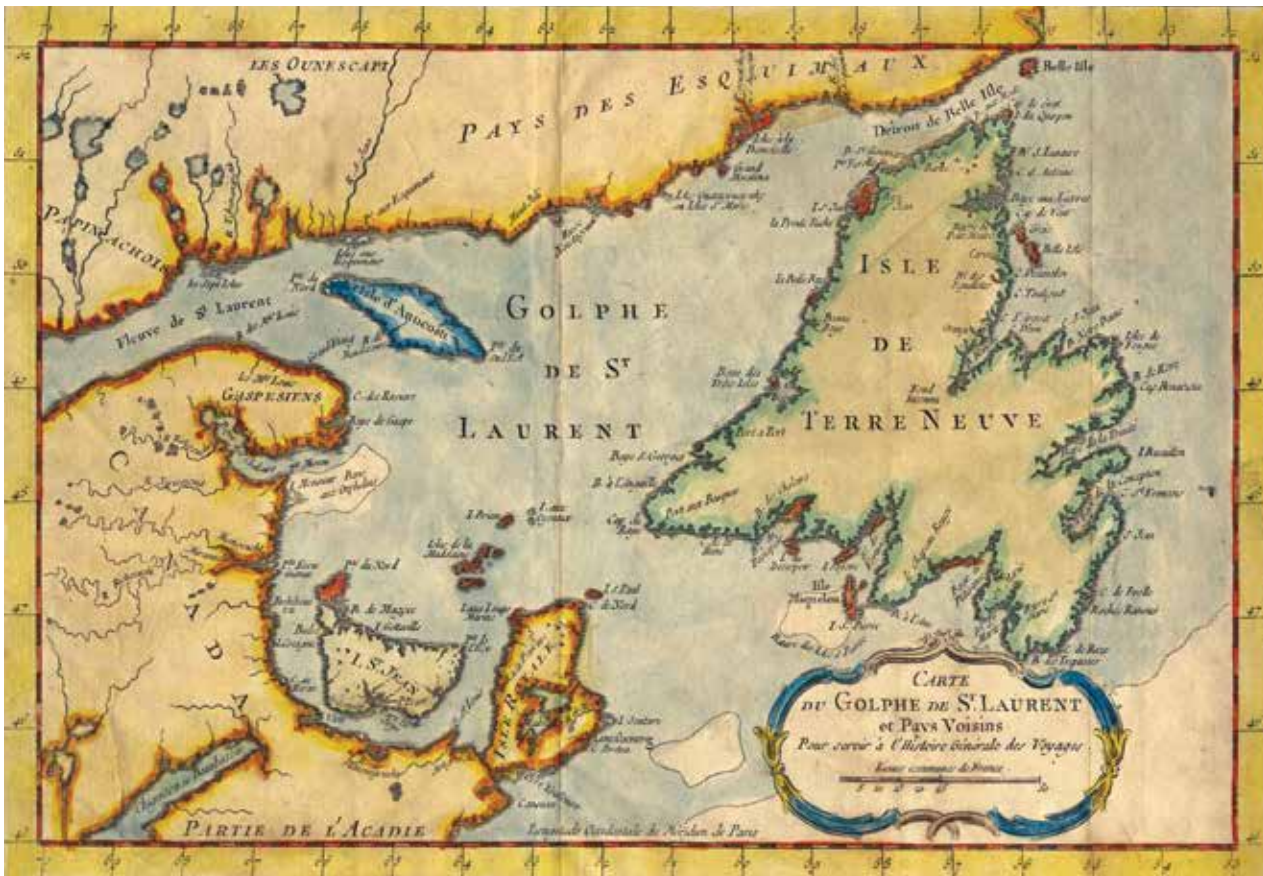
The first modern adaptation of Gosse’s version of the story appears to be the entry on Cobham (with a separate one for Maria) in the first volume of the *Encyclopedia of Newfoundland and Labrador (ENL)*.<sup>39</sup> That tale was then picked up by Harold Horwood and Ed Butts, who included it, with considerable embellishment, in their 1984 book, *Pirates and Outlaws*

*of Canada, 1610-1932*.<sup>40</sup> Horwood also contributed a column on “Captain Eric Cobham” to a series of articles published by *The Evening Telegram* on the lives of Newfoundland pirates.<sup>41</sup> Not to be outdone by the ENL, *The Canadian Encyclopedia* carried a brief entry on Cobham—written by Ed Butts—in 2008.<sup>42</sup> By then, Jack Fitzgerald had used the Cobham story to open his 1999 book on the history of justice in Newfoundland, *The Hangman is Never Late*.<sup>43</sup> There is even a play about Cobham—*Dead Cats Don’t Meow: The Legend of Eric Cobham*—written in 2005 by Stephenville playwright Ben Pittman.<sup>44</sup> And of course Cobham’s story has been picked up (with yet more embellishments) by websites and blogs dedicated to piracy.

One problem with the story of the pirate Eric Cobham is that there is no documentary evidence that he or Maria Lindsay ever existed.<sup>45</sup> Nor does the narrative fit the logic of what we know about the history of western Newfoundland and the Gulf of St Lawrence during the 18<sup>th</sup> century. Let’s begin first with the absence of evidence. This, for a historian, is certainly one of the most disturbing problems. The only documentation ever mentioned in the various accounts of Cobham’s life is his deathbed confession. The ENL assures its readers that “Several [copies] survive, one of which is in the National French Archives.”<sup>46</sup> I spent the better part of a day at the Archives Nationales in 1987 searching for the manuscript, but without success. I also enquired at various likely regional archives in the French *départementes*, again to no avail. I then searched in vain through various British and French maritime and naval collections for any reports, no matter how tenuous, to indicate that piratical behaviour of some sort was going on in the Gulf of St Lawrence during the 1740s and 1750s. Nothing.

Of course, it’s a cardinal rule among historians that “absence of evidence does not necessarily mean evidence of absence.” Just because there is not a shred of documentary evidence to support the story does not necessarily mean that Cobham did not indeed exist and commit his nefarious crimes. Yet this is where the other test fails him—the test of logic and plausibility.

Neither the Gulf of St Lawrence nor Western Newfoundland were remote or unknown places in the 18<sup>th</sup> century. On the contrary, there was considerable traffic on the west coast of Newfoundland during that time. It’s true that British fishermen didn’t extend their activities to Western Newfoundland until the early 1760s, and the Royal Navy never sent a patrol there before 1763 except once, in 1734, when *Roebuck*,



Personal author: Bellin, Jacques Nicolas, 1703-1772. Title: Carte du Golphe de St Laurent et pays voisins pour servir à l'Histoire générale des voyages. Mathematic map data: Scale [ca 1:3 900 000] (W 67°00'–W 52°30'/N 52°00'–N 45°00') Publication info: [Paris : Didot, a 1757]

Captain Crawford, made a brief visit to Port aux Basques and Cape Ray.<sup>47</sup> But it was a very different story when it came to the French. Fishing ships and vessels from St Malo and Granville were routinely sent to fish at a number of locations on Newfoundland's west coast, including Bay St George and the Bay of Islands, even though their presence was a violation of the Treaty of Utrecht of 1713.<sup>48</sup> Basque crews from Saint-Jean-de-Luz, Ciboure, and Bayonne went there so routinely during the first half of the 18<sup>th</sup> century that one researcher refers to the coast from Cape Ray to Port au Choix as the “Basque Coast” of Newfoundland.<sup>49</sup>

A thriving community of fisherfolk had also developed in the southwestern corner of Newfoundland by the early 18<sup>th</sup> century, at Port aux Basques, Cape Ray, and particularly at Codroy, in the shadow of Cape Anguille. This community started out as a collection of seasonal fishing stations in the 1720s, but it wasn't long before the fishermen began over-wintering, some with wives and families who joined them from the nearby French colony of Île Royale.<sup>50</sup> Over time, they were joined by

Irish men and women who may have drifted there from Placentia. By the time Captain Crawford arrived there in 1734, ten families were living at Codroy—a substantial size for an early 18<sup>th</sup> Newfoundland community.<sup>51</sup> A few years later, in 1740, a chaplain on a passing French fishing ship recorded the names of some 40 individuals in the course of performing a number of baptisms and marriages.<sup>52</sup> In short, there was a vigorous seasonal and permanent French presence in the region, which persisted through the 1730s and into the 1740s. And yet, despite that presence, no one ever reported signs of an English pirate stationed in Bay St George.

The only expression of insecurity by the inhabitants came not out of fear of peace-time piracy but from anxieties that came after war was declared between France and England in 1744. Lacking any legal sanction or protection from either the French authorities or the British, the people of southwestern Newfoundland were vulnerable to attacks by Anglo-American privateers and so they abandoned their little settlements for the dubious security of French-controlled Île Royale.<sup>53</sup> Yet


as soon as peace was restored in 1748, they were back. The settlements were re-occupied and their inhabitants began once again to fish for and trade with ships from French ports. A few years later, they were not so fortunate. In 1755, as yet another war approached, they were attacked by a small squadron of English warships—the frigates *Success*, Captain John Rous, and *Arundel*, Captain Thomas Hankerson, and *Vulture*, an armed snow (a square-rigged vessel with two masts, complemented by a square- or trysail-mast) under instruction to search out French fishing installations in southwestern Newfoundland and to destroy them.<sup>54</sup>

All this leads to the conclusion that it was highly unlikely that a pirate could operate in the region without being noticed or reported. There were simply too many French fishermen and French trading vessels there during the period when Cobham was allegedly most active and allegedly using Bay St George as his base. It was certainly not “almost deserted” as Horwood claimed.<sup>55</sup>

But there is more. For at least half of the 20 years that Cobham was supposedly operating out of Sandy Point, the region was a war zone. This meant that well-armed privateers and warships (like John Rous’ little expedition in 1755) were active in those same waters.<sup>56</sup> That Cobham could have sailed out of Bay St George to attack French shipping in the Gulf and not be noticed through all these years simply makes no sense.

Nor is it plausible that a pirate could grow wealthy by preying on that trade. The conventional wisdom is that “Cobham was mainly interested in furs, which brought a high price on the black market.”<sup>57</sup> Such an assumption shows little understanding of the nature or value of the French fur trade by the mid-18<sup>th</sup> century. The commercial value of the fur trade was in fact small compared to other commodity trades—Gilles Proulx describes furs as “modest cargoes” lacking the fluidity and convertibility of gold and silver, the preferred plunder of 18<sup>th</sup>-century pirates.<sup>58</sup> Furs—like fish at the time of the resurgence of Newfoundland piracy in the 1720s—held little appeal for pirates. Finally, if Sandy Point was truly as remote and isolated as the biographers of Cobham insist, then why in the world would a pirate crew be willing to remain there for 20 or so years? Surely the whole point of collecting pirate plunder is to be able to spend it?

In short, the story of Eric Cobham lacks both documentary evidence and a logic that is consistent with the facts of history. Sandy Point was not isolated, any loot that could be plundered in the region was not

easily convertible into wealth, and any piratical activities in the region would have attracted the attention of warships and armed vessels that were more than capable of suppressing those activities. Cobham provides a colourful tale for the telling, but to insist that he was real is to demonstrate a superficial understanding of the reality of what Western Newfoundland was like in the middle of the 18<sup>th</sup> century. 

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1 Daniel W Prowse, *A History of Newfoundland from the English Colonial and Foreign Records* (London: Macmillan, 1895; reprinted Belleville: Mika Press, 1979); cited in Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 12. “Barratry” refers to the act or practice of bringing repeated legal actions solely to harass.

2 John C Appleby, “A Nursery of Pirates: The English Pirate Community in Ireland in the Early Seventeenth Century,” *International Journal of Maritime History* II: 1 (June 1990), 3. See also Kenneth R Andrews, “Elizabethan Privateering,” in Joyce Youings (ed), *Raleigh in Exeter: Privateering and Colonisation in the Reign of Elizabeth* (Exeter: University of Exeter, 1985), 4-5.

3 Clive Senior, “The Confederation of Deep-Sea Pirates: English Pirates in the Atlantic 1603-25,” paper presented in the session on “Privateering and Piracy” of the International Commission for Maritime History at the International Congress of Historical Sciences, San Francisco, 23-24 August 1975; subsequently published in Michel Mollat du Jourdin, comp (and Paul Adam) *Course et Piraterie, Études Présentées à la Commission Internationale d’Histoire Maritime à l’Occasion de son XV<sup>e</sup> Colloque International San Francisco, Août 1975* (3 vols; Paris: CNRS 1975). E Hunt, “Peter Easton,” in George W Brown, gen ed, *Dictionary of Canadian Biography [DCB], Vol I, 1000 to 1700* (Toronto: University of Toronto Press, 1966), 300-301 (hereafter cited as *DCB*); E Hunt, “Henry Mainwaring,” *DCB*, I, 481; Gillian Cell (ed), *Newfoundland Discovered: English Attempts at Colonization, 1610-1630* (London: Hakluyt Society, 1982), 8-9, 81-82; Quinn, *New American World*, IV, 150; Senior, “Confederation,” 340-341.

4 David B Quinn (ed), Chapter 70, “Privateering and Piracy Become Endemic, 1584-1596,” in *New American World: A Documentary History of North America to 1612, Vol IV: Newfoundland from Fishery to Colony. Northwest Passage Searches* (New York: Arno Press, 1979). See also Kenneth R Andrews, “The Expansion of English Privateering and Piracy in the Atlantic, c 1540-1625” and David Quinn, “Privateering: The North American Dimension (to 1625),” papers presented in the session on “Privateering and Piracy” of the International Commission for Maritime History at the International Congress of Historical Sciences, San Francisco, 23-24 August 1975; subsequently published in Michel Mollat du Jourdin, comp

(and Paul Adam) *Course et Piraterie, Études Présentés à la Commission Internationale d'Histoire Maritime à l'Occasion de son XVe Colloque International San Francisco, Août 1975* (3 vols; Paris: CNRS 1975).

5 Senior, "Confederation," 340-341. According to Senior, Easton "forced about 500 British fishermen to join him" while Mainwaring "pressed about one sixth of the British fishing fleet into his service."

6 Richard Whitbourne, "A Discourse and Discovery of New-Found-Land (1622)," reprinted in Cell, *Newfoundland Discovered*, 101-206; see especially 113. According to John Guy, Easton's intent was to build up his strength before sailing for the Azores where he planned to intercept the Spanish treasure fleet; John Guy to John Slany, 29 July 1629, in Quinn, *New American World*, IV, 150-151.

7 Ralph Davis, *The Rise of the English Shipping Industry in the Seventeenth and Eighteenth Centuries* (Newton Abbot: David & Charles, 1962), 376-377.

8 Gillian Cell, *English Enterprise in Newfoundland 1577-1660* (Toronto: University of Toronto Press, 1969), 120-121. By the 1670s and 1680s, the Royal Navy was deploying both convoy escorts and cruising squadrons in the Mediterranean and its approaches for the protection of British commerce, including the Newfoundland fish trade, against the Barbary corsairs. See Sari Hornstein, *The Restoration Navy and English Foreign Trade 1674-1688* (Aldershot: Scolar Press, 1991) and Patrick Crowhurst, *The Defence of British Trade 1689-1815* (Folkestone: Dawson, 1977).

9 Gerald S Graham, "Newfoundland in British Strategy from Cabot to Napoleon," in RA MacKay (ed), *Newfoundland: Economic, Diplomatic and Strategic Studies* (Toronto: Oxford University Press, 1946), 245-264; see especially 258-259.

10 The War of the League of Augsburg, 1689-1697 and the War of the Spanish Succession, 1702-1713.

11 Marcus Rediker, *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates and the Anglo-American Maritime World, 1700-1750* (New York and Cambridge, UK: Cambridge University Press, 1989), 254-256. See also Robert Ritchie, *Captain Kidd and the War Against the Pirates*, (Cambridge: Harvard University Press, 1989), 233ff.

12 The Royal Navy reduced in size from 49,860 men in 1713 to 13,475 in 1715 and 6,298 in 1725; Rediker, *Devil*, 281. The perception that unemployed privateersmen turned frequently to piracy occasioned Captain Johnson's condemnation of "Privateers in Time of War [as] a Nursery for Pyrates against a Peace"; Captain Charles Johnson, *A General History of the Pyrates*, ed Manuel Schonhorn (London, 1724; reprinted Columbia: University of South Carolina Press, 1972), 4.

13 Rediker, *Devil*, 282. According to Rediker, wages in 1713 were half that in 1707.

14 Johnson, *History*, 4.

15 Rediker, *Devil*, 271-272.

16 Keith Matthews, *A History of the West of England—Newfoundland Fisheries* (PhD thesis, Oxford University, 1968), 244-247, 248-9, 256-258, 276-278.

17 Matthews, *A History*, 276-279, 287ff. Peter Pope discusses the late 17<sup>th</sup>-century appearance of the truck system in "Historical Archaeology and the Demand for Alcohol in 17<sup>th</sup> Century Newfoundland," *Acadiensis* XIX, 1 (Autumn 1989), 87-88.

18 Matthews, *A History*, 306-307. The French also experienced a precipitous decline in the size of the cod catch; see Laurier Turgeon, "Fluctuations in Cod and Whale Stocks in the North Atlantic During the Eighteenth Century," in Daniel Vickers (ed), *Marine Resources and Human Societies in the North Atlantic Since 1500: Papers Presented at the conference entitled "Marine Resources and Human Societies in the North Atlantic Since 1500," October 20-22, 1995* (ISER Conference Paper Number 5; St John's, NF: The Institute of Social and Economic Research, Memorial University of Newfoundland, 1997), 87-120, esp 96-97. Also C Grant Head, *Eighteenth Century Newfoundland: A Geographer's Perspective* (Toronto: McClelland & Stewart, 1976), 63-65.

19 Matthews, *A History*, 301-304, 314-318.

20 According to Captain William Passenger, who commanded the Newfoundland station in 1717, as many as 1,300 men were believed to have been carried off to New England. See Passenger to Board of Trade, 5 October 1717, National Archives of Canada, Microfilm B-209, Colonial Office series 194 (hereafter NAC CO 194), vol 6, 199-200.

21 Stanley Richards, *Black Bart* (Llandybie: Christopher Davies, 1966), 41. Like other biographies of Bartholomew Roberts, Richards' book was not written for scholarly readers, but is based largely on Captain Charles Johnson, *A General History of the Pyrates*, ed Manuel Schonhorn (1724; reprinted Columbia, 1972), 4. Schonhorn accepts the view that this work was penned by Daniel Defoe under the pseudonym of Captain Charles Johnson. However Johnson is generally recognized today as a separate individual. See also Richard Sanders, *If a Pirate I Must Be ... The True Story of "Black Bart," King of the Caribbean Pirates* (London: Aurum Press, 2007); and Aubrey Burl, *Black Barty: The Real Pirate of the Caribbean* (Stroud, Gloucestershire: The History Press, 2006).

22 The descent by Bartholomew Roberts on Trepassey in 1720 is examined in detail in Olaf U Janzen, "The Problem of Piracy in the Newfoundland fishery in the aftermath of the War of the Spanish Succession," in Poul Holm, Olaf Janzen, eds, *Northern Seas: Yearbook 1997, Association for the History of the Northern Seas* (Fiskeri- og Søfartsmuseets studierisere, nr 10; Esbjerg, Denmark: Fiskeri- og Søfartsmuseet, 1998), 57-75; reprinted in Olaf U Janzen, *War and Trade in Eighteenth-Century Newfoundland* ("Research in Maritime History," No 52; St John's, NL: International Maritime Economic History Association, 2013), 31-48.

23 Tom Nemeec, "Trepassey, 1505-1840 A.D.: The Emergence of an Anglo-Irish Newfoundland Outport," *The Newfoundland Quarterly* LXIX, No. 4 (March 1973), 17-28.

24 Lt Governor Spotswoode later claimed that there were "upwards of 1200 men and 40 p[ie]ce[s] of cannon" when Roberts appeared, yet Roberts could act with impunity "for want of courage in this headless multitude ..." Spotswoode to Board of Trade, 31 May 1721, CSPC, XXXII, No 513.

This remark is typical of the exaggerated claims that were subsequently made to emphasize the seriousness of Roberts' raid; the summer population was half that claimed by Spotswoode, while there is no evidence that there were any cannon whatsoever at Trepassey.

25 The senior commanding officer of the two stationed ships was designated Commander-in-Chief of the Newfoundland station, and to him would also be assigned the civil powers of governor. It was these responsibilities which normally bound him to St John's.

26 Gledhill to Board of Trade, 3 July 1720, NAC CO 194/6, 367.

27 The only eye-witness account is provided in the deposition of Moses Renos, who denies that there was very much destruction; see enclosure with Governor Hamilton (Antigua) to Board of Trade, 3 October 1720, *Calendar of State Papers, Colonial* (hereafter cited as *CSPC*), XXXII, No 251(iv). And in his report later that year to the Board of Trade on the state of the fishery, the commodore of the Newfoundland station, Captain Percy, said not a word about Bartholomew Roberts, the raid on Trepassey, or pirates, suggesting that the raid by Roberts was far from devastating; Captain Percy, "Answers to the Heads of Inquiry," 8 October 1720, NAC CO 194/7, 5-10n. Nor were the "Returns of the Fishery" at Trepassey significantly worse in 1720 than in 1722; NAC CO 194/7, 12 and NAC CO 194/7, 87ff.

28 According to Matthews, *A History*, 368, the ships of Poole by 1714 were carrying to Newfoundland "cotton goods, hats, stockings, oats, bread, beef, pork, nails, wheat, cordage, peas, bacon, leatherware, hardware, cabbage and woollen goods."

29 Trepassey was not entirely unaffected by Roberts' visit. When a French barque was forced into Trepassey by bad weather in 1722, it was cannonaded by the English, its captain and crew imprisoned, its fishermen detained, and its goods seized. M Dauteuil to the Minister of Marine, 29 October 1722, Archives of Fortress of Louisbourg National Historic Park, transcripts of documents in Paris, Archives Nationales, Colonies (hereafter AFL AN Colonies), série C<sup>11</sup>B/6, 134-134v.

30 See Janzen, "The Problem of Piracy," in Janzen, *War and Trade*, 46-47.

31 "les forbans ... ruinent la pêche ..." Governor Saint-Ovide (Louisbourg) to the Minister of Marine, 26 November 1723, AFL AN Colonies, C<sup>11</sup>B/6, 199-204v. The planters and fishing ship masters at Placentia complained that "the Pirates being Sencible that there has not been any man of warr, Stationed for this Place; they every Year, come Early in the Spring ... and frequently disturbs us, and makes us fly from ... our Fishery." Captain St Lo to Secretary to the Admiralty Burchett, 14 November 1724, The National Archives, Admiralty 1 series (hereafter TNA ADM 1) vol 2453(1), letters of Captain St Lo.

32 *Argyle* (50), Captain Robert Bouler, was on the banks in June; Bouler to the Admiralty, 13 August 1724, TNA ADM 1/1473. When Bouler learned that *Ludlow Castle*, Captain St Lo, had set out from Placentia in late July in search of a 14-gun pirate vessel, he ordered *Solebay*, Captain Knighton,

to cruise as well; 12 September 1724, same to same, TNA ADM 1/1473.

33 There may have been as many as five French warships on the banks in 1724. *Herculle* and *Prothée*, under the command of M de Rocquefeuille, were ordered to the banks that year to cruise against pirates; they left Brest in April; Maurepas to Saint-Ovide and Le Normant de Mézy, 6 June 1724, AN Colonies, B/47, 1268; Bigot de la Mothe to Maurepas, 1 July 1724, AN Marine B<sup>3</sup>/295, 209. In June *Argyle*, Captain Bouler, encountered two French warships, possibly de Rocquefeuille's, on the banks; he described them as "One of 60, and the Other of 54 Guns." Bouler to the Admiralty, 13 August 1724, TNA ADM 1/1473. Bouler learned that another French warship of 40 guns was cruising off Cape Breton Island. Finally, a French banker encountered the frigates *Argonaute* and *Amazonne*, "armé a Brest" as well as "une fregatte du port de Rochefort" cruising the banks in search of pirates; declaration of Captain Jean Montard of Granville, master of the banker *Phylpeaux*, in de Silly and de Villiers to Maurepas, 28 August 1724, AN Marine B<sup>3</sup>/293, 305ff. These frigates may have been destined elsewhere and were simply adding their strength to *Herculle* and *Prothée* while crossing the banks.

34 Declaration of Captain Guillaume Justice of Granville, master of the ship *Marie de Grace*, 31 August 1724 in de Silly and de Villiers to Maurepas, 31 August 1724, AN Marine B<sup>3</sup>/293: 310-311.

35 Measures such as the "Act for the more effectual Suppressing of Piracy," 8 George I, c 24, 1721. See Rediker, *Devil*, p 283.

36 "BGR" [Bert G Riggs], "Cobham, Eric" and "Cobham (née Lindsay), Maria," in *Encyclopedia of Newfoundland and Labrador* (St John's: Newfoundland Books Publishers [1967] Limited, 1981), both on p 465; hereafter cited as *ENL*.

37 Philip Gosse, *The Pirates' Who's Who: Giving Particulars of the Lives & Deaths of the Pirates & Buccaneers* (London: Dulau & Co, 1924; reprinted New York: Burt Franklin, 1968), 78-80. Curiously, Gosse never mentions Cobham in his later book, *The History of Piracy* (London: Longmans, Green & Co, 1932).

38 Gosse based his profile of Cobham on information which came from an unidentified biographer. The full text of Gosse's book has been published on-line as part of the Project Gutenberg initiative; see <<http://www.gutenberg.org/files/19564/19564-h/19564-h.htm>>.

39 *ENL*, 465.

40 Harold Horwood and Ed Butts, *Pirates and Outlaws of Canada, 1610-1932* (Toronto: Doubleday, 1984; second edition, Toronto: Lynx Images, 2003).

41 Though I made and still have a photocopy of the article, I neglected to record the date or the page on which the article appeared. I assume it was some time in the mid-1980s. In the acknowledgements to this article, Horwood credited Mr Ed Walters "for many of the details, which he gathered from the archives, and which enormously enrich the published material available on this remarkable pirate ..." Just what and where those archives might have been was not revealed.



42 “Eric Cobham,” *The Canadian Encyclopedia* (<http://www.thecanadianencyclopedia.ca/en/article/eric-cobham/>, accessed 23 April 2015).

43 Jack Fitzgerald, *The Hangman is Never Late: Three Centuries of Newfoundland Justice* (St John’s: Creative Publishers, 1999). Ironically, Cobham’s story contradicts Fitzgerald’s title; neither Cobham nor his wife were ever hanged.

44 <http://www.zoominfo.com/p/Ben-Pittman/808763670>, accessed 23 April 2015.

45 Cobham is never mentioned by any of the scholars who have made 18<sup>th</sup>-century piracy their research specialty. Maria Lindsay is never mentioned by John Appleby in his recent book, *Women and English Piracy 1540-1720* (Woodbridge, Suffolk and Rochester, NY: Boydell Press, 2013).

46 *ENL*, 465.

47 Crawford’s visit in *Roebuck* in 1734 is discussed in Olaf U Janzen, “‘Une petite Republique’ in Southwestern Newfoundland: The Limits of Imperial Authority in a Remote Maritime Environment,” in Lewis R Fischer and Walter Minchinton (eds), *People of the Northern Seas* (“Research in Maritime History,” No. 3; St John’s: International Maritime Economic History Association, 1992), 1-33.

48 See, for instance, voyage descriptions in Rennes (France), Archives Départementales de l’Ille-et-Vilaine (hereafter cited as AD I-et-V), 9B/171, 419, 500 and 501, for *Alexandre* (150 tons, 73 men in 1740, to the Bay of Islands), *Mars* (200 tons, 104 men in 1739, 108 men in 1740, to the Bay of Islands), *Duc d’Aumont* (90 tons, 46 men in 1740, to the Bay of Islands), and *Jason* (70 tons, 13 men in 1741, to Bay St George). By the terms of the treaty, France agreed to confine its fishery to the stretch of coast extending from Cape Bonavista on the northeast coast of Newfoundland as far west as Pointe Riche; they were forbidden to fish south of Pointe Riche. See James K Hiller, “Utrecht Revisited: The Origins of French Fishing Rights in Newfoundland Waters,” *Newfoundland Studies* VII, No 1 (Spring 1991), 23-39.

49 Selma Huxley Barkham, *The Basque Coast of Newfoundland* (np: Great Northern Peninsula Development Association, 1989). See also Laurier Turgeon, *Les échanges franco-canadiens: Bayonne, les ports basques, et Louisbourg, Ile Royale (1713-1758)* (mémoire de maîtrise, Université de Pau, 1977).

50 The Bayonne Admiralty registers include references to fishing crews being left at Codroy during the winters of 1723-24 and 1724-25; See Pau, Archives départementales des Pyrénées-Atlantiques, série B (supplément), 8724, Registres de l’Amirauté de Bayonne, 1722-1725, entries for 12 January 1724

and 9 August 1725. For the Codroy settlement, see Janzen, “‘Une Petite Republique’.”

51 Lord Muskerry’s “Answers to Heads of Inquiry,” 1734, TNA CO 194/9, 259-v, especially Nos 60-62.

52 Louis Colas, “prestre au monier du navire Le Mars,” “Extrait de registre de baptême et de mariage de la poste du Petit Nord nommé Port au Basque,” 18 May, 1740, Paris, Archives nationales, archives d’outre-mer (hereafter cited as ANO), série G<sup>1</sup>, vol 410, #12.

53 Louis Du Pont Duchambon (Interim commandant, Louisbourg) and François Bigot (Intendant, Louisbourg) to Maurepas, 4 November 1744, AFL AN Colonies, C<sup>11</sup>B/26, 32-36.

54 TNA ADM 1/481, despatches of Admiral E Boscawen, North America, 1755-1760, especially 67-67v, Boscawen (*Torbay* at St Helen’s) to the Admiralty, 15 November 1755. For a more detailed discussion of Rous’ operation, see Olaf U Janzen, “Un Petit Dérangement: The Eviction of French Fishermen from Newfoundland in 1755,” in Olaf U. Janzen, *War and Trade in Eighteenth-Century Newfoundland* (“Research in Maritime History,” No 52; St John’s, NL: International Maritime Economic History Association, 2013), 119-128.

55 Horwood, “Captain Eric Cobham,” *The Evening Telegram*.

56 The War of the Austrian Succession (1740-1748) was quickly followed by the Seven Years’ War (1756-1763, though hostilities commenced in the Gulf in 1755). Both wars brought French and British warships in addition to Anglo-American privateers to the region.

57 “Cobham,” *ENL*, 465. Horwood and Butts argue the same point, adding that “the Canadian fur trade was immensely valuable” at this time and that “the price of the individual furs was rising.” They also add that everything captured was sold in Mediterranean ports through middlemen who purchased their plunder at Percé.” See Horwood and Butts, *Pirates and Outlaws*, 102-103. They offer not a shred of evidence for this complicated commerce, or for the claim that Mediterranean ports were the unlikely destination for luxury pelts.

58 Gilles Proulx, *Between France and New France; Life Aboard the Tall Sailing Ships* (Toronto: Dundurn Press, 1984), 71. The commercial value of the fur trade has long been misunderstood. According to WJ Eccles, the French government regarded the fur trade as an economic means to a political and military end, namely, the political and military control over the North American interior. See Eccles, “A Belated Review of Harold Adams Innis, *The Fur Trade in Canada*,” *Canadian Historical Review* LX: 4 (December 1979), 433, n60.



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